

Legal Services Corporation of Virginia



Report to the Commonwealth and the General Assembly FY 2006-2007



Legal Services Corporation of Virginia
700 E. Main Street, Suite 1504
Richmond, VA 23219
804-782-9438
804-648-3917 (fax)

Legal information and
program descriptions on the Web at

www.valegalaid.org

Legal Services Corporation of Virginia

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Preface

The Legal Services Corporation of Virginia

The Legal Services Corporation of Virginia provides funding, oversight and coordination for a statewide network of community-based organizations that provide civil legal assistance for low-income Virginians.

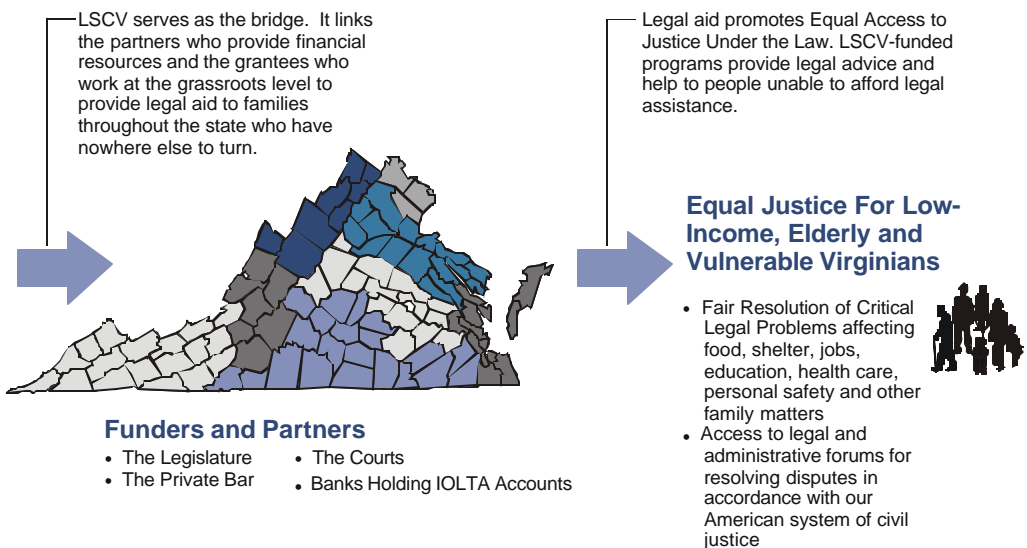
About the Legal Services Corporation of Virginia

The Legal Services Corporation of Virginia (LSCV) is the principal funder for civil legal aid programs in Virginia.

Legal Services Corporation of Virginia



- Funding
- Program Oversight
- IOLTA Revenue Management
- Partnerships
- Information
- Coordination



LSCV was created in 1975 by the Virginia State Bar, the Virginia Department of Social Services and the Virginia Legal Aid Association, to promote the development and coordination of legal aid programs in Virginia that help the poorest and most vulnerable people obtain help with legal problems affecting their most basic needs, such as food, shelter, jobs and access to health care.

LSCV generates and distributes funds for civil justice programs

In FY 06-07, LSCV grants supported nine regional legal aid programs and a statewide support center that, collectively, served every community via 38 offices located strategically throughout the state of Virginia. The current office structure was completed in 2002 after several years of strategic planning and restructuring. The statewide planning is intended to develop best practice models of service efficiency, and has already expanded client access and improved outcomes for clients.

LSCV receives funding from the Virginia General Assembly in the form of general revenue and special filing fee appropriations, and from the Virginia Interest On Lawyers Trust Accounts (IOLTA) program that LSCV began administering in 1995.

Legal aid programs apply for funds and report to LSCV on their use on an annual basis. They are evaluated by LSCV to determine the quality and quantity of services provided. LSCV also provides program oversight and administers and coordinates benefits and other administrative matters for local programs.

In FY 06-07, LSCV distributed \$7.8 million in funding for Legal Services programs.

IOLTA funds: \$2.6 million. In 1995, LSCV began administering of Virginia's IOLTA program after its conversion from a mandatory to an opt-out program. Although attorneys are not required to participate, LSCV's recruitment efforts have resulted in over 4,620 IOLTA accounts, as many as existed under the mandatory program. Recognizing the charitable nature of the program, participating banks have become full partners in LSCV's efforts to serve the poor, lowering service charges and fees, and sometimes paying slightly higher interest rates on IOLTA accounts than on ordinary business checking accounts. Many banks waive service charges and fees, and others charge nominal fees. As a result, LSCV's IOLTA revenue provides over 30 percent of the funds distributed to its grantees.

State funds: \$5.2 million. LSCV receives funding to provide civil legal services to Virginia's low-income population from the Virginia General Assembly in the form of general revenue [\$1.875 million] and special filing fee appropriations [\$3.4 million].

For more information about LSCV and its programs, please visit our Web site at: www.valegalaid.org.

Introduction

The civil legal aid programs funded by the Legal Services Corporation of Virginia help the poorest and most vulnerable citizens in Virginia obtain assistance with legal problems affecting their most basic needs. In FY 06-07, legal aid programs addressed 34,624 legal problems that met LSCV's definition of a "case," helping 75,637 low-income Virginians overcome the devastating personal impacts of domestic violence, threatened eviction, unemployment, denial of disability benefits and other emergencies.

Another 90,237 low-income people received community legal education, assistance with self-representation in court and other essential legal services, including referrals to other sources of non-legal assistance. These individuals were provided with the expert help they needed to address critical legal problems affecting their shelter, food, jobs, and access to health care.

The pro bono efforts of private lawyers served 2,820 clients and their families. Private attorneys donated over 12,005 hours, worth \$1.8 million,* through their participation in organized pro bono programs operated by legal aid organizations in partnership with local bar associations.

Legal aid programs improve the justice system for all.

- They provide access to justice and fight for fairness through legal representation, and assistance to economically disadvantaged families in every city and county in Virginia.
- They enable people who need legal help but cannot afford it to act effectively and responsibly to settle their legal problems within the established justice system – as members, not victims, of society.
- In the vast majority of situations, they resolve legal problems without litigation. Legal aid advocates seek solutions that are fair, efficient and consistent with our society's commitment to Equal Justice Under the Law.

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* Estimated conservatively at \$150 per hour.

Results of Direct Legal Assistance: Fair Solutions to Critical Legal Problems for Vulnerable Virginians

Direct legal assistance is the core service of LSCV grantees.

LSCV-funded legal aid advocates provide free legal help to people who live at or near the poverty level. They perform intake and provide advice and brief legal assistance on a centralized, regional basis with the help of sophisticated phone systems and database technology. Clients needing more in-depth assistance are referred to legal aid attorneys and paralegals working out of program offices located in cities and towns throughout the state, or to private attorneys who serve these clients on a pro bono basis.

