

2005 ANNUAL REPORT

CENTER FOR ARKANSAS LEGAL SERVICES & LEGAL AID OF ARKANSAS

FORGING THE ROAD TO CIVIL JUSTICE

INTRODUCTION

We are a nation of laws and those laws have sustained us for 209 years as a democratic republic unequaled in the history of the world. Our laws promote a fundamental sense of fairness and equity. But if that promise of fairness and equity are ever to be fully achieved everyone in the society must have access to the protection of those laws. Such is not the case in 21st Century America or Arkansas. A national study released this year demonstrates an 80% gap between the need for civil legal services and the provision of those services. Fairness is not possible until everyone who needs it can have access to a court for the disposition of justice.

We are fortunate in Arkansas to have legal service operations throughout our state who's vision and mission it is to forge a better road to civil justice. These attorneys, paralegals and support staff work hard to address the civil legal needs of low-income Arkansans. This annual report is about their work, the impact of that work on clients throughout the state, and the as yet unmet needs of far too many of our fellow citizens. We hope when you see what we do and the important values and principles we uphold within a nation of laws, that you will join us in ***Forging the Road to Civil Justice.***

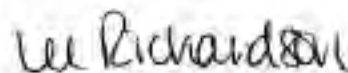


Vision Statement:

Our vision is to improve the lives of low-income Arkansans by championing equal access to justice for all so that when an individual enters the civil legal systems they get equal justice regardless of their economic or social circumstances



*Jean Carter, Executive Director
Center for Arkansas Legal Services*



*Lee Richardson, Executive Director
Legal Aid of Arkansas*

ARKANSAS LEGAL SERVICES PROGRAMS

Family Law



Arkansas legal services organizations handle a wide-range of family law cases including divorce, domestic abuse, custody-visitation, guardianship and support. A major focus of this work is on direct representation in family law matters with a view to ending family violence and providing stability and financial support for minor children and vulnerable adults. Many of these cases involve working with battered women's shelters, law enforcement, the judiciary and other organizations that educate and raise awareness of domestic violence. Often, family law cases entail other human needs such as food, shelter, income, family stability, and medical care. This is the major area of work for legal services throughout Arkansas.

Consumer Law

Cases managed by Arkansas legal services organizations under consumer law include home foreclosure, paycheck garnishment, abusive debt collection, predatory lending, denial of credit, unfair sales practices, bankruptcy and public utility disputes. An important segment of the citizens helped by this work are the elderly throughout Arkansas who are too often preyed upon by unscrupulous operatives in these businesses.



Housing Law



Components of legal service work in this arena affect both homebuyers victimized by home equity and home purchase scams, as well as renters with tenant/landlord issues in both the private and public housing sectors. Legal issues include property encumbered by liens for unpaid property taxes and other municipal claims, evictions, illegal lockouts, mortgage foreclosures especially those related to sub-prime mortgage

lenders, and problems regarding Federally subsidized housing. A special focus in the Delta region of the state is work to prevent land loss.

Income Maintenance

Legal services operations in Arkansas handle a broad range of legal problems within this category of work including eligibility for or termination of benefits for Social Security Disability, Supplemental Security Income, unemployment compensation, veterans' benefits, and other public benefits. During this time of economic uncertainty, transitional employment assistance work is becoming increasingly important in providing education and job training for effected low income Arkansans.



ARKANSAS ACCESS TO JUSTICE COMMISSION

The Arkansas Access to Justice Commission was created by the Arkansas Supreme Court to develop and implement initiatives designed to expand access to and enhance the quality of justice in civil legal matters for low-income Arkansans.

Mission – to provide equal access to justice in civil cases for all Arkansans.



The Commission's work since its inception in late 2004, includes a survey of circuit court judges and clerks regarding how to improve pro se litigation; development of an educational media presentation about the needs to expand access to civil legal justice including stories of past clients; a series of Town Hall Meetings designed to provide public input into defining needs; and recommended changes to pro bono rules designed to enhance support of the state's two legal services organizations.

THE ARKANSAS PRO BONO PARTNERSHIP



The Arkansas Pro Bono Partnership is a collaborative effort to improve and expand the reach of pro bono activities in the state. Sanctioned by the Arkansas Bar Association, the Partnership is charged with coordinating the recruitment, responsibilities, and recognition of volunteer attorneys. Pro Bono is a principle long established in the legal community. Model Rule 6.1 sets out the parameters for measuring the commitment to pro bono of every attorney in the state and nation. But pro bono volunteerism also reflects the highest ideals of our society. During his tour of the United States in the 1830's, Alexis de Tocqueville gave expression to the unique nature of the countless volunteer efforts he was witnessing throughout the new country. He saw neighbor helping neighbor in promoting a more just and equitable society. He called these efforts "habits of the heart." So beyond the rules and requirements, pro bono involvement speaks to the "habits of the heart" these volunteers provide to their fellow citizens and to the fabric of a free society. In 2005, volunteer attorneys worked over 5,600 hours and closed nearly 800 cases for legal services which, conservatively priced, amounts to a \$702,000 in-kind contribution. An additional 600 attorneys made contributions in lieu of service, which amounted to \$220,000.

