



THE SUMMIT



The official newsletter of AppalReD Legal Aid



www.ardfky.org

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Uphold Each Other

Dear friends,

We hope you are having a wonderful spring. During this season of renewal and growth, we are excited about our new campaign to increase services to our client community.

The Legal Services Corporation recently issued its 2022 *Justice Gap Study*. The study found that low-income folks approach legal aid programs for help with an estimated 1.9 million civil legal problems per year. Sadly, these organizations must turn away about 50% of those requests because of lack of resources. Many poor people must go to court on their own because there are simply not enough attorneys to meet the need.

On Law Day earlier this month, we launched Uphold, a new campaign to increase the number of volunteer attorneys available to help our clients. We are asking every attorney in our service area to take one case per year. Our goal is to double our volunteer pool and significantly increase the number of clients we can help. We are so thankful for our current volunteers, and we look forward to welcoming others. We continue to strive to meet our nation's promise of justice for all.

Thank you for your support. Let's uphold each other!

Robert Johns

Executive Director

Community Resource Coordinators Have Big Impact

AppalReD Legal Aid has been delighted to welcome new staff serving as Community Resource Coordinators (CRCs). These four staff remove barriers for clients so they can overcome substance abuse and also enhance the delivery of legal services. In addition to assisting clients, coordinators are out in the community connecting with community partners to ensure they are aware of AppalReD and our services.

The Kentucky Comprehensive Advocacy and Resource Efforts (K-CARE) Grant Project, which funds these positions, creates pathways to recovery and healing for individuals and families negatively affected by substance abuse through civil justice remedies, pivoting from traditional criminal justice responses.

Prestonsburg Directing Attorney Kelly Ward-Wallen says the impact of this position has been tremendous. For example, while attorneys always give clients a list of possible resources and do their best to connect them, attorneys and support staff don't have time to help clients fill out forms for services. But now the Prestonsburg office has a dedicated staff member, Elizabeth Baldrige, who can do just that. Kelly says, "Recently we had a divorce client who was staying with friends. They had little clothing and needed their own place to live. Elizabeth was able to help them get involved in a housing program through Mountain Comp. She also got clothing donations from a couple of different organizations in Prestonsburg, and she got the local Wal-Mart to donate items."

The coordinators work with children and the families of individuals in active abuse and recovery as well as victims of abuse-related crimes. They serve each client as an individual, providing support services tailored for them. For example, Caroline Nelson Zinkle, Richmond coordinator, recalls a client she worked with this winter to get assistance for heating. "This was so special because the day she was granted LIHEAP funding she also received her shut off notice from Kentucky Utilities. Because she no longer had to worry about having heat in her home for the winter we then focused on her mental health. She is now in therapy and coping well during her divorce."



Elizabeth Baldrige and Kristie Stephens at the Magoffin County Senior Services Fair.

Richmond's Directing Attorney, Stephanie Flanary, remarks, "Caroline is an asset to the Richmond Office as she is a sympathetic ear for our clients with the knowledge of community resources to meet the client's needs. Having Caroline to listen and make appropriate referrals has decreased the amount of time that other staff spend with each client and enables the attorneys to provide services to more clients overall."

Melissa Tidwell, Directing Attorney in Barbourville, points out that the coordinators' work also positively impacts the outcome of cases. "For example, helping a custody client who doesn't currently have a stable place to spend time with their children find stable housing makes a huge difference in that parent's ability to pursue custody and timesharing and keeping their bond with their children strong. It's really an incredible asset for a legal aid office."

Access is Urgent

*A Few Findings from 2022 Legal Services Corporation
Justice Gap Study*

With the COVID-19 pandemic, civil legal problems were as prevalent as ever for low-income families. Three out of four low-income American households faced at least one civil legal problem in the past year. These problems impacted basic security for families such as housing, health care, and income.

Further, about three in five (62%) households experienced two or more problems, about two in five (39%) experienced five or more, and a distressing one in five (20%) of all low-income households experienced 10 or more problems in the past year.

Further, low-income households did not believe they could find help or that the system would treat them fairly. Given cost, attitude, lack of information, and other barriers such as transportation, child care, etc., about 92% of low-income individuals' legal problems were left unaddressed.

It is important to note that in many counties covered by AppalReD Legal Aid, the poverty rate is much higher than the national average, with as many as one in three people living in poverty.

