

Legal Services Corporation of Virginia



Report to the Commonwealth and the General Assembly FY 2005-2006



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Legal Services Corporation of Virginia

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This report was produced for the Legal Services Corporation of Virginia by The Resource for Great Programs, Inc.

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

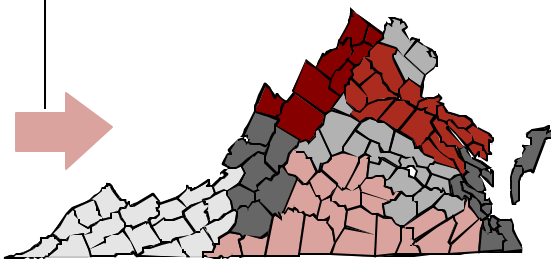
The Legal Services Corporation of Virginia (LSCV) is the principal funder for civil legal aid programs in Virginia.

Legal Services Corporation of Virginia



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

LSCV serves as the bridge. It links the partners who provide financial resources and the grantees who work at the grassroots level to provide legal aid to families throughout the state who have nowhere else to turn.



Funders and Partners

- The Legislature
- The Courts
- The Private Bar
- Banks Holding IOLTA Accounts

Legal aid promotes Equal Access to Justice Under the Law. LSCV-funded programs provide legal advice and help to people unable to afford legal assistance.

Equal Justice For Low Income, Elderly and Vulnerable Virginians

- Fair Resolution of Critical Legal Problems affecting food, shelter, jobs, education, health care, personal safety and other family matters
- Access to legal and administrative forums for resolving disputes in accordance with our American system of civil justice



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 in Virginia to 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 05-06, LSCV grants supported nine regional legal aid programs and a statewide support center that, collectively, serve 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 05-06, LSCV distributed \$6.9 million in funding for Legal Services programs.

IOLTA funds: \$2.0 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: \$4.9 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 [\$1.6 million] and special filing fee appropriations [\$3.3 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 05-06, legal aid programs addressed 33,715 legal problems that met LSCV’s definition of a “case,” helping 82,274 low-income Virginians overcome the devastating personal impacts of domestic violence, threatened eviction, unemployment, denial of disability benefits and other emergencies, thanks to the successful legal representation they received from LSCV grantees.

Another 110,776 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 2,998 clients and their families. Private attorneys donated over 16,011 hours, worth \$2.4 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.

This Report At a Glance

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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 05-06 had problems in four broad categories: Family, Housing, Consumer, and Income Maintenance.

LSCV Grantees Obtained \$15.4 Million in Benefits for Clients in FY 05-06.

Dollar Benefits Achieved for Clients - Total	\$15,395,076
• Social Security, SSI Benefits:	\$7,808,889
• Other Federal Benefits:	\$354,346
• Unemployment Compensation:	\$415,071
• Family Law - Child Support:	\$3,043,404
• Family Law - Alimony:	\$356,206
• Affirmative Judgements:	\$2,433,078
• Other Benefits:	\$984,082

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).

82,274 People Benefited From Direct Representation

Family: 35,165 People

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

43%

Housing: 16,988 People

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

21%

Consumer: 14,986 People

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

18%

Income Maintenance: 4,995 People

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

6%

Other: 16,595 People

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

12%

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

- *Rappahannock Legal Services* has used V-STOP and Virginia Domestic Violence Victims Fund dollars to establish English and Spanish language civil protective order projects in each of its three offices. These projects are committed to stopping domestic violence in conjunction with local shelters, court services units, sheriffs departments, magistrates, and the Commonwealth's attorneys. RLS obtained 64 civil protective orders on behalf of abused women and children in FY 04-05 and 95 protective orders in FY05-06.
- *Blue Ridge Legal Services* was one of twenty organizations to be granted a new 18-month Virginia Domestic Violence Victims Fund grant. BRLS saw this as an opportunity to address two pressing needs in its service area, which include securing dedicated funding to meet the needs of Hispanic clients, and meeting the needs of domestic violence victims. BRLS filled the position in November 2005 with a recent UVA law school graduate who has been actively representing Hispanic victims of domestic violence in the central Shenandoah Valley, and who has recently begun outreach into the northern Shenandoah Valley.



Representative Case

Recovery and safe environment for mother and son

Mary and her son, Joe, were long-term victims of domestic violence inflicted by Joe's father. Mary separated from her husband, but was persuaded to reunite with him, resulting in continued abuse. Southwest Virginia Legal Aid Society helped Mary obtain a two-year protective order, and her husband was convicted of criminal charges and went to prison. Joe's past abuse made him believe that his mother could not protect him from his father. The father's abusive behavior caused Joe to threaten his and others' safety. He was placed in the custody of the local DSS and sent to a residential treatment facility for 18 months. During this time, Mary has obtained a divorce from her husband and is actively participating in Joe's therapy while awaiting his return into her custody.