As the graph below indicates, 88 percent of the people benefiting from legal assistance in FY 06-07 had problems in four broad categories: Family, Housing, Consumer and Income Maintenance.

LSCV Grantees Obtained \$17.8 Million in Benefits for Clients in FY 06-07.

Dollar Benefits Achieved for Clients - Total		\$17,766,087
● Social Security, SSI Benefits:		\$7,409,116
● Other Federal Benefits:		\$359,832
● Unemployment Compensation:		\$480,452
● Family Law - Child Support:		\$3,835,019
● Family Law - Alimony:		\$1,038,268
● Affirmative Judgements:		\$3,126,008
● Other Benefits:		\$1,517,393

Total includes back awards and 3 year total of monthly benefits, estimated over 6 months (unemployment compensation), 12 months (other federal benefits, food stamps, alimony, affirmative judgments and other benefits) or 36 months (Social Security, SSI and child support).

75,637 People* Benefited From Direct Representation

Family: 33,093 People

Legal problems include domestic violence, child support, divorce, child custody, parental rights and guardianships.

44%

Housing: 17,353 People

Legal problems include unlawful eviction, denial of access to public or government-subsidized housing and illegal mortgage foreclosure.

23%

Consumer: 11,259 People

Legal problems include illegal taking of property, wage garnishment, denial of credit and fraudulent consumer practices.

15%

Income Maintenance: 4,931 People

Legal problems include eligibility for or termination of SSD (disability), SSI (Supplemental Security), unemployment compensation or public benefits.

6%

Other: 9,001 People

Legal problems include education, employment, juvenile, health, individual rights and other miscellaneous matters.

12%

*This is not an unduplicated count of people served because some clients received more than one benefit as a result of the legal services they were provided.

Direct legal assistance helps people who have nowhere else to turn.

The priority of LSCV-funded programs is to help families who, without legal assistance, would lose a critical human need, such as food, shelter, income, family stability, medical care or personal safety. The following examples illustrate the results of that work.

Domestic violence: Help to victims seeking to build new lives

- *Legal Aid Society of Roanoke Valley* recognizes that representation of clients goes beyond the courtroom. Recently, a domestic violence victim was beaten by her husband and attempted to obtain a protective order from the county magistrate who happened to be a good friend of the abuser. While he issued one of two requested warrants and a protective order covering the victim and their two children, he amended the order without notifying her and refused to issue any further criminal charges despite presentation of hospital records and pictures of injuries from the beatings. LASRV's attorney filed a formal complaint with the circuit judge who supervises the magistrate, which prompted an investigation that placed the magistrate on probation.



Representative Case

Freedom from abuse for mother and daughter

A Legal Services of Northern Virginia staff attorney obtained a protective order for Janice, who had been repeatedly abused by her live-in boyfriend and father of her 20-month-old daughter. The boyfriend was verbally and physically abusive and had, in the past, wielded knives and swords to threaten her. Janice also believed the boyfriend to be a member of the MS-13 street gang and was, thus, particularly dangerous. LSNV obtained the protective order for Janice and she has since moved out of state to avoid her ex-boyfriend. LSNV is still helping her obtain custody of their daughter.

Children: Help in escaping the cycle of poverty

- When *Southwest Virginia Legal Aid Society* began plans with JustChildren to hold training programs in its service area on the legal rights of public school children, staff noticed that previous programs had drawn participants from many professions that serve children except one, educators. A primary goal became engaging institutions in those communities as partners in the work to bring justice to low-income people (and as adversaries only when necessary). School personnel were invited to and recruited for the training sessions. About a third of the participants were educators who enriched discussions with the JustChildren presenters. Evaluations were strong and participants encouraged SVLAS to hold a similar program for parents of special needs children. A program has been scheduled for the upcoming fall with a new partner, Southwest Virginia Child Care Connections, and a local school superintendent has been encouraged to welcome the parents. This should prove to be a means of educating professionals and parents about the educational rights of children without creating an assumption of an adversarial relationship between schools and families.



Representative Case

Appropriate learning environment follows much needed evaluation

Through the Legal Aid Justice Center, a JustChildren attorney represented a middle school boy who had been assigned to an alternative school and was struggling with the school work. He was well-behaved and his teachers liked him but viewed him as "lazy" and "unmotivated." The JustChildren program retained a local clinical psychologist who gave the client a full battery of psychological tests and it was discovered that he had a specific learning disability that interfered with his ability to be successful at school. Following the evaluation, the lawyer and the psychologist had a cooperative meeting with the boy's teachers and special education staff, where they reached an agreement that he would receive the special education services that he needed. His teacher was particularly thankful for receiving the benefit of the psychologist's expertise, because routine school testing had not detected his impairment.

People with disabilities: Leveling the playing field and promoting independence

- During FY 06-07, *Legal Aid Justice Center* began the Virginia Institutionalized Persons (VIP) Program. An attorney was hired in May, and she worked with LAJC's executive director and state advisors on the focus of the program. This addresses provision of mental health services and working to improve the screening and treatment process for institutionalized people with chronic diseases, such as Hepatitis C. Over time, the project will incorporate a contingent of pro bono attorneys statewide to take on some of the representation.



Representative Cases

Benefits justly granted

Roger, a 54-year-old man, had applied for disability and Supplemental Security Income Disability benefits, with a primary disability of chronic emphysema (possibly lung cancer); arthritis of the legs, back and knees; depression and vertigo. During the hearing, Legal Aid Society of Eastern Virginia indicated that, based on his lung condition alone, Roger's condition either met or was medically equal to a Listing of Impairment. The Administrative Law Judge indicated that he would find for Roger, a "fully favorable" decision, providing he did not find anything else in the file contrary to this finding. Upon receipt of a CT scan, which showed no improvement in his condition, LASEV forwarded the report to the Judge for additional consideration in the claim. The Administrative Law Judge returned an "unfavorable" decision on this claim, finding that Roger could perform a full range of "light work;" thus, he was declared not disabled under the Social Security Act. An appeal was immediately filed, citing the Judge's decision was not supported by substantial evidence of record; that the Judge had earlier found for Roger, a fully favorable decision on this same claim; and that the evidence submitted after the hearing should not have altered his decision, since it did not show that Roger's condition had improved. Over the next several months of waiting, Roger was diagnosed with stomach cancer. Arguing that the previous CT scan may have detected the onset of the disease, therefore constituting an existing condition during the first trial, the Appeals Council was asked to reverse the Judge's decision and find for Roger a fully favorable decision. The decision was reversed and Roger received benefits dating back two years to the first denial of benefits.

