



Legal Aid Society
OF THE DISTRICT OF COLUMBIA

2009
ANNUAL
REPORT

FAIRNESS
EQUALITY
DIGNITY
ACCESS
INTEGRITY
JUSTICE
FOR ALL



A MESSAGE FROM THE PRESIDENT & EXECUTIVE DIRECTOR

The motto of the District of Columbia is “Justitia Omnibus” or “Justice for All.” “Equal Justice” is carved in the facade of the Supreme Court. Every morning, millions of school children start their day reciting the Pledge of Allegiance which ends with the promise of “justice for all.” The commitment to equal justice is a deeply held political ideal.

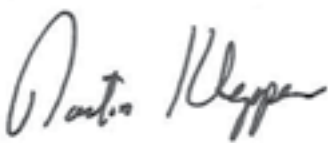
Justice, however, does not happen on its own. It takes a great many things. Justice requires fair laws and open and available courts and administrative tribunals. People must know their rights and trust that they will be respected. Significantly, justice takes work, the work of lawyers and other advocates. Lawyers, not only for those who can afford them, but also for people too poor to pay a legal fee.

Equal justice is at the core of what Legal Aid is and does. When a Legal Aid lawyer helps a family forced into court in an eviction action to save their housing, she is doing the work of justice. When a Legal Aid lawyer helps a woman to escape domestic violence, he is doing the work of justice. When a Legal Aid lawyer helps victims of mortgage fraud to keep their homes, or seniors to obtain improperly denied benefits, or a family to secure a custody or child support order from the courts, she is doing the work of justice. Legal Aid lawyers are doing the work of justice whenever they help a person who would otherwise go unrepresented to access the legal system and achieve a fair result.

At Legal Aid the idea of equal justice is not an abstraction. It is real and it is concrete and it is about matters that are critical to the health, safety and dignity of the clients we serve. Legal Aid staff members have the great honor of doing work that is essential to equal justice for all.

We are grateful that we work in partnership with a community of volunteers, donors and colleagues. We are especially honored to stand shoulder-to-shoulder with our clients as they find that the promise of the Pledge is real.

Thank you to everyone who supports Legal Aid and its work.



Martin Klepper
President, Board of Trustees
Skadden, Arps, Slate,
Meagher & Flom LLP



Jonathan M. Smith
Executive Director
Legal Aid Society of
the District of Columbia

“Working as a loaned associate at Legal Aid allowed me to make a tangible difference in the daily lives of D.C. residents and provided me with the privilege of working side by side with some of the most dedicated and skilled attorneys in the profession today.”

— Jessica Halbert, Arnold & Porter LLP

LEGAL AID STANDS FOR EQUAL JUSTICE FOR ALL

Michelle had a young son of whom she was seeking custody. The father had been verbally and emotionally abusive since the child's birth and in recent months had become increasingly threatening. Since she had ended their relationship and begun seeking custody, his anger and violence had grown worse. Michelle feared not only for herself but also for her son.

With all the courage she could muster, she went to court and sought a civil protection order but the order was denied. She did not know why or what to do. She ended up at Legal Aid desperate and despondent. Legal Aid returned to court with her and the civil protection order was entered.

Even with a lawyer, it was not easy. For her safety and the safety of her son, she needed the court to award her sole custody, but the judge wanted to give her batterer a chance. The judge repeatedly delayed. In the meantime, the father grew more and more hostile. He assaulted Michelle at a supervised visitation center and hit and verbally abused his son during one visit. Only through persistent advocacy was the custody and support order entered.

There was justice for Michelle. Today, she and her son are safe from violence because a Legal Aid lawyer represented her. Michelle told her lawyer, when it was all over "I would have been lost without Legal Aid. Without you, I would have lost my son. But, with Legal Aid, I now have sole custody."

One of Legal Aid's top priorities is to provide legal help to women escaping domestic violence. Our team of domestic violence and family lawyers takes cases from the initial request for protection through to the final order of custody and child support. We also pursue abusers who violate orders and work with a constellation of other service providers to ensure that our clients can live in safety.