Children: Help in escaping the cycle of poverty

- *Virginia Poverty Law Center* partnered with *Voices for Virginia's Children*, successfully lobbying for legislation supporting placement with a relative as the first alternative to foster care when children are removed from their parents.
- *Legal Aid Justice Center's* JustChildren project continued to provide technical assistance to help families, students and service providers engaged in effective community-based lobbying. LAJC developed advocacy materials, sent out legislative alerts via e-mail lists, hosted workshops, and trained stakeholders to effectively advocate improvements in public education. This year JustChildren assumed responsibility for the statewide grassroots initiative, *The Alliance for Virginia's Students*, which scored two meaningful victories: the General Assembly's approval of a first ever per-pupil funding increase in the Commonwealth's preschool program for at-risk four year olds (totaling \$6.6 million); and the Virginia Board of Education's establishment of "improved graduation rates" as a priority under the Standards of Accreditation.



Representative Case

Adoption brings about positive change

Legal Services of Northern Virginia's Law Center for Children (TLC) recently completed adoptions for four children this year who were born to drug-addicted mothers. TLC obtained home studies through Social Services, appointed Guardians ad litem, obtained birth-parent consents or served notice to absent parents, as well as filed petitions in both Juvenile and Domestic Relations and Circuit Courts. Three of the children were removed from their mothers by Social Services, but parental rights had not been terminated and the cases had been closed. The fourth child had been placed with an acquaintance after being born in jail and was not wanted by either parent after their release. TLC has helped each of these children obtain a permanent place in a new family.

People with disabilities: Leveling the playing field and promoting independence

- *Blue Ridge Legal Services'* representation of a disabled man is expected to lead to a policy change by the VA Department of Medical Assistance that will impact many Medicaid recipients. Some low-income persons denied Social Security disability and Medicaid health insurance are forced to borrow money for prescriptions. When benefits are retroactively awarded, the state refuses to reimburse recipients for prescription expenses. They bill the pharmacies, but given that they have already been paid directly, the pharmacies are unwilling to reimburse individuals. BRLS filed a claim, which resulted in the Attorney General's Office agreeing to settle the case, a decision that should lead to a policy change for others facing similar situations.
- *The Legal Aid Society of Roanoke Valley* holds debt workshops for senior citizens, some of whom are disabled. Many are frequently traumatized by reductions in their incomes, leaving them unable to pay their bills. LASRV debt workshops address legal and other aspects of debt. Many elderly and disabled people who attend are relieved to learn they will not go to jail or lose their social security because of unpaid debts.



Representative Cases

Frozen assets restored

Richard, a disabled man, came to Legal Aid Society of Roanoke Valley when his monthly Social Security Disability payment was frozen by a creditor garnishment of his bank account. The account consisted solely of directly deposited benefits exempt by federal law from creditor garnishment, and the bank charged Richard \$100 for the "service" of giving away his exempt property. When repeated efforts to negotiate with the bank were unsuccessful, LASRV moved to hold the bank in contempt of the garnishment order. In the first decision of its kind, the general district court granted the motion, ordered the exemption, found the bank in contempt and subject to litigation sanctions, awarded Richard an extra \$100 in damages, and awarded attorney fees to LASRV for its prosecution of the case.

Necessary benefits granted

Jackson, a 54 year, had spent most of his career in construction. While at work, Jackson had a seizure and his employer would not allow him back on the job until he obtained a doctor's approval which his doctor would not provide. Virginia Legal Aid Society represented Jackson before the administrative law judge, gathering all of his medical records and sending them to the Social Security Administration. The records showed Jackson had suffered numerous seizures, some of which required hospitalization. The seizures alone did not qualify him for disability benefits, but the records also showed that he had serious mental problems. Based on Jackson's statements, the prescriptions he was taking, and the records of the treating physicians, it was determined that he had a serious psychological problem. As a result of Legal Aid's help, Jackson was granted Supplemental Security Income of \$609 a month. In addition, he received back benefits in the amount of \$16,206.

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

- The Legal Aid Justice Center, which coordinates the Charlottesville area Community Partnership for Improved Long-Term Care, worked with the Partnership to organize an event at the Virginia Festival of the Book featuring Dr. Jonathan Evans, head of Geriatrics at the UVA Medical School and Dr. William Thomas, founder of The Eden Alternative and author of *What are Old People For?* The Partnership uses education and public awareness strategies to help nursing home residents, family members and their supporters become aware of the legal rights of residents of nursing homes and assisted living facilities, and their outreach resulted in busloads of residents from numerous facilities attending the book event. These residents and their families were eager to participate, hoping they could help to improve their own facilities as well as other facilities across the Commonwealth.