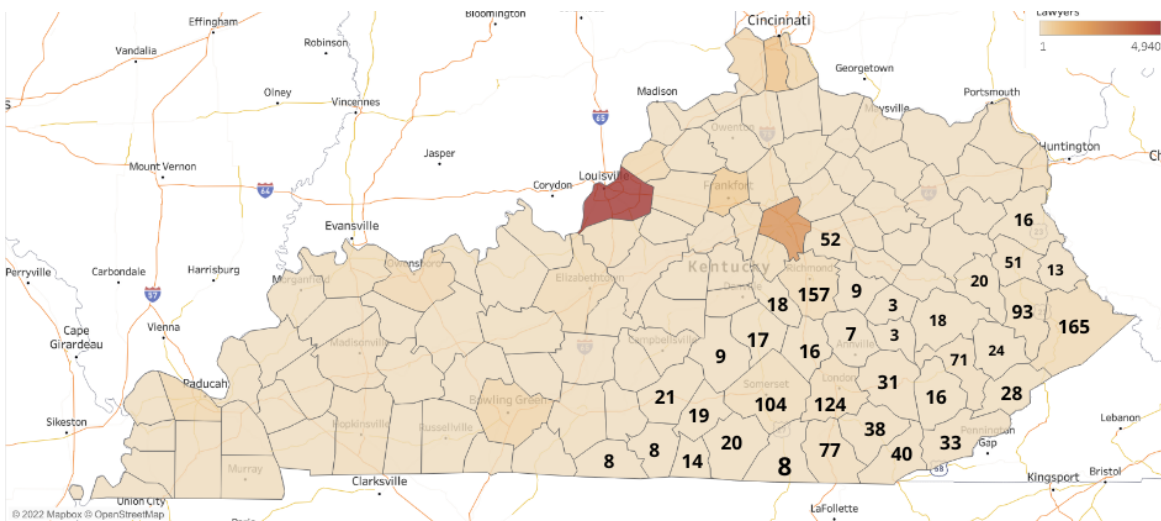
No one should have to “go it alone” without legal representation in disputes where they risk losing their job, their livelihood, their home, or their children, or seek a restraining order against an abuser.

No one.

Legal Desert Compounds Problem

While twenty percent of Americans live in rural areas, only about two percent of attorneys make rural areas their home. While Kentucky is ranked in the middle—29th in the nation—for number of lawyers, a closer look shows that attorneys are concentrated in Louisville, Frankfort, and Northern Kentucky. Jefferson County alone has three times as many lawyers as AppalReD's 37 counties combined. Kentucky does not have one of about 50 counties in the U.S. completely devoid of an attorney, but many counties come close. Eight counties in our service area report nine or fewer lawyers. However, these "active" attorneys may hold government jobs, may be nearly-retired, or may not practice in the area of law a client needs, so the actual number is likely lower.

**KENTUCKY LAWYER DENSITY:
NUMBER OF LAWYERS BY COUNTY
APPALRED LEGAL AID SERVICE REGION**



Do you think of mountains or deserts when you picture Appalachia? Only 11% of lawyers in Kentucky make Appalachian Kentucky their home, making our lush green hills a legal desert.

