

Legal Services of Eastern Michigan 1999 Annual Report



ANNUAL REPORT

LETTER FROM THE EXECUTIVE DIRECTOR

There have been numerous times through the years where the hopelessness of dealing with the overwhelming problems of poor persons has gotten to me. Sometimes the feeling lasts for a day, and sometimes much longer. I can only imagine how it feels for the clients of LSEM who must live with the problems of poverty in a much more intimate way than I have to. When I am stressed, thinking of the stresses of my clients does not exactly cheer me up.

In 1999, I looked back at the accomplishments of LSEM. In 1997 I did the same thing, but then I looked back with some despair, as Congress had removed so many of our tools for fighting poverty. But, my look back in 99 filled me with pride and hope. We did a survey of the projects that staff were working on or had finished in the year. There were **116** of them! Some were large and some were small. All of the projects were aimed at helping clients. Less than 20% of them showed up in any statistical reporting that we do for funders.

That filled me with great pride. The staff and Board work very hard to provide real impact for the client community. We assist in establishing childcare centers, though no statistic counts it. We help create new housing, though no statistic counts it. We set up Emergency Response teams for elder abuse, and no statistic counts it. We set the standard for pro se and pro bono, but statistics don't reflect it. The staff of LSEM is getting the hang of this. I have no doubt that the year 2000 will be even more impressive. Over the years the Board has taken some heat for sticking to its commitment to do impact work, but it is clearly paying off.

1999 was also the year of Pro Bono! The Saginaw Bar Association won the American Bar Association (ABA) Harrison Tweed Award for its pro bono work with LSEM. This award is given to the Bar Association that is the best in the nation at exemplifying Pro Bono work. Saginaw is the smallest Bar Association to ever win the award. As if that wasn't enough, Dow Corning Corporation won the ABA Corporate Pro Bono Award, for being the best in the nation at exemplifying the Pro Bono efforts of a corporate law department. Not only is this the first time the awards have been given to the same state in one year, but the only time they have been given to components of a single program in one year.

So 1999 was a great year. But just wait. The millenium will be better.

ECONOMIC DEVELOPMENT

LSEM is the first program in the State of Michigan to begin a specialty in economic development. In the era of welfare reform, economic development for the poor becomes a key factor. This is the equivalent of a business lawyer working for poor persons. LSEM has created three positions specializing in economic development.

Since the initiation of the economic development program two years ago, substantial progress has been made. While it was initially thought that it would be three years before results were seen, but there have already been some initial successes. Following are a few examples of early successes.

In Flint, LSEM is helping establish a childcare center at the River Park Public Housing Complex. The project will train and employ people from public housing in the child care industry, and provide childcare to other residents. It acts to provide employment, training, and needed services for other working poor.

Similarly, in Saginaw, the firm worked in conjunction with Michigan State University and the Kellogg Foundation to set up childcare in large homes in Saginaw. Each home is refurbished to provide child-care on the first floor while providing a residence on the second floor. Indigent persons are then trained in home based child-care. The project provides services for the working poor, housing for some poor families and establishes an ongoing business.

In Midland, LSEM is working with the Kenney Foundation and starting RAMP 2000 that provides ramps for poor persons with disabilities in rural areas. Assistance has also been given to develop a Dress for Success program, Job Fairs, and similar projects aimed at rural areas. The Midland office serves 5 rural counties: Clare, Gladwin, Gratiot, Isabella, and Midland.

In Saginaw, LSEM worked with The Center for Civil Justice to obtain state funding for a pilot project. Saginaw Service Career Paths is a pilot program that trains the hard to employ in the food service industry. Career Paths will be establishing a restaurant on the East Side of Saginaw to act as a training ground. The hope is that the business will become self-supporting and act as a rotating training site.

EMPLOYMENT

Most legal aid offices limit their work in the employment field to the occasional unemployment insurance case. LSEM now handles those cases, but also deals with other barriers to employment. That includes work in transportation, racism, drivers license restoration, and similar barriers. These are often subject to remedies through the legal system.

