

2017
JUSTICE
PARTNERS
REPORT

ANNUAL REPORT



Arkansas Access to Justice Foundation
Center for Arkansas Legal Services
Legal Aid of Arkansas





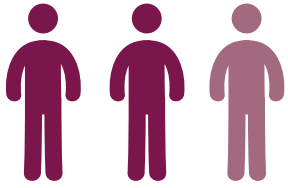
“

I have been that person who could barely afford to pay my bills, much less hire an attorney if I had needed one. Doing pro bono is my way of passing along my knowledge of the law and the court system to those in need.

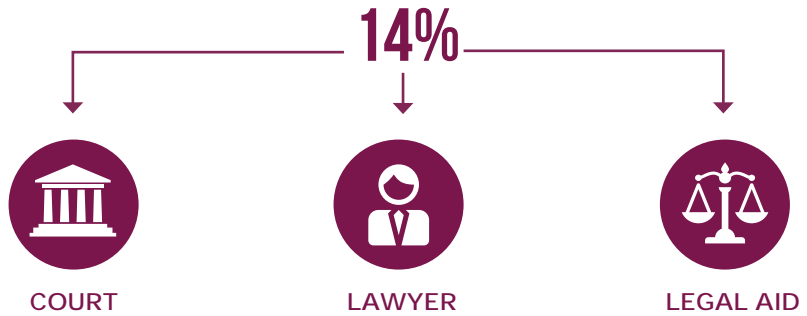
Lori Howard,
AR Free Legal Answers Volunteer

”

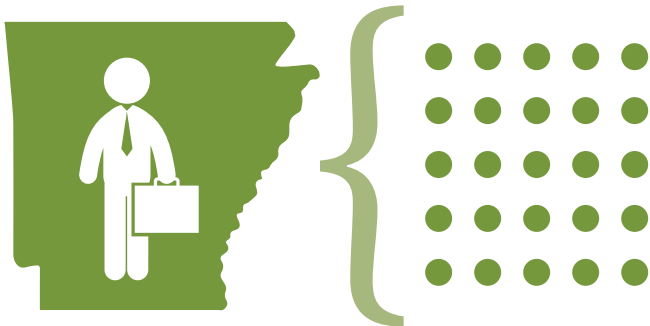
Justice Denied: Unmet Legal Need in Arkansas



Two-thirds of adults have experienced a civil legal problem in the past 18 months.



Only 14% made their way to a court, lawyer, or legal aid.



Arkansas has the fewest attorneys per capita in the country, with **one attorney** for every **406 Arkansas residents**.



The state's 25 least populous counties are critically underserved, with **one attorney** for every **1,729 residents** in those counties.



By comparison, there is **one legal aid attorney** for every **14,957 eligible Arkansans**.



1 in 4 Arkansans qualify for civil legal aid.



30,000
CALLS EACH YEAR
FOR HELP

The Center for Arkansas Legal Services and Legal Aid of Arkansas receive 30,000 calls each year for help.



More than half are turned away because they lack the resources or capacity to meet the demand.

Center for Arkansas Legal Services

The Center for Arkansas Legal Services ensures fairness for low-income clients in 44 counties located in western, central, and southern Arkansas. In 2017, we accomplished this with a staff of 24 attorneys and paralegals, as well as 189 volunteer attorneys who accepted cases through our regional pro bono programs: Volunteer Organization for the Center for Arkansas Legal Services (VOCALS) and the River Valley Volunteer Attorney Project (VAP).

2017 AT A GLANCE

22 ATTORNEYS
02 PARALEGALS



22 attorneys and 2 paralegals who provided \$3.3 million worth of services

3,250
CASES IMPACTING



8,195 PEOPLE

3,250 cases impacting 8,195 people, including 3,554 children and 214 veterans

189 VOLUNTEER ATTORNEYS
372 CASES



189 volunteer attorneys who handled 372 cases at a value of more than \$390,070

\$7.3
MILLION



\$7.3 million in financial recoveries or losses avoided for clients

WHO WE HELPED



477
CONSUMERS

477 consumers victimized by scams or harassed by creditors



272
CHILDREN

272 children who were abused, neglected, or in need of permanency



381
ELDERLY/DISABLED

381 elderly or disabled people needing financial security



502
TENANTS/HOMEOWNERS

502 tenants and homeowners facing eviction or foreclosure



994
FAMILIES

994 families in need of stability through orders of protection, custody, or guardianship