Legal Aid also has an active practice of matters related to child support and custody. The stability of family relationships and the income from support can be critical to the security of a family and can enhance their efforts to move out of poverty.

Legal Aid is deeply committed to reducing barriers that clients experience in seeking our services. To improve access, we have established an office at the Superior Court and three offices in the District's most underserved neighborhoods, including an office at the Domestic Violence Intake Center in Southeast. These community offices are essential. Time and again, clients who could not make it to our main office are able to get help in their neighborhood or at the Courthouse.

By making our services convenient, we reach clients who have the greatest needs. The cost of transportation alone might prevent someone from seeking help. *Sarah came to us after her Food Stamps were wrongfully terminated. She struggled to care for her two young children and was often able to provide them only one meal a day. The bus fare to our main office was more than she could afford, but because we were near her home, she got help.*

There was justice for Sarah. Her benefits were restored and the experience has inspired her to become active in efforts to improve services for people living in poverty.




Our neighborhood offices also help overcome physical limitations. *Edna has chronic obstructive pulmonary disease, degenerative arthritis in her knee, sleep apnea and depression. Public transportation is difficult. Edna worked as an administrative assistant for 45 years but recently lost her job and applied for Supplemental Security Income (SSI). Her application for SSI was denied and she came to Legal Aid.*

There was justice for Edna. *Legal Aid appealed and she was granted benefits. If we had not been in her neighborhood, she would never have gotten a lawyer.*

We augment our neighborhood presence with outreach to clients. One of our Spanish-speaking lawyers meets monthly with adult students at the Carlos Rosario Center and advises immigrants on their rights as tenants. Each December, we send teams of lawyers and volunteers into senior public housing and other places that seniors gather to help low-income beneficiaries navigate the Medicare Part D drug benefit program. These are just two of the many ways in which we reach out to our clients to educate them about their rights and the availability of services.

Curtis was 72 years of age when he almost lost his drug coverage. A door to door insurance salesperson promising expanded coverage and lower cost induced him to leave traditional Medicare for an HMO. Unknown to Curtis, his drug benefits were gone with the transfer and the coverage was inferior to his Medicare Plan. Now he could not afford his medications.

There was justice for Curtis. *Because of Legal Aid's regular outreach in his community, Curtis knew where to turn for help. His Legal Aid lawyer persuaded the federal government to retroactively disenroll him from the private insurance and restore his Medicare.*

 Our housing practice focuses primarily on cases that correct poor housing conditions and prevent avoidable evictions. *Hallie was a long time public housing resident. She had been sued for eviction. The Housing Authority claimed that she owed \$1000. Hallie had paid on time and thought she was current with her rent.*

There was justice for Hallie. *A Legal Aid lawyer secured her payment record. The lawyer discovered that the suit resulted from a calculation error. Not only did Hallie not owe rent, but she had overpaid by \$164. The case was dismissed and Hallie received a refund.*

We have added to our housing practice this year. As a result of the recession, many landlords are losing their properties to foreclosure. While District law protects tenants from eviction by the bank, many banks sue the tenant anyway. Legal Aid has given special emphasis to these cases. *Joan lived in a foreclosed building with her two teenage children. She received notice from the United States Marshals that she was on the list to be evicted. She had been sued twice before, but the cases had been dismissed once the court learned that she was a tenant in a foreclosed building. This time, she did not get notice of the lawsuit until just before she was to be put out on the street. She came to Legal Aid for help.*

There was justice for Joan. *Her Legal Aid lawyer had the writ authorizing the eviction quashed, the judgment set aside and the case dismissed.*

Legal Aid also helps low-income homeowners who are losing their homes to fraud. *Joseph had a steady job, he and his wife were expecting a child, and they owned a house that they loved. Joseph lost his job in the recession and fell behind in his mortgage. In desperation, he responded to an ad promising to save his home. He thought he was getting a loan, but, without knowing it, he was selling his house. The new owner stripped the equity from the property and defaulted on a mortgage leaving the house in foreclosure and Joseph with the prospect of losing everything. He came to Legal Aid for help.*

