

Legal Aid in Texas 2001

***An Overview of Programs
Funded by the
Texas Equal Access to
Justice Foundation***



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*Legal information
and program descriptions
on the Web at
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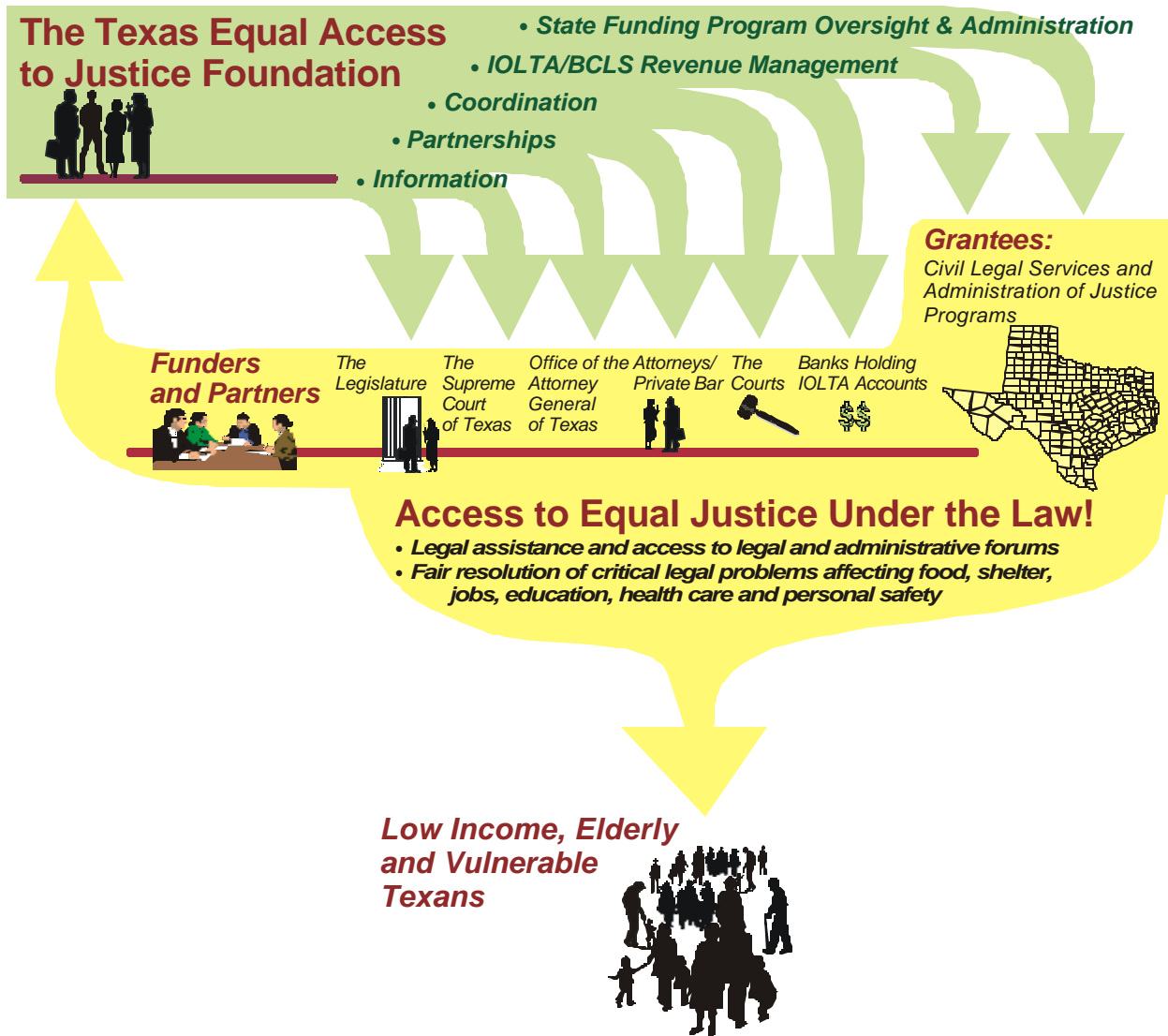
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Preface

The Texas Equal Access to Justice Foundation

The Texas Equal Access to Justice Foundation supports and oversees a statewide network of civil legal aid providers that help the poorest and most vulnerable people in Texas to obtain help with legal problems affecting their most basic needs, such as food, shelter, jobs and access to health care.



TEAJF, a 501(c)3 non-profit organization created by the Supreme Court of Texas in 1984, administers funds to create community capacity to provide civil legal services to low-income Texans. It serves as the bridge between its partners in financial institutions who service Interest on Lawyer's Trust Accounts (IOLTA), and its grantees, who work at the grassroots level in communities throughout Texas to provide access to legal services for low-income Texans.

TEAJF generates and distributes funds for civil justice programs.

TEAJF administers funding to provide civil legal services to the low-income population from the Texas legislature through the Basic Civil Legal Services (BCLS) Program in the form of special filing fee appropriations and from the Texas Interest On Lawyers Trust Accounts (IOLTA) Program, created by the Texas Supreme Court, that TEAJF began administering in 1984. TEAJF also began distributing the Crime Victims Civil Legal Services (CVCLS) funds in March, 2002.

In 2001, TEAJF provided those state and IOLTA funds to 44 local legal aid programs. That number is expected to change in 2002 as a result of a significant restructuring process, part of a statewide strategic planning effort that began in 1998 to expand client access, improve outcomes for clients and promote greater efficiency in the delivery of services.

