



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

Area Offices:
Barbourville, KY
Hazard, KY
Pikeville, KY
Prestonsburg, KY
Richmond, KY
Somerset, KY

Robert C. Johns
Executive Director
robertj@ardfky.org
John M. Rosenberg
Director Emeritus

November 16, 2017

Dear Friend of AppalReD Legal Aid:

For the last 46 years, AppalReD Legal Aid has been a **beacon of hope** for the poor and vulnerable in eastern Kentucky. Our hard-working and committed staff works every day to help the elderly, people with disabilities, veterans, and struggling families as they face life-changing legal problems. We have enclosed our 2017 update with more information about AppalReD Legal Aid and the work we do.


Your donation makes a difference. For example:

- A donation of \$50 makes it possible for an AppalReD Legal Aid attorney to provide critical advice to a mother or father about his or her parental rights.
- A donation of \$100 makes it possible for an AppalReD Legal Aid attorney to help a victim of domestic violence obtain a protective order.
- A donation of \$150 makes it possible for an AppalReD Legal Aid attorney to help a single mother or father obtain an expungement which will allow her to find employment.
- A donation of \$250 makes it possible for an AppalReD Legal Aid attorney to help a disabled former coal miner protect his benefits.
- A donation of \$500 makes it possible for an AppalReD Legal Aid attorney to help two families battle illegal evictions.
- A donation of \$1,000 makes it possible for an AppalReD Legal Aid attorney to help an elderly couple fight a foreclosure.

In these uncertain times, we need your support more than ever as we seek to fulfill our nation's promise of justice for all. Please use the enclosed card and envelope to make your contribution today. If you would prefer to donate online or would like more information about our work, please visit our website at www.ardfky.org. Thank you for your support. **Together we can provide hope in Appalachia!**

On behalf of our board and staff, we wish you a joyous holiday season!

Sincerely,



Robert C. Johns
Executive Director

Enclosure-2017 Update



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"
WWW.KYJUSTICE.ORG



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.

Delivering Equal Justice

What 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)
- ◆ Survivors' Smiles Project
- ◆ Appalachian HOPE (Financial help for DV victims)

What our clients are saying . . .

"I would recommend your services to anyone. You guys helped me so much in the last couple years. I can now look forward to building my future. Your office was a huge part of that."

"I appreciate everything that you did for me. I don't know what I would have done without you. Thank you so much for your generosity and kindness. You have really set me free and made a new happy life possible."

"AppalReD is a blessing! Thank you for all your help and genuine concern in my journey to a very blessed outcome as my case outcome was a victory."

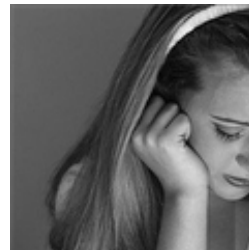
"She gave me my life back! I now have a job because of the outcome of my case. A great job. Thank you so much!"

Success Stories



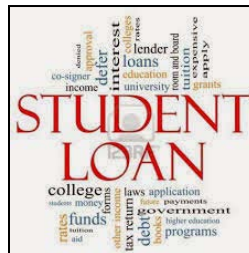
Consumer-Janet is elderly and in the early stages of dementia. Janet was confronted in her home by a car salesman trying to get her to co-sign for her granddaughter's car lease. When Janet said she did not want to sign the lease, the salesman told her that he just needed her to sign in a few spots to

show his boss where he was for the afternoon. The salesman covered up the top of the document as Janet signed where he indicated. The document turned out to be the lease papers. Janet originally came to us for a bankruptcy, but during the initial interview, we discovered that she was being sued on the granddaughter's car lease. We represented her in the case and filed an answer with counterclaims including fraud and violations of the Kentucky Consumer Protection Act. An agreement was reached in which the collection claims were dismissed with prejudice.



Dating Violence and Stalking-Amber is in the 10th grade, and she began dating Derek who was very controlling and jealous. He required Amber to sign a "relationship contract". When Amber broke up with him, he threatened her in text messages and stalked her. Amber and her parents feared that the situation was heading for physical violence. We represented Amber in seeking

an interpersonal protective order (IPO) against Derek. The court found dating violence and stalking and issued a one year IPO. The school formulated a plan to keep the parties apart at school and placed them on different buses. Amber was pleased to be able to go to school feeling safe and secure.