624
INDIVIDUALS

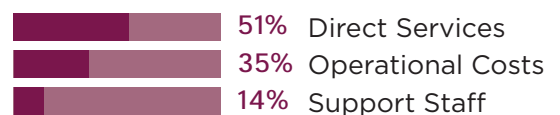
624 individuals needing help accessing employment, health coverage, or education

REVENUES & EXPENDITURES

REVENUES **\$3.24 million**



EXPENDITURES **\$3.11 million**



Center for Arkansas Legal Services

CLIENT STORIES



Mr. Polk* had been homeless and denied employment and housing assistance many times because of a felony burglary conviction. The problem was, Mr. Polk was never convicted of a felony. Instead, a misdemeanor conviction from 1978 was being inaccurately reported as a felony. The background check

provided virtually no details of the case. Likewise, the District and Circuit Courts had no record of the case. After being denied assistance to help him break out of homelessness because of this inaccurate criminal background check, Mr. Polk eventually found the Center for Arkansas Legal Services. Clayton Smith, a staff attorney was able to locate an old report in the police department's microfiche records which proved that Mr. Polk was not a felon. Clayton was then able to correct the erroneous background check and get the record of the old misdemeanor sealed. This meant that Mr. Polk was eligible to receive housing benefits. Because of Clayton's help Mr. Polk now has a safe place to live.

.....



In 2014 Mr. & Mrs. Baxter,* an airman and a daycare teacher, decided to purchase a home. In buying the home, they relied on the seller's statement that the well, the only source of water for the property, was in good condition. However, when they moved in, the well didn't produce enough water for the home

and the water it did produce was unusable because of its high mineral content. The sellers had not told the Baxters that they also had been unable to drink the water for the past four years. The Baxters were forced to haul buckets of water from a nearby creek to fill their toilet, buy thousands of dollars' worth of bottled water, and schedule their entire lives around the very limited water from the well. They tried to work with the sellers, but could not work out a solution. The airman and his wife contacted the Center for Arkansas Legal Services to help. Cecille Doan, a staff attorney, and Dan Carter, a pro bono attorney, worked together to sue the sellers. The court ruled that the sellers lied about the true condition of the well. The court awarded the Baxters \$25,000.00 so that they could fix the problems with the well.

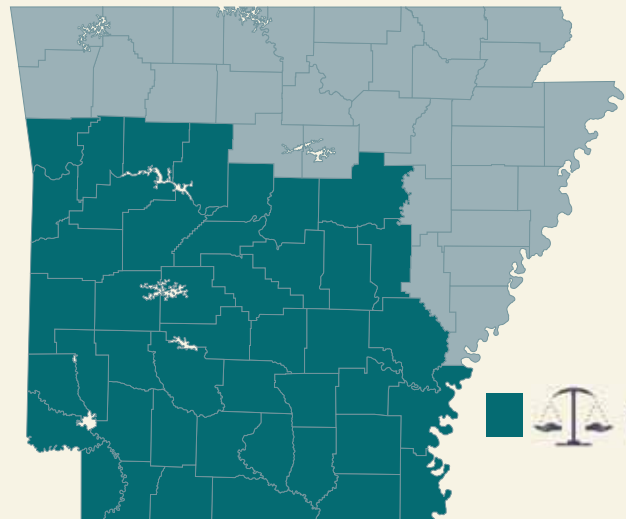
Mr. & Mrs. Logan,* an elderly couple, owned their own home. Officials from the city where they lived believed that the Logans' house wasn't being maintained properly and that they couldn't care for themselves. Rather than offer assistance, the city officials called Adult Protective Services (APS) on



the clients. This resulted in the Logans being removed from their home by APS and placed in different nursing homes. When they finally went before a judge many weeks later, the judge found that they were capable of living independently. After the trauma of being unjustly forced from their home and separated, the Logans returned to find their home was blocked by yellow police tape. They were threatened with arrest by the police if they attempted to enter the home. The city had given the clients no notice that the home would be condemned and no opportunity to challenge that action. Dustin Duke, an attorney with the Center for Arkansas Legal Services, with assistance from Mickey Stevens, a pro bono attorney, filed suit in federal court against the city on behalf of the Logans. The case was settled for \$65,000 paid to clients by the city. This allowed the Logans to purchase a home in a different community where they could continue to live together and independently.