Representative Cases

Appropriate transportation obtained

Emma is an elderly woman with a neurological disorder, which causes muscle weakness that forces her to walk with crutches. Medicaid provided transportation for Emma to go to the doctor, but, despite repeated requests for a car, would only send a van with steps. Emma had difficulty negotiating the steps and was twice caught by the driver when she started falling out of the van. She contacted Southwest Virginia Legal Aid Society for help. Medicaid responded very quickly to a letter and immediately agreed to send a taxi in the future. Further, Medicaid personally called Emma and provided a toll-free number and direct extension for her to call if she has any other transportation problems.

An elderly woman's income preserved

Mirna required legal assistance shortly after her husband passed away. She had no income, and she needed identification so she could access their joint bank account and apply for widow's benefits with the Veteran's Administration and Social Security. Mirna had difficulties obtaining a copy of her birth certificate. She had been born at home with the aid of a midwife and thus had no hospital records, bible records or insurance records of her birth. Mirna contacted Legal Aid Society of Eastern Virginia and after three months of research, LASEV located a document that would provide proof of her birth date, birth place, and parentage. The record was difficult to read, poorly maintained, and contradicted itself. LASEV attorneys called and wrote to the supervisor of Special Services Department of the Department of Health explaining the situation and asking that the document be accepted as adequate proof. Within three weeks, Mirna received her birth certificate and obtained the benefits due her.

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

- *Legal Aid Society of Eastern Virginia* teamed with a local hospital to aid in screening clients with children for eligibility for Virginia's FAMIS program, and for referral to enroll eligible children. Along with screening, all clients are offered the opportunity at intake to screen for potential benefits to which they may be entitled but are not receiving. LASEV has found that a significant number of clients screened are not receiving all possible benefits. LASEV also engaged in a significant effort to address the issue of clients receiving free or low cost charity care from local non-profit hospitals.
- *Virginia Poverty Law Center* achieved a budgetary victory in FY 05-06 that increased income eligibility limits for the FAMIS Moms program from 150 to 166 percent of the federal poverty level. This allows the mothers of FAMIS-eligible newborns to access prenatal care that could improve birth outcomes and reduce perinatal costs.



Representative Case

Obtaining needed medical treatment

Merrill, a 44-year-old with a wife and child, contacted Blue Ridge Legal Services because he needed a liver transplant. He was not eligible to be placed on the waiting list because he did not have health insurance and he had already been denied assistance from Medicaid, as well as any form of financial assistance at the hospital. The public benefits paralegal evaluated the case and determined that Merrill could be eligible for Medicaid on a "spend-down" using his old, unpaid medical bills, which totaled almost \$30,000. This would allow him eligibility for Medicaid for about two years. He re-applied for Medicaid and was approved on the "spend-down" as envisioned by BRLS staff. However, the transplant center turned him down for the waiting list, because the Medicaid approval notice showed he would only be eligible for Medicaid for six months. The paralegal contacted the transplant center and explained that Medicaid approves beneficiaries for six months at a time, but that Merrill had enough old bills for future "spend-downs" to be Medicaid eligible for a period of two years. After his eligibility was verified with the Medicaid eligibility worker, he was placed on the waiting list and has since received the liver transplant and is doing very well.

Empowerment: LSCV Grantees Help People to Help Themselves

In addition to providing direct legal assistance that benefited more than 82,000 people in FY 05-06, legal aid advocates helped 110,776 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.

- *Southwestern Virginia Legal Aid Society* provides brief information and advice through its hotline intake unit, which is staffed by intake workers. Beyond the typical hotline, SVLAS domestic violence attorneys have arranged for shelter programs to call them directly in attempts to encourage more domestic violence victims to seek assistance. The process helps victims avoid repeating the story multiple times.
- During 2005-2006 *Virginia Legal Aid Society* integrated its LawLine intake-and-advice system, its case management system, with extensive scripted questions and stock advice, and the ability to record questions and client answers into one software program. It is the first in the country to do so. Intake workers have information readily available and prompts to request the needed information. The information is instantly available to local offices for handling extended-service cases. Calls are handled quickly and more efficiently.

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

People and Families Benefited

- 16,306 Legal Advice and Counsel delivered over the phone
- 23,211 by referral to other sources of help
- 13,096 from community education
- 1,542 from self-help clinics
- 72,917 from legal information disseminated in print and within program websites

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

- *Rappahannock Legal Services*, together with Potomac Legal Aid Society, met with 11 circuit court judges to help design and establish a joint pro se divorce project in the RLS service area. This project has been implemented in all RLS office service areas with the assistance of pro bono attorneys.
- Attorneys with *Southwest Virginia Legal Aid Society* held workshops for seniors, teaching them to prepare advanced directives. Some who attended the workshops were members of agencies' staffs, and they now are now better informed when discussing issues with the elderly.

