

Time for Justice



2013 Annual Justice Partners Report

**Center for Arkansas Legal Services | Legal Aid of Arkansas
Arkansas Access to Justice Commission | Arkansas IOLTA Program
Arkansas Pro Bono Partnership | Arkansas Access to Justice Foundation**

The Center for Arkansas Legal Services and Legal Aid of Arkansas are the only two free civil legal aid organizations in the state that provide direct client services. There are several organizations that work daily to help support both the two free civil legal aid organizations and several other statewide justice projects. Many partners are part of this effort, but there is one shared vision: to champion equal access to justice for all regardless of economic or social circumstances. Contact information for our legal aid organizations and partner organizations is listed below.

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To champion equal access to justice for all regardless of economic or social circumstances

DEAR ARKANSAS LAWYER,

Over the past decade, we have witnessed worrisome trends in the ability of ordinary citizens to gain meaningful access to our civil justice system. These trends indicate a **clear and growing gap between the wealthy and the poor when it comes to affordability and accessibility of legal representation in civil cases**. The result is an enormous disparity between the general expectation that Americans have access to the courts to resolve their civil disputes and the actual reality—that access to justice in most civil matters is available only to the well-to-do.

The United States is ranked 65th out of 100 countries in access and affordability of civil legal services—behind such countries as Ukraine and Sierra Leone—according to a 2014 World Justice Project report. **We have seen this firsthand in Arkansas as the number of individuals who cannot afford an attorney and who represent themselves in court steadily grows**. Meanwhile, a significant number of recent law school graduates are unemployed or underemployed and many law practices in more rural, depressed areas of the state are struggling. These very real challenges are having a negative impact on our system of justice and ultimately, the rule of law.

In spite of these challenges, Arkansas attorneys from the private, public, and nonprofit sectors are stepping up. Last year, **1,440 attorneys volunteered to take pro bono cases** for legal aid clients. Together, they put in more than **8,500 hours** of work on these cases. Arkansas attorneys performed another **estimated 80,635 hours of pro bono work** on their own. In addition, a total of 578 individual attorneys, 47 law firms, and 23 corporate donors made financial or in-kind contributions to support the work of Arkansas Access to Justice and our state's two nonprofit legal aid providers: the **Center for Arkansas Legal Services (CALs)** and **Legal Aid of Arkansas (LAA)**. The names of contributors and pro bono attorneys who accepted referrals from legal aid are listed on the pages that follow.

The broader justice community is also stepping up by supporting innovative projects that stretch limited resources in creative ways to increase access to justice. Those partners include the Arkansas Access to Justice Commission, the Arkansas Access to Justice Foundation, the Arkansas Legal Services Partnership, and the Arkansas Pro Bono Partnership. This annual report highlights some of these innovations, as well as stories of the day-to-day work that our pro bono and legal aid attorneys do to fulfill their oaths as attorneys to take up “the cause of the impoverished, the defenseless, or the oppressed.”

Finally, this annual report provides the 2013 case and financial information for Arkansas's two nonprofit legal aid organizations. With a combined staff of 64 attorneys, CALs and LAA provided high quality legal representation to more than **14,000 clients** last year. This assistance resulted in help for more than **29,000 Arkansans** and provided a direct economic benefit to our state. A recent study conducted by a team of students from the Clinton School of Public Service found that **these two programs annually produce a combined total of over \$8.6 million in financial recoveries and avoidance of financial loss** for legal aid clients.

There are many partners in this essential effort, but there is one shared vision: **to champion equal access to justice for all**. The need for pro bono volunteers and financial support has never been greater. Because of your continued support, thousands of Arkansans have meaningful access to our system of justice. **Thank you for your helping us represent hope for Arkansans who would otherwise have nowhere to turn**.



Honorable Jim Hannah, Chief Justice
Arkansas Supreme Court



2013 JUSTICE PROJECTS

Justice Technology and Legal Aid

In 2013, there were more than **700,000 downloads of online legal resources** provided to both the public and pro bono volunteers. More than 1,416 document resources (i.e., forms, manuals, training materials) are available to pro bono attorneys and legal aid staff in the members-only area of the www.arlegalservices.org website.