There was justice for Joseph. *The house could not be saved, but Joseph’s lawyer was able to get him a settlement that compensated him for lost equity. He wiped out his debt and received a significant cash payment. Now he can afford a decent apartment and can provide for his wife and daughter. “You just about saved my life,” Joseph told his attorney. “Thank you so much.”*

Legal Aid’s clients often present problems that are widespread or require a change in government practices to find a solution. In addition to our legal work on behalf of individuals, we also work with the courts and the government to bring about change. The following illustrates our work:

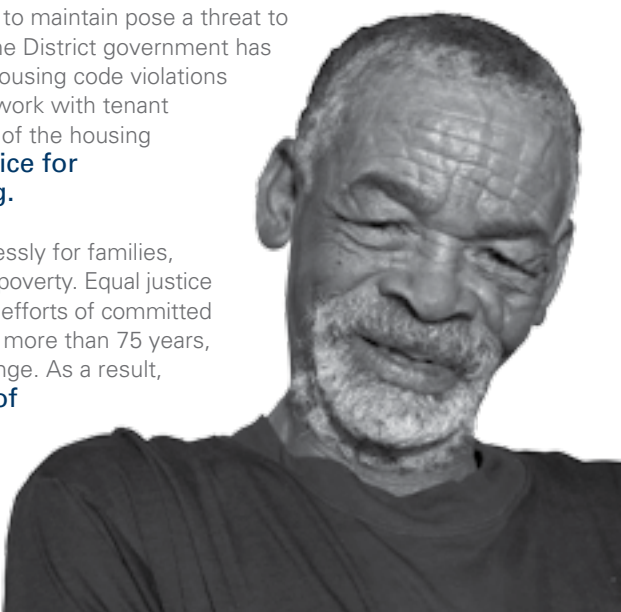
Families who need the court and the District government to resolve disputes regarding child support are met with a confusing array of rules and processes and a dysfunctional agency charged with assisting them. Legal Aid is working on a project to reform the child support system so **there is Justice for families needing child support.**

The District proposed harsh rules that would have resulted in hundreds of families being forced off of the Temporary Assistance for Needy Families (TANF) Program. TANF is the primary cash support for many very low-income families. We fought against the new rules so **there is Justice for TANF families.**

District law provides that people with no or limited English skills have access to government services and the courts. The District has failed to implement the law in many cases. Legal Aid lawyers work with the courts, agencies and on individual cases to be certain **there is Justice for those who do not speak English.**

Rental buildings that landlords refuse to maintain pose a threat to the tenants and the neighborhood. The District government has a poor record of addressing chronic housing code violations and enforcing the housing laws. We work with tenant associations and advocate for reform of the housing inspection process so **there is Justice for tenants who need safe housing.**

Equal justice does not happen effortlessly for families, individuals and communities living in poverty. Equal justice is not self-executing. It takes the daily efforts of committed advocates like those at Legal Aid. For more than 75 years, Legal Aid has gladly taken that challenge. As a result, **there is Justice for thousands of District residents.**



APPELLATE ADVOCACY – ESSENTIAL TO JUSTICE FOR ALL



Barbara McDowell

In 2003 the Legal Aid Society started a project to pursue an affirmative poverty law reform agenda before the District of Columbia Court of Appeals. The project was designed to participate in cases that have the potential to influence the development of decisional law in a manner favorable to litigants living in poverty.

Barbara McDowell joined Legal Aid to lead the project. Barbara was an advocate of extraordinary talent. She combined her powerful intellect and unique skill with a commitment to justice for everyone. She believed deeply that she could make a difference in ending poverty and inequality and used every case as an opportunity to do just that.

