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### LSC Updates - September 3, 2009

#### Kennedy Played Leading Role in Creation of LSC

The Legal Services Corporation joined the nation in mourning the death of Senator Edward M. Kennedy (D-Mass.) last week, a champion for the poor and underprivileged and a leader in the effort to establish and maintain a strong federal role in providing civil legal aid to low-income Americans.

"Senator Kennedy's longtime support for LSC was invaluable and consequential for the clients and communities that are served by LSC-funded legal aid attorneys every day," said LSC President Helaine M. Barnett in an August 26 [statement](#).



**Senator Edward M. Kennedy**

Kennedy was a leading advocate for the creation of LSC during congressional debates in 1973 and 1974. Speaking on the Senate floor in December 1973, Kennedy said, "Equal treatment in criminal matters is a matter of right, and I believe that equal access to the legal system in civil cases is a matter of justice."

After all, he argued, "It is the poor who are most vulnerable to economic pressures, to illegal acts, to the neglect of institutions, and it is the poor who are the least able to seek a remedy through the laws which are supposed to protect all of our citizens equally."

Decades later, on the occasion of LSC's 30th anniversary, Kennedy [wrote the Corporation](#) to praise its record of "mak[ing] access to the legal system a reality to those who can't afford it. The Corporation has more than exceeded the great expectations of all of us in Congress who voted to create it in 1974 and who continue to fight each year for the funds it needs to keep the doors of justice open to everyone."

This year, he co-sponsored Senator Harkin's (D-Iowa) legislation to reauthorize LSC, saying in a March 26 [press release](#), "In these difficult times, effective legal assistance for American families struggling to make ends meet is more important than ever. This bill will help many more families obtain the legal services they need when they can't afford a lawyer themselves."

Senator Kennedy died Aug. 25 and was buried in Arlington National Cemetery

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Enter your e-mail address to receive LSC Updates.

on Aug. 29.

For more information, visit Sen. Kennedy's website, [kennedy.senate.gov](http://kennedy.senate.gov).

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## LSC Board Nominee to Lead Law Firm Diversity Initiative

The National Law Journal reports that LSC Board nominee Robert J. Grey, Jr., has been selected to serve as interim executive director of the Leadership Council on Legal Diversity, an organization formed in May by general counsel and managing partners of law firms to promote diversity throughout the legal industry.



**Robert J. Grey, Jr.**

Grey is a former president of the American Bar Association and is a partner in the Richmond and Washington offices of the Hunton & Williams law firm. President Obama nominated him to serve on LSC's Board of Directors on August 6.

According to the National Law Journal, Grey will lead the council for the next six months, during which time he will be responsible for establishing partnerships with legal and non-legal organizations and for promoting best practices for improving diversity in law firms and corporate law departments.

"I look forward to working with leaders in the industry to clearly define the [council's] unique position in the diversity arena, and to ensure general counsel and managing partners are working together to drive the organization forward in meeting its goals," said Grey.

[Click here for more information.](#)

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## Video Tribute to LSC President Helaine M. Barnett

The American Bar Association has posted video tributes to the winners of the 2009 Margaret Brent Women Lawyers of Achievement Awards on its website. LSC President Helaine M. Barnett was one of five



women to receive an award this year. The awards are given annually by the ABA Commission on Women in the Profession in recognition of women lawyers who have achieved professional excellence and inspired other women to excel in the legal profession. The videos were played during an awards luncheon held during the ABA Annual Meeting in Chicago last month.

[Click here to watch the video.](#)

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## Free Consumer Resources From the Federal Trade Commission

The Federal Trade Commission (FTC) is partnering with legal services organizations across the country to fight fraud and deceptive business practices in the marketplace. The new initiative involves training, information sharing and case referrals.

The FTC is also offering free, plain-language information packets in English and Spanish that legal aid clients can use to learn their rights and avoid rip-offs. Topics include sweepstakes scams, online safety and security, telemarketing fraud, foreclosure rescue scams, miracle health claims and more. All FTC materials are in the public domain and can be reprinted, used in presentations, or co-branded with an organization's name and logo. Place free bulk orders at [bulkorder.ftc.gov](http://bulkorder.ftc.gov).

The information is also available on a number of easy-to-use, one-stop websites dedicated to individual issues. The Money Matters site ([ftc.gov/MoneyMatters](http://ftc.gov/MoneyMatters)) offers short, practical tips and links to helpful resources on credit repair and credit reports, debt collection, job hunting and work-at-home scams. The foreclosure rescue scam site ([ftc.gov/YourHome](http://ftc.gov/YourHome)) provides information about mortgages, scams, and where to find free, legitimate help. There are also sites on health care ([ftc.gov/WhoCares](http://ftc.gov/WhoCares)) and identity theft ([ftc.gov/IDtheft](http://ftc.gov/IDtheft)).