Seniors: Fair solutions to critical issues affecting health, shelter and safety

- The *Virginia Poverty Law Center* worked with the State Long Term Care Ombudsman and other advocates for the passage of a bill to form a group of stakeholders to determine how civil monetary penalty monies could be used to improve nursing home quality. A voluntary “raise-the-bar” program out of North Carolina was selected as Virginia's model. It focuses on improving the quality of care and life of nursing home residents by working on the recruitment and retention of direct care workers through such things as consistent assignment, peer mentoring, care planning input from the direct care workers and career ladders.



Representative Cases

Income restored

Joyce, a 72-year-old woman living alone, had been sharing ownership of a home with a friend. Her Supplemental Security Income benefits were terminated because the Social Security Administration determined she was over resources when she moved out of the home. Based on maximum non-exempt resources a person can have and the tax appraised value of the home, they believed her equity in the house was over \$6,700. SSA gave her the option of selling the property and spending down the profit, or moving back in. Unfortunately, she could not sell the property as her friend had Alzheimer's disease, had wandered off the previous year, and was believed dead. As he cannot be declared dead for seven years, Joyce could not give a buyer clear title. Virginia Legal Aid Society was able to have a realtor write a letter to that fact, which was enough to convince SSA to reinstate full SSI benefits to Joyce.

An elderly couple remain in their home

Central Virginia Legal Aid Society represented 79-year-old Ruth. She lived in a home owned one-third by her, one-third by her son, and one-third by her son's wife. Her son and his wife had persuaded Ruth to sign a deed of trust for them to borrow \$50,000 on their promise to make the payments. After spending the borrowed funds, they separated and fell behind on the mortgage. Incident to her son's divorce, their marital home out of state was sold, and the proceeds were used, in part, to pay off the mortgage on that home. Ruth's son told her that part of the proceeds from that sale also paid off the mortgage on her home, but that was not true. Due to a clerical error, the mortgage company, which held both mortgages, produced a certificate of satisfaction for both mortgages even though Ruth's mortgage was still in arrears and in foreclosure. When the case came to CVLAS, the mortgage company had title to Ruth's home and insisted she and her seriously disabled husband leave the home. In the circuit court, CVLAS contended that it was up to the lender to prove that the proceeds of the sale of the son's home went only to pay off one mortgage and not the other. Further, because of the lender's error in circulating a form for a certificate for satisfaction of Ruth's mortgage, it could not be ruled out that a potential buyer might have seen that document, and been thereby discouraged from bidding at the foreclosure sale. After two years of litigation, the lender ultimately deeded the entire ownership of the home to Ruth in return for \$45,000. Ruth obtained a reverse mortgage for enough funds to pay the \$45,000, plus an additional \$21,000 in cash to her.

People with challenges to health care problems: Assuring healthcare for the masses

- Carilion Medical Center operates several hospitals in the *Legal Aid Society of Roanoke Valley* service area, and is the major provider of care to low-income patients. It is also a major user of the courts for collecting from those unable to pay, generally utilizing an admission form signed by the patient that includes agreement to pay "the full amount charged." This form contract has customarily been used to justify collection suit up to a full five years later, on the theory that it constitutes a signed contract for purchase of services accorded that statute of limitations under Virginia law. As a result, patients are sometimes sued so long after service that they have no prospect of bringing Medicaid or insurance to bear and often cannot even recall the service provided. In a recent case of collections for services rendered four years prior, LASRV argued the debt was too old to sue on. The hospital relied on the same form admissions agreement, arguing that the signed form gave them a five-year statute of limitations on suit. LASRV briefed the issue to show that the theory of the hospital's suit based on admissions contract was defective, and the shorter three-year time limit controlled. The hospital dropped its claims before the court ruled, in order to avoid a bad and embarrassing precedent. Time will show whether this has improved Carilion's collection practice.



Representative Case

Improper Health Care Billing

Dolores received two bills stemming from an emergency room visit with her small son, one from the hospital and one from the treating physician. Both bills should have been fully covered by Medicaid. Dolores contacted both the hospital and the doctor's office and was given the same story. They claimed that the doctor was not a Medicaid-approved provider at the time of treatment, they could not receive payment through Medicaid, and she was responsible for the bills. Dolores indicated her son was covered by Medicaid upon arrival at the ER, but the hospital never mentioned that the provider was not Medicaid-approved. A Southwest Virginia Legal Aid Society attorney conducted research and took advantage of the public benefits listserv. She was able to determine that had Dolores been told before treatment that the doctor was not a Medicaid-approved provider and had she then opted for her son to receive treatment anyway, she would have been responsible for the bills. Since she was never told that she might not be covered through this physician, she was not at fault and was not responsible for payment. The attorney wrote letters to the doctor and the hospital demanding that her accounts be cleared. When she received no response, she turned the correspondence and document over to the Virginia Department of Medical Assistance Services. Soon afterward, the doctor and hospital contacted SVLAS with assurance that the billing had been a misunderstanding and they agreed to clear Dolores' bill.

Empowerment: LSCV Grantees Help People to Help Themselves

In addition to providing direct legal assistance that benefited more than 75,000 people in FY 06-07, legal aid advocates helped 90,237 additional people understand and act upon their legal rights and responsibilities as tenants, parents, employees, spouses and consumers. (See statistics below.) For this, LSCV-funded programs used three powerful strategies: telephone legal “hotlines,” pro se (self-help) assistance and community legal education.

Telephone legal “hotlines”: Providing expert legal advice that can prevent small problems from becoming big ones.

- *Blue Ridge Legal Services* uses a toll-free hotline as part of its intake system in two of its three offices. Potential clients call and are screened for eligibility, provided with advice, provided with a referral and/or scheduled for an appointment with an attorney for extended representation. The Roanoke office operates a pro bono hotline in conjunction with the Virginia State Bar Association. Close to 30 attorney volunteers come to the office on a rotating basis one day each week to return calls to eligible clients.

Summary: Advice, Legal Education, Self-Help, Assistance, and Information

People and Families Benefited

- 24,160 from Legal Advice and Counsel delivered via phone
- 19,534 by referral to other sources of help
- 19,027 from community legal education
- 1,943 from self-help clinics, help centers, etc.
- 49,733 from legal information disseminated in print and within program websites

Self-help assistance: Empowering people to solve simple legal problems themselves.

- Low-income individuals cannot always afford to pay for a divorce, and as legal aid programs become increasingly overwhelmed with other cases, divorces are treated as a lower priority and the courts experience difficulties with pro se litigants. *Rappahannock Legal Services* has responded to these concerns by establishing a pro se divorce project. Participants attend a clinic on how to file a pro se divorce and their pro se cases are then monitored by RLS until they receive a final divorce decree.