Legal aid programs apply for funds and report to TEAJF on their use on a quarterly basis. They are evaluated by TEAJF to determine the quality and quantity of services provided.

TEAJF helps to make our democratic systems work by securing justice and access to our judicial system for many of our most vulnerable citizens. The legal aid programs funded by TEAJF provide direct measurable benefits to more than 233,000 low-income Texas citizens each year, helping them to resolve critical legal problems which significantly affect their day-to-day lives; legal problems involving their families, homes, health, support for children, and personal safety.

Yet, many are turned away each year, (and many others do not seek help), because the need for legal aid is far greater than current resources can meet.

In 2001, TEAJF generated and distributed \$8 million in funding for legal aid programs.

IOLTA funds: \$5 million. In May 1984, the Supreme Court of Texas established a mechanism for funding legal services to the poor by collecting Interest on Lawyer's Trust Accounts (IOLTA). The Court created the Texas Equal Access to Justice Foundation (Foundation) to administer the IOLTA program.

Recognizing the importance of the program, participating banks have become full partners in TEAJF's efforts to serve the poor, lowering service charges and fees and raising interest rates on IOLTA accounts. Many banks waive services charges and fees and others charge nominal fees.

Basic Civil Legal Services (BCLS) funds: \$3 million. Effective September 1, 1997, the Texas legislature enacted Chapter 51, creating the Basic Civil Legal Services (BCLS) Program. The Supreme Court of Texas appointed the Texas Equal Access to Justice Foundation as the administrator of the BCLS Program on behalf of the Court. During the 2001 grant year, approximately \$3 million was awarded to 25 qualified organizations to provide free basic civil legal services to low-income Texans.

For more information about TEAJF and its programs, please visit our Web site at:

www.txiolta.org

The following pages of this report summarize the results and outcomes produced by TEAJF-funded programs in 2001.

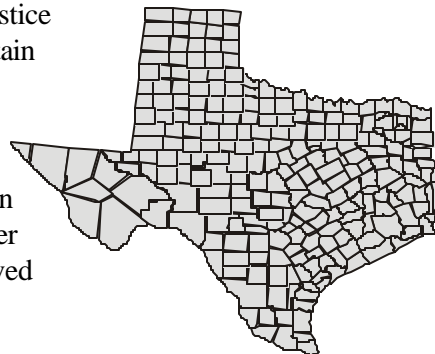
The report is a summary of information produced through TEAJF's statewide Program Assessment System. The 2001 information is summarized in this report around the following six themes:

- TEAJF-funded programs provide access to justice for people who have no place else to turn.
- TEAJF-funded grantees employ extraordinary people.
- Program leaders work to improve quality throughout the civil justice system.
- Legal aid programs are effective partners with other organizations.
- TEAJF-funded programs are a good investment.
- The programs funded by TEAJF are about delivering on the promise of *Equal Justice Under the Law*.

Introduction

The civil legal aid programs funded by the Texas Equal Access to Justice Foundation help the poorest and most vulnerable citizens in Texas obtain assistance with legal problems affecting their most basic needs.

In 2001, more than 233,000 low-income Texans overcame the devastating personal impacts of domestic violence, threatened eviction from their homes, unemployment, denial of disability benefits and other emergencies thanks to the successful legal representation they received from TEAJF grantees.



Another 358,000 people received community legal education, assistance with self-representation in court and other essential legal services. These low-income people who had nowhere else to turn were provided with the level of expert help they needed to address critical legal problems affecting their shelter, food, jobs and access to health care.

In the majority of these situations, legal aid and pro bono advocates were able to resolve the legal problems or provide the legal advice needed by clients to resolve the problems themselves. Legal aid lawyers and paralegals provided information, advice, brief legal services and direct representation in court or at administrative proceedings, or in negotiations leading to settlement.

The pro bono efforts of private lawyers served 15,489 of those clients and families. Private attorneys donated over 106,000 hours, worth \$15.9 million, through their participation in organized pro bono programs operated by legal aid programs in partnership with local bar associations and the State Bar of Texas.

Legal aid programs improve the justice system for all citizens.

- They provide legal representation and assistance to economically disadvantaged families in every county in Texas.
- They enable people who need legal help but cannot hire a lawyer 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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A. TEAJF-Funded Programs Provide Legal Advice and Help For People Who Have Nowhere Else to Turn.

1. Direct legal assistance.

The most basic service of Legal Aid programs is to provide free legal assistance to people who live at or below the poverty level and cannot afford to hire a lawyer when confronted with a legal problem.

As the graph below indicates, 84 percent of the people benefiting from legal assistance in 2001 had problems in four broad categories: Family, Housing, Income Maintenance and Consumer.

TEAJF Grantees Have Many Ways of Providing Access.

- **Direct legal assistance** by a lawyer or paralegal, including legal advice and counsel delivered in-person or by telephone
- **Community legal education** — Presentations to community groups such as seniors and tenants' groups; and informational brochures outlining legal rights and responsibilities on a wide variety of subjects including Family, Consumer and Landlord-Tenant relations.
- **Self-help clinics** — Covering relatively simple matters including uncontested divorce, paternity, landlord-tenant matters, bankruptcy.
- **Special projects** — Addressing such community-wide problems as domestic violence, homelessness, and access to health care.