The website and all Justice Technology Projects were developed by the Arkansas Legal Services Partnership (ALSP) in order to improve access to justice for all Arkansans who need civil legal resources.

Justice Technology Projects not only include forms and documents but additional services like real-time chat through LiveHelp, LegalTube videos, and informational Legal Fact Sheets. These free services focus on accessibility through plain language, which ensures readability between a 5th to 8th grade reading level.

An Arkansas Justice Technology Project that has received national recognition is the automated legal forms. In 2013, these forms provided users with nearly **18,000 documents** to help them understand their rights in consumer issues or navigate the Arkansas legal system when filing pro se for specific legal issues.

A **2014 Clinton School of Public Service** study focused on the economic impact of civil legal aid in Arkansas found that a small sampling of three automated resources **saved Arkansans \$1.5 million** that would have otherwise been paid to non-lawyer online national companies like LegalZoom™.

ALSP's goal in our online efforts is to provide clear, concise, and relevant legal information for low-income Arkansans and to provide a clearinghouse for poverty law resources for legal aid advocates, pro bono attorneys, and other stakeholders dedicated to ensuring access to justice.



Road to Justice – Legal Help Travels



By spending their spring break with Legal Aid, **seven law students helped more than 30 low-income Arkansans with their legal issues**. For the 4th Annual Road to Justice, law students traveled with Legal Aid of Arkansas staff attorneys to Elaine, West Helena, Cherokee Lodge Senior Center in Cherokee Village, and the Craighead County Courthouse in Jonesboro to provide legal help to clients on the spot.

Since its inception three years ago, the Road to Justice has proven a success by taking legal help on the road. Law students from the University of Arkansas School of Law and University of Arkansas at Little Rock Bowen School of Law, Legal Aid staff, and volunteer attorneys have helped Arkansans with estate, debt collection, guardianship, housing, and more. The Road to Justice was funded in part by donations from the Student Bar Association at the University of Arkansas School of Law.

View more of our justice projects at www.arlegalservices.org/justiceprojects.

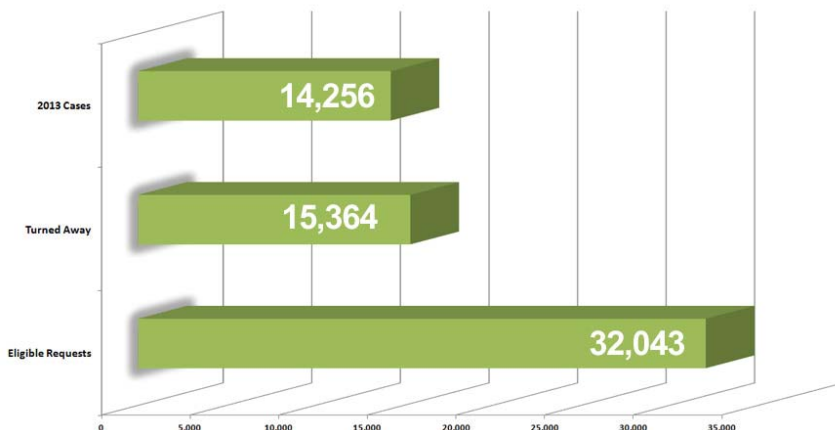
LEGAL AID IN ARKANSAS 2013 – HOW WE HELP

“To me, legal aid lawyers are the heroes of the legal profession. They are, as a group, the lowest paid lawyers in the profession. They labor day in and day out with crushing caseloads, with the emotional burden of their clients’ circumstances, with the heartbreak of knowing how many people they are unable to help, and with the insecurity that comes with precarious funding. But they do it gladly, and with a commitment to their clients that is absolutely remarkable. They are making America’s promise of equal justice under law real for the people they serve. I am honored to work with them.” ~ James J. Sandman, President, Legal Services Corporation

The following tables and narratives show the number of cases, case types, and the value of the critical pro bono support provided by Arkansas attorneys.