EDUCATION

The majority of poor persons are children. Despite this fact, no legal aid program in Michigan other than LSEM has a specialty in education. Those programs in the nation that do education work deal most often with disciplinary issues or special education issues. This leaves the majority of children without the assistance needed within the area. At LSEM, advocates work with parents groups to improve and provide education in the public schools that serve the poor. This work involves enforcing the Perkins Act, Title One, and other employment and training laws and programs. Adult education is included within this realm. It is only through improving the education opportunities of poor children that we can provide a road out of poverty. This program is in its initial stages.

HOUSING/PUBLIC BENEFITS/ HOMLESSNESS PREVENTION

LSEM provides the traditional assistance for poor persons in obtaining needed governmental benefits, such as food Stamps, Medicaid, SSI, Social Security Disability and similar programs. The firm also handles traditional housing cases such as landlord/tenant problems, mortgage foreclosures and the like. However, LSEM receives funding from four different sources that provide for representation for persons in order to prevent homelessness. This is an interdisciplinary approach that involves representation in housing cases, outreach to shelters, and the establishment of a continual source of income to prevent homelessness from occurring.

FAIR HOUSING

LSEM started the Genesee County Fair Housing Center with a grant from the Charles Stewart Mott Foundation. It is hoped that the City of Flint and Genesee County will assume funding for the program. LSEM also applied for HUD funding, which if successful, will serve as the third leg of funding for this program.

Flint and Genesee County have never had a Fair Housing Center. In other areas, fair housing is usually approached in one of two distinct manners. In one manifestation, the emphasis is on education. It is hoped that this will enlighten people and convince them to change their methods of dealing with protected classes or persons. In the second manifestation, success is measured solely in terms of the amount of monetary judgements that result from their testing. This aggressive approach results in changed behavior only in those sued.

LSEM has developed a third approach to the management of a fair housing program. First, LSEM conducts a number of workshops and educational activities regarding fair housing. Second, LSEM conducts survey testing. In this type of testing, LSEM does not wait for a complaint, but rather tests throughout the County. In those instances where evidence of discrimination is found, retesting of the offender is done. If evidence of discrimination is shown again, LSEM staff meets with the managers and owners of the offending party. Staff explains that testing has been done and evidence of discrimination has been found. The fact that LSEM could bring suit immediately is also explained. However, it is suggested that the firm would rather see conduct altered. Offenders are then referred to programs that are tailored to the offense. This may be workshops on the disabled, programs on racism, fair housing seminars, and the like. Staff then makes it very clear, that upon the receipt of any complaint, testing will be done again. Offenders are also told that if any further evidence of violation of fair housing laws is found, LSEM staff will testify regarding its attempts to alter conduct without litigation. It is explained to offenders that such testimony is likely to result in doubling of any verdict against the offending party.

It is our belief that the combination of education, warning, and the resultant threat of much larger punishment provide a superior method of reforming conduct. Testing so far has shown a 33% finding of evidence of discrimination in Genesee County. To date the majority of offenders contacted have sought further information on fair housing laws and classes. This innovative approach appears to show great promise in reforming conduct.

ELDER ABUSE/SENIOR

LSEM has five grants to fund programs to protect the rights of senior citizens. Under these grants the firm deals with many issues effecting seniors including health insurance, Medicare/Medicaid, predatory consumer practices that prey on vulnerable elders, and guardianships.

LSEM has again taken the lead in developing innovative programs to protect seniors. This is witnessed in the area of elder abuse. Over four million seniors suffer from abuse each year. While the firm assists seniors with a number of legal issues, it also has helped form emergency response teams. Most elders who suffer abuse are victimized by caretakers. The problem becomes one of providing services for the senior if the caretaker is removed. In the past, waiting periods for services such as Meals on Wheels, Visiting Nurses and the like caused a provision of services that has been spotty at best.