Interested in joining the FTC's legal services listserv? Contact Lisa Schifferle at [lschifferle@ftc.gov](mailto:lschifferle@ftc.gov).

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## Field News

### Nebraska Medical-Legal Partnership Benefits Cancer Patients

Legal Aid of Nebraska and the Nebraska Medical Center have formed a medical-legal partnership to benefit cancer patients.

The partnership is the brainchild of Dr. Kerry Rodabaugh, an associate professor in obstetrics-gynecology at the University of Nebraska Medical Center and a gynecological oncologist at the Nebraska Medical Center.

Rodabaugh was convinced of the effectiveness of these partnerships after pioneering one in Buffalo, New York, which handled many legal problems commonly encountered by cancer patients, including child custody, powers of attorney, foreclosures and benefits issues.

When she moved to Nebraska and met Dave Pantos, executive director of Nebraska Legal Aid, at a conference in 2008, she proposed the idea and won his support.

"Dr. Rodabaugh told me about her experience with a successful medical-legal partnership for cancer patients and it made perfect sense that a similar program could work well in Omaha," said Pantos.

The partnership was launched early this summer. Legal aid lawyer Ann Mangiameli staffs the project. She consults on issues over the phone and visits the hospital and its clinics once a week, where she meets with cancer patients at their bedside to work through legal issues.

She helped one woman, a terminally ill single mother of four, prepare a will to designate a guardian for one of her children. While plans for the other children were in place, this child's father was incarcerated and there was no one designated to care for him after her death.

Mangiameli said, "This was so important for her, that her child would be taken care of after she was gone. She really appreciated my help."

[Click here for more information.](#)

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## Maryland Legal Aid Receives Homelessness Prevention Grant

The Maryland Legal Aid Bureau has received \$529,593 from the federal Homelessness Prevention and Rapid Re-Housing Program (HPRRP) to fund a three-year project aimed at preventing homelessness by providing legal services and education to low-income tenants facing eviction in the Baltimore area.

The project will provide direct legal services to an estimated 150 clients a year, according to Peter Sabonis, acting chief counsel at the Legal Aid Bureau. Program staff will also collect statistics from tenants facing eviction in order to monitor trends in the local rental market, like neighborhoods with high rates of evictions, landlords who frequently evict and housing developments repeatedly reported to be in disrepair. The information will be used to target communities that could benefit from "housing rights" forums conducted by the program. The project will be staffed by an attorney, a paralegal and a social worker.

The funds are from a pool of nearly \$9 million awarded to Baltimore-area organizations as part of the HPRRP, which was created by the American Recovery and Reinvestment Act of 2009.

[Click here for more information.](#)

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## Missouri Program Gets \$30,000 for Children's Health Insurance Initiative

Press Release, Legal Services of Eastern Missouri – August 21, 2009

Legal Services of Eastern Missouri (LSEM) has received a \$30,000 grant from the Center on Budget and Policy Priorities to provide advocacy and education around the implementation of the [2009] Children's Health Insurance Program Reauthorization Act (CHIPRA).

"We will use this funding to work with state agencies and service providers to implement new provisions of this landmark legislation so that needy Missouri children receive the health coverage to which they are entitled," said Joel Ferber, Managing Attorney of LSEM's Health & Welfare Unit. "Having health insurance through Medicaid or CHIP will ensure that low-income children have better access to health care and improved health outcomes."

CHIPRA extends and expands the State Children's Health Insurance Program (now referred to as CHIP), which was enacted a decade ago. CHIPRA adds \$33 billion in federal funds for children's coverage over the next four years, and is expected to provide coverage to 4.1 million children in Medicaid and CHIP who

otherwise would have been uninsured by 2013.

[Click here to download the release.](#) (  42k)

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## Tennessee Legal Aid Program and United Way Work to Rebuild Lives

Doug Davis, The Daily News Journal (TN) – August 27, 2009

Education, income, health and rebuilding lives are the four major focus areas of United Way.

With the economy forcing furloughs, layoffs and unemployment and reduced wages, more people are needing the services of United Way agencies which help families become financially stable and independent.

When La Vergne resident Evelyn Thompson's Families First benefits were suspended, the single mother of four asked Legal Aid Society of Middle Tennessee & The Cumberland for help.

"I was already reinstated once I filed an appeal (with the Department of Human Services)," said Thompson. "But (managing lawyer) Barbara Futter helped me get past benefits that were supposed to come to me."

Futter sat in a [Department of Human Services] appeals hearing with Thompson. Ultimately, Thompson received additional money she needed to pay for child care and some of the other household expenses.

"I think Barbara is great," said Thompson. "I think she is one of the people who cares about what happens."

Futter's office of two attorneys and three support staff work to help people obtain basic necessities, such as income, food and shelter.

"Most of our clients are disabled mentally or physically, are single parents raising children on their own, or are elderly and are struggling to make it on a fixed income," said Futter. "It's hard for them to keep food and shelter."