Community legal education: Informing people about their rights and responsibilities in everyday situations.

- *Southwest Virginia Legal Aid Society* engaged in multiple community legal education efforts during FY 2006-2007, including:
 - conducting fourteen bankruptcy classes that educated 79 persons.
 - holding workshops for senior citizens on preparing advanced directives. Twenty-four persons at two meetings learned about completing directives; a number of these were staff of agencies who can now better discuss this issue with their clients.
 - giving three presentations to college students about housing and lease issues. About 600 students attended these programs. Additionally, one presentation was given to college students about public education law.
 - facilitating presentations to job corps and teens in other residential programs about their legal rights and responsibilities. About 56 students attended five programs.
 - organizing two regional conferences on domestic violence (co-sponsored by the Virginia Poverty Law Center); one in Radford and one in Bristol. Over 250 persons attended the two conferences.
 - providing public guardian and conservator services to indigent, incapacitated adults who have no family or friend suitable to act as guardian. The program oversees and protects the financial and health interests of twenty adults, ensuring the most appropriate supportive and health services and living situations possible, given the particular needs, desires and values of each person served.
- All *Virginia Legal Aid Society* offices conduct presentations on legal topics, such as tenant rights and responsibilities, Medicaid planning, wills and guardianships and family law, or about VLAS, at battered women's shelters, subsidized and public housing sites, civic organizations, senior centers, senior meal sites, churches, United Way events and on radio call-in shows. The Farmville office gave community education presentations last year for residents of two of the subsidized complexes serving the disabled, for a retired teacher's group and participated in a transition fair for families of special education children nearing graduation.
- *Legal Aid Society of Eastern Virginia* attorneys regularly speak to HIV groups, have partnered with an agency serving Spanish-speaking persons on the Peninsula, victims of domestic violence, homeless individuals, elderly persons, homeless families and other community groups. In addition, LASEV's director has appeared on several community television programs in the service area to describe the work of LASEV and the services offered.

Economic Results:

More Income for Families and Communities

LSCV grantees produce millions in benefits for needy families.

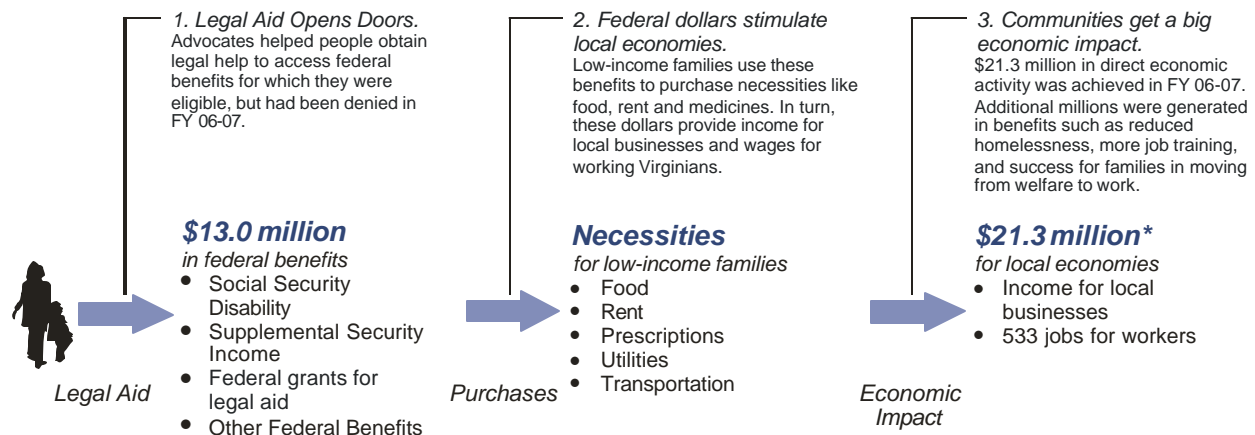
From the purely economic standpoint of dollars generated per dollar invested, the performance of legal aid advocates is outstanding. In FY 06-07 Virginia legal aid advocates won an estimated \$17.8 million in direct benefits for their clients, including child support and alimony payments, Social Security and Social Security Disability benefits, worker's compensation insurance payments and other critically needed forms of financial support and relief for which clients were legally eligible, but had been denied. (See page 1 for a summary of these benefits.)

LSCV grantees bring dollars into the economies of the communities they serve.

Federal benefits, such as Supplemental Security Income, not only help the direct recipients, but also flow immediately into the local economy to generate additional income and jobs that otherwise would be lost.

In FY 06-07, LSCV-funded legal aid advocates obtained \$7.4 million in federal benefits for which low-income Virginians were legally eligible but had been denied. These funds, combined with more than \$5.6 million in federal grant funds received for legal aid programs' own operating support, flowed directly into local communities in the form of salaries, rent, and goods and services purchased from local businesses. This resulted in new economic activity and additional jobs in local communities, as shown in the graphic below. By applying a standard economic activity multiplier of 1.64 (obtained from U.S. Department of Commerce "Regional Economic Multiplier" studies), we can produce a reliable estimate of \$21.3 million in new economic activity and 533 jobs resulting from these benefits and grants.

Economic Impact



*Total impact was estimated by applying the universally-accepted U.S. Department of Commerce "Regional Economic Multiplier" for payments to low-income families in Virginia. According to the U.S. Department of Commerce "Regional Economic Multiplier" studies, each million dollars brought into Virginia from outside the state circulates through local economies 1.64 times and supports 25 jobs.

Quality and Productivity: *LSCV Grantees Maximize Results Per Dollar*

Quality: LSCV grantees deliver quality through well-trained advocates and partners.

Advocates throughout the legal aid system have access to LSCV-funded special programs and projects. Lawyers in these programs often lend their expertise as partners, trainers and mentors to advocates across the state in addressing special legal issues or opportunities arising in local contexts. For example, in FY 06-07:

- *Southwest Virginia Legal Aid Society* applied for funding to the U.S. Department of Justice to provide legal services to victims of domestic violence, which included nearly \$150,000 for local domestic violence program partners. These programs used the funds to hire staff to provide support to clients so they can follow through with the legal advice of attorneys. For example, an attorney may advise a client that she needs stable housing if she is to obtain custody of her children; the staff from the DV program will work with the client to help her find decent housing. This partnership has gone beyond a simple sub-contract. SVLAS attorneys regularly participate in the task forces organized by SVLAS' domestic violence partners and they, in turn, are active participants on SVLAS advisory committees. Referrals between SVLAS and these programs have increased significantly since the subcontracts were developed.
- *Virginia Poverty Law Center* provided much needed services to its partners within the state. Notably, VPLC conducted six trainings on domestic violence laws for attorneys and/or advocates. They facilitated three workshops on the rights of youth in foster care, as well as two trainings on child welfare and kinship care for professionals in the social work field. Four Client Council meetings were held, including one leadership training session, as well as a new lawyer substantive law training and a training for attorneys and paralegals on trial advocacy skills.