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

- *Blue Ridge Legal Services* educated the public about issues facing senior citizens. BRLS made presentations at various senior citizens centers on topics such as Living Wills, Medicaid, FTC Mail Order and Telephone Rules, and Unsolicited Merchandise. Staff were also instrumental in setting up two large community presentations, one in Page County during which a BRLS attorney spoke about financial exploitation. A Law Day seminar was also held to discuss issues affecting the elderly. BRLS' elderly services paralegal made a presentation to the Virginia Guardianship Association at its annual meeting in Williamsburg, on the topic of Involuntary Nursing Home Discharges. The audience were largely professionals involved in providing assistance to vulnerable populations in Virginia. A series of presentations were also made to clients of an area Community Services Board on Advance Medical Directives, Powers of Attorney, and Consent issues.
- In an effort to assist more people with limited English proficiency, *Legal Services of Northern Virginia* has translated many education brochures into other languages, including Spanish, Urdu, Vietnamese and Korean.
- *Rappahannock Legal Services* recently hired a bilingual attorney who conducts extensive outreach and provides community education in the Hispanic and Latino communities. She designed, produced, and distributed about 2,000 copies of educational materials written in Spanish.
- *Virginia Legal Aid Society* held a one-day financial educational class for low-income people. Trainers included professionals from legal aid, banking and real estate. The success of the seminar led VLAS to launch a progressive series of sessions called Financial Freedom. Topics include budgeting, credit, borrowing, predatory lending, managing a checking account, dealing with banks and strengthening consumer skills.

Economic Results:

More Income for Families and Communities

LSCV grantees produce millions in benefits for needy families.

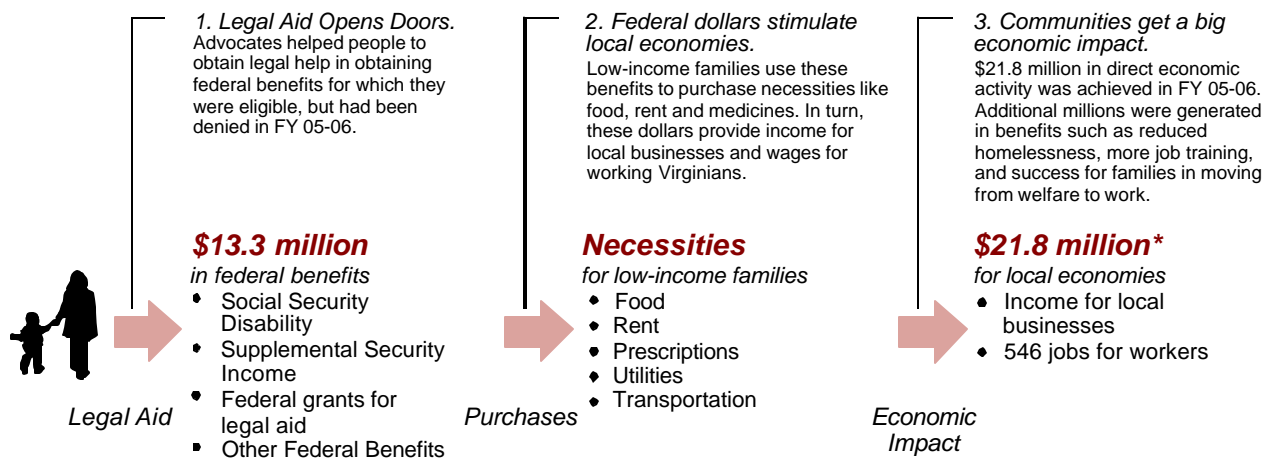
From the purely economic standpoint of dollars generated per dollar invested, the performance of legal aid advocates is outstanding. In FY 05-06 Virginia legal aid advocates won an estimated \$15.4 million in direct benefits for their clients, including child support and alimony payments, Social Security 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 05-06, LSCV-funded legal aid advocates obtained \$7.8 million in federal benefits for which low-income Virginians were legally eligible but had been denied. These funds, combined with more than \$5.5 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 \$21.8 million in new economic activity and 546 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 05-06:

- *Legal Aid Society of Eastern Virginia* played an active role in the annual Virginia Statewide Legal Services conference. Presentations were made by the Executive and Deputy Directors regarding the McKinney-Vento Act, which governs the rights of homeless children to receive educational services, and the use of housing code inspectors as part of a defense in an Unlawful Detainer action. *Legal Aid Society of Roanoke Valley* also played a role in planning for and executing the conference, as well as presenting workshops on a variety of subjects to the Consumer Task Force.