**The need for pro bono help is urgent.
Contact Volunteer Lawyers for Appalachian Kentucky today!**

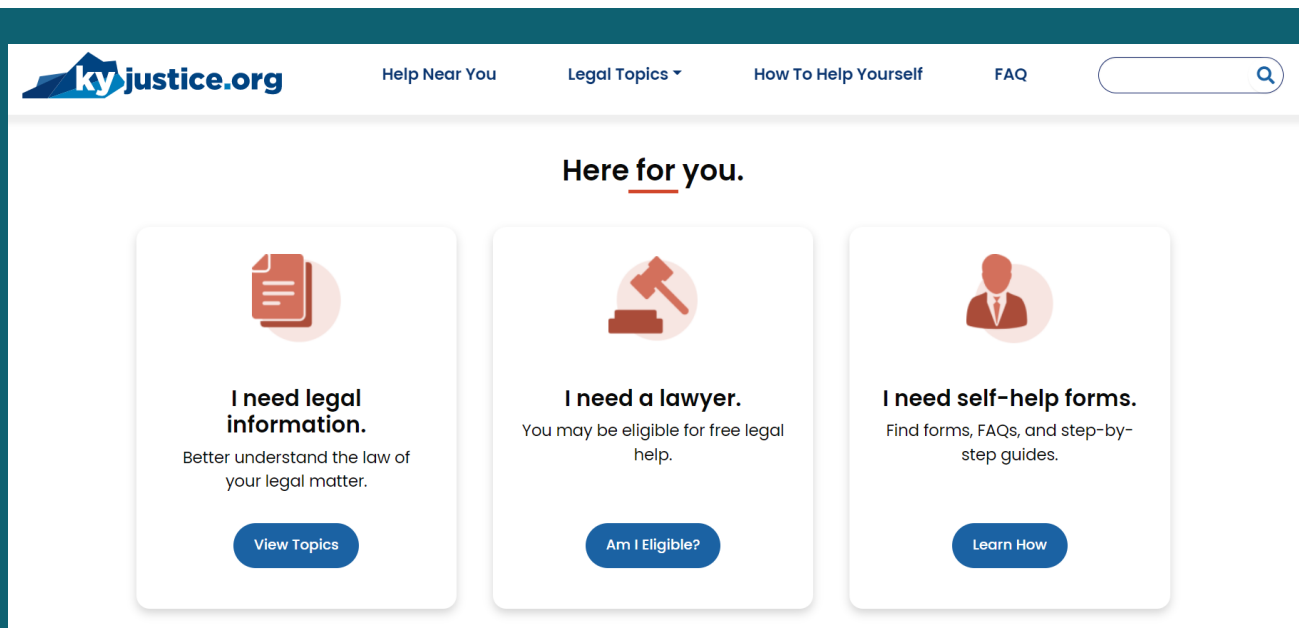
New website increases access to legal help for all Kentuckians



Have you visited www.kyjustice.org yet? Kentuckians now have access to a free, new and improved legal resource that provides answers to common legal questions, self-help forms, guides, and other tools.

Kentucky's civil legal aid programs and the Kentucky Access to Justice Commission launched kyjustice.org this spring after a year in development. The website provides information in plain language to help individuals and families with legal issues involving housing, debt, public benefits, criminal record expungement, family law, and more. The website also includes a volunteer section for attorneys looking to provide free services, and a section for the latest news and information about changes in Kentucky law.

The website connects visitors to legal aid offices across the state, but critically, it also provides easy to understand information for Kentuckians who do not qualify for services but still lack the resources to afford a lawyer. These self-represented litigants may lack a necessary understanding of the law and make mistakes along the way leading them to a loss of housing, income, safety, or family. The high quality legal information on kyjustice.org removes legal barriers for all Kentuckians.





Every family dreams of buying their own home. The Browns used everything they had to buy a new manufactured home to raise their young son. But their brand new home had cracks in the wall and other issues! The retailer refused to repair the home and the bank wouldn't let them out of their loan. They continued to pay their mortgage while seeking help. AppalReD filed a lawsuit and won a settlement for the family this spring!



It's a basic thing to want hot water to shower or wash your dishes. But when Meshelle complained, her landlord filed an eviction notice. Angry and confused, she called AppalReD. Her attorney went to court and the eviction was dismissed. The hot water was fixed for all tenants and she received a new lease! Today Meshelle has a place that she can call her own where she can feel comfortable and safe.

AppalReD Legal Aid Alumni Spotlight



Maggi Popkin 1950-2005

This Spring Prestonsburg is abuzz with law students serving during their spring break. Yet amongst all the energy, joy, and sense of purpose the students bring, the war in Ukraine--now in its tenth week--looms in the background and weighs on everyone's hearts.

For this issue of the newsletter, it is apt to honor former AppalReD Legal Aid Intern Maggi Popkin, who found her calling working in El Salvador during the midst of civil war.

During the summer of 1978, Maggi Popkin, a law student at UC Berkeley, served as a summer intern. Her brother, Dr. Jeremy Popkin, states, "That summer in Prestonsburg was an important experience for her. Having grown up in a middle-class academic environment, she was struck by the poverty of Eastern Kentucky and the many injustices suffered by the population. She also learned some lessons about dealing with people who were not necessarily welcoming to outsiders, even those who came with good intentions. She would call a male miner's home and she would often get the miner's wife, who

would be extremely suspicious of another woman trying to reach her husband."

From her summer spent in Prestonsburg to her human rights advocacy in El Salvador, Maggi spent the rest of her life fighting for the poor, often in rural communities. The rapport she built with besieged fearful communities was critical to her work.