Productivity: LSCV-funded programs maximize results for clients.

High performance standards are demonstrated through rigorous evaluation. All grantees are reviewed and audited annually by LSCV using data from a comprehensive, statewide reporting system, implemented in 1997.

LSCV grantees track measurable outcomes. LSCV has been a leader in the field of helping legal aid organizations apply outcomes measurement systems to provide critical tools for ensuring the highest standards of quality, accessibility and effectiveness for the legal work performed on behalf of low-income people across Virginia. Within programs, outcomes measurement provides invaluable feedback on performance; externally, it allows individual programs and the statewide legal aid community as a whole to assess the impact legal aid has on low-income individuals and families and their critical needs. For example:

- *Rappahannock Legal Services* makes every effort to accommodate clients who are disabled or unable to come to an office to apply for services. Not uncommon are visits to client homes and to homeless and domestic violence shelters, hospitals and nursing homes. This outreach frequently makes use of college and law school interns who volunteer at RLS offices. RLS provides intake at Bowling

Green in Caroline County for those residents who are unable to travel the long distance to the Fredericksburg office. The Culpeper and Tappahannock offices also offer special intake locations and hours for similar clients. RLS staff also make periodic visits to local senior centers pursuant to its Title IIIB contracts.

- The work accomplished by *Legal Services of Northern Virginia* complements other community resources and projects. Establishing and maintaining cooperative relationships with community organizations, service providers, client groups and local governments enables LSNV to provide not just high-quality civil legal services to at-risk families and individuals, but to further provide complete assistance to meet all of the client's needs (legal services, mental health assistance, education, financial, housing and other support services).

Legal aid programs and their advocates apply the latest information technology.

- The *Virginia Poverty Law Center* maintains vlegalaid.org, a statewide legal aid website for clients and attorneys, which provides information on all Virginia legal aid programs, offices and staff. The website also includes resources, legal information and links to other organizations and governmental agencies that may be able to help individuals.
- *Virginia Legal Aid Society* recently received notice that a joint application with the State Information Technology Consortium in Herndon and the Virginia Department of Social Services to the U.S. Department of Agriculture for a Food Stamp Participation Grant had been approved. The grant is to increase Food Stamp applications by eligible low-income Virginians, taking advantage of the fact that Food Stamp income and resource limits are quite similar to those of legal aid, and that in VLAS' own intake process, VLAS information is collected that could be electronically transferred to DSS for use in the Food Stamp application process. VLAS will develop software modifications in Kemps CaseWorks to help integrate information with DSS databases. When the LawLine staff finish a legal intake interview, they will ask clients if they would like to apply for Food Stamps, and if so, will transfer the information automatically. Department of Social Services staff will collect any further information needed for the application and obtain a live signature from the client. VLAS' submission of information will save clients several steps in starting the application process, and start the clock for DSS to deliver Food Stamps within seven days of application to a homeless household, and within thirty days to other households. The system is expected to become operational in the winter of 2007-08, and potentially available for other legal aid programs in 2008.



Partnerships:

LSCV-Funded Programs Promote Solutions to Community-wide Problems

The pro bono involvement of private lawyers is a crucial element of the legal aid delivery system.

With leadership from the Virginia State Bar and local bar associations across the state, the pro bono contributions of private lawyers are important in providing access to the justice system for low-income Virginians. The following are some examples of accomplishments reported by LSCV-funded programs in FY 06-07.

- In May 2007 *Legal Services of Northern Virginia* started the Domestic Violence Pro Bono Attorney of the Day Program, a pro bono representation project for victims of domestic violence. Pro bono trainings are conducted in order to recruit attorneys. Each is then asked to commit to serving as the "domestic violence pro bono attorney" for three or four days in the coming year. A calendar system is set up, assigning the pro bono attorney to a particular date in which he or she will take on up to three domestic violence victims who have Protective Order hearings scheduled for that date. This calendar is coordinated by LSNV in conjunction with the court services unit of the Fairfax Juvenile and Domestic Relations District Court. Sixty attorneys who attended the first training, held in Spring 2007, have signed up to participate.

Pro bono statistics

In FY 06-07, volunteer lawyers participating in LSCV-funded programs achieved the following results.

Number of cases completed	2,820
Hours contributed	12,005
Dollar value of services*	\$1.8 million

**Estimated conservatively at \$150 per hour*

Partnerships with the private bar promote synergy.

- *Legal Aid Justice Center* has devoted substantial energy to forming and providing support for a group of Petersburg parents who are motivated to advocate better schools and educational services for Petersburg's children. Petersburg Advocates for Children (PAC) is now a strong organization that is developing increasing influence in state government. This spring LAJC assisted PAC in organizing a community meeting that was attended by the state Superintendent of Instruction, as well as members of the Petersburg school board and school administrators. Over 150 local residents also attended and had questions and comments for the participants. Since that time, PAC members have testified before the state Board of Education on a number of issues, and state leaders are earmarking time and resources to deal with the situation in Petersburg's public schools.
- *Blue Ridge Legal Services* provides intake services for the *Legal Aid Society of Roanoke Valley*. There are mutually allocated types of cases between the two programs within the Roanoke area. Once eligibility is verified, a case is assigned to the pro bono hotline operated by BRLS, referred to the Pro Bono Referral Program operated by BRLS, assigned to the BRLS managing attorney for representation, or transferred to LASRV for representation. The transfer is accomplished electronically through the BRLS case management software. During 2006-2007, 1,483 eligible clients were screened and transferred to LASRV in this fashion.

Legal Aid programs promote community awareness and solutions to community-wide problems.