THE FINANCIAL ROAD - 2005

Total Revenue - \$4,446,000

Federal - 77 %

The Congressional appropriation which Legal Services Corporation [LSC] provides to Arkansas

Grants & Contracts - 8 %

Represents funds from the Violence Against Women Act, HUD, Title III B, United Way and the Winthrop Rockefeller Foundation

IOLTA - 6 %

Interest on Lawyer Trust Accounts has dropped significantly since 2002

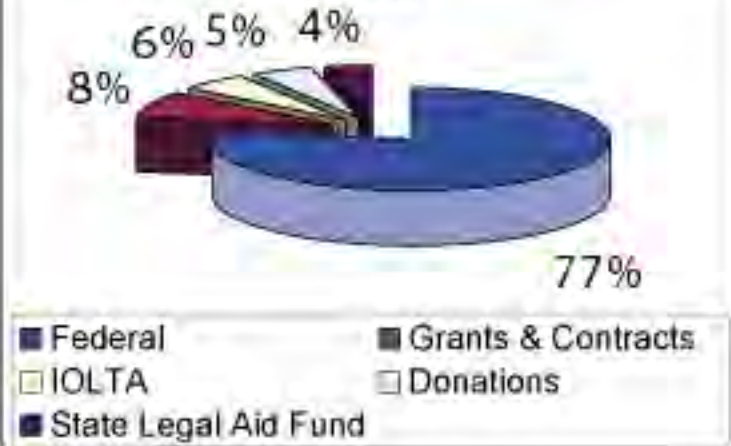
Donations - 5 %

Lawyer campaigns, especially VOCALS in Pulaski County, represent the largest amount in this category

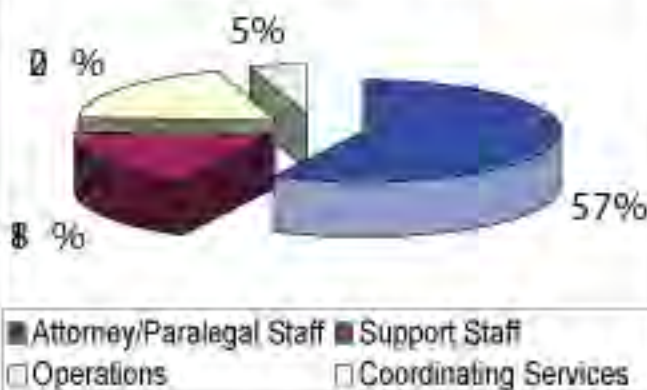
State Legal Aid Fund - 4 %

Established by the Arkansas Legislature in 2005 it is the newest revenue source and represents the first time state court fees have been earmarked for use by legal services in the state

Arkansas Legal Services Revenues - 2005



Arkansas Legal Services Expenditures - 2005



Total Expenditures - \$4,186,000

Attorneys/Paralegal Staff - 57 %

Salaries and benefits

Operations - 20 %

Rent, equipment, utilities, printing, postage, etc.

Support Staff - 18 %

Salaries and benefits for secretarial support, business management and technical staff

Coordinating Services - 5 %

Arkansas Legal Services Partnership, the Pro Bono Partnership, website development, and staffing the Arkansas Access to Justice Commission

CASE LOAD STATISTICS - 2005

Legal services eligible Arkansans are the poorest and most vulnerable of our citizens. Fully 16% of Arkansans live below the poverty level and in nine [9] counties in the Delta that figure rises to over 25% of the population. That makes one [1] in five [5] of the state's citizens eligible for legal services help. The following statistics reflect the road we have forged this past year to advance civil justice. There were 27,487 requests for service throughout the state of which 10,570 cases



were closed and an additional 3,456 are still open. Due to staff resource shortages and eligibility requirements there were 13,461 individuals who could not be served.

Family – 59%

Domestic violence, child support, divorce, child custody, parental rights and guardianships

Consumer – 16%

Bankruptcy, illegal seizure of property, wage garnishment, denial of credit, and fraudulent consumer practices.

Housing – 9%

Unlawful eviction, denial of access to public or government subsidized housing, and mortgage foreclosure.