**Clients are identified by pseudonyms to protect their privacy.*

WHERE WE HELP

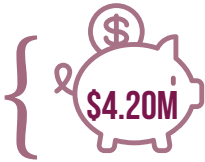


Legal Aid of Arkansas

Legal Aid of Arkansas ensures fairness for low-income clients in 31 counties located in northern and eastern Arkansas. We also serve clients statewide through our Low Income Taxpayers Clinic and Medical-Legal Partnerships. In 2017, we accomplished this with a staff of 30 attorneys and paralegals, as well as 307 volunteer attorneys who accepted cases through our pro bono programs.

2017 AT A GLANCE

26 ATTORNEYS
04 PARALEGALS



26 attorneys and 4 paralegals who provided \$4.20 million worth of services

6,269
CASES IMPACTING



6,269 cases impacting 15,746 people, including 7,237 children and 358 veterans

307 VOLUNTEER ATTORNEYS
379 CASES



307 volunteer attorneys who handled 379 cases at a value of more than \$613,130

\$3.7
MILLION



\$3.7 million in financial recoveries or losses avoided for clients

WHO WE HELPED



629
CONSUMERS

629 consumers victimized by scams or harassed by creditors



346
CHILDREN

346 children who were abused, neglected, or in need of permanency



298
ELDERLY/DISABLED

298 elderly or disabled people needing financial security



778
TENANTS/HOMEOWNERS

778 tenants and homeowners facing eviction or foreclosure



2,932
FAMILIES

2,932 families in need of stability through orders of protection, custody, or guardianship

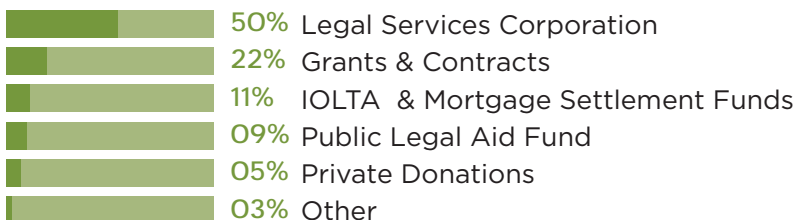


1,286
INDIVIDUALS

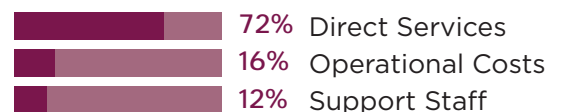
1,286 individuals needing help accessing employment, health coverage, or education

REVENUES & EXPENDITURES

REVENUES **\$2.93 million**



EXPENDITURES **\$2.62 million**



Legal Aid of Arkansas

CLIENT STORIES



When Ms. Fulton's* daughter Sarah,* returned from visitation with her father, Ms. Fulton knew she had to do something. There had been behavior problems after prior visits, but this time Sarah had a gash on her head and severe bruising around her neck. Sarah's father refused to explain what caused the injuries. That's when Ms. Fulton called Legal Aid of Arkansas. Teresa Franklin, a legal aid staff attorney, stepped in and was able to convince a judge to limit the father's visitation to Skype calls and eventually visitation was stopped altogether. Now that Sarah is safe, her behavior has improved, and she's thriving.

.....



Ms. Greene* had experienced some hard financial times and was facing the prospect of homelessness. She has a severe disability and her home was being foreclosed on by the bank. With limited options, Ms. Greene contacted Legal Aid of Arkansas and met Riley, a staff attorney, and Gaylynn Alden, a paralegal. Riley and Gaylynn worked with the bank to arrive at a solution that prevented the client from facing a judgement of more than \$30,000. They were also able to help her successfully apply for a housing voucher from the local housing authority. Because of Legal Aid of Arkansas, Ms. Greene avoided homelessness.

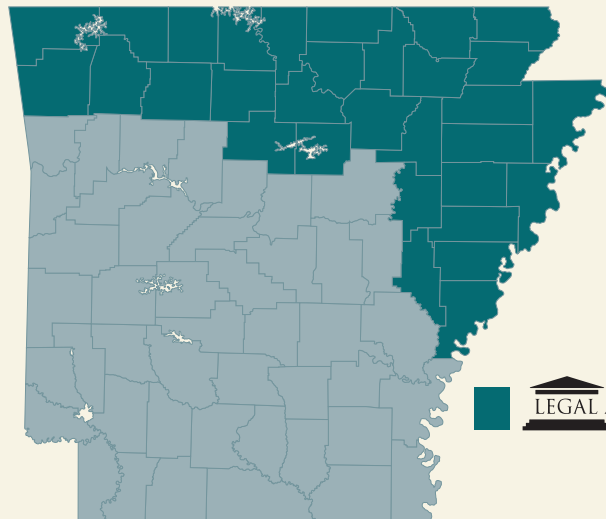
.....