Raising public awareness about the plight of low-income communities helps build a strong network of support. Increasingly, collaboration between legal aid programs is a critical element of the statewide justice system, complementing the work that programs provide within their own client communities. Education and collaboration create synergies, leverage scarce resources more effectively, promote innovation and the sharing of knowledge and ideas, and often generate new solutions to critical issues facing the low-income community. Examples of collaborative efforts undertaken by LSCV-funded grantees in FY 06-07 include:

- *Legal Aid Society of Roanoke Valley's* domestic violence attorney has been a resource for and coordinated with the Roanoke Family Violence Coordinating Council, the Women's Resource Center Commission, the Franklin County Women's Resource Center and Bedford County Domestic Violence Services. She also co-led training on "Dual Arrests, Cross Warrants, Bond Revocations, and Protective Order Violations" with a prosecutor from Campbell County.
- *Legal Aid Justice Center* provides a "holistic" service model in the Child Health Advocacy Program (CHAP - formerly the Family Advocacy Program.) CHAP is a medical-legal collaboration of the Legal Aid Justice Center, the UVA Children's Medical Center and the UVA School of Law's Public Service Center. The main focus is connecting families to the resources necessary to solve their problems. CHAP has taken an important step in making these connections by providing legal assistance to families whose children receive their health care at the Children's Medical Center. Law student volunteers and an LAJC attorney hold open client assessment interviews at the Center to help families with a variety of legal problems affecting their health and well-being. Trainings are also provided for pediatric nurses, doctors and residents to spot problems that patients have that may require legal expertise, and refer families to LAJC directly. There is currently an effort underway, in conjunction with the Department of Pediatrics at Richmond's Medical College of Virginia, to establish a CHAP in Richmond.
- *Central Virginia Legal Aid Society's* Central Virginia Client Council has provided tremendous volunteer help to CVLAS and its clients. The Client Council has a veteran team of volunteers who helped with emergency intake for survivors of the Battery Park emergency. About 20 families received representation in Richmond through a partnership among CVLAS, LAJC, the Young Lawyers Section of the Virginia State Bar and the Virginia Bar Association. They also had help from the Virginia Trial Lawyers Association and local law firms.

People:

The Most Powerful Asset of LSCV-Funded Programs

LSCV grantees employ dedicated people.

The principal asset of legal aid programs throughout Virginia is their core staff of experienced, committed legal aid professionals. The accomplishments described in this report are the results of extraordinary teamwork by legal aid staff, volunteer board members, private attorneys and leaders in the judiciary, legislature, client community and human services agencies.

Staff include some of the leading poverty law experts in the nation.

Virginia legal aid advocates include leading regional and national innovators in areas such as community economic development, housing, disability law, domestic violence, consumer and employment law and health care. Many have dedicated their entire careers to the effort to ensure that the legal system provides equal justice for all, regardless of income, often at considerable sacrifice and with little fanfare.

As of the end of FY 06-07, LSCV grantees' staffs included:

- **139 attorneys.** Legal aid programs employ a balanced mix of young and experienced attorneys who form a solid core and bring fresh ideas, a healthy combination of continuity, and a wealth of experience and expertise in serving their low-income communities.
- **52 paralegals.** Paralegal staff perform a vast range of vital services, including client interviews, legal research, legal document preparation and client representation in administrative proceedings under the guidance of attorneys. Many paralegals with Virginia legal aid programs have decades of experience and are highly skilled legal professionals.
- **81 other staff.** These include 56 secretarial-clerical staff and 25 management and professional staff, including fiscal managers, social workers, pro bono coordinators, information technology specialists, Website developers and other staff. These personnel provide crucial support to the legal staff within their programs, from staffing hotlines to performing intake and providing administrative assistance. They also perform critical ancillary functions that improve their organizations' services, increase their ability to serve clients, and strengthen their support and collaborations within the community.

Volunteer board members and client leaders ensure that legal aid works for the community.

Scores of private lawyers and client community leaders serve without pay on boards of the Virginia legal aid programs without monetary compensation. Their insights as leaders in their respective networks and local communities provide invaluable guidance in setting program priorities and delivering services with a local perspective that truly address the low-income communities' most critical problems. Client organizations are critical resources for legal aid programs, providing client-focused input, conducting training programs, and carrying the message of Equal Justice throughout the Commonwealth.

Funding:

More Dollars Are Needed to Fulfill the Promise of Equal Justice

Every person in America deserves full access to our civil justice system.

According to a recent Harris Poll, close to nine in ten Americans (89 percent) agree that legal help for civil matters should be provided for low-income people. Yet a huge gap prevents that vision from being realized. The American Bar Association estimates that despite serving 1.9 million clients annually, the collective civil legal aid effort is meeting only 20 percent of the legal needs of low-income people. This has been confirmed by a new Virginia Low-Income Civil Legal Needs Assessment, commissioned by LSCV and completed in March of 2006.

Legal Services Corporation of Virginia and its grantees are working to close the funding gap. Legal aid advocates are joining with the courts, state legislators and community leaders and with local businesses, banks and foundations to expand funding for legal aid.

Fact Sheet: The Need for Legal Aid

- **More than 800,000 residents of Virginia are living in poverty.** More than 650,000 people in our state are living below the poverty level, and another 150,000 have incomes that are less than 125 percent of the federal poverty guideline. As a result, roughly one in eight Virginians are eligible for free civil legal services from LSCV grantees.
- **The need for legal services for the poor is overwhelming.** According to a 1994 study by the American Bar Association, 48 percent of low- and moderate-income households experience a legal problem each year. In Virginia, this translates to 400,000 legal problems annually.
- **People feel disenfranchised.** The ABA study showed that most low- and moderate-income people feel shut out from the legal system. They do not turn to the courts for solutions because they believe the system will not help them.
- **Civil legal aid ensures justice for all Americans regardless of their income.** Many people would otherwise not be able to afford access to the courts to resolve their legal troubles.

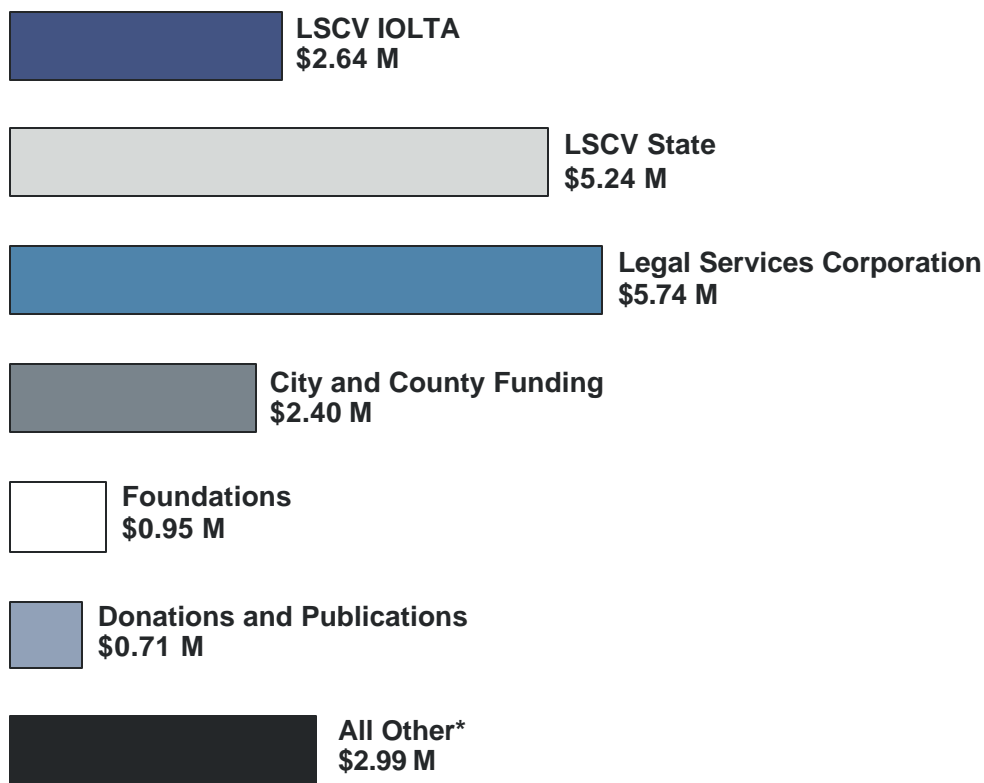
Increased funding from five major sources is the key to narrowing the gap.