233,590 Texans Benefited Directly in 2001

Family: 134,321 Texans

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

Housing: 32,672 Texans

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

Income Maintenance: 15,892 Texans

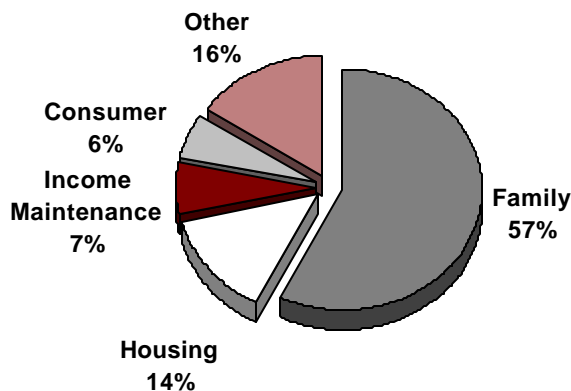
Legal problems include eligibility for or termination of SSD (disability), SSI (Supplemental Security), unemployment comp or public benefits.

Consumer: 14,480 Texans

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

Other: 36,225 Texans

Legal problems include employment, health, immigration, disability, juvenile and other individual rights.



2. Direct Legal Assistance Improves the Lives of Indigent Texans.

TEAJF grants to 44 local and statewide legal aid programs provide a vast range of help to people who live near or below the poverty level and cannot afford to hire a lawyer when confronted with a legal problem. Low-income clients receive telephone hotline advice and self-help packets to understand their rights and solve problems early, and a lawyer to represent them when necessary. Legal aid attorneys and paralegals in staffed neighborhood offices are supplemented by an extensive network of volunteer pro bono attorneys working in their own communities throughout the state. The following examples illustrate the results of their work.

Domestic Violence

- More than 6,600 people who faced domestic violence in 2001 received protective orders, obtained custody and child support orders, and/or obtained divorces from abusive spouses as a result of legal assistance they received from TEAJF grantees. Many of the people directly affected by these benefits were children. TEAJF grantees in many cases participated in innovative collaborations with community agencies including women's shelters, law enforcement agencies, counselors, health care providers, faith organizations and the courts to address the full range of needs of families touched by domestic violence.
- *Aid to Victims of Domestic Abuse* provided legal advocacy that enabled more than 2,770 domestic violence victims to obtain protective orders, divorces, child custody and support in 2001. Fifty-four volunteers contributed over 3,500 hours to the agency by providing victim advocacy, battering intervention services and clerical support. Over 500 civil legal, criminal justice, social service healthcare and various other professionals received training on domestic violence and effective intervention strategies from the program in 2001.
- *Legal Aid of Central Texas (now Texas Rural Legal Aid)* obtained VOCA (Victims of Crime Act) funding for a pilot program to provide a wide variety of support services in addition to legal help for families suffering from domestic violence. Among other things, the project assisted in preparation of applications for Crime Victims Compensation (CVC) funds, which can be used by victims for such expenses as child care, medical bills, lost wages, mental health counseling and relocation expenses.

Case Examples

- **Safety from terror.** "Angela" was in the process of obtaining a divorce from her husband, who was serving time in a federal prison for "terroristic threats" he made against her, when she learned he was about to be released. Just before his release, he sent dozens of threatening letters to her. Her legal aid attorney petitioned the court successfully for a Protective Order, and forwarded copies of the husband's letters to the FBI. The husband was subsequently convicted again and remains in prison. *Family Violence Prevention Services, Inc.*
- **An end to abuse.** In early 2000, "Ms. Sanchez" came to the *Political Asylum Project of Austin* after her move to the U.S. to be with her husband and father of her three children turned into a nightmare. For three years after her arrival, her husband had physically, emotionally, and sexually abused Ms. Sanchez and her children. Her legal aid attorney filed a petition under the Violence Against Women Act so the family would not have to depend on the abusive husband in order to maintain their immigration status. With her "green card," Ms. Sanchez now lives independently in Texas from her abuser and supports herself and her children as a manager of a convenience store.

In the first full year that this was an allowed expense, 651 victims received awards to move "out of harm's way," relieving the strain on shelters that provide safe places for victims and their dependants.

- The *Women's Advocacy Project*, started 20 years ago as a legal hotline, serves thousands of people annually who are affected by domestic violence and related social and legal problems. An in-depth, highly individualized intake and assessment of the legal needs of each caller is undertaken, and appropriate assistance is provided. More than 25,100 callers were served in 2001.

Children

- *West Texas Legal Services* helped 12,209 children obtain protection from domestic violence, avoid eviction, obtain child support and receive other benefits of legal representation in 2001. Children were the biggest group, 55 percent, of those directly benefiting by the outcomes of WTLS legal assistance in 2001.
- The *Texas Border Asylum Project*, a collaboration of three TEAJF grantees, put a major focus on addressing the needs of minor immigrant children detained by the INS or in immigration proceedings. For example, one of the projects, *Las Americas Refugee Asylum Project*, provided legal representation to every indigent child detained by INS. It stressed reunification with family members, represented children in their immigration proceedings, and educated all children who chose to return to their home countries about the immigration law.

Case Example

- **Child support.** "Martha," a working mother of two, was not receiving child support from her husband. The school year was about to begin and she was having trouble making ends meet with the added costs of school supplies and clothes. Legal aid had handled her divorce and had sent an order to the ex-spouse's employer three months prior, but the support checks still were not coming. After her legal aid lawyer wrote a letter to the employer and faxed the applicable pages of the Texas Family Code to the company's law firm outlining penalties for non-compliance, a check for \$939 arrived within a week and has continued to arrive on time ever since. *Legal Aid Society of Lubbock*

Seniors

- *Texas Legal Services Center* provided 6,570 elderly Texans with legal assistance through its Legal Hotline in 2001. The project provides free legal advice and consultation, general legal information, and legal and non-legal referrals, and other free legal services and benefits counseling to low-income older Texans who traditionally have been denied access to the legal system. The staff at the Legal Hotline are experts in elder law issues and, in most cases, can provide legal assistance to clients in resolving their problems.
- *Legal Aid of Central Texas (now Texas Rural Legal Aid)* staff worked with students from St. Edward's University Community Mentoring Project to prevent low-income elderly or disabled homeowners from losing their homes as a result of failure to pay property taxes. Delinquent property tax owners in the poorest zip code areas in Austin were notified about the homestead exemptions available under Texas and city law and about the availability of tax deferrals for owners who are disabled or elderly.

