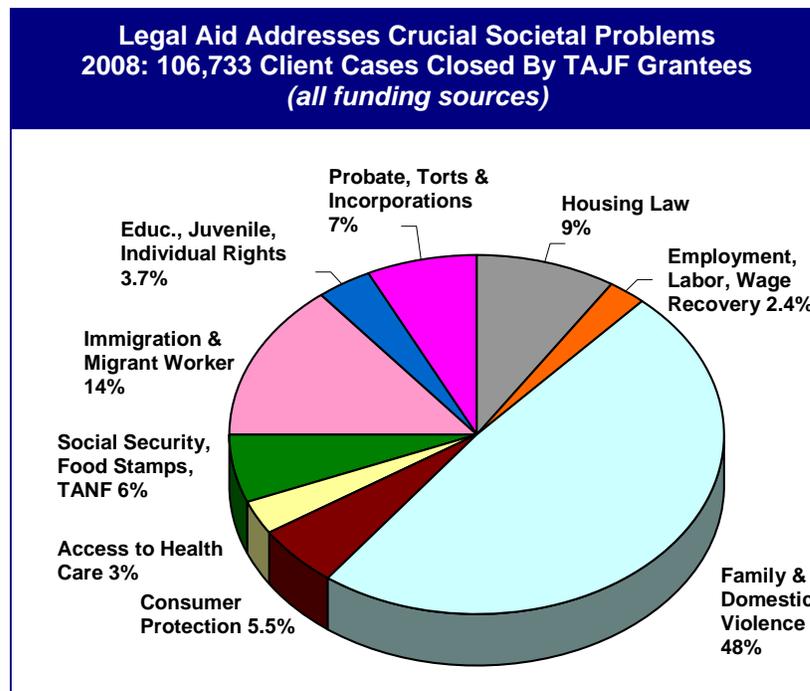


## Legal Aid in Texas – 2008

The Texas Access to Justice Foundation awards and administers grants to 40 legal aid and pro bono programs in regions throughout the state.

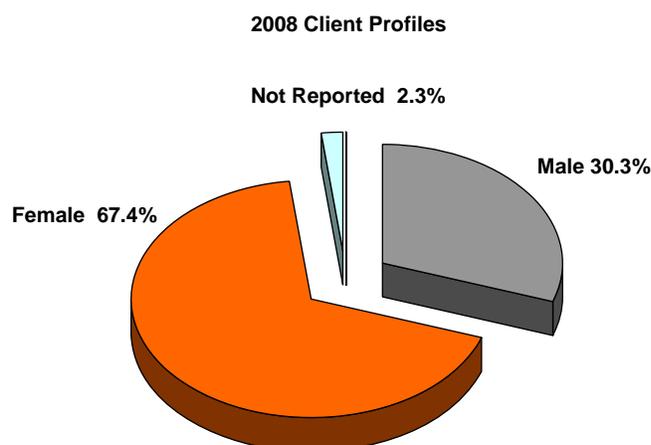
Legal aid programs funded by the Texas Access to Justice Foundation closed **106,733 cases in 2008, assisting 246,479 persons** in matters such as family law, individual rights and housing. In addition, legal aid helped and represented victims of Hurricane Ike and Dolly. More than **1,600 disaster victims** received crucial legal aid during their time of crisis.



## Legal Aid Serves Many Populations

**E**very population group and geographic region is touched by the services of legal aid grantees of the Foundation. Legal aid programs funded by the Foundation include: persons over 60 years of age; low-income persons in general; children; abuse victims; persons with disabilities; public assistance recipients; migrant workers; immigrants and refugees; low-wage workers; and children with special educational needs, among others.

Women comprised more than 67 percent of the clients served by legal aid in 2008.