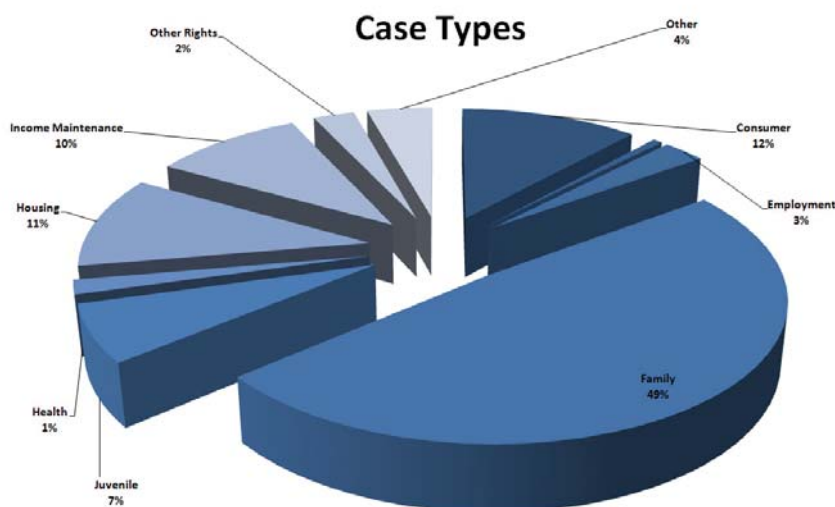
Client Numbers

- **722,087** legal aid eligible Arkansans
- **32,043** eligible clients requested help
- **14,256** client cases (closed or pending)
- **15,364** Arkansans turned away due to resource limitations
- **\$7 Million** attained for Arkansans as client recovery and avoidance
- **29,374** total Arkansans were helped (all household members)



Primary Areas of Practice

- **5,750** cases assisting families with domestic abuse, child protection, and other family law
- **1,374** consumer law cases (bankruptcy, debt collections, and other consumer law)
- **1,474** health & housing issues, including evictions, foreclosures, and Medicaid
- **786** juvenile cases for children who were neglected or abused (includes guardianships)
- **1,156** cases involving SSI, SSDI or other income maintenance
- **1,224** cases involving employment, education, individual rights and other civil legal matters



*Indigent Arkansans who face criminal prosecution have a **constitutional right** to have an attorney appointed to represent them in court. **No such right exists for Arkansans** facing life-altering civil legal problems such as domestic violence, child custody, and housing foreclosures.*

When left unresolved, these problems can snowball into crises that have a negative ripple effect on families and local communities.

PRO BONO SUPPORT

- **1,440** private attorneys volunteered to take cases pro bono & **60** attorneys for alternative/limited scope events
- **\$1,702,696** in pro bono services (in-kind value) was provided by Arkansas attorneys
- **\$282,495** in private donations (VOCALS, LAA, and the Arkansas Access to Justice Foundation)

LEGAL AID IN ARKANSAS 2013 – FUNDING

The two Arkansas legal aid programs provide critical legal services to thousands of Arkansans every year. As 501(c)3 nonprofit organizations they provide free legal services to low-income individuals residing in the state of Arkansas in civil (non-criminal) cases. With annual client case loads consistently hovering around the 15,000 mark these organizations must provide these services with efficiency and innovative methods due to limited legal aid funding. The primary funding sources for legal aid in Arkansas include: Legal Services Corporation (LSC), grants and contracts, the Public Legal Aid Fund, Interest on Lawyer Trust Accounts (IOLTA), donations from private bar attorneys and corporations, and other donations and partnerships.

Revenue



4% of our funding came from donations by private bar attorneys and corporations.

11% of our funding came from the Arkansas IOLTA Program. Most of that amount represents distributions out of the \$2 million National Mortgage Settlement fund designated for the provision of services to assist clients affected by the housing crisis.

11% of funding came from the **Public Legal Aid Fund** established by the Arkansas Legislature in 2005. This fund distributes a percentage of circuit court filing and case reopening fees to legal aid.

20% of funding came from **grants and contracts**, including anti-domestic abuse funding, IRS, United Way, Parent Counsel, Equal Justice Works, AmeriCorps, juvenile and aging funding.

