



# AppalReD Legal Aid

## ADMINISTRATIVE OFFICE:

120 N. FRONT AVENUE  
PRESTONSBURG, KY 41653  
(606) 886-9876  
FAX (606) 886-0079  
Low Income Taxpayer Clinic: 1-800-477-1394  
Central Intake: 1-866-277-5733  
[www.ardfky.org](http://www.ardfky.org)

## Area Offices:

Barbourville, KY  
Hazard, KY  
Pikeville, KY  
Prestonsburg, KY  
Richmond, KY  
Somerset, KY

**Robert C. Johns**  
Executive Director  
[robertj@ardfky.org](mailto:robertj@ardfky.org)

**John M. Rosenberg**  
Director Emeritus

November 17, 2016

Dear Friend of AppalReD:

AppalReD has been fighting poverty and inequality in eastern Kentucky since 1971. Our hard-working and committed staff works every day to help the elderly, people with disabilities, veterans, and struggling families obtain the basic necessities of life. We make a difference in the lives of our clients as they face life-changing challenges. Some recent examples include: an elderly woman whose home was saved from foreclosure; a young mother who regained custody of her daughter after defending an action to terminate her parental rights; a young man who obtained an expungement which will allow him to get a job and support his family; a disabled coal miner who obtained black lung benefits; a family that obtained injunctive relief requiring a landlord to restore electricity which was illegally terminated; and a young woman who obtained a protective order against her abusive boyfriend. We have enclosed AppalReD's 2016 Update with more information about AppalReD and the work we do for the poor and vulnerable.


2016 has been an exciting year at AppalReD. Some highlights include:

- We celebrated our 45<sup>th</sup> anniversary with a reunion celebration in June. Over 100 people attended, and everyone had a great time. We are already looking forward to our 50<sup>th</sup> anniversary in 2021.
- On September 17<sup>th</sup>, our Director Emeritus John Rosenberg was awarded the prestigious Muhammad Ali Kentucky Humanitarian Award for his lifetime of public interest work.
- We continued to help those affected by the Social Security/SSI crisis in eastern Kentucky. Between the cases our attorneys accepted and the cases we referred to pro bono attorneys, we helped about 800 people obtain representation for their ALJ review hearings. We are now trying to assist those who lost their benefits to obtain representation to take their cases to U.S. District Court.
- We were awarded a federal Legal Assistance for Victims grant which will allow us to hire two new attorneys to expand the services we provide to victims of domestic violence, dating violence, stalking, and sexual assault.
- We launched a new website and adopted a new logo.

Public funding for legal aid continues to decline. It has been estimated that funding for legal aid meets only 20% of the need. In these difficult times, your contributions are more important than ever in helping fulfill our nation's promise of justice for all. We appreciate your support as we continue to pursue equal justice in Appalachia.

On behalf of our board and staff, we wish you the best during this holiday season!

Sincerely,

  
Robert C. Johns  
Executive Director



APPALACHIAN RESEARCH AND DEFENSE FUND OF KENTUCKY, INC.  
"FUNDED BY THE LEGAL SERVICES CORPORATION, THE COMMONWEALTH OF KENTUCKY, KENTUCKY IOLTA FUNDS,  
OTHER FEDERAL FUNDS AND PRIVATE DONATIONS"  
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# AppalReD Legal Aid

**Our Mission** is to promote equal access to justice, to encourage self-sufficiency, to empower and to improve the lives of low income and other vulnerable people and families in eastern and south central Kentucky by providing them high quality legal assistance.