People with Disabilities

- *Advocacy, Inc.* was instrumental in getting legislation passed that eliminates a major barrier keeping people with disabilities from working. The program's advocacy was key in establishing the Medicaid Buy-In Pilot Program, which will allow current Medicaid recipients to return to work without losing their Medicaid coverage. The Pilot Program will test the model in five sites in Texas and, if successful, ultimately implement it statewide.
- After *Advocacy, Inc.* educated state legislators about the locked seclusion of special education students in public schools, the Legislature in 2001 passed legislation prohibiting this practice.

Case Examples

- **Standing up for quality care.** A nursing home was attempting to force "Rhea," an 84-year-old disabled woman to leave because of "family interference." The alleged interference was that Rhea's family had complained to the nursing home and Texas Department of Human Services about the quality of care. The TDHS officer agreed with her legal aid lawyer's position that family interference was not a statutory basis for discharge and Rhea was allowed to remain in the nursing home. *Gulf Coast Legal Foundation (now Lone Star Legal Aid)*
- **Fair treatment.** "Fred," an elderly man living in Section 8 public housing, asked the landlord to repair storm damage to his floor and roof. After waiting and waiting for the repairs, Fred reported the problems to the Public Housing Authority. This angered the landlord and triggered an attempt to evict him. Legal aid staff successfully defended Fred against the eviction and got the landlord to make the requested repairs. *Coastal Bend Legal Services (now Texas Rural Legal Aid)*

Case Example

- **A better future.** "William," a high school student with Down Syndrome, was told by the school that he had no vocational interests and should go into a sheltered workshop. This finding was challenged by his legal aid attorney, who persuaded the school district to bring in a consultant to conduct a functional vocational assessment and a person-centered planning meeting with William and his family. William now has a transition plan that includes meaningful work opportunities, including competitive employment, upon graduation from high school. *Advocacy, Inc.*

- TEAJF grantees won more than \$21 million* in federal Social Security benefits for low-income clients in 2001, many of them disabled. This income stream is now supporting working families who otherwise would have faced loss of their homes and dependency on state tax-supported welfare after suffering permanently disabling illness or injury.

Immigrants

- *Catholic Charities of Dallas, Inc., Immigration Counseling Service* won relief from deportation for 85 percent of the immigrants in INS detention it selected for representation in 2001. It selected cases as high priority where families were involved who would be separated if deportation were to occur.
- *Las Americas Refugee Asylum Project* (a member of the *Texas Border Asylum Project*) won a change in INS policy that was preventing people with legitimate asylum claims from pursuing those claims, in contradiction with both international and U.S. law. The program achieved this success through litigation and advocacy after learning of a large group of people who had requested asylum at one of the El Paso international ports of entry and had been denied a hearing and returned to Mexico where they faced imminent deportation back to their home country.
- *The South Texas Pro Bono Asylum Representation Project* (a member of the *Texas Border Asylum Project*) provided live, daily legal rights presentations to all INS detainees prior to their first hearing with the immigration judge, reaching 5,736 people in 2001. It expanded those presentations in 2001 to include detainees who are eligible for some immigration benefits but do not have the right to a hearing before an immigration judge, and are subject to summary removal proceedings.

Case Example

- **The promise of freedom.** “Mr. Matta” was detained by the INS after he fled to the U.S. from Somalia. When civil war erupted in Somalia in the early 1990's, “Mr. Matta's” grandfather was murdered by one of the clans and his family was forced to flee the capital of Mogadishu without him. Mr. Matta, just a young teen at the time, was taken as a slave by the opposing clan for the next five years, during which time he was regularly beaten and tortured. After his arrival in the U.S. and placement in detention, *Las Americas Refugee Asylum Project*, a TEAJF grantee, represented him in his immigration proceedings and was successful in obtaining an asylum grant for him. He has since been reunited with his family, including a young son he had never seen.

Flood Victims

- *Gulf Coast Legal Foundation* (now *Lone Star Legal Aid*) provided legal assistance to more than 125 victims of Tropical Storm Allison, many of whom either lost their homes and all personal belongings or suffered severe damage to their property. GCLF staff were assigned to three north side and east side Houston disaster centers (the areas hardest hit by the flood) where on-site legal services were provided for flood victims.

* \$21 million is the grand total of all lump sum or back awards and monthly benefits calculated over three years.

Homelessness

- *Bexar County Legal Aid Association (now Texas Rural Legal Aid)* prevented 631 people from being evicted from their homes, and obtained time for an additional 745 people facing eviction to seek alternative housing, in 2001. In addition, the program worked closely with the Tax Assessor Collector in effecting a legislative change which now prevents persons who have been declared permanently and totally disabled from losing their home due to delinquent back taxes.
- The *Housing Crisis Center* used telephone counseling (legal hotline), twice weekly housing law workshops, one-on-one, face-to-face support and consultation by pro bono lawyers and in-court support to assist 7,979 people with defensible eviction and other tenant-related cases in 2001.
- The *South Texas College of Law General Civil Clinic* entered into a relationship with Star of Hope's Transitional Living Center, located in Houston, to provide legal assistance, information, and referrals to the facility's battered and homeless women residents.