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:

- *Central Virginia Legal Aid Society* assisted a total of 4,042 people in 2005-06. Approximately 500 homeless people benefited from a workshop about homelessness sponsored by CVLAS' Richmond office; that is almost double the number who attended these seminars the previous year. Another 20 people avoided eviction from homes, 75 people avoided or delayed eviction from other housing, and \$955,526 in help was awarded to clients in financial matters, either in affirmative recovery or in avoidance of liability for claims or debts. CVLAS helped 6,338 families obtain help against domestic violence, and 149 no fault divorces were granted. Additionally, 69 clients were assisted in preparing their wills, and legal advice was offered to 2,117 clients.
- *Virginia Legal Aid Society* experienced a 60 percent increase in the number of closed cases from the previous year. Over 11,000 individuals received assistance involving basic life issues including housing, income, health care and family relations. A total of \$405,523 in lump-sum and \$31,775 in monthly income was recovered for VLAS clients and the programs. LawLine served 2,853 people, an additional 67 percent increase over FY 2004-05.

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

- *Blue Ridge Legal Services* conducted a regional legal needs assessment during the spring of 2006, with the assistance of two James Madison University students. For the first time, the program distributed an electronic legal needs assessment survey to judges, lawyers and human services organizations via the Web. The rate of return from heads of social services' agencies was remarkable at 40 percent while 26 percent of judges responded.
- Internet-based listservs at *The Legal Aid Society of Roanoke Valley* were seen as a daily blessing by advocates. They provided immediate access to a very large pool of experts in all areas of poverty law.
- *Legal Services of Northern Virginia* offered applicants the opportunity to apply for assistance by completing an electronic application form and submitting it via the Internet, making legal aid even more accessible and reducing wait time for service applications.



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 05-06.

- *Legal Aid Justice Center* has increased its visibility within the community with a corresponding increase in volunteer participation. Pro bono involvement ranges from attorneys providing occasional case service to nearly full-time volunteers either carrying out special projects or playing major roles in day-to-day program work. As a benefit, LAJC offers malpractice insurance for all activities undertaken by pro bono attorneys for program clients, and through the Virginia Neighborhood Assistance Act, participating professionals are rewarded with tax credits for assisting with select cases. Other volunteer opportunities with the Legal Aid Justice Center include serving on the local Advisory Councils; fundraising and event planning; participating in project specific work groups, such as the Community Partnership for Improved Long-term Care; and student internships.

Pro bono statistics

In FY 05-06, volunteer lawyers participating in LSCV-funded programs achieved the following results.

Number of cases completed	2,998
Hours contributed	16,011
Dollar value of services*	\$2.4 million

**Estimated conservatively at \$150 per hour*

Partnerships with the private bar promote synergy.

- *Central Virginia Legal Aid Society*, in partnership with the Greater Richmond Bar Foundation, conducted a fundraising drive among private lawyers that included a letter to over 3,000 lawyers followed up by telephone calls during Law Week. This effort was led by Richmond Mayor and former Governor L. Douglas Wilder and Virginia's First Lady Anne B. Holton and included over 70 bar leaders, including many present and former presidents of bar associations.
- *Virginia Poverty Law Center* conducted three "Breaking the Cycle of Domestic Violence" trainings to increase and enhance the pro bono civil legal resources available to victims of domestic and sexual violence. Working with local legal aid programs and bar associations across Virginia, VPLC recruited and trained attorneys to provide services to victims. Through this program, VPLC offered free, full-day training events on the legal and non-legal issues surrounding domestic and sexual violence in Richmond, Harrisonburg and Fredericksburg.

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 05-06 include:

- In October 2005, the *Virginia Poverty Law Center* launched its photography project called *Through Different Eyes: The Faces of Poverty*. Held in Richmond, the exhibit featured the work of 15 artists who provided approximately 50 images for the show. Hundreds of individuals attended the exhibit. The Virginia Museum plans to take the exhibit on a statewide tour during the next two years. Through visual images and art, this large-scale effort captures the lives of those in our society who are most invisible, and educates the public about the lives of low income families and individuals in the Commonwealth. (The photographs can be seen on VPLC's Website at www.vplc.org.)
- *Legal Services of Northern Virginia* works closely with area agencies and programs to insure complete and appropriate representation of victims of domestic violence. Agencies and organizations include Turning Points, Doorways for Women and Families, Arlington Commonwealth's Attorney's Office, Arlington Domestic Violence Alliance, Multicultural Human Services, Alexandria Police Department and Alexandria Office on Women Domestic Violence Program, as well as several district courts. LSNV trains local law enforcement officials and others on the civil legal aspects of domestic violence.
- *Rappahannock Legal Services* has long been involved with community organizations which focus on family, housing, health and basic subsistence. Rappahannock Council on Domestic Violence (RCDV) in Fredricksburg, Services to Abused Families (SAFE) in Culpeper, and Family Focus in the Northern Neck, are three programs working in conjunction with RLS to serve abused and single-parent families. RLS is currently operating V-STOP-funded and VDVVF-funded English and Spanish language civil protective order projects in all three of its office service areas, and works with RCDV, SAFE, Family Focus, and local commonwealth attorneys, magistrates, sheriffs departments and JDR Court Service Units to prevent domestic violence. RLS also works closely with the Central Virginia Housing Coalition, Community Housing Partners (CHP), Bragg Hill Family Life Center, Hope House, Thurman Brisben Homeless Shelter, Scenario, Culpeper Community Development Corporation (CCDC), Ann Wingfield Housing Corporation, and Al Chaplin Group Home to limit evictions, foreclosures, utility shutoffs, and homelessness and to develop affordable housing.
- *Virginia Poverty Law Center* formed the Virginia Partnership to Encourage Responsible Lending (VaPERL) coalition with AARP, Housing Opportunities Made Equal and the Virginia Interfaith Center for Responsible Lending. A coordinator was hired to oversee the coalition's educational and legislative efforts. VaPERL currently has several institutional members including AARP, AARP Virginia, Better Business Bureaus of Virginia, CHIP of Virginia, Housing Opportunities Made Equal, Legal Aid Justice Center, New River Community Action, Peninsula Community Development Corporation, Piedmont Housing Alliance, Virginia Citizens Consumer Council, Virginia Interfaith Center for Public Policy, Virginia Muslim Coalition for Public Affairs, Virginia Organizing Project, and Voices for Virginia's Children. VaPERL has a listserv with over 100 people participating, and launched a Website at www.virginiafairloans.org.

