

DEKALB VOLUNTEER LAWYERS FOUNDATION

ANNUAL REPORT

for Fiscal Year 2014

August 1, 2013 - July 31, 2014



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Executive Director

Mr. Robert Cook
Administrative Assistant

Ms. Maria Wells
Administrative Assistant

EXECUTIVE DIRECTOR'S LETTER

Dear Foundation Volunteers and Supporters:

I would like to take this opportunity to personally thank everyone who supported the Foundation during its more than thirty year history. It is truly a privilege to head an organization with so many dedicated volunteers and the potential to make a real difference in the lives of those in need. The Foundation is an important part of the DeKalb County community. During these times of economic crisis for many of our residents, the Foundation will have a greater role in the delivery of legal services to the indigent citizens of DeKalb County.

Our dedicated panel of volunteers continue to provide services to Foundation clients, and each year new volunteers join the ranks. We currently have almost 400 volunteers on the panel. The efforts of our dedicated panel of volunteers have demonstrated that private bar involvement in providing free legal services can and does make a difference. The Foundation's potential to aid the indigent citizens of DeKalb County is enormous.

I have worked for the Foundation for almost 30 years either as the staff attorney or as the Executive Director. I am humbled by all the work that has been done on behalf of the indigent citizens of DeKalb County by our panel of volunteers; and, I look forward to seeing what can be accomplished in the future by such programs as the Guardian Ad Litem Project, the Temporary Protective Order Project, the Probate Information Center and the Debt Collection Defense Clinic. The Board of Directors and I are committed to the growth of the Foundation in serving the community, the volunteers, and the judicial system.

Sincerely,

Sheila K. Ogletree
Executive Director

SERVICE DELIVERY

DeKalb Volunteer Lawyers Foundation exists solely for the purpose of providing legal services to those in need. Our commitment to our clients is to ensure that they receive the highest quality representation, in spite of their lack of resources to retain attorneys. DVLf assisted 452 clients total in all its programs in the 2014 Fiscal Year. Our report is as follows:

Referrals to Private Bar:	186
Special Projects:	
TPO Project:	113
Probate Information Center:	58
In-House Cases:	
Advise and Counsel:	33
Advocacy	<u>0</u>
Total:	33
Debt Collection Defense Clinic	<u>62</u>
Total Clients Assisted in 2014:	452

Created in 1982, DVLf has assisted more than ten thousand (10,000) low income citizens with their civil legal needs through its various programs. Of those assisted, more than 7900 were referred to private attorneys for assistance with divorce, child support, child custody, wills, bankruptcies, consumer law issues, social security, employment problems, tax problems, real estate issues and other problems. The remaining clients have been assisted by our various special projects or were given advice or assistance by our in-house staff.

REFERRAL TO PRIVATE BAR

Clients of the Foundation must first qualify for services. All clients are screened to determine their eligibility. The Executive Director oversees all screening and personally conducts most of the in-house interviews. Clients must be no more than 75% over Federal Poverty guidelines and must have a non fee-generating civil legal problem. In the 2006 fiscal year, the income guidelines were increased from 45% over the Federal Poverty Guidelines to 75% over the federal guidelines in an effort to serve more clients. Types of cases accepted have been prioritized by the Board of Directors. During Fiscal Year 2014 the Foundation screened 579 clients for eligibility. Of the 579 clients who called for assistance, 390 were assisted in some manner. A total of 186 of these clients completed the process and were referred to private attorneys. In addition, clients were assisted by staff advice or advocacy. The report for 2014 of clients referred to the private bar is as follows:

Referrals to Private Bar:	
Bankruptcy	52
Guardian Ad Litem	53
Domestic Relations	43
Wills and Estates	28
Social Security	4
Mentor	4
Debtor/Creditor	0
Miscellaneous	0
Real Estate	1
General Litigation	1
Landlord/Tenant	0
Employment	0
Tax Problems	<u>0</u>
Total:	186

SPECIAL PROJECTS OF THE FOUNDATION

TEMPORARY PROTECTIVE ORDER PROJECT

Beginning in March, 2004, the Magistrate Court of DeKalb County under the leadership of the Honorable Winston Bethel, began handling most of the stalking and family violence cases for eight of the Superior Court judges. Now all ten of the Superior Court judges participate in the program. The magistrate judges meet with the petitioners and issue the ex parte orders. The cases are then set down for a second hearing on Tuesday or Wednesday of each week before a Magistrate Court judge who is sitting by designation for the Superior Court judge to whom the case is assigned.