## What do we do with your gift?

### Urgent Needs and Basic Necessities of Life

- ◆ Domestic Violence
- ◆ Eviction/Foreclosure
- ◆ Public Benefits
- ◆ Consumer
- ◆ Family Law
- ◆ Health care
- ◆ Education
- ◆ Employment
- ◆ Housing
- ◆ Expungements

### Individual Assistance

- ◆ Advice and Counsel
- ◆ Preparation of documents
- ◆ Representation in administrative and court hearings
- ◆ Private attorney representation, *pro bono* and reduced fee

### Special Projects

- ◆ Low Income Taxpayer Clinic
- ◆ Domestic Violence & Elder Abuse Conference
- ◆ Volunteer Lawyers for Veterans
- ◆ Appalachian Kentucky Justice Project  
(Legal help for DV victims)
- ◆ Appalachian HOPE  
(Financial help for DV victims)

## What are our clients saying?

*"You helped save my life. I'm free now. Thank you from the bottom of my heart. If it wasn't for you, I'd still be in my domestic violence situation. I'll always be forever grateful."*

*"I was thankful for the help and for the peace of mind I had because of you. Thank you very much for your kind help."*

*"I am a single mother of 2 children and could not have afforded a lawyer. Your services meant the world to me. My case could have gone terribly wrong without representation. Thank you and God Bless!"*

*"Thank you. I appreciate all you done for me. Words are not enough. Thank you."*

## What impact is AppalReD making?

AppalReD advocates have closed 4,129 cases in the past year.

Their efforts have positively impacted 11,010 adults and children.

\$603,858 recovered for clients in damages, benefits, and income in the past year.

\$712,745 in debts and obligations avoided in the past year.

## Success Stories



Amanda filed a petition for a domestic violence order (DVO) against her husband because he had threatened to commit suicide with a shotgun in front of their children and he had been harassing and stalking her. We represented her in the case. After a hearing in which the husband did not deny that he had threatened to kill himself in front of Amanda and their children, the court found by a preponderance of the evidence that domestic violence had occurred, and a DVO was entered. The husband appealed, and we represented Amanda in the appeal case as well. The husband argued that threatening to kill himself in front of the family did not constitute domestic violence. The court of appeals disagreed with that argument and found the arguments we raised in our brief persuasive. The court of appeals held that the trial court did not abuse its discretion in finding that the husband's actions constituted domestic violence under Kentucky's statute. As such, the issuance of the DVO was proper. This was an excellent precedent for victims who seek protection in the future based on this kind of abusive behavior.



Leslie is a widow raising four of her great-grandchildren without any financial support except her monthly Social Security check and food stamps. During a health crisis, Leslie was hospitalized for an extended period. When she was released from the hospital, she went to pay her monthly mortgage payment and discovered her bank account had almost been wiped clean. Leslie reported the fraud, but she continued to notice fraudulent charges on her bank statements, even after she changed accounts. Leslie came to AppalReD when her mortgage lender threatened foreclosure for the months she had been unable to make her monthly payment. We negotiated with the lender and entered a forbearance agreement, allowing Leslie to correct her arrearages over time at a monthly payment amount that she can afford. We also contacted every vendor on Leslie's bank statements where a fraudulent purchase was made. As we suspected, we discovered that someone Leslie knew was stealing her financial information. We warned Leslie about the fraudster and helped her file a report with the local police department. One of the vendors we contacted even agreed to refund her money. She applied the refund to her arrearages. We are still pursuing the financial institution itself to make sure they complied with the federal regulations governing fraud on bank cards. Leslie said that she can sleep easier at night because of AppalReD. She felt so much relief knowing that someone was helping her with her financial problems. She was particularly relieved that she and her great-grandkids will not have to leave their home.



## John Rosenberg Receives the Muhammad Ali Kentucky Humanitarian Award



Jean Rosenberg, Michael Rosenberg and John Rosenberg.

On September 17, 2016, Director Emeritus John Rosenberg, was honored at the Fourth Annual Muhammad Ali Awards Gala which was held in Louisville, KY. He received the Kentucky Humanitarian Award, and was one of 11 people honored. When presented with this award, John made the following remarks:

*"I am honored and humbled to receive this award. I would like to think that I am receiving it on behalf of the many wonderful lawyers, and staff of the Appalachian Research and Defense Fund of Kentucky, "AppalReD," who have provided high quality legal representation to low income persons in our Appalachian counties for over 45 years. When Jean and I moved to eastern Kentucky, I hoped to establish a first class law firm for poor persons in the region. There were serious legal issues to address directly related to the poverty of the region - issues related to coal mining, the destruction of our mountains, mine safety, and black lung disease. Over time those*