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 05-06, LSCV grantees' staffs included:

- **135 attorneys.** Legal aid programs employ a good 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.
- **47 paralegals.** Paralegal staff perform a vast range of vital services, including interviewing clients, conducting legal research, preparing legal documents and representing clients 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.
- **80 other staff.** These include 57 secretarial-clerical staff and 23 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 most critical problems of the low-income community. 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 has estimated 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, our 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.

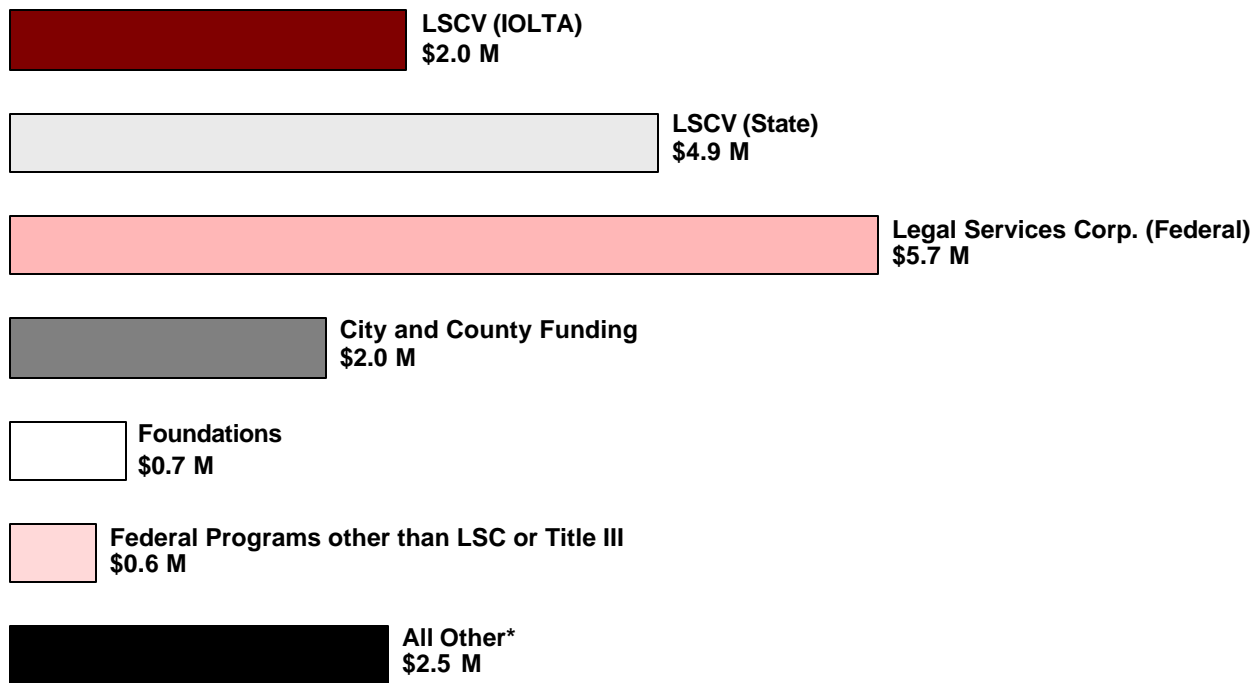
Increased funding from five major sources is the key to narrowing the gap.

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 and only in the past year began to rebound. The need for additional funding for the work of legal aid advocates and their partners in the private bar has never been greater.

FY 05-06 Funding

Total: \$18.4 Million



* "All Other" consists of funding from the United Way, the Private Bar, Donations 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 not being met. This is an unacceptable shortfall in our civil justice system.