After law school, she worked at the National Center for Immigrant Rights and represented many clients who had fled violence in El Salvador. She decided to see for herself the conditions first-hand. She fell in love with the country and the people and wound up returning to do human-rights work there during the worst of the civil war in the country.

During the height of violence and corruption, Popkin remained steady. She worked as Deputy Director of Human Rights at the Catholic University of San Salvador space. UCA prided itself as a private space where there could be open debate on what was occurring in the country. The Jesuit priests who worked there were some of the country's top scholars: Ignacio Ellacuría, Ignacio Martín-Baró, Amando López, Juan Ramón Moreno, Joaquín López y López, and Maggi's direct boss Father Segundo Montes also often served rural communities caught in war zones. However, state-run propaganda focused on the Jesuits and fueled hatred. Despite this, the Jesuits continued "to take care of the poor, the hungry, and those who had nothing" (Hajec 2019). In the early morning hours of November 16, 1989, Maggi's six Jesuit colleagues and two others were massacred by right-wing military officers.

Just a few months earlier Popkin wrote in a letter home, "The juxtaposition of the everyday--sun shining, flowers blooming--and incomprehensible violence never ceases to amaze me." Driven by her mission, Maggi returned to her office as soon as it reopened. In the years following, Maggi interviewed numerous political prisoners (and brought them homemade chocolate chip cookies). These individuals were suspected of involvement in subversive activities and supporting the FMLN. Their trials were held by the military and closed to the public. Maggi carried out countless field investigations, interviewing victims as well as judges, lawyers, police, and military forces.

UNIVERSAL HUMAN RIGHTS

Everyone has the right to recognition everywhere
as a person before the law.



Everyone has the right to a standard of living
adequate for their health & well-being.



ALL ARE EQUAL BEFORE THE LAW



Her courage and cool head were legendary. For example, when she arrived at a remote village during a rural field investigation, a group of villagers immediately asked for her help. The military had taken a villager and were severely beating him. Popkin stated, “So we sort of got up our courage and walked up to the lieutenant who was in charge of the operation, and asked him what was going on, and explained our understanding of the law, and were able to convince him to release this person. And we were able to take the person who had been beaten into San Salvador where he received medical treatment for his wounds” (July 3, 2002 Testimony).

Her nephew, science writer Gabriel Popkin, shared, “To be honest I think she actually wasn’t terribly self-confident, which makes it all the more remarkable that she did what she did, standing up to military men and advocating for people who didn’t have a voice.”

Later, in 2002, Popkin served as an expert witness testifying to how the “Salvadoran justice system was incapable of providing justice to victims of human rights abuses” (July 3, 2002 Testimony). Her testimony led to the jury’s decision that the Defense Ministers and Head of the National Guard “bore command responsibility” for the torturing of individuals from 1979-1983 (Coliver 2005).

After eight years living in El Salvador, Maggi returned to the D.C. area with her son Damian. Maggi Popkin served as the Executive Director of the Due Process of Law Foundation from 1999-2005. She often returned to Kentucky to visit her nephews and brother in Lexington, KY. An enthusiastic outdoors person who loved the mountains, she enjoyed hiking in the Red River Gorge. Then, in 2005, the world lost an incredible human rights advocate and person when Maggi died too young.

Though her legacy lives on. Maggi’s son, Joel Damian Popkin, works with at-risk youth and his wife works for the public defender. Dr. Popkin reports, “Damian recently married a wonderful young woman lawyer . . . We like to think that Maggi would be pleased to know that the daughter-in-law she never met was a lawyer with the same impulse to use her training for the good of others.”



Notre Dame students assisted at family law clinics during Spring Break.



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Uphold

Volunteer Lawyers for
Appalachian Kentucky

*Will you take just
one pro bono case?*

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LEGAL SERVICES CORPORATION

Uphold is a membership drive for AppalReD Legal Aid's Volunteer Lawyers for Appalachian Kentucky (VLAK). We have an ambitious goal: to double our volunteer pool. We're ambitious because it's so urgent.

- Cases are frequently available in divorce, custody, and bankruptcy. There are opportunities for cases that handle education issues, loan modification, and other consumer issues.
- Support is available from the Pro Bono Coordinator, and you can be matched with a VLAK mentor for assistance if you are taking on a new type of case.
- You are covered under VLAK's malpractice insurance.
- There are remote opportunities!
- Cases can be taken pro bono or "low bono."

**Email Pro Bono Coordinator
MaryG@ardfky.org to join today!**