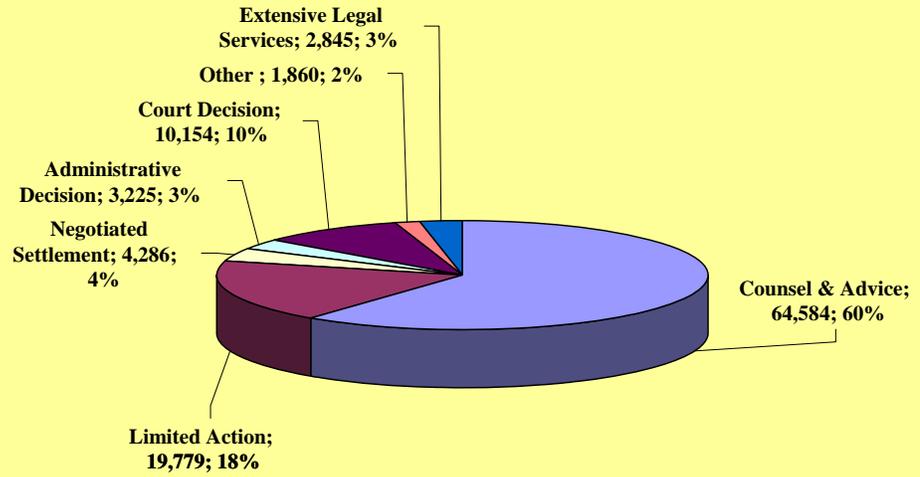


2008 Legal Aid Clients Served By Race and Age				
Race	Under 18	18-59	60 and over	Totals Year Ended 2008
White	916	24,083	4,624	29,623
Black	503	20,902	3,537	24,942
Hispanic	3,264	38,312	4,992	46,568
Native Am.	6	333	71	410
Asian	151	1,869	573	2,593
Other	189	1,841	403	2,433
<b>TOTAL</b>	<b>5,029</b>	<b>87,340</b>	<b>14,200</b>	<b>106,569</b>

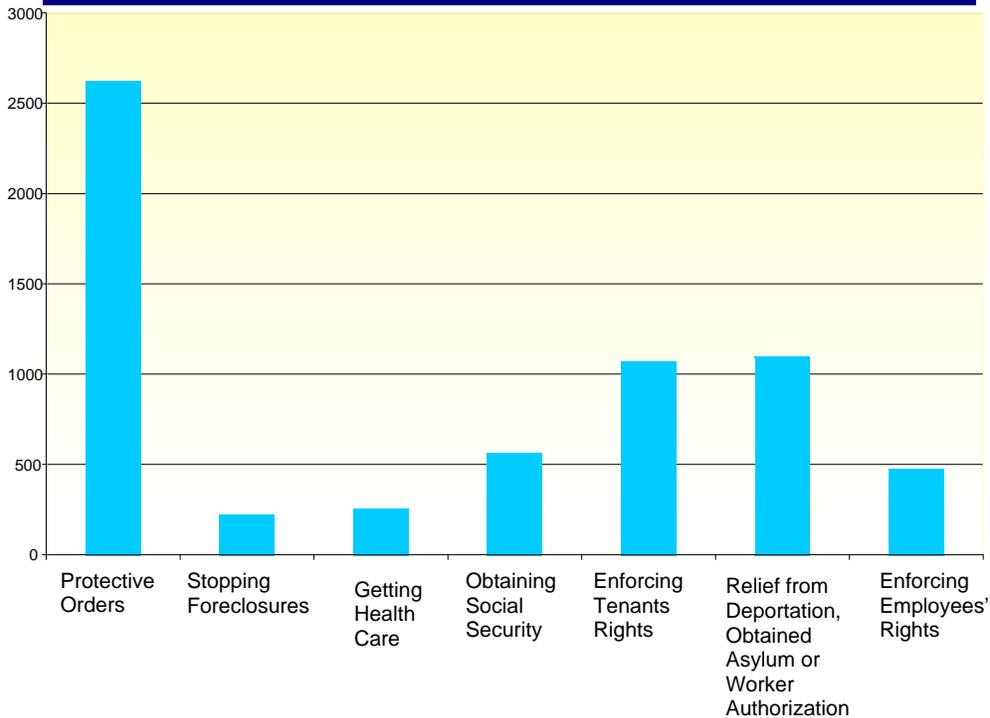
*\*Note – The above information was not reported on all individuals who received services.*

2008 Special Populations Assisted	
Disabled	16,102
Domestic Violence victims	12,140
Children	5,029
Elderly	14,200
<b>TOTAL</b>	<b>47,471</b>