3. Outcomes of Direct Legal Assistance: A Summary

Extended Representation Outcomes**

- 13,335 Texans obtained or preserved custody
- 12,246 Texans obtained child support
- 4,294 Texans obtained protection from domestic violence
- 5,199 Texans prevented eviction or obtained time to seek alternative housing
- 54,329 Texans obtained benefits from other "extended representation"

Brief Representation Benefits

- 140,122 Texans benefited from legal advice and counsel
- 12,319 Texans benefited from non-litigation advocacy services

Dollar Benefits Achieved for Clients - Total:

\$71,243,189

- Social Security, SSI Benefits: \$21,342,961
- Other Federal Benefits: \$575,537
- Unemployment Compensation: \$197,297
- Family Law - Child Support: \$44,684,458
- Family Law - Alimony: \$76,082
- Affirmative Judgements: \$3,299,459
- Other Benefits: \$1,067,395

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

TEAJF Grantees Provide Three Levels of Help.

1. Extended legal representation. "Extended representation" benefits are achieved through representation of clients in litigation, administrative proceedings or negotiation with opposing parties in legal disputes. "Extended" legal benefits tend to be more time-consuming and costly to achieve than advice or brief legal assistance, but they are essential for protecting low-income people's legal rights as citizens in actions affecting such basic survival needs as food, shelter, employment, personal safety, family security and access to health care.

2. Brief Representation — Legal Advice and Counsel. Many legal issues are appropriately addressed by informing clients of their legal rights, responsibilities and options in situations they find themselves as consumers, tenants, family members, employees and citizens. By providing access to reliable advice from trained legal advocates, TEAJF-funded programs help clients make a wise choices that can maximize their position and in many cases avoid altogether the need for further involvement in the legal system.

3. Non-litigation advocacy services. As with advice and counsel, brief legal services meet a very important need of the low-income community. Examples of these services include reviewing legal documents, assisting in filling out forms, calling a landlord, or writing a letter to a merchant telling the client's side of the story. Often these services require an hour or less of an advocate's time, yet they can make a big difference in the outcome of a client's case.

**The total number of people benefited by extended representation in 2001 was 81,109, including 1,346 who obtained their day in court but received an adverse decision. The numbers reported above under "Extended Representation Outcomes" add to more than 81,109 because the categories were not mutually exclusive. For example, some people obtained or preserved custody AND obtained child support; they are counted in both the "custody" and the "child support" categories.

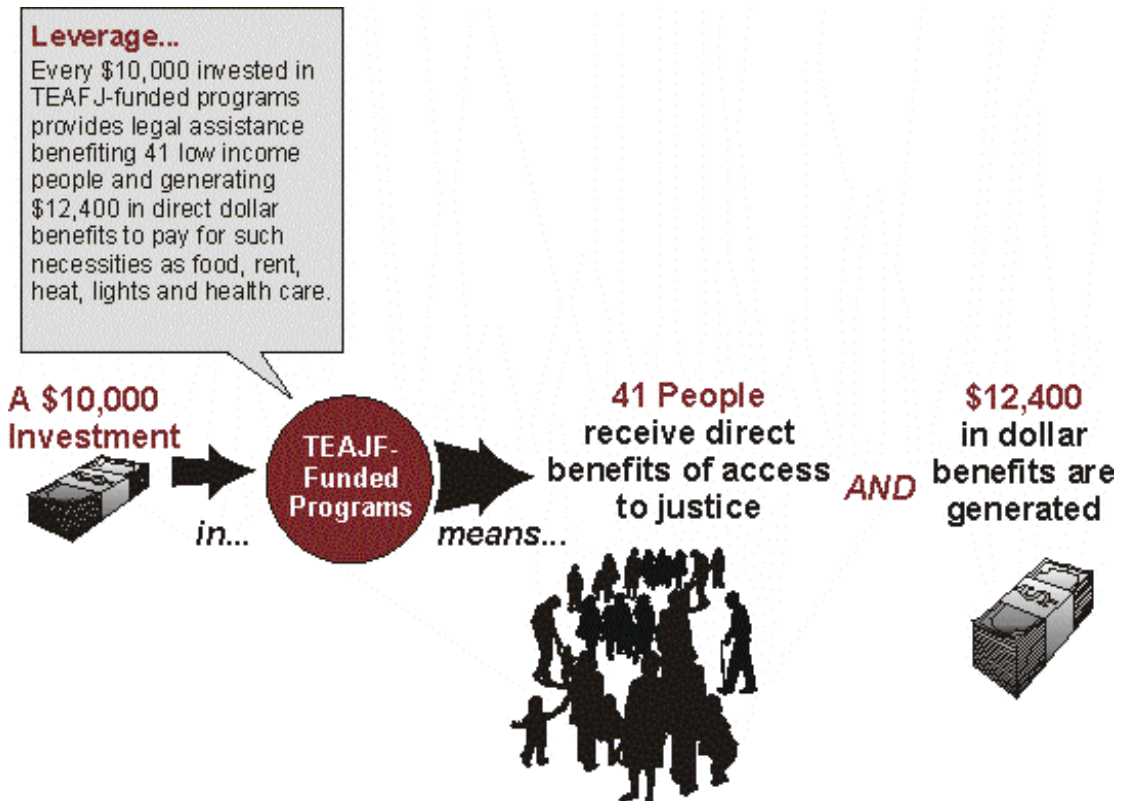
4. Advocacy by TEAJF grantees produces millions of dollars in benefits for clients.