In January 2005, the Foundation began a pilot project using six carefully selected attorneys to cover the calendar calls and represent petitioners if the respondent was represented by an attorney. The pilot TPO Project was to determine if assisting victims of domestic violence on short notice would be feasible and effective. The project attorneys would meet briefly with the client and then either negotiate a consent order or conduct a hearing. The goal of the project is to level the playing field for victims of domestic violence. Often, the abuser has financial control of the family unit and is more able to hire representation. The pilot project was so successful that the Foundation has continued the TPO Project for nine years. One hundred thirteen clients were assisted by TPO Project attorneys between August 2013 and July 2014. In its nine year history, the project has assisted 1280 individuals and covered approximately 930 court calendars. The attorneys are paid by the hour for their time both in and out of court, but each of them have agreed to accept an amount well below their normal hourly rates.

GUARDIAN AD LITEM PROJECT

After twenty-two and a half years in operation, it is clear that the Guardian Ad Litem (GAL) Project provides a valuable service to the DeKalb County community. Contested custody cases are, without a doubt, one of the toughest kinds of cases that a lawyer can handle whether as an adversary or a guardian. These dedicated volunteers often spend over 100 hours working on these complicated cases interviewing family members, witnesses, school teachers, therapists, and most importantly, the children. Since the project began, guardian ad litem cases have been placed by the Foundation in over 580 cases. Fifty-three were handled in the 2014 fiscal year. In fiscal year 2012, DVLF held a Guardian Ad Litem (GAL) CLE seminar. Attorneys were able to attend for free, if they agreed to volunteer as a GAL for the Foundation and handle at least one GAL case. More than 125 new volunteers were signed up to handle GAL cases.

PROBATE INFORMATION CENTER

The Probate Information Center (“PIC”) began in February, 2007. The Probate Information Center assists individuals who meet eligibility requirements with cases in the following areas: Years Support Petitions, No Administration Necessary Petitions, Probate of Simple Wills, and Administration of Estates (including duties of personal representative, debt issues, and title to real estate.) DVLF recruited attorneys with experience with wills and estates to provide 45 minute consultations, free

of charge, regarding a probate of the estate of a person who died while a resident of DeKalb County. This service is only available to individuals who do not currently have an attorney representing them. The clients, who are generally referred by the probate court, meet with the volunteer attorneys, by appointment only, in a space provided by the court. The program was slow to start, but fifty-eight clients were assisted in the 2014 fiscal year.

BANKRUPTCY INITIATIVE

In recent years, it has become increasingly difficult to find volunteers willing to represent pro bono clients in bankruptcy court due to changes to the United States Bankruptcy Code. These changes increased the personal liabilities and responsibilities for attorneys representing clients under Chapter Seven or Chapter Thirteen causing many attorneys to withdraw from the panel. In Fiscal Year 2009, DVLF was only able to place three cases with the few attorneys that remained. At the same time that this resource was shrinking, the demand from clients for assistance with a personal bankruptcy greatly increased. The Foundation's executive director called Emory Clark of Clark and Washington, a large bankruptcy firm. As a result of that conversation, Clark and Washington agreed to handle bankruptcies referred by the Foundation. There were only two conditions: the client had to be able to pay the court filing fees and be seeking a Chapter Seven Bankruptcy.

In Fiscal Year 2014, the Foundation has been able to assist fifty-two clients who needed to file bankruptcy. Case priorities have been adjusted to allow more clients to qualify for services; and, the number of clients assisted has doubled over prior fiscal years. Clark and Washington has even begun to refer clients to the Foundation to determine if they are eligible for assistance. The Foundation is grateful for the assistance of Clark and Washington and hope to begin collaborations with other law firms in the near future.

DEBT COLLECTION DEFENSE CLINIC

The Debt Collection Defense Clinic began in February 2012 and has been extremely successful. Sixty-two clients were served in the 2014 fiscal year for a total of two hundred ninety-three clients served since the clinic began. The clinic is staffed by volunteer consumer law attorneys who start by giving the group of attendees a brief explanation of rights, procedures and untruths when they have been sued on a debt. Then the attorneys meet, one on one, for about fifteen minutes and give individual advice on how to answer and what to expect. Several of the volunteers continue to represent some of the clients on a pro bono basis. Volunteer attorneys, Chris Armor, Griffin Bell, III and Daniel DeWoskin have spearheaded the effort and coordinate the volunteers, flyers, and schedule. Paralegal Jill Sheridan has donated her time to create the flyers and attend the sessions.

CHILD SUPPORT LEGAL ASSISTANCE EXTERNSHIP

The Foundation formed a partnership in the 2013 fiscal year with John Marshall Law School, the DeKalb Superior Court, and the DeKalb County Dispute Resolution Center to form and operate the Child Support Legal Assistance Externship ("Externship"). Third year law students from John Marshall will be used to assist pro se litigants in completing their child support worksheets or financial affidavits. During this initial pilot project, the program will only be conducted in Division 9 of the DeKalb Superior Court. The Foundation will provide malpractice coverage for the students and a client database to confirm income eligibility and check for conflicts.