## 2008 Legal Aid Closed Cases by Level of Service Total Cases: 106,733



## Examples of Legal Representation Extended Services



## 2008 Dollar Outcomes of Cases



Category	Back Awards	Monthly Benefits
Social Security, SSI	\$3,772,332	\$346,678
Other Federal Benefits	\$334,285	\$44,502
Unemployment Compensation	\$14,049	\$11,674
Food Stamps	\$71,058	\$38,143
Family Law--Child Support	\$4,337,585	\$1,103,521
Family Law--Alimony	\$330,507	\$61,912
Affirmative landlord/tenant judgments	\$459,390	\$50,208
Affirmative employment judgments	\$684,261	
Affirmative consumer judgments	\$32,776,210	\$2,501,639
Other Housing Awards	\$83,186	
Other Workers' Comp, taxes, probate	\$753,934	\$8,660
Other Torts	\$5,577	
Other Settled Estate	\$300	
Other Homeownership/Real estate		\$5,001
Other Disability Discrimination	\$123,696	
Other Property Settlement	\$809,421	
Probate	\$2,536	\$757
Other Lump Sum Retirement Recovery	\$686,518	
Other - Health	\$23,034	\$634
Other- Bankruptcy	\$3,403,986	
Other - Attorney's Fee	\$975	
Other Long-Term Health Care Facility	\$4,498	
State and Local Income Maintenance	\$11,500	
Other Home and Commun. Based Care		\$5,686
Other Physically Disabled Rights	\$91,750	
Other Miscellaneous	\$31,216	
Other Consumer Settlement	\$100,000	
Employment Judgment	\$300,000	
Settlement Recovery - Civil Rights	\$12,751	
Wills and Estates	\$296,764	
Other Crime Victims Compensation	\$622,024	
Other - Unclaimed Property Search	\$317	
<b>Total</b>	<b>\$50,143,660</b>	<b>4,179,015</b>

## Types of Attorneys Utilized for Closed Cases

Staff Attorneys	Volunteer Attorneys	Reduced Fee Attorneys
89,672	16,823	242

## *Parenting Order Legal Clinics*

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In 2008, the Parenting Order Legal Clinics (POLC) project started as a statewide initiative designed to expand the access parents have to legal resources for resolving parenting order conflicts, improve parents' understanding of legal processes and their rights, increase the compliance of parents in the IV-D system with court-ordered possession/access, and to gauge the impact of that compliance on child support collections.

Collaborative primary partners include: Office of Attorney General, Texas Access to Justice Foundation, Legal Aid of NorthWest Texas, Lone Star Legal Aid and the Texas Civil Rights Project. Nightly clinics were launched across the state in **28 cities** and towns helping **238 non custodial parents** with crucial legal information.



## *Fundamentalist Church of Latter Day Saints Issue*

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Foundation grantees were also instrumental representing low income mothers seeking custody as a result of the sweeping intervention by Child Protective Services in Eldorado. More than **450 children** were removed from their homes on the Yearning for Zion Ranch, which is owned by the Fundamentalist Church of Jesus Christ of Latter Day Saints, in April 2008.

Several Foundation grantees not only provided individual legal representation for the mothers, but two legal aid programs and several volunteer attorneys appealed the removal successfully to the Texas Supreme Court which directed the lower court to vacate its previous order granting custody of the children to the State.

## *How Legal Aid Helps Low-Income Texans*

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### **Access to Justice Brings Dignity, Respect and Compassion**

“Rose” is an elderly, severely physically disabled woman who requires nursing home care as a result of a serious automobile accident that occurred 30 years ago. However, “Rose” has no mental deficits. Before the accident, she executed a general durable power of attorney naming her daughter as her personal representative. Later, “Rose” was placed under a temporary guardianship that named her daughter as her guardian.

At a care planning meeting, “Rose” learned that her daughter had been using the power of attorney and the guardianship order to manipulate “Rose’s” finances and to benefit the daughter. Working closely with the local nursing home ombudsman, the Legal Hotline attorney reviewed the guardianship order, found that it had expired on its own terms within sixty days, and informed all relevant parties that the order was invalid. The Legal Hotline attorney also assisted “Rose” in revoking the power of attorney and sending notice to all entities that had relied on the power of attorney so that “Rose” could take control over her own finances.

### **Access to Justice Changes Lives**

“Lilly” sought help from legal aid because she was being forced to move out of her subsidized apartment and live in a shelter. “Lilly” had filed for Supplemental Security Income (SSI) disability benefits and



received a prompt denial. She later explained that she did not understand the questionnaires she had been sent about her condition. Even the relatively simple language of the forms was beyond her level of literacy. She

had to look up every third word in the dictionary, and even with that effort, she was not able to complete the forms in a comprehensible way.