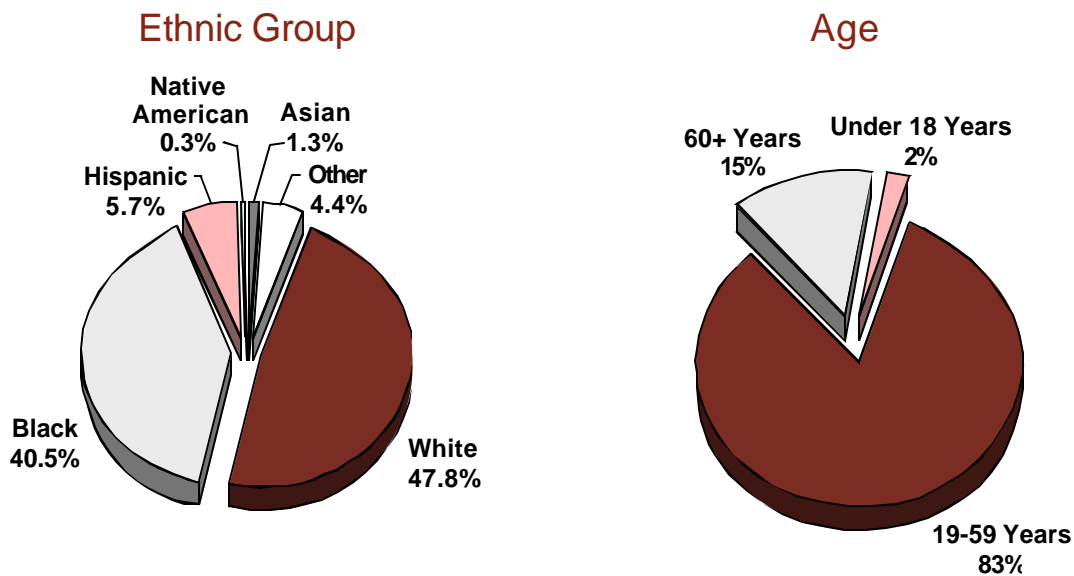
Until the resources have been found to bridge the gap between the need for legal assistance and the capacity to provide it, “Equal Justice Under the Law” will remain an empty promise for many of our most vulnerable citizens. Fulfilling this promise is an investment that will pay the highest possible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

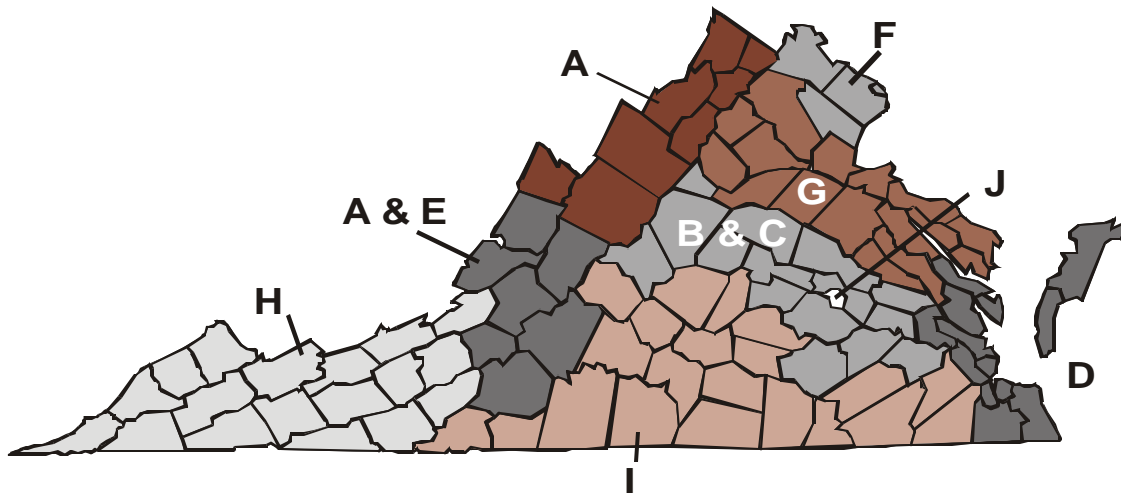
	Advice & Counsel	Brief Service	Referral	Negotiated without Litigation	Negotiated with Litigation	Admin. Agency Decision	Court Decision	Other	Grand Total
Blue Ridge Legal Services	1,760	440	48	58	96	37	648	100	3,187
Central Virginia Legal Aid Society	3,065	234	39	19	46	71	386	182	4,042
Legal Aid Justice Center	870	319	29	171	114	142	153	19	1,817
Legal Aid Society of Eastern Virginia	4,042	1,117	84	34	73	166	776	137	6,429
Legal Aid Society of Roanoke Valley	805	77	31	18	38	22	72	53	1,116
Legal Services of Northern Virginia	2,024	650	176	96	222	110	359	412	4,049
Potomac Legal Aid Society	1,943	160	474	1	0	1	4	40	2,623
Rappahannock Legal Services	672	141	20	39	77	80	224	191	1,444
Southwest Virginia Legal Aid Society	3,188	238	80	22	35	44	731	156	4,494
Virginia Legal Aid Society	3,408	232	0	73	47	126	353	275	4,514
Virginia Poverty Law Center	-	-	-	-	-	-	-	-	-
Total	21,777	3,608	981	531	748	799	3,706	1,565	33,715

Client Demographics



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

LSCV July, 2005 grant allocations shown in parentheses (additional one-time grants in varying amounts were also allocated for technology enhancements and leadership and diversity training).