From the purely economic perspective of dollars generated per dollar invested, the performance of legal aid advocates is outstanding. In 2001, for example, their legal advocacy won an estimated \$71.2 million in direct benefits for their clients, including child support payments, Social Security Disability benefits and workman's compensation insurance payments -- benefits to which clients were legally eligible but denied. As indicated in the graphic below, these direct dollar benefits alone translate to \$12,400 for every \$10,000 of total funding received by TEAJF-funded programs.

Child support payments are especially significant. In 2001, legal aid advocates secured \$44.7 million in child support orders requiring working parents who are able to pay to take responsibility for support of their children.



Legal aid organizations' primary mission is to fight for fairness and equality regardless of whether or not dollar benefits are at stake. Society as a whole is benefited when a mother and her children faced with eviction get the legal assistance they need to obtain a fair hearing rather than being summarily thrown out on the street. Day in and day out, legal aid advocates step in and help the poorest and most vulnerable members of our community avoid injustices they otherwise would have to simply endure in the daily struggle for shelter, food, jobs, education and health care. In the process they win millions of dollars for clients and demonstrate that *Equal Justice Under the Law* is a value that every citizen, regardless of income, can expect to see at work in our legal system.



5. Legal Services programs employ a strategic mix of service delivery models to meet the needs of low-income Texans.

- **Direct legal assistance.** Staff and volunteer lawyers provide information, advice and legal representation from neighborhood law offices and phone advice hotlines serving every county in Texas.
- **Self-help assistance.** Legal aid programs provide workshops and clinics aimed at preparing clients to represent themselves in simple matters, including uncontested divorce, paternity, landlord-tenant matters, and bankruptcy. This assistance improves outcomes for clients, reduces the need for legal representation from lawyers, and, in addition, helps courts deal more efficiently with the growing numbers of people wishing to represent themselves in legal matters. In 2001, more than 12,850 people participated in pro se clinics, and 62,020 people received self-help packets of materials.

Legal Services Programs Address a Wide Range of Legal Needs.	
	Texans Benefited in 2001
• Direct legal assistance from lawyers and paralegals	233,590
• Legal information brochures and materials	268,025
• Community legal education workshops and presentations	220,452
• Self-help assistance and forms	87,286
• In-court help desk information	241
• Other — e.g., legal information posted on web sites	453,571

- The *Dallas Bar Association Volunteer Attorney Program* helps English and Spanish-speaking clients with simple divorces, custody, and paternity cases. The majority of the cases are uncontested divorce cases that involve children and some property, such as a car or house. Clients attend classes where they receive instruction on the laws affecting divorce and produce their own pleadings. Following classes (the number depends on complexity of the cases), clients file their own paperwork, obtain service of process or waivers of citation, and work with DVAP staff and volunteers to complete the divorce. Once they have completed all steps and are ready to finalize their divorces, the pro se litigants are invited to the DVAP Prove Up Clinic, where judges, court reporters, and volunteer attorneys assist clients with finalizing their divorces at the DVAP office.
- The *Women's Advocacy Project* mails Pro Se Protective Order Packets and Safety Plan brochures to clients who may not be eligible for direct legal representation. The Pro Se Protective Order Packets are also available on the program's website.
- The *South Texas Pro Bono Asylum Representation Project* (a member of the *Texas Border Asylum Project*) helps many detainees in filling out their political asylum applications, even if the project cannot represent the person in court due to a lack of resources or legal merit. Because the asylum application must be completed in English, and because the majority of the detainees are monolingual Spanish-speakers with minimal education, the project helps many detainees complete their asylum applications and other legal forms for pro se for submission to the court and helps prepare them for hearings and other immigration proceedings.

- **Community legal education.** Legal aid lawyers make scores of presentations in the community and distribute brochures and other materials informing people about their legal rights and responsibilities in specific areas of the law most affecting them. They reached 268,000 people with these efforts in 2001.
 - The *Housing Crisis Center* collaborates with the Dallas Tenant Association to present landlord/tenant workshops, after which each participant is then given the opportunity to consult with a volunteer attorney in order to receive case-specific advice. Low-income tenants who need further representation can be referred to the attorney who is on staff at HCC. Self-help forms such as our "Tenant Request for Repair" form are given to HCC clients after an attorney has evaluated the person's situation as appropriate for self help.
 - *Legal Services of North Texas* has its own weekly radio talk show and guest appearances on other radio programs. The TEAJF grantee also distributes specialized informational publications to churches, schools, service providers and leaders in the client community, and runs an ongoing speaker's bureau available to community organizations upon request.
 - *Volunteer Legal Services of Central Texas* collaborates with *Legal Aid of Central Texas* (now *Texas Rural Legal Aid*) to provide evening legal advice and intake clinics. They served over 5,000 clients at these clinics in 2001. They also provide monthly assisted pro se divorce clinics for clients without children or property. If the client chooses to finalize the divorce at the monthly evening docket, an attorney attends the docket for support and guidance. Each quarter they have a Pro Se Divorce Clinic that offers three class sessions to clients with children and no property. These clinics are staffed by attorneys and paralegals that help participants complete the necessary forms to obtain a divorce.