54% of funding came from the federal **Legal Services Corporation** (LSC). LSC is a nonprofit entity established by Congress to fund free civil legal services.

One of the most challenging aspects of legal aid work is **to extend the impact of limited funds as efficiently and effectively as possible**. The following charts show the expenditures that are used to provide the services detailed on the previous page.

Expenditures



17% Support staff who provide services to further the legal aid mission, including secretarial, business management, information technology, and executive leadership

22% Operational costs for 14 offices, including rent, utilities, postage, telephone/technology, printing/copying, travel, and office equipment/maintenance

61% Attorney and paralegal salaries and benefits comprise the single largest source of expense. These 64 individuals handle client cases in legal aid offices throughout the state

The Clinton School of Public Service conducted a study of the economic impact of civil legal aid in Arkansas. The study indicated that in 2013, CALS and LAA created an estimated \$25 million of total economic activity in the state. The financial recoveries and avoidance of losses for legal aid clients alone totaled more than \$8.6 million – an amount that exceeds the cost to deliver those services by over \$2.5 million.

REPRESENTING HOPE – CLIENT STORIES

Protecting Homes

When police came to the apartment complex in search of the father of the client's child, the client was served with an eviction notice. She had never caused a problem at the complex and had not even known that the father of her child had warrants out for his arrest. The complex alleged a lease violation and served a deficient eviction notice that did not provide any facts regarding the reasons why the client was being evicted. So she turned to the Center for Arkansas Legal Services for help. Management at the apartment complex proved difficult to work with from the beginning. Staff attorney Johnathan Carter filed a motion to dismiss, arguing that HUD required management to provide sufficient notice. In this case, management needed to provide a clear statement as to why the client was being evicted. With Mr. Carter's help, the client was able to move out of the apartment complex on her own terms five months later, well after management attempted to evict her from the apartment.



Advocate: Johnathan Carter, Staff Attorney – *Center for AR Legal Services, Housing Rights & Consumer Protection Program*

Helping Families

A young couple wanted a stepparent adoption of the wife's two children. The children's father had not seen them for three continuous years. His child support payments were as sporadic as his visitation, so the husband wanted to legally make the children his own. The couple contacted pro bono attorney Kay H. McLeod for help. Ms. McLeod advised the couple to call the Center for Arkansas Legal Services and ask for a referral through the VOCALS Program. When they did, Ms. McLeod gladly accepted the case. The case seemed straightforward but took 11 months to complete when the children's father refused to sign the consent forms. The father tried to indicate that he never received any of the court forms and tried to prevent the adoption from taking place. Through Ms. McLeod's time, effort, and help, the adoption took place.



Advocate: Kaye H. McLeod, VOCALS Pro Bono Attorney – *McLeod Law Firm*

Giving Medical and Legal Aid

A veteran of the most recent Iraq war, the client was honorably discharged from the Army in 2006 and struggled for several years to fully resume his civilian life. He attempted to work multiple jobs, and for a while, he was able to sustain a middle class livelihood. Unfortunately, the horrors that he'd witnessed as a soldier kept him awake at night with nightmares and ongoing paranoia, which drove him into depression. The physical injuries that he'd suffered also worsened with age. The client lost his job and divorced but was reluctant to seek help. He finally sought treatment through the VA, and while he waited, he visited the Lee County Cooperative Clinic for primary care. There, he learned about the medical-legal partnership with Legal Aid of Arkansas, and with the help of an attorney, he qualified for Social Security disability insurance benefits, ensuring guaranteed basic financial stability.



Advocate: Kevin DeLiban, Staff Attorney – *Legal Aid of Arkansas Medical-Legal Partnership*

Saving Disability Benefits

For two years, the client had been receiving disability payments from a private insurance company when the company decided that the client no longer met the criteria. The company stated that since the client had been working as a security guard for six months, the added skills changed his job classification, and they wanted him to find a job. With the help of pro bono attorney Susan Keller Kendall, the client appealed the decision. With her help, he was not only able to get his disability benefits reinstated going forward, but he also received a lump sum payment for back benefits.