LSEM undertook a project to coordinate all of the agencies that provide services for abused seniors. The firm then convinced each of them of the necessity of waiving their rules and application procedures in the case of abuse. Such a program has not been attempted in the nation before. In Genesee County, we now have over 17 agencies that are committed to this practice. Our emergency response team is in place and functioning.

PRO SE EFFORTS

LSEM leads the nation in the development of pro se kits for clients. A pro se kit is a set of forms and instructions that allows a client to represent himself or herself. Persons are usually taught in a classroom setting. For the last two years, LSEM has conducted workshops for the American Bar Association on how to create and implement pro se advocacy. This type of approach increases client self-sufficiency and self esteem. It works well in certain types of advocacy where issues are not complex.

PRO BONO EFFORTS

LSEM is a leader in the nation in the development and use of pro bono resources. (Pro Bono service is legal assistance that private attorneys donate to the poor.) LSEM uses the services of pro bono attorneys to expand the type of services it can offer to include those specialties that are not a regular part of its priorities. Pro bono attorneys assist by offering legal advice clinics, consumer clinics, taking individual cases, community legal education, and fund raising. In Saginaw County a group of retired attorneys has formed the Saginaw County Senior Circuit Pro Bono Bar Association. This group of attorneys serves seniors on site at an area senior center.

The effective recruitment and use of pro bono attorneys was recognized by the American Bar Association in 1999 when it presented the Harrison Tweed Award to the Saginaw County Bar Association and the Corporate Pro Bono to Dow Corning. Both of these agencies provide their pro bono assistance through LSEM. These awards being given to the same agency is a first of which LSEM is proud.

CONSUMER/BANKRUPTCY – JOB PROTECTION

An area funded but not yet in place is a consumer bankruptcy unit. People often think that bankruptcy is a tool for rich persons. In the past this has been true. Bankruptcy was only useful for those who had something to protect. Poor people had nothing to protect. However, welfare reform has altered this equation. As welfare recipients are being forced into the work force, they are becoming subject to garnishment by creditors. Under Federal law, you can be dismissed or fired by any employer if more than one creditor garnishes you at any one time. The loss of the job is compounded by the fact that you will be disqualified from any other welfare benefit because you were fired for cause.

This unit of LSEM is aimed at alleviating this problem. By protecting persons from multiple garnishments, their employment is maintained and their ability to receive those public benefits for which they remain eligible is preserved.

OTHER INNOVATIVE APPROACHES

There are numerous other ways in which LSEM shows its willingness to lead in new and different ways. LSEM is the first legal services office in the state to establish regular evening hours to assist the working poor. In minimum wage jobs, employers do not allow workers to take time off to consult their lawyers. LSEM responded by adjusting its services to meet clients' needs.

LSEM is now developing professional outreach programs. The firm has retained T. S. Jenkins to develop a professional outreach campaign for LSEM. LSEM is the first program in the state to undertake such an effort. Information on services offered by the Fair Housing Center, Education specialists, and the Public Benefits units are being disseminated on a multitude of radio stations throughout the firm's service area, including those aimed at minority audiences.

LSEM has developed a new capacity of doing fundraising as advocacy. In this arena, the firm uses its legal and technical skills to raise funds for other agencies or entities so that they can assist in alleviating the causes and effects of poverty. Examples of this type of work include childcare centers, economic development projects, and restaurants to train clients. LSEM is currently developing proposals for emergency housing, to be provided by other agencies.

LEGAL SERVICES OF EASTERN MICHIGAN
STATEMENT OF FINANCIL POSITION
DECEMBER 31, 1999

ASSETS

Current Assets	\$1,073,395
Net Property	\$ 322,587
Student Loan Receivable	<u>\$ 7,588</u>
TOTAL OTHER ASSETS	\$1,403,570

LIABILITIES

Current Liabilities	\$184,281
Net Assets	<u>\$1,219,289</u>
	\$1,403,570

AUDIT BY:

Dupuis & Ryden
Certified Public Accountants