The legal services program worked with her to file an appeal. Her initial request for reconsideration was denied, so they placed her in line to have her case heard by an administrative law judge. “Lilly’s” case was complicated and her mental disabilities and her homeless condition made developing the case all the more difficult. Twice she faced dismissal of her hearing request; once for being out of communication too long, and once for being late to the initial hearing. The lawyer was able, barely, to convince the judge to keep her appeal alive and, crucially, to get her the psychiatric evaluation she needed.

Patience and persistence paid off. At a supplemental hearing, the judge agreed that “Lilly” met the standard for disability under a relatively little-used provision that all the experts in the room had to look up in the regulations in order to cite. Three months after the decision, “Lilly” has a small but stable income through SSI benefits, reliable access to health care through Medicaid, and has a roof over her head for at least the next 18 months. None of that would have happened without the effective and sustained participation of the legal services program.

## Access to Justice Helps Bring Resolution

One of the local churches contacted the volunteer lawyer program for legal help for one their parishioners. The client was a 46-year-old woman with AIDS and her condition was worsening by the day. “Betsy” did not know what would happen to her 11-year-old son if she died without having a will and the necessary documents in place for her son’s placement after her death. The son’s father also had AIDS and had already died from the disease.

“Betsy’s” sole assets were a very old car and the furniture in her apartment. She lived on Social Security disability because she was unable to work. There was a family willing to step up and take the child in the event of her death.

“Betsy” advised the program she was having a serious medical procedure done in a month due to her illness and she wasn’t sure if she would make it through the surgery.

*“Now I can die in peace knowing that my baby will be taken care of.”*

Considering the time sensitivity of this case, the volunteer attorney program immediately started searching for a volunteer lawyer to prepare her will and other end of life documents. Fortunately, a volunteer attorney stepped in that same day. The lawyer prepared the documents and got them completed and signed.

At the time of the signing the client thanked all involved and stated, “*Now I can die in peace knowing that my baby will be taken care of.*”

This case touched all hearts. There was no way that this client could afford to hire a private attorney to draft her will and other documents. She barely keeps groceries in her cupboard. It’s a tragedy in itself that she knows she is dying and had to explain this to her son, but at least now she knows that the legalities for the care of her 11-year-old son are handled.



## ***Legal Aid Programs Funded by the Texas Access to Justice Foundation***

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**ADVOCACY, INCORPORATED** provides civil legal services to low-income persons with disabilities and mental illness.

**AID TO VICTIMS OF DOMESTIC ABUSE** provides civil legal services to victims of domestic violence in Harris County.

**AMERICAN GATEWAYS** (formerly Political Asylum Project of Austin) provides a range of immigration representation to low-income persons seeking assistance in Central Texas.

**BOAT PEOPLE SOS, INC.** provides civil legal services to low-income Asian immigrant community in Harris County.

**CABRINI CENTER FOR IMMIGRATION LEGAL SERVICES** provides civil legal services to low-income immigrants who are seeking assistance with asylum and residency issues in Harris County.

**CASA DE PROYECTO LIBERTAD** provides a range of immigration representation to low-income persons seeking assistance in Harlingen and the South Texas area.

**CATHEDRAL JUSTICE PROJECT** provides a range of civil legal service to the homeless population of Houston.

**CATHOLIC CHARITIES OF SOUTHEAST TEXAS** provides a range of immigration representation to low-income persons seeking assistance in the Beaumont area.

**CATHOLIC CHARITIES OF CENTRAL TEXAS** provides a range of immigration representation to persons seeking assistance in the Waco area.

**CATHOLIC CHARITIES OF DALLAS, INC.** provides a range of immigration representation to low-income persons seeking assistance in Dallas and adjacent counties to the north and east.

**CATHOLIC CHARITIES OF SAN ANTONIO** provides a range of immigration representation to low-income persons seeking assistance in Bexar and Webb counties.

**DALLAS BAR ASSOCIATION COMMUNITY SERVICE FUND/DALLAS VOLUNTEER ATTORNEY PROGRAM** provides civil legal services via volunteer attorneys to low-income persons in Dallas.

**LEGAL HOSPICE OF TEXAS** provides civil legal services to low-income persons in Dallas who are HIV+, have AIDS or other terminal illness.

**DIOCESAN MIGRANT AND REFUGEE** provides a range of immigration representation to low-income persons seeking assistance in El Paso, Brewster, Culberson, Jeff Davis, Loving, Hudspeth, Presidio, Pecos, Reeves, Ward, and Winkler Counties.