When Barbara came to Legal Aid, she already was one of the leading appellate litigators of her generation – she had argued 18 cases before the Supreme Court of the United States and numerous others before federal appellate courts. During her time at Legal Aid, Barbara became the leading anti-poverty voice in the District of Columbia Court of Appeals.

Barbara died in January 2009. She left behind a legacy of excellence, commitment and compassion. She also left behind many friends, colleagues and admirers. In addition to her skill as an advocate, Barbara was a mentor and a teacher. She took on the role of helping younger lawyers become strong advocates.

Barbara left her mark. Her cases helped define the right of persons with disabilities to be accommodated in housing, establish important rights for women who are victims of violence, clarify the procedural rights of litigants in administrative tribunals and promote fairness throughout the District of Columbia Courts.

The project has been renamed the Barbara McDowell Appellate Advocacy Program. Her work will continue at Legal Aid and we will build on the solid foundation she created.

“Staffing intake at Legal Aid provides a potent reminder of how much we take for granted in our lives and the role that lawyers can play in helping the neediest and most powerless in this society navigate a legal system that most often was not designed with them in mind. By volunteering at Legal Aid, I can help Legal Aid’s talented and dedicated lawyers in meeting the urgent legal needs of the poor and vulnerable in our city.”

— Julia Judish, Pillsbury Winthrop Shaw Pittman LLP

ACHIEVING JUSTICE THROUGH PRO BONO

Legal Aid’s Pro Bono Program greatly enhances our ability to provide justice for our clients. Through the Program, hundreds of lawyers and law students volunteer at Legal Aid’s offices, represent clients referred by Legal Aid, or partner with Legal Aid on special projects.

Attorneys from **Arent Fox LLP**, **Pillsbury Winthrop Shaw Pittman LLP** and **Hogan & Hartson LLP** conduct initial interviews each week at Legal Aid’s main office and, together with Legal Aid staff, provide legal advice and brief assistance to thousands of people seeking help each year.

Of the clients needing further assistance over the past year, more than 125 were referred for representation to private practice or government attorneys. The law firms of **Paul, Hastings, Janofsky & Walker LLP** and **Crowell & Moring LLP** each accepted a significant number of these cases. Lawyers at both of these firms and many others ensured that clients who would have been turned away from Legal Aid due to constraints on staff time and resources had access to a lawyer. They helped tenants stave off evictions and secure their rights to safe and well maintained housing, assisted parents in achieving family stability through child custody and support arrangements, and represented individuals pursuing disability benefits because they can no longer work due to health conditions.

Several other firms partnered with Legal Aid on special projects. For example, after Legal Aid staff identified an increased number of tenants whose housing vouchers had been or were about to be terminated due to administrative problems at the D.C. Housing Authority, a team of attorneys from **McKenna Long & Aldridge LLP** successfully resolved many of these cases and helped Legal Aid advocate for changes in the Housing Authority’s practices. **Akin Gump Strauss Hauer & Feld LLP** joined Legal Aid this past year in launching a telephone hotline to increase outreach to families who need help challenging sanctions imposed on their Temporary Assistance for Needy Families (TANF) benefits. And attorneys at **Skadden, Arps, Slate, Meagher & Flom LLP** are helping to preserve affordable housing by working with Legal Aid to challenge a landlord’s efforts to evict an entire building of low-income tenants.

The success of the Pro Bono Program demonstrates the commitment of Washington’s legal community to equal justice and makes a profound difference in the lives of persons living in poverty in the District.





Anthony Herman, Covington & Burling LLP (left); Julia Judish, Pillsbury Winthrop Shaw Pittman LLP; Marian Siegel, Housing Counseling Services; Dean Kurt Schmoke, Howard University School of Law

Legal Aid Society Dinner

ANNUAL SERVANT OF JUSTICE AWARDS DINNER

This year marked the 20th anniversary of Legal Aid’s annual awards dinner. Anthony Herman of Covington & Burling LLP and Dean Kurt L. Schmoke of the Howard University School of Law were the recipients of **Servant of Justice Awards**. Both were recognized for their long-standing dedication to equal justice.