Advocate: Susan Keller Kendall, EAJP Pro Bono Attorney – *Kendall Law Firm, PLLC*

More client stories are available on the Arkansas Legal Services Partnership website at www.arlegalservices.org/clientstories.

PRO BONO ATTORNEYS OF THE YEAR

Anthony G. Mansell

Pulaski County VOCALS Attorney of the Year

The VOCALS Board of Directors honored Anthony G. Mansell as the VOCALS Attorney of the Year for 2013.

Since becoming a VOCALS volunteer attorney in the fall of 2010, Mansell has volunteered more than 492 hours to help low-income Arkansans in central Arkansas.

Prior to volunteering, Mansell spent 10 years as an engineer and 17 years as a college math teacher. After retiring from teaching, he sought out the VOCALS Program in order to devote his time to helping those in critical need of civil legal help. He volunteers at least 15 hours a week at the Center for Arkansas Legal Services.



Anthony G. Mansell – Attorney at Law

Thomas E. Brown

Jefferson County VOCALS Attorney of the Year

Thomas E. Brown was named the Jefferson County VOCALS Pro Bono Attorney of the Year for 2013.

Brown accepted an average of six cases in 2013, volunteering more than 50 hours of his time to helping low-income clients in spousal abuse cases. Brown always accepted a case when called upon for help, no matter the number of the cases that he was currently handling.

He began practicing law in 1978, and in 1990, he was elected circuit judge. After serving 18 years on the bench, Brown retired in 2008 and resumed the private practice of law.



Thomas E. Brown – Attorney at Law

Kelly Ann Procter-Pierce

River Valley Volunteer Attorney Project Attorney of the Year

The River Valley Volunteer Attorney Project presented its 2013 Pro Bono Attorney of the Year Award to Kelly Ann Procter-Pierce.

A member since 1994, Procter-Pierce has volunteered to handle 19 cases involving family law, social security law, and probate law. Through her volunteer work, she has provided critical legal assistance to low-income residents in Crawford, Franklin, Logan, Scott, and Sebastian Counties.



Kelly Ann Procter-Pierce – Attorney at Law

PRO BONO ATTORNEYS OF THE YEAR

Keith Morrison

Outstanding Volunteer Attorney for Legal Aid of Arkansas

After demonstrating a commitment to serving low-income Arkansans, Keith Morrison received Legal Aid of Arkansas' overall Outstanding Service Award for his work in 2013.

The award recognizes an attorney who best personifies the ideals of volunteerism and professionalism in the 31 counties that Legal Aid serves, and Morrison exemplified this by volunteering more than 107 hours of pro bono service. His donation represents the largest number of hours by any attorney in the Legal Aid service area.

Morrison received his Bachelor of Arts from Hendrix College and went on to earn his Juris Doctorate from Vanderbilt. He is a Fellow of the American Academy of Adoption Attorneys and was the 2009 recipient of the Congressional Coalition of Angels in Adoption Award.

Keith Morrison – Wilson & Associates, P.L.L.C.



Randall Rudisill

Arkansas Volunteer Lawyers for the Elderly Service Award

Legal Aid of Arkansas presented Randall Rudisill of Newport with the Arkansas Volunteer Lawyers for the Elderly Service Award.

The award recognizes outstanding volunteerism and service to Arkansas residents over the age of 60. Rudisill donated his pro bono hours exclusively to elderly clients in need of legal assistance.

Rudisill has been practicing law since 2002. He completed his undergraduate degree at Arkansas State University and received his Juris Doctorate from the University of Arkansas at Little Rock Bowen School of Law in 2002. He is the president of the Jackson County Bar Association and is also a member and past president of the Newport Rotary Club, where he is a Paul Harris Fellow.

Randall Rudisill – Attorney at Law



Harry A. Light

Medical-Legal Partnership Outstanding Volunteerism

Legal Aid of Arkansas recognized Harry A. Light for his outstanding volunteerism for the medical-legal partnership between Mid-Delta Health Systems and Legal Aid of Arkansas.

During 2013, Light donated more than 64 hours of pro bono service to medical-legal partnership clients. His time and dedication has a value of more than \$16,000 donated to the community.