- | | | | |
|----------|---|----------|---|
| A | Blue Ridge Legal Services (BRLS); Harrisonburg, Winchester, Roanoke, Lexington (\$386,323) | F | Legal Services of Northern Virginia (LSNV); Falls Church, Alexandria, Fairfax, Leesburg, Manassas (\$866,164) |
| B | Central Virginia Legal Aid Society (CVLAS); Richmond, Petersburg, Charlottesville (\$706,872) | G | Rappahannock Legal Services (RLS); Fredricksburg, Culpeper, Rappahannock (\$306,114) |
| C | Legal Aid Justice Center (LAJC); Charlottesville, Petersburg, Richmond (\$366,359) | H | Southwest Virginia Legal Aid Society (SWVLAS); Marion, Castlewood, Christiansburg (\$954,739) |
| D | Legal Aid Society of Eastern Virginia (LSEV); Hampton, Norfolk, Virginia Beach, Williamsburg, Belle Haven (\$1,513,210) | I | Virginia Legal Aid Society (VLAS); Lynchburg, Danville, Farmville, Emporia, Suffolk (\$912,189) |
| E | Legal Aid Society of Roanoke Valley (LASRV); Roanoke (\$373,110) | J | Virginia Poverty Law Center (VPLC); Richmond (Statewide Program) (\$547,387) |

Appendix C:

Outcomes Produced for Clients by LSCV-Funded Programs in FY 05-06

1. Dollar Benefits Achieved for Clients*

a. Back awards - total:	\$5,162,968
b. Monthly payments going forward - total per month:	\$421,410
c. One-year total, back awards plus assumed total of benefit stream:*	\$15,395,076

*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	1,947	7,194
Family	obtained or maintained custody of children	1,091	3,080
Consumer	obtained federal bankruptcy protection	537	1,459
Housing	delayed eviction providing time to seek alternative housing	515	1,369
Family	obtained protection from domestic violence	470	1,227
Miscellaneous	obtained a living will and/or health proxy or power of attorney	873	1,088
Consumer	stopped or reduced debt collection activity	421	919
Income Maintenance	obtained, preserved or increased SSI benefit/right	397	810
Housing	prevented eviction from public housing	277	778
Family	obtained, preserved, or increased child support	299	752
Miscellaneous	obtained a will	521	676
Housing	prevented eviction from other housing	229	609
Employment	obtained wages and/or back pay due	180	580
Housing	avoided, or obtained redress for, illegal or unfair charges by landlord	163	507
Income Maintenance	obtained, preserved or increased SSD benefit/right	270	468
Consumer	avoided or ended garnishment or levy	125	301
Family	obtained or preserved right to visitation	117	291
Family	obtained guardianship or adoption for dependent child	89	267
Income Maintenance	obtained, preserved or increased unemployment insurance benefits/rights	89	165
All Problem Areas	Other, none of the above	2,945	6,329
B. Major Benefit Was Access to Legal Information, Advice and/or Assistance From a Lawyer or Paralegal			
All Problem Areas	Received legal advice & counsel	19,305	49,954
All Problem Areas	Received non-litigation advocacy services	843	1,864
All Problem Areas	Received referral to another agency	668	1,587
Total, All Cases:		32,371	82,274

Appendix D: Dollar Benefits, Breakdown by Type of Benefit

	Back Awards	Monthly Benefits	Assumed Duration	Total Benefits*
	<i>a</i>	<i>b</i>	<i>c</i>	<i>d</i>
a. Social Security/SSI	\$2,565,727	\$145,643	<i>36 months</i>	\$7,808,889
b. Other Public Benefits	\$106,451	\$20,658	<i>12 months</i>	\$354,346
c. Unemployment Comp	\$215,186	\$33,314	<i>6 months</i>	\$415,071
d. Family Law				
<i>(1) Child Support</i>	\$223,959	\$78,318	<i>36 months</i>	\$3,043,404
<i>(2) Alimony</i>	\$99,814	\$21,366	<i>12 months</i>	\$356,206
3. All "Other" Types of Cases	\$1,951,832	\$122,111	<i>12 months</i>	\$3,417,160
Total:	\$5,162,968	\$421,410		\$15,395,076

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

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