The principal sources of funding for legal services programs are LSCV, the federal Legal Services Corporation, city and county grants and an array of non-LSC federal sources.

While LSCV and its grantees continue to seek new collaborations and sources of funding to expand their ability to meet the critical legal needs of the low-income communities they serve, fluctuations in their largest funding sources make this increasingly difficult. For example, historically low interest rates exacted a great toll on LSCV IOLTA revenues from 2003-2005. In late 2007 interest rates began to fall again, a trend that will surely impact IOLTA revenues in the year ahead. The need for additional funding of legal aid advocates and their partners in the private bar has never been greater.

FY 06-07 Funding for Virginia's Legal Aid Programs

Total: \$20.67 Million



* "All Other" consists of funding from Other Federal Programs, the United Way, the Private Bar, and others.

Conclusion

Legal Aid programs funded by the Legal Services Corporation of Virginia further the goal of providing Equal Justice Under the Law.

Every dollar spent on legal aid for low-income Virginians yields a return to society far exceeding the investment. Funding for legal aid promotes fairness and equality, helps families in crisis secure access to safety net programs, saves dollars for taxpayers and generates economic activity in local communities, providing income and jobs for working Virginians.

This commitment deserves the support of every citizen. A study by the American Bar Association has found that more than 80 percent of the civil legal needs of the poor are unmet. This is an unacceptable shortfall in our civil justice system.

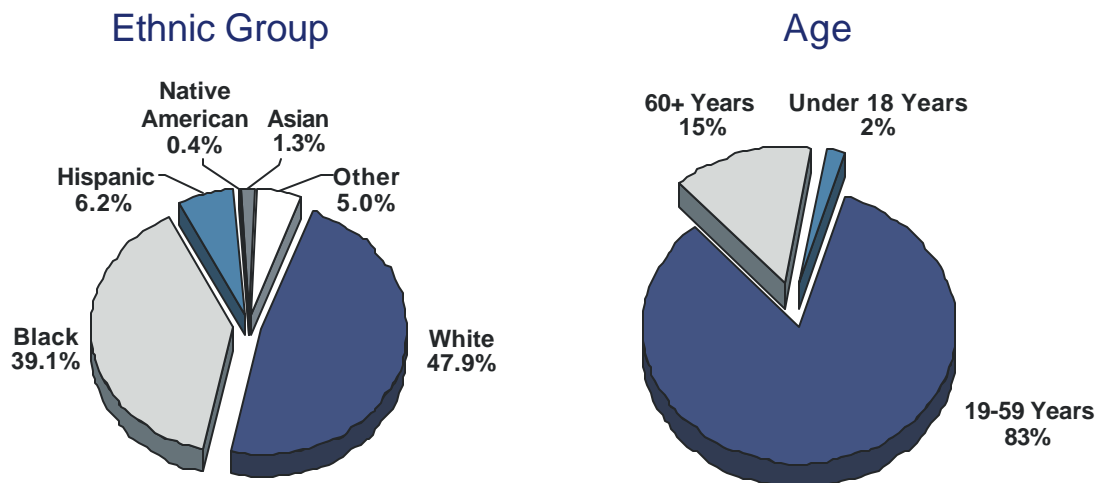
Until the resources have been found to bridge the gap between the need for legal assistance and the capacity to provide it, “Equal Justice Under the Law” will remain an empty promise for many of our most vulnerable citizens. Fulfilling this promise is an investment that will pay the highest possible dividend for the future: *Equal Justice Under the Law!*