Wage Garnishment-Craig started college several times at a state university in Kentucky, but was never able to get very far because he suffers from severe anxiety. He took out some student loans during the time he was in school. He now has a full time job and helps support his parents, but he does not have enough discretionary income to make the full

monthly student loan payment set by the Kentucky Higher Education Assistance Authority (KHEAA). When KHEAA brought an administrative action against Craig for a wage garnishment, we got the action dismissed based on extreme financial hardship. We also helped Craig begin the federal consolidation process so that he can apply for the Income Based Repayment Program.



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What impact has AppalReD made in 2017?

3,634 cases closed

10,374 adults and children helped

\$747,625 recovered
\$841,570 avoided

AppalReD priorities are supporting families, maintaining economic stability, achieving safety, stability, and health, serving populations with special vulnerabilities, preserving the home.

- 68 people given a fresh start with a bankruptcy
- 54 people's income and assets protected through successfully defending collection lawsuits
- 32 expungements obtained which increased job and housing opportunities
- 43 Qualified Income Trusts drafted ensuring Medicaid eligibility
- 119 families stabilized with custody orders
- 322 divorces granted protecting parental and property rights
- 306 victims of domestic and dating violence obtained protective orders
- 49 evictions avoided
- 26 homes saved from foreclosure
- 118 disabled people whose benefits were preserved



Message from John M. Rosenberg, Director Emeritus:

It is hard to believe that it has been 15 years since I retired from AppalReD as its Director. So, it is especially gratifying to see the agency alive and well under the able leadership of Rob Johns; and to see the staff continue to provide these crucial legal services to clients in our service area. The difficult economic times that have resulted from the decline of the coal industry have increased the demand for representation. Yet, the lack of funding has required the closing of offices, so that there are now only six offices with permanent staffing, when we had as many as eleven some years ago. On the other hand, there are some bright spots. New funding has provided more resources for victims of domestic violence, a major priority for AppalReD. The improvement in technology has allowed a greater number of clients to access AppalReD directly through our website; and more.

I am proud of the ongoing efforts by AppalReD lawyers to represent the victims of the Eric Conn "Conn." Even the Social Security Administration has conceded that the clients were in no way involved in the fraud perpetrated by Conn and Charles Andrus, the administrative law Judge with whom Conn colluded. Approximately 135 lawyers from all over the country answered our call and volunteered to provide pro bono services at the hearings at which the disability findings of the 1500 Conn clients were "redetermined". (AppalReD lawyers represented about 200 of these persons.) The ALJs were to redetermine whether these clients were disabled many years ago when Conn represented them, but the clients were prohibited from using any of the reports prepared by the Doctors whom Conn had contracted with to do the examinations. We are so grateful to the volunteer lawyers for their dedication and the time they have given. Their work resulted in about half of these clients being able to retain their benefits- but half of these clients lost at the hearing; and for many, their only source of income. Their cases are being appealed, and the legal issues will be decided by the Court of Appeals for the Sixth Circuit in 2018. The appeals are being handled pro bono by the Washington, DC office of Wilmer Hale, for which we are again truly grateful. If our appeals are successful, there will likely be another set of hearings for the clients who lost. In the meantime, Attorney Conn, having pled guilty to the fraud (as did his companion ALJ Andrus), has fled the country, and has not been heard from. I congratulate the AppalReD staff for their perseverance and dedication in prioritizing this tragic situation even when their resources were stretched to the limit.

I have also continued to serve as the Civil Advisor to the ABA Standing Committee on Legal Aid and Indigent Defenders (SCLAID), which allows me to stay abreast of the issues confronting legal aid programs on a national and local level. I have appreciated joining with a group of Kentucky bar leaders who have come to Washington annually to participate in ABA Days when lawyers from all over this country come to Washington to lobby our Congressional delegations for increases in funding for the Legal Services Corporation, the major funder for many legal services programs like AppalReD.

Best wishes to all of you for a healthy and happy holiday season; and thank you in advance for any financial support you can provide to AppalReD! It will be well used!