Income Maintenance – 9%

Eligibility for or termination of Social Security Disability, Supplemental Security Income, unemployment compensation, or public benefits including Medicaid and Medicare

Juvenile – 2%

Neglect, abuse and dependency

Individual Rights – 1%

Job discrimination, wage claims, and education

Miscellaneous Other – 4%

Licenses, suspensions, wills and advance directives



CLIENT STORIES

Some legal service cases make the evening news and sometimes you may hear about them through friends or constituents. Most days, however, Arkansans do not know what a legal services attorney has done for someone in their community. Thousands of clients have benefited from legal services in Arkansas; these are just a few of their stories - - - **people on the road to civil justice.**



A forty-seven year old woman had worked as a part time accountant for 25 years. After having a complete hysterectomy which then led to numerous medical complications [4 tumors, anemia, uncontrolled bleeding, Hepatitis C, arthritis] she had to quit work. These in turn were compounded by subsequent traumas [2 auto accidents, a rape attack which left her for dead on the side of a road, and **an abusive husband who broke her bones and threatened her with a gun to the head**]. All of these left her with nerve, memory and brain damage. Throughout this period she was only able to hold jobs for a short time often losing them due to anxiety, depression and panic attacks. Her inability to have a secure income brought her to legal services for help in obtaining disability and medical benefits. During this process she was threatened with eviction from her apartment. Legal services arranged expedited hearings on her behalf so that she was approved for benefits allowing her to continue with her medical treatments. Additionally, legal services secured an Order of Protection against her husband and counselors encouraged a divorce to aid her mental health.

Following removal by authorities from their abusive and neglectful parents, three children ages 10, 11 and 12 were given to their grandmother. Their mother had attempted to sell the youngest child at 6 months of age in order to pay for illegal drugs. **The oldest child had been physically abused since he was three.** Among other things, the parents regularly forced the children out of their car in the woods telling them to stay and play while the parents drove deeper into the woods to join others for drug parties. Fearing that someday the parents would return to take custody the grandmother came to legal services to adopt the three children. The successful adoption provided security for the children and grandmother that the rehabilitative efforts for the children would continue and help them achieve normal lives.



CLIENT STORIES

A member of the United States Army was killed during combat in Iraq. His twenty-three year old wife here in Arkansas was required by the Army to secure a guardianship so that benefits could be provided to the couple's minor child. A volunteer attorney working for legal services delicately and compassionately arranged for the guardianship during this time of personal and community mourning.



A husband and wife, both in their late 60's with little formal education, took out a second mortgage to put siding on their home. Struck with serious medical problems shortly thereafter, the couple was unable to keep up payments. Thinking they had to be served in person by a law enforcement officer they ignored the second mortgage holders letter regarding a lawsuit.

A default judgment was entered against them and their property set for auction on June 28. A neighbor, seeing the foreclosure notice in the local newspaper, informed the couple who then contacted the legal services office. With just twelve [12] days available the legal services attorney filed Chapter 13 bankruptcy for the couple thus stopping the foreclosure sale. The bankruptcy provided the couple an opportunity to restructure their debt and save their longtime home.

The eleven year-old daughter of a female legal services client who was being represented in an abusive divorce case, was placed on the state's Central Registry of Child Maltreatment. The father had reported the girl, his stepchild, to the Department of Human Services Hotline. The father, who hoped to use the charges to gain the upper hand in the pending custody case, alleged that the child had abused her six year-old sister. A legal service attorney appealed the DHS finding and represented the minor child at the administrative hearing where we prevailed. The child's name was removed from the Central Registry. The divorce case between the parties is still pending.



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- Boles - Carl Sachs
- Blytheville - Bruce Harlan
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- Eureka Springs - Bill Brown
- Fayetteville - Michael Mullane, Patrick Rush
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- Lonoke - Hosiana Robinson
- Malvern - Willie E. Perkins, Jr., R. N. Sanders
- Marshall - Jo Barnes, Versalee Wright
- McGehee - Rev. Frank Gray
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- Paragould - Joe Holifield
- Pine Bluff - Catherine Lewis
- Pineville - Stacy Reed
- Pocahontas - Col. Roy E. Meeks (Ret.)
- Russellville - Russell Wood
- Summit - Susie Evans
- Stuttgart - Virginia Holt
- Van Buren - R. Derek Barlow
- West Helena - Earlon Major
- West Memphis - Claranelle Hopkins,
Reginald Robertson, Ron Wilson

OFFICE LOCATIONS

1 West Elm El Dorado AR 71730 870-863-0368	100 Greenwood, Suite E Hot Springs AR 71913-4427 501-624-2591	202 Walnut Street Newport AR 72112 1-800-477-9892
4083 N. Shiloh Drive, Suite 3 Fayetteville AR 72703 1-800-234-3544	714 S. Main St. Jonesboro, AR 72401 1-800-967-9224	400 West 5th Pine Bluff AR 71601 870- 536-9006
901 South 21st Street Fort Smith AR 72901-4005 479-785-5211	303 West Capitol Ave., Suite 200 Little Rock, AR 72201 501-376-3423	101 E. Main St., Suite C Russellville AR 72801 479-968-3993
213 West Rush Harrison, AR 72601 870-741-2454	712 West Main, P.O. Box 1400 Mountain View AR 72560 870-269-4355	1425 College Drive Suite 100 Texarkana TX 75504-0170 903-793-7661
402 Franklin Helena, AR 72342 870-338-9834		310 Mid-Continent Building West Memphis AR 72301 1-800-542-3475



***DO NOT GO WHERE THE PATH MAY LEAD: GO INSTEAD
WHERE THERE IS NO PATH AND LEAVE A TRAIL-***

RALPH WALDO EMERSON