Ms. Miller,* a 62-year old school bus driver, came to Legal Aid of Arkansas's tax clinic for help with an old IRS debt of over \$10,000. She had accumulated self-employment tax during a short stint as a truck driver. However, she was unable to pay because of a period of unemployment and then under-employment. She ultimately had to settle for a low-paying job as a bus driver. This left her unable to both support herself and pay her tax debt. She was extremely concerned when the IRS notified her that it would collect the debt from her wages.

That was money she needed just to survive. R. Dawn Allen, a pro bono attorney who volunteers with Legal Aid of Arkansas's tax clinic, agreed to help Ms. Miller work out an agreement with the IRS. Then, during the case, the Ms. Miller had to undergo surgery to remove a brain tumor. Complications from the cancer and surgery forced the client to quit her job and survive on Social Security benefits alone. Based on her extreme financial hardship the IRS accepted \$50 and forgave the remainder her debt. The client was overjoyed with the result and can now focus on her health.

**Clients are identified by pseudonyms to protect their privacy.*

WHERE WE HELP



Pro Bono Attorneys of the Year



Jefferson County VOCALS
Attorney of the Year
Baim Law Firm

Diana Turner



10th Judicial District VOCALS
Attorney of the Year
Gill Law Firm

Brooks Gill



Outstanding Pro Bono
Attorney Award
Law Office of Donna M. Price

Donna Price



Outstanding Pro Bono
Attorney Award
Womack, Phelps, Puryear,
Mayfield & McNeil

Ariel Snyder



Outstanding Pro Bono
Attorney Award
Odom Law Firm

Russell Winburn



Outstanding Pro Bono
Attorney Award
Winston Law Firm

Jeannie Winston



Pulaski County VOCALS
Attorney of the Year
Hyden, Miron & Foster

Lori Holzwarth



For more information about the 2017 Pro Bono Award winners, visit:
<http://arkansasjustice.org/pro-bono-awards-2017/>

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*Donations were received in the 2017 calendar year and were gifts made to the Arkansas Access to Justice Foundation, Volunteer Organization of Center for Arkansas Legal Services, or Legal Aid of Arkansas as part of the Campaign for Legal Aid

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often mirror plaintiff classes. Furthermore, cy pres awards made to support legal aid can be tailored to a specific region or purpose, such as combating abusive collections or foreclosure practices.

If you're interested in learning more about how cy pres awards can support legal aid, contact Amy Johnson at (501) 492-7172 or adjohnson@arkansasjustice.org.



OPEN YOUR IOLTA ACCOUNT AT A PREFERRED BANK

The Arkansas IOLTA rules require that attorneys place IOLTA accounts at financial institutions that pay interest rates comparable to other similarly situated accounts. Preferred Banks are those that go above and beyond the eligibility requirements of the rules to support the IOLTA program in its mission to ensure that low-income Arkansas residents have access to the legal services they desperately need.

If you are an Arkansas attorney with an IOLTA account, one simple way for you to support justice is to bank with one of the IOLTA program's preferred Banks. Preferred Banks are financial institutions that waive fees and pay competitive interest rates, generating more funding to support grants for legal aid. By banking with a preferred Bank or by encouraging your financial institution to join—you can help ensure that domestic violence victims, veterans, families in need of economic security, and children with special education needs have equal access to the justice system.

To learn more and to see a list of Preferred Banks, visit <http://arkansasjustice.org/iolta/banks>.

Did You Know? Ethics Rule Establishes Process for Disposition of Unclaimed and Unidentifiable Client Trust Account Funds.

The Arkansas Supreme Court has adopted changes to Arkansas Rule of Professional Conduct 1.15 to lay out a mechanism by which attorneys or estates of deceased attorneys can deal with unclaimed or unidentifiable funds in client trust accounts by reporting and remitting those funds to the Arkansas Access to Justice Foundation.

The provision addresses situations where an attorney, law firm, or estate of a deceased attorney (1) winds up in possession of client or third party funds and the client or third party cannot be located, despite diligent efforts to locate the rightful owner; or (2) is in possession of funds in a client trust account that cannot be traced back to a particular client.

The Arkansas rule change addresses these scenarios by providing a simple process for attorneys to dispose of unclaimed and unidentifiable funds consistent with applicable ethical obligations, while generating additional revenue for the IOLTA Program of the Arkansas Access to Justice Foundation, which will use the funds to make grants supporting the provision of free civil legal aid to the poor.



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