Her office assists disabled clients in obtaining disability benefits from Social Security, people who are denied Medicaid or TennCare and people who are in domestic violence situations to keep them and the children safe.

[Click here to continue reading.](#)

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## A Case Study in Foreclosure for a Legal Aid Client

A recent article in The New Republic Magazine tells the story of Sandra Barkley, a client of South Brooklyn Legal Services, who is fighting an ongoing battle to save her house from foreclosure after falling behind on an unaffordable mortgage provided by a "one-stop" home-buying company.

The article, "One Stop, Many Problems," recounts how Barkley, a 52-year-old African-American single mother, was sold two mortgages for a home valued at \$359,000 in the Bedford-Stuyvesant neighborhood of Brooklyn. The mortgages were sold to her by a New York City-based company that offers the services of a real-estate broker, mortgage broker, appraiser and attorney in one location.

According to the article, the company's appraiser overvalued Barkley's house by more than \$100,000. When Barkley could no longer keep up with her payments, she contacted South Brooklyn Legal Services, part of the LSC-funded Legal Services NYC, for help. The program filed suit on her behalf, arguing that her mortgage should be declared invalid and that she should receive compensation for financial losses and any wrongs she suffered. The suit is still pending.

[Click here for the full article from the New Republic.](#)

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## CRLA Attorney Honored by Hispanic National Bar Association

Arturo Rodriguez, directing attorney in the Coachella office of California Rural Legal Assistance, has been selected to receive the Hispanic National Bar Association's Latino Attorney of the Year Award for his extraordinary achievements as a lawyer and his contributions to the Hispanic legal community and Latinos generally.

The nominating letter from CRLA notes that Rodriguez is the son of migrant farmworkers who now dedicates his career to helping people like his parents.

"Arturo is the consummate CRLA field attorney, one who not only represents the individual farm worker or his/her family in individual cases such as a wage claim or an eviction, but also pursues more complex litigation that seeks to correct systemic employment abuses or base living conditions."

The letter describes a recent example of such a case, where Rodriguez helped prevent the closure of a mobile home park where thousands of Latino immigrants resided. "To close the park under current conditions would create one of the largest forced human migrations in the history of this state," wrote U.S. District Judge Stephen Larson in his April 2009 ruling. Rodriguez was also instrumental in halting a labor practice that forced workers to "taste test" grapes that had been sprayed with pesticides.

The award will be presented on Sept. 3 during the association's 34th Annual Convention and First Judicial Summit in Albuquerque, New Mexico.

[Click here for more information.](#)

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## NTAP Trainings for September and October

The Legal Services  
National Technology  
Assistance Project



(NTAP) has released its training schedule for September and October. Sessions will cover topics like fundraising for statewide websites in tough economic times, GIS mapping, search engine optimization, voice over internet protocol and LegalMeetings. Starting in October, the group will offer a four-part series on using free programs offered by Google, including Docs, Presentations, Spreadsheets and Sites.

[Click here for NTAP's training calendar.](#)

## Success Story from Legal Aid of Western Missouri

*Legal aid is about helping ordinary people with real-life problems. Client stories illustrate the day-to-day struggles-and victories-of poor Americans seeking justice under law.*

### Child Free From Abuse Thanks to Legal Aid

For years "Valerie's" husband "John" beat her severely. He sexually assaulted her, ripped out her hair and during the last beating he gagged their 18-month-old child. That night the neighbors called 911 and when the police arrived, John told Valerie to pretend she was asleep and threatened to kill her if she opened the door. Despite John's threats, the police entered the home, observed the situation and arrested John.

With her child's safety in jeopardy, Valerie contacted Legal Aid for help. The Legal Aid attorney and paralegal filed for an Order of Protection and divorce on Valerie's behalf. They also connected Valerie with local social service agencies to assist her with furniture, food, and utility assistance so that she could move into an apartment on her own and encouraged her to apply for food stamps and Medicaid to help stretch her income. Legal Aid also referred Valerie to organizations that provide counseling for victims of domestic assault and child abuse.

John was convicted on criminal charges for the assault and sentenced to five years in prison. In her divorce, the Legal Aid attorney secured Valerie sole custody of her son and John was denied visitation rights. Legal Aid's representation and supportive services gave Valerie the fresh start she desperately needed, but could not otherwise afford. Today, Valerie is in a healthy, supportive relationship and she and her child are both living free from abuse.

Learn more about Legal Aid of Western Missouri on its website, [www.lawmo.org](http://www.lawmo.org).

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Created by Congress in 1974, LSC's mission is to promote equal access to justice in our Nation and to provide high quality civil legal assistance to low-income persons. LSC Updates is produced by LSC's Office of Government Relations & Public Affairs. Questions, comments, or articles can be submitted to Sean Driscoll, Special Assistant, at [driscolls@lsc.gov](mailto:driscolls@lsc.gov).