B. Texas Legal Aid Programs Employ Extraordinary People.

The principal asset of legal aid programs is their core staff of experienced, dedicated legal aid professionals. At the end of 2001, these included the following:



- **370 attorneys.** Legal aid programs had a good mix of young as well as experienced attorneys, providing a steady stream of new ideas to season the knowledge and relationships maintained by a solid core of staff attorneys with many years' experience serving the low-income community.
- **229 paralegals.** Paralegal staff performed a vast range of functions including interviewing clients, doing legal research, preparing legal documents and representing clients in administrative proceedings under the supervision of attorneys.
- **408 other staff.** These included 239 secretarial-clerical staff and 169 management and professional staff, including social workers, pro bono coordinators, information technology specialists and other staff.

C. Legal Aid Advocates Work in a Structure Promoting Quality Throughout the System.

Advocates throughout the legal aid system had access to TEAJF-funded special programs and projects. Lawyers in the specialized programs funded by TEAJF often lent 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 2001:

- Advocates from *Legal Aid of Central Texas* (now *Texas Rural Legal Aid*) provided training on poverty law to pro bono lawyers who accept cases through *Volunteer Legal Services of Central Texas*. They also created "client friendly" informational materials viewed by more than 100,000 visitors to the Texas Low-income Housing Information Services web site.
- *Legal Services of North Texas* received two Legal Services Corporation grants to coordinate the development of a statewide web site to offer pro se information to clients and legal information helpful to staff and pro bono attorneys.
- The *Lawyer's Committee on Civil Rights*, a member of the *San Antonio Immigration and Refugee Rights Project*, trained 75 staff at Child Protective Services in El Paso on how abused, abandoned and neglected children can obtain lawful immigration status.
- The *Women's Advocacy Project* responded to 185 calls from other service providers seeking direction on domestic violence matters. Callers included shelters, law enforcement agencies, county and district attorneys, and victim liaisons in county and district attorney's offices. The project's Technical Advocate provided advice, referrals to other service providers and other technical assistance.

D. Texas Legal Aid Programs Are Effective Partners with Other Organizations.

1. Legal aid programs leverage the voluntary efforts of the private bar to expand access to justice for the poor.

With leadership from the State Bar of Texas and local bar associations across the state, the pro bono contributions of private lawyers are key elements of efforts to provide access to the justice system for low-income Texans. The following are some examples of accomplishments reported by TEAJF-funded programs in 2001.

- The Volunteer Lawyers Project of *Coastal Bend Legal Services* (now *Texas Rural Legal Aid*) carried out evening legal clinics in Corpus Christi and Saturday clinics in Laredo staffed by pro bono attorneys. Hundreds of people were served in the Saturday clinics in 2001; for example, on one Saturday in Laredo, over 150 applicants and their family members appeared for an immigration clinic.
- In 2001 the *Dallas Volunteer Attorney Program* further expanded its Law Firm Clinic Model, through which attorneys never need to leave their offices to represent clients in family law cases. DVAP prescreens family law clients and refers them to law firms. Lawyers in the firm work as a group on their cases and conduct all aspects of the case at the law firm. A law firm support person files all cases on the same day and is in charge of monitoring the cases until they are ready to be finalized. Once the cases are ready, DVAP brings a local district court judge and court reporter to the firm to finalize them. This program tripled in size in 2001, with nine firms participating.
- *Housing Crisis Center* operated legal clinics using volunteer attorneys every Wednesday evening and Saturday morning. Clients receive consultation and advice regarding landlord/tenant issues. The project has as partners the Dallas Volunteer Attorney Program and the SMU law school where students are required to volunteer. The agency received the 2001 Pro Bono Award from the State Bar of Texas.
- *Catholic Charities of Galveston/Houston*, a member of the *Houston Immigration and Refugee Services*, trained 20 attorney and 30 domestic violence service providers and other immigration non-profit staff in one training in 2001, adding to its pool of volunteers to assist in representing asylum seekers.

Pro bono statistics

In 2001, volunteer lawyers participating in TEAJF-funded programs achieved the following results.

Number of cases completed 15,489
Hours contributed 106,324
Dollar value of services* \$15.9 million

*Estimated conservatively at \$150 per hour

2. Legal aid programs collaborate with other agencies to address community-wide problems.

- Texas C-BAR (Community Building with Attorney Resources), a project of *Legal Aid of Central Texas* (now *Texas Rural Legal Aid*) is a statewide project that is expanding the pro bono involvement of the private bar by recruiting transactional attorneys to serve Community Development Corporations across Texas. In 2001, the project secured a substantial HUD grant, a two-year NAPIL fellow and significant financial support from Texas banks.
- In 2001, *Legal Aid of Central Texas* (now *Texas Rural Legal Aid*) launched a new partnership with the National Association of Public Interest Law (NAPIL) and continued several previously established ones. NAPIL attorney fellows began addressing credit, debt and IRS issues for income eligible clients. Another NAPIL fellow, cosponsored by Vinson and Elkins, joined LACT's housing team to work with disabled clients on housing cases. In addition, LACT partnered with the *Political Asylum Project of Austin* in providing legal education to church employees on the legal services available in the wake of domestic/family violence. Finally, LACT offices partnered with domestic violence shelters in outlying areas to provide legal assistance to domestic violence victims in those rural communities.
- *Advocacy, Inc.* collaborated with *Gulf Coast Legal Foundation* (now *Lone Star Legal Aid*) to educate 767 Social Security personnel and human resources staff members on the applicable law for the Qualified Medicare Benefits (QMB) program, a fairly new benefit under the Medicare program. *Coastal Bend Legal Services* (now *Texas Rural Legal Aid*) and *Texas Legal Services Center* were also partners in this collaboration.