*issues have broadened. Today, our lawyers obtain protection for abused spouses, prevent foreclosures, take unscrupulous lenders to court, require appropriate services to be provided to the disabled, assist our veterans in obtaining benefits, and the list goes on.*

*The preamble to the Constitution of the United States puts the establishment of justice even before our common defense. Yet today legal services providers turn away as many as 80 per cent of their applicants because of inadequate funding at the federal and state levels. Surely, we can do better!*

*I must add how proud and appreciative I am of the many private attorneys who volunteer their time to represent low income clients who cannot receive assistance from legal services programs - like the 135 lawyers from all over the country who volunteered to assist AppalReD in representing 1500 eastern Kentuckians in danger of losing their Social Security Disability benefits.*

*I also salute the other non-profit public interest law firms throughout the country whose work is critical to protecting our environment and the quality of life of our citizens - like our own Appalachian Citizens Law Center in Whitesburg, KY on whose Board I have served for many years. ACLC is on the forefront of protecting the rights and health of coal miners and surface owners and is a leader in the promotion of new economic alternatives in our coal fields.*

*I am very proud of this award and of our country- a country in which Muhammad Ali could rise to become the American icon he remains to this day. Indeed, we, my family have a special pride because we are holocaust survivors, and this country opened its doors to us. My father was a school teacher in Magdeburg, Germany. We lived in the building attached to the Synagogue, where my father also worked. I remember - I was seven years old - when the Nazis herded my father, mother, brother and me out of our apartment into the courtyard in front of the synagogue; proceeded to make a bonfire from the Torahs and prayer books, and then dynamited the building. The next day my father and 250 or so other Jewish men from our community were arrested and taken to the Buchenwald concentration camp. Fortunately, after 11 horrific days, my father and others were released. We were given thirty days to leave the country, and, after a year in a detention camp in Holland, we were able to get on virtually the last ship to leave for the United States. We began a new life in this country, for which I am eternally grateful. I had the opportunity to become an Eagle Scout, to serve in the United States Air Force and to attend law school on the GI Bill of Rights.*

*It has been a privilege to spend my professional legal career working with the Civil Rights Division of the Department of Justice to eliminate racial discrimination and voter suppression and with AppalReD and the Appalachian Citizens Law Center to provide first class representation to poor persons in eastern Kentucky.*

*The path to a just society is long, but I believe we are on that path. If we are vigilant - if we remember that we are a nation of immigrants, one nation, working together - we can continue to claim justly that America, our home, is the greatest country in the world. Thank you for this award!*

***"If we are vigilant – if we remember that we are a nation of immigrants, one nation, working together – we can continue to claim justly that America, our home, is the greatest country in the world."***

**PLEASE RETURN THIS PORTION WITH YOUR TAX DEDUCTIBLE GIFT. THANK YOU FOR YOUR GENEROSITY!**

You can add your tax deductible gift to AppalReD by returning this card with your check or by credit card online at [www.ardfky.org](http://www.ardfky.org) (Click on DONATE Now).

Name: \_\_\_\_\_  
PLEASE WRITE YOUR FULL NAME AS IT SHOULD APPEAR IN OUR DATABASE

Address: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

***Yes! I support Appalachian Research and Defense Fund of KY, Inc. (AppalReD Legal Aid)***

I'm enclosing a check payable to Appalachian Research and Defense Fund of Ky., Inc. in the amount of:

\$25  \$50  \$100  \$150  \$250  \$500  Other \$ \_\_\_\_\_

Please keep my gift anonymous

**Pledges**

I will pledge a gift. Please bill me on \_\_\_\_\_ for a pledge of \_\_\_\_\_ (first payments are due by December 31st of this year).

You may give by credit card at [www.ardfky.org](http://www.ardfky.org)!

Make checks payable to:  
**Appalachian Research and Defense Fund of KY, Inc.**