RECRUITMENT AND FINANCES

Recruitment

The heart of the Foundation is, clearly, the volunteers. Recruiting and maintaining volunteers is one of our top priorities! In 2005, the Foundation developed pledge cards to use in recruitment efforts. The pledge cards allow volunteer attorneys to update their contact information and indicate what types of cases they would like to handle on a *pro bono* basis. Attorneys may join the Foundation by either pledging to handle two cases in the coming year, handle one case and recruit a new volunteer or making a donation. A special donation category was included to encourage participation by members of the judiciary and others who are not allowed to accept private cases.

The Executive Director attends many DeKalb Bar Association functions in order to recruit from its membership and maintain contact with the members who are already on the panel. These functions provide many opportunities for the Foundation to meet informally with its volunteer attorneys and to make appropriate presentations. The opportunities provided by the DeKalb Bar Association are invaluable to the Foundation.

The Foundation maintains a website which provides prospective volunteers with information on the Foundation and a downloadable form to sign up. Several new volunteers sign up each month. In addition to other efforts, the Foundation also receives a few new volunteers each year through the Pro Bono Project of the State Bar of Georgia. This program contacts newly admitted attorneys and requests a commitment from them to do pro bono work. The names and addresses of the attorneys who agree to volunteer are sent to the various programs in the geographic area in which the attorney has committed to serve.

Finances

The financial stability of the Foundation continues to be the result of careful and fiscally responsible management of expenditures. Since its creation in 1982, the Foundation has been receiving filing fees from the State Court of DeKalb County which funded the majority of the Foundation's operations. In 2001, the Foundation began to receive \$2.00 per civil filing instead of \$1.50 per filing from the State Court of DeKalb County and, for the first time, \$3.00 per civil filing in the Magistrate Court of DeKalb County. Increases in the filing fees for the State Court of DeKalb County has caused fewer cases to be filed in State Court and more to be filed in Magistrate Court. Unfortunately, due to a legislative change, the Foundation no longer receives fees from cases involving abandoned motor vehicles which has caused a more than \$10,000 decrease in filing fees received. In addition to the filing fees received in fiscal year 2014, approximately \$800.00 was received in administrative fees from the Guardian Ad Litem Program. These administrative fees are used to offset the postage, copy and form printing costs of that program. The Foundation also received a \$10,000 donation which was applied to general operating costs.

STAFF

Executive Director

Sheila K. Ogletree continues to serve as Executive Director of the Foundation. Ms. Ogletree is responsible for screening oversight and referring clients to volunteer attorneys as well as all the administrative functions of the Foundation. In addition to her other responsibilities and duties as Executive Director, Ms. Ogletree oversees the Guardian Ad Litem Project and the TPO project. Ms. Ogletree has focused an extensive amount of her time on the problems of victims of violence. She has handled numerous protective orders for victims and provided individualized advice to victims about their legal options and their personal protection even when these victims were not prepared to take the serious step of beginning legal action. Ms. Ogletree has been certified as a Pro Bono Professional by the National Association of Pro Bono Professionals (NAPBPRO) and holds an advanced certification.

Administrative Assistants

The Administrative Assistant is responsible for screening clients, data entry, assisting with in-house interviews, and all general office tasks. In addition, they assist with the CLE seminars and referring cases to volunteers. Maria Wells was hired and began working for the Foundation in May 2006 as the full-time administrative assistant. Ms. Wells, who had relocated to Atlanta, Georgia from North Carolina, had previous work experience with Georgia Legal Services in Brunswick, Georgia. Ms. Wells attended a Paralegal Studies Program at the Coastal Georgia Community College and had substantive training in administrative law and procedure while employed at Georgia Legal Services. Ms. Wells currently oversees the Probate Information Center for the Foundation. The Foundation is fortunate to have found an employee with her background and qualifications. The Foundation's small size and budget considerations has made it difficult, if not impossible, to offer health benefits to its employees in the past. As a result, finding qualified permanent full-time employees has been difficult. Thankfully, the Foundation was able to provide health and dental insurance coverage for both of the administrative assistants in the last fiscal year and continued to be able to provide coverage for them during the 2014 fiscal year.

Robert Cook, who has previous experience with the Foundation, works part-time to assist with the TPO Project, the Guardian Ad Litem Project and to fill in when needed. He has worked throughout the fiscal year to cover client screening and other functions of the administrative assistant when the full-time assistant is unavailable.