The **Partnership Award** was presented to **Housing Counseling Services** for its collaboration with Legal Aid to prevent evictions and homelessness of poor and low-income residents.

Julia Judish of Pillsbury Winthrop Shaw Pittman LLP received the **Klepper Prize for Volunteer Excellence**. In addition to being a regular client intake volunteer, Ms. Judish has served as outside ethics counsel to Legal Aid.

Legal Aid is grateful to the legal and corporate communities, as well as the Dinner Steering Committee Co-Chaired by **Deborah Brand Baum** of Pillsbury Winthrop Shaw Pittman LLP, **Eric L. Bernthal** of Latham & Watkins LLP, **Anne Coffey Proctor** of Covington & Burling LLP, and **Leslie K. Smith** of Citi Private Bank for their amazing success raising \$635,000.

“During my year as Bar President, I developed a greater appreciation for the importance of leadership in our profession on some of our nation’s biggest challenges. Nowhere is the need greater than to encourage the profession to meet the challenge of equal justice. I was proud to serve as the Honorary Chair of Legal Aid’s Generous Associates Campaign.”

— Melvin White, The Law Office of Melvin White

GENEROUS ASSOCIATES CAMPAIGN: GIVING FOR JUSTICE

Across the District more than 100 law firm associates at over 60 law firms raised a remarkable \$675,000 on behalf of Legal Aid.

In a very difficult year, the legal community rallied together to show its support. Each year firms compete to earn a top five placement in their size category. Several firms actually raised more during this campaign than in last year’s record-breaking effort. The results, in order of amount raised, are as follows:

<p>251+ ATTORNEYS Wilmer Cutler Pickering Hale and Dorr LLP Crowell & Moring LLP Skadden, Arps, Slate, Meagher & Flom LLP Latham & Watkins LLP Hogan & Hartson LLP</p> <p>201- 250 ATTORNEYS Williams & Connolly LLP Pillsbury Winthrop Shaw Pittman LLP Arent Fox LLP Jones Day McDermott Will & Emery</p> <p>151- 200 ATTORNEYS Mayer Brown LLP O’Melveny & Myers LLP Sutherland Asbill & Brennan LLP Bingham McCutchen LLP Gibson Dunn & Crutcher LLP</p>	<p>101- 150 ATTORNEYS Baker Botts L.L.P. Dow Lohnes PLLC Miller & Chevalier Chartered Kelley Drye & Warren LLP Alston & Bird LLP</p> <p>51- 100 ATTORNEYS Reed Smith LLP Epstein Becker & Green, P.C. Van Ness Feldman, PC Fulbright & Jaworski L.L.P. Vinson & Elkins LLP</p> <p>1 - 50 ATTORNEYS Gilbert LLP Boies, Schiller & Flexner LLP Bryan Cave LLP Brown Rudnick LLP Freshfields Bruckhaus Deringer LLP</p>
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Legal Aid would like to thank **Melvin White**, the Campaign Honorary Chair, for his support.

In addition, this Campaign depends on remarkable leadership for its success. Thank you to all the Campaign Co-Chairs:

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LEADERSHIP CABINET Annual Gift Recognition Program

The Legal Aid Society created the Leadership Cabinet in order to recognize those donors who support the organization in significant ways. We are proud to recognize members for their generosity during the period of 9/1/2008 through 8/31/2009:

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\$75,000 & above

The District of Columbia Bar Foundation

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Legal Aid would also like to thank the District of Columbia's Office of Victim Services and the Office of the Tenant Advocate for their support of our Family Law and Housing Law Programs.

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Contributed Services	6,496,284
Special Events	748,800
Interest	65,596
Total Revenue	9,570,851
Total Revenue Less Contributed Services	3,074,567

EXPENSES

Program Services	8,721,211
Management and General	215,874
Fundraising	456,653
Total Expenses	9,393,738
Total Expenses Less Contributed Services	2,897,454

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