Appendix A: Case Statistics and Client Demographics

Case Statistics: Number of Closed Cases by Major Reason Closed

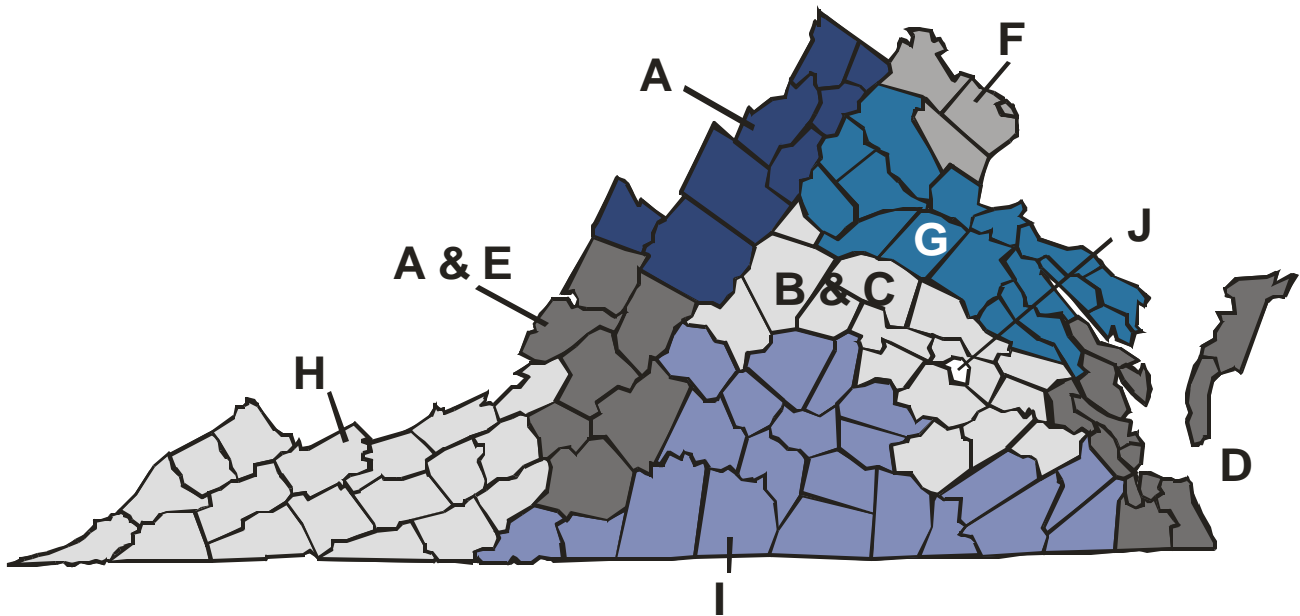
Organization	Advice & Counsel	Brief Service	Referral	Negotiated		Admin. Agency Decision	Court Decision	Other	Grand Total
				without Litigation	with Litigation				
Blue Ridge Legal Services	1,568	386	49	56	129	38	552	113	2,891
Central Virginia Legal Aid Society	3,106	203	48	24	25	67	388	130	3,991
Legal Aid Justice Center	994	443	62	176	139	149	201	60	2,224
Legal Aid Society of Eastern Virginia	3,819	1,106	100	47	85	180	828	140	6,305
Legal Aid Society of Roanoke Valley	836	154	25	15	37	19	106	56	1,248
Legal Services of Northern Virginia	2,095	523	175	113	187	95	384	333	3,905
Potomac Legal Aid Society	2,036	145	497	1	0	0	4	15	2,698
Rappahannock Legal Services	1,073	177	26	27	100	91	313	192	1,999
Southwest Virginia Legal Aid Society	3,515	313	44	32	29	37	853	79	4,902
Virginia Legal Aid Society	3,348	224	0	81	48	121	340	299	4,461
Virginia Poverty Law Center	-	-	-	-	-	-	-	-	-
Total	22,396	3,675	1,026	572	779	797	3,970	1,417	34,624

Client Demographics



Appendix B: Local Legal Aid Programs Funded by Legal Services Corporation of Virginia

LSCV FY 2006-07 grant allocations shown in parentheses



A Blue Ridge Legal Services (BRLS); Harrisonburg, Winchester, Roanoke, Lexington (\$436,047)

F Legal Services of Northern Virginia (LSNV); Falls Church, Alexandria, Fairfax, Leesburg, Manassas (\$977,652)

B Central Virginia Legal Aid Society (CVLAS); Richmond, Petersburg, Charlottesville (\$797,856)

G Rappahannock Legal Services (RLS); Fredricksburg, Culpeper, Rappahannock (\$345,516)

C Legal Aid Justice Center (LAJC); Charlottesville, Petersburg, Richmond (\$488,508)

H Southwest Virginia Legal Aid Society (SWVLAS); Marion, Castlewood, Christiansburg (\$992,567)

D Legal Aid Society of Eastern Virginia (LSEV); Hampton, Norfolk, Virginia Beach, Williamsburg, Belle Haven (\$1,707,980)

I Virginia Legal Aid Society (VLAS); Lynchburg, Danville, Farmville, Emporia, Halifax, Suffolk (\$1,029,600)

E Legal Aid Society of Roanoke Valley (LASRV); Roanoke (\$417,744)

J Virginia Poverty Law Center (VPLC); Richmond (Statewide Program) (\$610,547)

Appendix C:

Outcomes Produced for Clients by LSCV-Funded Programs in FY 06-07

1. Dollar Benefits Achieved for Clients*

a. Back awards - total:	\$7,373,858
b. Monthly payments going forward - total per month:	\$466,279
c. One-year total, back awards plus assumed total of benefit stream:*	\$17,766,087

*See breakdown by type of benefit, Appendix D.

2. Major Non-Dollar Benefits Achieved for Clients

Benefits are listed below in decreasing order by number of people directly affected.

Category	Major Benefit Achieved	# of Cases	# People Directly Affected
A. Major Benefit Was Achievement of a Legal Objective			
Family	Obtained a divorce or annulment	1,716	3,931
Family	Obtained or maintained custody of children	553	1,436
Family	Obtained protection from domestic violence	399	941
Miscellaneous	Obtained a living will and/or health proxy or power of attorney	736	864
Housing	Prevented eviction from private housing	256	617
Employment	Obtained wages and/or back pay due	144	566
Housing	Avoided, or obtained redress for, illegal or unfair charges by landlord	206	552
Family	Obtained, preserved, or increased child support	226	535
Miscellaneous	Obtained a will	366	514
Income Maintenance	Obtained, preserved or increased SSI benefit/right	221	481
Consumer	Stopped or reduced debt collection activity	237	480
Consumer	Avoided or ended garnishment or levy	220	472
Housing	Prevented eviction from subsidized housing	175	433
Income Maintenance	Obtained assistance with business start/development	194	395
Income Maintenance	Obtained, preserved or increased unemployment insurance benefits/rights	166	377
Housing	Delayed eviction providing time to seek alternative housing	174	358
Consumer	Obtained federal bankruptcy protection	162	326
Housing	Prevented eviction from public housing	123	319
Family	Obtained or preserved right to visitation	131	300
All Problem Areas	Other, none of the above	3,486	6,670
B. Major Benefit Was Access to Legal Information, Advice and/or Assistance From a Lawyer or Paralegal			
All Problem Areas	Received legal advice & counsel	21,184	51,993
All Problem Areas	Received non-litigation advocacy services	756	1,651
All Problem Areas	Received referral to another agency	649	1,425
Total, All Cases:		32,480	75,636

Appendix D: Dollar Benefits, Breakdown by Type of Benefit

	<i>Back Awards</i>	<i>Monthly Benefits</i>	<i>Assumed Duration</i>	<i>Total Benefits*</i>
	<i>a</i>	<i>b</i>	<i>c</i>	<i>d</i>
a. Social Security/SSI	\$2,828,103	\$127,250	36 months	\$7,409,116
b. Other Public Benefits	\$57,396	\$25,203	12 months	\$359,832
c. Unemployment Comp	\$276,308	\$34,024	6 months	\$480,452
d. Family Law				
(1) <i>Child Support</i>	\$914,501	\$81,126	36 months	\$3,835,019
(2) <i>Alimony</i>	\$562,756	\$39,626	12 months	\$1,038,268
3. All "Other" Types of Cases	\$2,734,794	\$159,051	12 months	\$4,643,401
Total:	\$7,373,858	\$466,279		\$17,766,087

* Total benefit includes back awards and total of monthly benefits over assumed duration of benefit stream (column "c").

Legal Services Corporation of Virginia
700 East Main Street, Suite 1504
Richmond, VA 23219

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