



AppalReD
Legal Aid

Volunteer Lawyers for Appalachian Kentucky

Summer 2017



*From VLAK Director
Mary Going...*

As we continue deep into this hot and humid summer, VLAK has taken a number of steps forward in diversifying its services to those in eastern and south-central Kentucky with limited resources.

As you will see in this publication, VLAK continues to refer clients for direct representation; to provide self-help packets online and through the mail; and to offer pro se clinics for those in need of an uncontested divorce (and coming soon, for wills, advanced directives, and powers of attorney). We continue to develop and provide legal information on a variety of topics on AppalReD's website. Your suggestions for additional services are always welcome!



New opportunities for service

There are now a variety of opportunities available to attorneys who wish to offer their services to those persons in AppalReD's service area who have legal needs but are unable to afford private counsel:

- Extended representation of clients (most often involving family law, bankruptcy and other consumer law), either pro bono or, when funds are available, at a reduced fee.
- Assisting with pro se divorce clinics throughout the service area (which involves a few hours on a specific date, usually at the county library or extension office, helping clients complete documents and answering questions.)
- Participating in an online, statewide initiative to provide advice to those seeking advice about a variety of legal issues (in partnership with The Legal Aid Society in Louisville).
- Participating in community education programs throughout our service area on a number of topics such as landlord-tenant law and consumer issues.

We hope that by expanding both short-term and longer-terms opportunities for service, we can increase participation by members of the private bar in the mission of AppalReD. We look forward to working with you!

“Let us realize the arc of the moral universe is long but it bends toward justice.”

- Martin Luther King, Jr.

Supported
by:



And the Commonwealth of Kentucky, Kentucky IOTA funds, other federal funds and private donations





Legal Services Corporation - America's Partner for Equal Justice

As AppalReD continues to explore creative ways to meet the legal needs of those with limited financial resources in its 37-county service area, it is important that we recognize the vital support of our largest single funder, the Legal Services Corporation (LSC). LSC is an "organizational descendant" of the Office for Economic Opportunity, founded in the mid-1960's as part of President Lyndon Johnson's "War on Poverty", with the assistance of Sargent Shriver. Prior to the creation of LSC in 1974, local efforts were undertaken to address the civil legal needs of those with inadequate resources. In order to improve upon and expand these efforts LSC, a 501(C)3 entity was established by President Richard Nixon.

Currently, LSC promotes equal access to justice by awarding grants to 133 independent non-profit legal aid offices nationally. These agencies, with the additional assistance of other state, local and private funds, provide representation, advice, and community education to those in households with an annual income at or below 125% of the federal poverty guideline. (Note: AppalReD, funded by other sources to meet certain issue-specific needs such as domestic violence and elder law, has eligibility standards that may vary from this guideline).

LSC is governed by a bipartisan Board of Directors, appointed by the President and confirmed by the Senate. LSC is subject to strict governmental oversight to ensure that taxpayer dollars are used in the most effective way possible to meet its mission in addressing the civil legal needs of low income persons in our service area.

Update on Eric C. Conn Social Security Crisis

With the help of so many volunteer attorneys from throughout the nation, most of the clients who were required to "re-prove" their past eligibility for SSD or SSI benefits following allegations of fraud by their attorney, Eric C. Conn (who has since pled guilty to the charges) have completed administrative hearings and the administrative appeals process, and many of these cases have proceeded to litigation in Federal District Court. Those who were unsuccessful in maintaining their benefits continue to struggle to meet their needs, and those of their families.

Meanwhile, in related news, Eric C. Conn, approaching his sentencing date, by removing his electronic monitoring device, escaped from home incarceration and has since fled the area. The breach of trust between this attorney (now suspended) and his clients has had serious consequences not only for the families involved, but for the economy of the region.

Attorneys and Law Students Needed!

VLAK is in need of attorneys throughout our service region to accept pro bono and reduced-fee civil cases for direct representation, as well as to assist with pro se clinics (where law students are also welcome and needed!) at sites throughout the region. New and varied opportunities are developing as we speak. Malpractice insurance is provided. If you are interested in this opportunity to serve your community, please contact Mary Going at maryg@ardfky.org or Dana Branham at danab@ardfky.org for more information.





Pro Se Clinics



Dana Branham
VLAK Assistant

Over the past year, VLAK has begun offering pro se clinics to assist clients in preparing and filing uncontested divorce actions. Thus far, we have conducted clinics in Floyd, Madison, Perry, Pulaski and Knox Counties. As with any new endeavor, we learn something new with every clinic, and are finding ways to make this experience more efficient and satisfying for our clients. As a Private Attorney Involvement (PAI) initiative, a critical component to these clinics is the participation of pro bono attorneys and law students, assisting clients in completing the necessary documents and (for participating lawyers) giving legal advice as needed. Feedback indicates that the attorneys enjoy interacting with our clients and experiencing a different way of practicing their craft; the law students have appreciated the opportunity for “hands-on” work as they prepare for their legal careers.

These clinics are conducted by Mary Going and Dana Branham; following AppalReD intake (either by our Central Intake department or as walk-in clients in our field offices), Dana provides these clients with further assistance in registering for a specific clinic, and prepares the necessary documents. The clinics are being conducted in public libraries and county extension offices; clients usually require three-to-four hours to complete documents and receive information about “next steps”.

Mary and Dana look forward to expanding and improving these clinics, and will soon begin offering clinics to seniors in need of wills, powers of attorneys and advance directives.

VLAK Statistics—a quick snapshot

During the year 7/1/16 to 6/30/17, the following case types were referred to PAI attorneys:

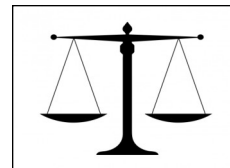
- | | |
|---------------------|-----------------|
| * Divorce 32 | * Foreclosure 1 |
| * Custody 13 | * Consumer 1 |
| * Bankruptcy 10 | * Food Stamps 1 |
| * SSI 4 | * Medicare 1 |
| * Social Security 1 | * Adoption 1 |
| * Employment 1 | |

We are grateful for the generosity of all who offered their services to these clients, and who continue to support the efforts of VLAK.

VLAK was saddened to hear of the recent passing of Somerset attorney Timothy Price. Tim was an eager and dedicated addition to our PAI panel—we were looking forward to working with him for many years, and appreciate all he was able to contribute in his time with us. We offer our sincere condolences to his family and friends.

The simplest way of understanding justice is giving people what they deserve. This idea goes back to Aristotle. The real difficulty begins with figuring out who deserves what and why.

– Michael Sandal





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Volunteer Lawyers for Appalachian Kentucky is an entity of Appalachian Research & Defense Fund of KY. Its mission is to supplement AppalReD Legal Aid's resources by engaging the private bar in providing access to high quality legal representation, advice and other assistance in civil legal matters to those in its service area who because of their low income would otherwise be without such support.

VLAK serves the following counties in eastern and south-central Kentucky: Adair, Bell, Breathitt, Casey, Clark, Clay, Clinton, Cumberland, Estill, Floyd, Garrard, Harlan, Jackson, Johnson, Knott, Knox, Laurel, Lawrence, Lee, Leslie, Letcher, Lincoln, McCreary, Madison, Magoffin, Martin, Monroe, Owsley, Perry, Pike, Powell, Pulaski, Rockcastle, Russell, Wayne, Whitley and Wolfe.



An imbalance between rich and poor is the oldest and most fatal ailment of all republics.

— Plutarch, Greek historian