Light has been practicing law since 1982 in Texas and since 1989 in Arkansas in the areas of bankruptcy, creditor's rights, commercial litigation, and trademark/copyright applications. He received his Juris Doctorate from the University of Arkansas School of Law in Fayetteville and has been recognized in *Best Lawyers in America* and *Mid-South Super Lawyers*.

Harry A. Light – Friday, Eldredge & Clark, LLP



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Our pro bono attorneys volunteered more than 8,500 hours of work on legal aid cases in 2013. The estimated value of these services was \$1,702,696.

In addition to volunteering for pro bono cases through legal aid, Arkansas attorneys performed another estimated 80,635 hours of pro bono work on their own. The estimated value of that additional pro bono service was more than \$16 million.

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FOUNDATION OF HOPE: RAISING RESOURCES FOR JUSTICE

Annual Campaign

In 2013, the Arkansas Access to Justice Foundation, Legal Aid of Arkansas, and the Volunteer Organization of the Center for Arkansas Legal Services raised a **combined total of \$282,495** to support free civil legal services for low-income Arkansans and projects to increase access to civil justice. Significant gifts came from the **Walmart Legal Department; Friday, Eldredge & Clark;** and **Wright, Lindsey & Jennings**. The names of the individuals, law firms, and corporations that contributed to the 2013 campaign are listed in the pages that follow.

In addition, the **State Justice Institute** and the **American Bar Association's Access to Justice Commission Expansion Project** made grants totaling **\$58,222** to support specific projects that seek to expand access to civil justice. Finally, the Foundation received a **\$50,334 cy pres award** following distribution of settlement funds from a class action in *Wood v. Teris, LLC*.

The mission of the Arkansas Access to Justice Foundation is to promote and to support access to the civil justice system by persons in Arkansas who cannot afford a lawyer and for whom the law does not provide a right to counsel. It accomplishes this mission by conducting fundraising and by collecting interest earned on IOLTA accounts to support the activities of organizations that improve the administration of justice, including the Arkansas Access to Justice Commission, the Center for Arkansas Legal Services, and Legal Aid of Arkansas. In addition, the Foundation supports activities that educate the public regarding the needs of Arkansans related to meaningful access to the civil justice system and that provide student loans and scholarships for the education of lawyers.

IOLTA Program Report

Created in 1985, the Arkansas IOLTA Foundation was established as a program permitting the collection of interest on lawyers' trust accounts that are nominal in amount and of short duration to use for purposes approved by the Supreme Court, including **legal aid to the poor, student loans and scholarships, and improvement of the administration of justice.** In 2013, the boards of IOLTA Foundation and the Arkansas Access to Justice Foundation—recognizing the need to diversify the funding sources of their respective organizations, maximize resources to support grantee organizations, and leverage statewide support for their closely aligned missions—voted to merge the two organizations. They filed a petition requesting the merger, which the Arkansas Supreme Court approved, effective January 1, 2014. The merger leaves the IOLTA Program intact, but has prompted release of an updated version of its **Guidebook for Attorneys and Financial Institutions**, updated forms for attorneys and banks, and improvements to the IOLTA Program website.

Since its inception, the IOLTA Program has generated a **collective total of almost \$10 million** to support the provision of civil legal aid and other programs that improve the administration of justice through grants. The recent merger will maximize the resources available to support access to civil justice for all Arkansans.

In addition to making individual contributions, attorneys who participate in the Arkansas IOLTA program can help increase the resources available to support fair access to the justice system by banking with a preferred bank, which waives fees and pays competitive interest rates on IOLTA accounts. **For a list of our participating and preferred banks, our updated Guidebook, and program-related forms, please visit the IOLTA Program website at www.arkansasjustice.org/iolta.**

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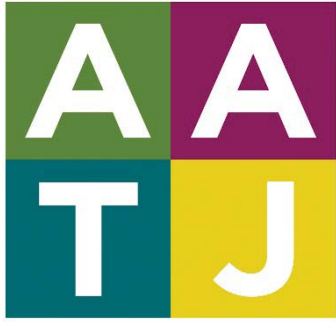
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