E. TEAJF-Funded Programs Are A Good Investment.

1. Legal aid programs bring dollars into the economies of the communities they serve.

Earlier in this report (page 8), examples were provided indicating that legal aid advocates generate millions of dollars in direct benefits such as child support payments, Social Security Disability benefits and unemployment insurance payments for low-income clients. In many cases, these revenues represent new dollars for state and local economies. For example, federal benefits such as Social Security, Supplemental Security Income, Temporary Assistance to Needy Families and Medicaid are vital strands of the safety net. These federal income support benefits 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 for working Texans.

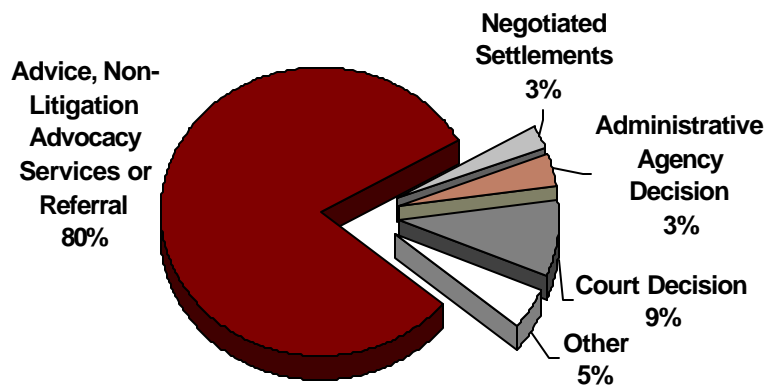
2. TEAJF-funded legal services are cost-effective.

Legal aid lawyers provide services in a compassionate manner, but they also strive to serve as many clients as they can with limited resources. In 2001, they completed 23.6 cases and immigration matters for every \$10,000 in funding they received. This compares favorably with the national median figure of 18.0 cases per \$10,000 achieved by grantees of the Legal Services Corporation.

A high proportion of cases are resolved without litigation. Indeed, as the graph below indicates, 80 percent are resolved by advising the client about steps he or she can take or by providing non-litigation services such as drafting a letter or making some phone calls on the client's behalf.

Pro bono efforts of the private bar leverage the investment of dollars in Legal Services programs. Private lawyers completed 15,489 cases on a pro bono basis in 2001. They donated 106,324 hours of services, conservatively valued at \$15.9 million.

Total: 127,610 problems



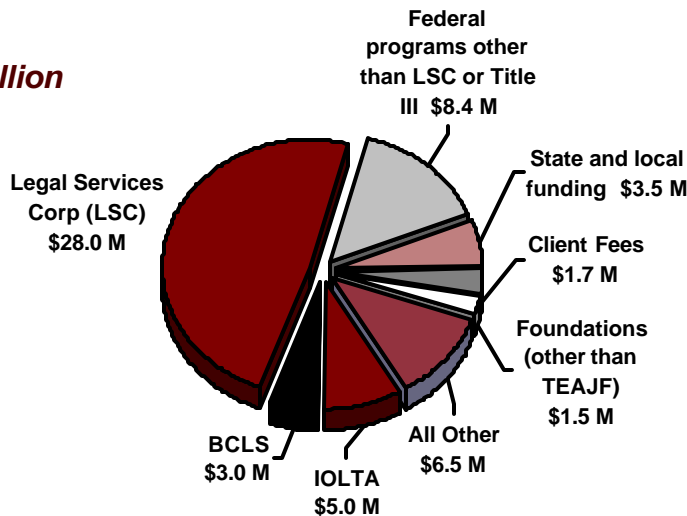
3. TEAJF-funded programs apply technology as a strategy for improving productivity and accessibility of their services.

- **Computerized case management systems**, developed in part with funding from TEAJF, support the day-to-day casework of program lawyers and paralegals. They provided the data needed to manage cases, track outcomes and report efficiently to funding sources.
- **E-mail** provides staff with the communication tools they need to collaborate. Internet access provides a vast array of information resources for their work on behalf of clients.
- **Local web sites** provide 24-hour access to legal education and self-help materials for low-income clients, and for professionals such as social workers, human services agency workers, and members of the clergy, who pass this information on to their low-income clients.
- **Computerized legal research resources** (Lexis and CD-ROMs) provide lawyers with access to the latest case law and judicial decisions at their desktops.

4. TEAJF grantees have a broadening resource base and commitment to improvement.

As the pie chart below shows, the principal sources of funding for legal aid programs are TEAJF and the Legal Services Corporation (LSC). TEAJF funding includes Interest on Lawyer Trust Accounts (IOLTA) funds and state filing fee (BCLS) funding. Beginning in March 2002, TEAJF began distributing the Crime Victims Civil Legal Services (CVCLS) program, under which \$4.8 million is being distributed to CVCLS recipients over an 18-month period. Another major source of revenue (\$8.4 million) is derived from other Federal programs, principally the Protection and Advocacy program (for services to people with disabilities). State and local funding sources added \$3.5 million and foundations contributed another \$1.5 million. Other funding sources included nominal client fees and grants from United Ways and religious organizations.

**2001 Funding
Total: \$57.6 Million**



While TEAJF 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, low interest rates have caused IOLTA revenues to decline in recent years. The need for additional funding for the work of legal aid advocates and their partners in the private bar has never been greater.

F. Conclusion

The programs funded by the Texas Equal Access to Justice Foundation further the goal of providing Equal Justice Under the Law.



Every dollar spent on legal aid for low-income Texans 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 Texans.

This commitment deserves the support of every citizen. A 1996 study by the American Bar Association indicated that fewer than 20 percent of low-income people with legal problems affecting such critical survival needs as shelter, employment, health care, education and personal safety are able to obtain the legal assistance they need to resolve them. 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!*