

# DEKALB VOLUNTEER LAWYERS FOUNDATION

**ANNUAL REPORT**  
for  
Fiscal Year 2015

August 1, 2014 - July 31, 2015



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### **Staff**

Ms. Toni Roberts  
Executive Director

Ms. Maria Wells  
Administrative Assistant

Mr. Robert Cook  
Administrative Assistant

## EXECUTIVE DIRECTOR'S LETTER

Dear Foundation Volunteers and Supporters:

I greet you as the new Executive Director of the DeKalb Volunteer Lawyers Foundation (the "Foundation"). I joined the Foundation just prior to the end of this fiscal year and am excited about the opportunity to carry on, and even build upon, the great work that this organization has accomplished over the last 30 years in the delivery of pro bono legal services to the indigent residents of DeKalb County.

I have had the privilege of doing the work that the Foundation's mission represents for the past 10 years - both as a volunteer while working for Atlanta law firms and then on a fulltime basis with the wonderful folks at Atlanta Volunteer Lawyers Foundation. I am incredibly passionate about the business of giving back to the community, and even moreso about the opportunity to do so in the place that I call home. Therefore, it brings me great joy to be able to serve the citizens of DeKalb County in this capacity alongside each one of you.

While our mission is to ensure that those who both have the greatest need and are at the greatest risk have equal access to the justice system, our most valuable resource is our volunteers. I would like to thank the nearly 400 of you for your dedication to this important effort. For decades you have lead the charge to give back through generous donations of your time and expertise, thus changing lives by the thousands. I am truly inspired by your commitment and hope that you will continue to support our efforts to protect and strengthen families in our community.

Our special programs - the Guardian Ad Litem Project, the Temporary Protective Order Project, the Probate Information Center and the Consumer Education Clinic on Debt Collection – are examples of ways that you have helped us to respond to the growing needs of our DeKalb County's most vulnerable population. Your ongoing engagement will be critical as we explore avenues to expand our reach.

I am excited about the journey ahead and look forward to welcoming new volunteers and supporters to join the ranks. The success of our partnerships to date clearly reflects that, together, we have the potential to make a tremendous difference. I and the Board of Directors are committed to the growth of the Foundation in serving the community, the volunteers and the judicial system.

Sincerely,

Toni Roberts  
Executive Director

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## SERVICE DELIVERY

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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 486 clients total in all its programs in the 2014-15 fiscal year. Our report is as follows:

<i>Referrals to Private Bar:</i>	<i>190</i>
<u><i>Special Projects</i></u>	
<i>TPO Project</i>	<i>143</i>
<i>Probate Information Center</i>	<i>64</i>
<u><i>In-House Cases</i></u>	
<i>Advise and Counsel</i>	<i>30</i>
<i>Advocacy</i>	<i>0</i>
<i>Debt Collection Clinic</i>	<i>59</i>
<b><i>Total Clients Assisted in FY14-15</i></b>	<b><i>486</i></b>

Created in 1982, DVLf has assisted more than ten thousand (10,500) low income citizens with their civil legal needs through its various programs. Of those assisted, more than 8000 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 FY 2014-15, the Foundation screened 592 clients for eligibility. Of the 592 clients who called for assistance, 418 were assisted in some manner. A total of 190 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 FY2014-15 of clients referred to the private bar is as follows:

### *Referrals to Private Bar*

<i>Bankruptcy</i>	<i>34</i>
<i>Guardian Ad Litem</i>	<i>58</i>
<i>Domestic Relations</i>	<i>45</i>
<i>Wills and Estates</i>	<i>30</i>
<i>Social Security</i>	<i>2</i>
<i>Mentor</i>	<i>2</i>
<i>Debtor/Creditor</i>	<i>5</i>
<i>Miscellaneous</i>	<i>0</i>
<i>Real Estate</i>	<i>4</i>
<i>General Litigation</i>	<i>4</i>
<i>Landlord/Tenant</i>	<i>6</i>
<i>Employment</i>	<i>0</i>
<i>Tax Problems</i>	<i><u>0</u></i>
<b><i>Total</i></b>	<b><i>190</i></b>

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## **SPECIAL PROJECTS OF THE FOUNDATION**

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### **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 10 years. During FY 2014-15, 143 clients were assisted by TPO Project attorneys. In its nine year history, the project has assisted 1423 individuals and covered approximately 1029 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 23 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, guardians ad litem have been placed by the Foundation in over 630 cases. Fifty-eight were handled in FY 2014-15.

### **PROBATE INFORMATION CENTER**

The Probate Information Center (“PIC”) began in February of 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, however 64 clients were assisted in the 2014-15 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 7 or Chapter 13 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 forged a partnership with the bankruptcy firm of Clark & Washington, and an agreement was reached in which it would handle Chapter 7 bankruptcies referred by the Foundation under two conditions: that the client is seeking a Chapter 7 bankruptcy and he/she is able to pay the court filing fees.

In FY 2014-15, the Foundation has been able to assist 34 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 hopes to begin collaborations with other law firms in the near future.

## CONSUMER EDUCATION CLINIC ON DEBT COLLECTION

The Debt Collection Defense Clinic began in February 2012 and has been extremely successful. During FY 2014-15, 59 clients were served, for a total of 352 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 best practices when they have been sued in connection with 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.

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## RECRUITMENT AND FINANCES

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### 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 Executive Director is also a member of the DeKalb Lawyers Association (DLA). Recognizing that DeKalb County is the state's most diverse county, Ms. Roberts is keenly aware of the importance of engaging members of the legal community of cultures and ethnicities represented by our clients. The President of DLA has been very receptive to the idea of collaborating with the Foundation and has allowed Ms. Roberts to make presentations at several of its general body meetings as a means of recruiting new volunteers.

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

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 FY 2014-15, approximately \$275.00 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.



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## STAFF

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### **Executive Director**

Toni Roberts became Executive Director of the Foundation in June of 2015. Ms. Roberts 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. Roberts oversees the Guardian ad Litem Project and the TPO project, as well as the Foundation's involvement in the Probate Information Center Project and the Consumer Education Clinic on Debt Collection. Ms. Roberts has focused an extensive amount of her time on the issues surrounding victims of domestic violence. She has coordinated legal representation for hundreds of survivors seeking civil protective orders and provided one-on-one advocacy and safety planning to help survivors with danger assessments. Ms. Roberts has served on the Fulton County Domestic Violence Task Force and currently serves on the DeKalb County Domestic Violence Task Force. Her prior experience of assisting with the creation of an office dedicated to providing wrap-around services to victims of domestic violence – from safety planning to legal representation – will be a tremendous resource as we explore opportunities to expand the Foundation's services to victims here in DeKalb County.

### **Administrative Assistants**

The Administrative Assistants are 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 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 have 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 2014-15 fiscal year.

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