**EQUAL JUSTICE CENTER** provides civil legal services to low-income workers in wage claims in Central Texas.

**FAMILY VIOLENCE PREVENTION SERVICES** provides civil legal services to low-income victims of domestic violence in Bexar County.

**FORT BEND LAWYERS CARE** provides civil legal services via volunteer attorneys to low-income persons in Fort Bend County.

**HOUSTON VOLUNTEER LAWYERS PROGRAM** provides civil legal services via volunteer and staff attorneys to low-income persons in Harris County.

**LAS AMERICAS REFUGEE ASYLUM PROJECT** provides a range of immigration representation to low-income persons and, particularly juveniles in detention seeking assistance in the El Paso area.

**LEGAL AID OF NORTHWEST TEXAS** provides civil legal services to low-income persons in 106 North and West Texas counties.

**LONE STAR LEGAL AID** provides civil legal services to low-income persons in 72 counties in the East Region of Texas.

**LEGAL AID SOCIETY OF LUBBOCK** provides civil legal services to low-income persons in Lubbock.

**MONTGOMERY COUNTY WOMEN'S CENTER** provides civil legal service to low-income victims of domestic violence in Montgomery County.

**NAACP- HOUSTON** provides civil legal services to low-income persons in Harris County.

**OFICINA LEGAL DEL PUEBLO UNIDO, INC./TEXAS CIVIL RIGHTS PROJECT** provides civil legal services to low-income farm workers and *colonia* residents in the Rio Grande Valley and El Paso and to low-income and minority individuals in civil rights matters.

**PROBAR – ABA FUND FOR JUSTICE AND EDUCATION** provides a range of immigration representation to indigent, detained immigrants and asylum seekers in South Texas.

**REFUGEE AID IMMIGRATION COUNSELING AND EDUCATION SERVICES** provides a range of immigration representation to low-income persons seeking assistance in Bexar County.

**SOUTHERN DISABILITY LAW CENTER** provides legal representation to low-income persons with disabilities throughout Texas.

**SOUTHEAST TEXAS LEGAL CLINIC** provides legal representation to low-income persons in Harris and surrounding rural counties who are HIV+ or have AIDS.

**SOUTH TEXAS COLLEGE OF LAW, CIVIL CLINIC** provides civil legal services in family law cases and Social Security appeals to low-income persons in Harris County.

**ST. MARY’S IMMIGRATION CLINIC** provides a range of immigration representation to low-income persons seeking assistance in Bexar County.

**TEXAS ADVOCACY PROJECT INC.** (formerly Women’s Advocacy Project) provides free legal advice and assistance to victims of domestic violence.

**TEXAS LEGAL SERVICES CENTER** provides legal advice and representation to persons 60+, public utilities advocacy on behalf of low-income persons and supports the statewide web site and Earned Income Tax Credit Projects.

**TEXAS RIOGRANDE LEGAL AID, INC.** provides civil legal services to low-income persons in 68 counties in Southwest Texas.

**TEXAS WESLEYAN UNIVERSITY SCHOOL OF LAW CLINIC** provides legal services to assist caretakers of children who were victims of abuse or neglect in Tarrant County.

**EARL CARL INSTITUTE FOR LEGAL AND SOCIAL POLICY/THURGOOD MARSHALL SCHOOL OF LAW** provides civil legal services to low-income residents of Harris County experiencing African-American land loss in the Harris County area.

**UNIVERSITY OF HOUSTON, IMMIGRATION CLINIC** provides and assists other programs with immigration appeals throughout Texas and provides a range of immigration representation to low-income persons in Harris County.

**VOLUNTEER LEGAL SERVICES OF CENTRAL TEXAS** provides civil legal services via volunteer attorneys to low-income persons in Travis, Williamson and Lee Counties.

**YMCA INTERNATIONAL SERVICES** provides civil legal services to the immigrant community in Harris County.

\* **BRAZOS COUNTY CIVIL LEGAL AID REFERRAL, INC** provides civil legal services to the community by recruiting pro bono private attorneys in Brazos County.

\* **JEFFERSON COUNTY BAR ASSOCIATION FOUNDATION PRO BONO PROGRAM** provides civil legal services to the community by recruiting pro bono private attorneys in Jefferson, Hardin, Orange and Liberty Counties.

\* **SUB GRANTEEES OF LONE STAR LEGAL AID FUNDED BY FOUNDATION**