

# Idaho



## LEGAL AID SERVICES **INC**



2006 ANNUAL REPORT

### And Justice for All



# from the Director

**I**Idaho Legal Aid Services, Inc. is a statewide nonprofit law firm that has provided legal representation to low income Idahoans for almost forty years. Every year we help thousands of persons with critical problems such as ending family violence, helping grandparents raise abandoned grandchildren, and enabling the disabled and infirm to qualify for nursing home care. Unfortunately, we have never been able to serve everyone who needs and qualifies for our services, and have limited our work to a few critical areas such as domestic violence, health, shelter, and income maintenance through a prioritization process. We estimate that we serve only one of every five poor Idahoans who needs legal assistance.

Idaho has the third fastest growing population in the United States. The legal needs of low-income Idahoans will grow with Idaho's population. In an effort to serve more Idahoans our Board of Directors decided in 2006 to seek state financial support. Idaho is one of only six states that do not fund their legal services provider. The Idaho State Bar endorsed this goal by overwhelmingly approving a resolution for state funding for Idaho Legal Aid Services. We also enjoy the support of the Idaho Supreme Court and others who desire for Idahoans to be able to access the critical services of the judicial branch of our government.

We will continue to work with our friends and allies to demonstrate that funding legal services for low-income Idahoans is in the state's best interests and a sound financial investment. Every year our attorneys help clients obtain hundreds of thousands of dollars in child support, day-care, and medical insurance payments from violent non-custodial parents. When we assist grandparents raising grandchildren to obtain guardianships for those children they are able to obtain child support from absentee parents. Our attorneys enable disabled persons to receive hundreds of thousands of dollars in federal Social Security payments which they use for rent, food, and other necessities purchased in Idaho communities. Some services, such as the hundreds of hours of attorney time spent annually to help Idaho seniors qualify for nursing home care, representation of clients in protection order cases to stop family violence, or the time spent fighting consumer rip-offs are harder to quantify financially but clearly benefit Idaho.

A second major benefit Idaho Legal Aid Services provides to Idaho is the legitimacy our services give to government. If the benefits of our government, such as the judicial system, are only available to the rich, government institutions lose credibility in the eyes of citizens. Idaho Legal Aid Services provides the poor "their day in court," enabling them to enjoy the benefits of being members of our society.

I am proud to salute our committed staff and Board for their part in providing our services. Special thanks to the Idaho State Bar, Idaho Supreme Court, Idaho Law Foundation, Idaho Volunteer Lawyers Program, Idaho Partners Against Domestic Violence, Idaho Commission on Aging, and numerous individuals and organizations for their unwavering support of our effort to secure equal justice for all Idahoans.



*Ernesto G. Sanchez  
Executive Director*





# 2006 Closed Service Statistics

## Resources and Expenses 2006 Case Distribution

Consumer	8%	(267)
Family	34%	(1187)
Health	13%	(437)
Housing	21%	(714)
Government Benefits	10%	(345)
Other	14%	(548)
<b>3498 total closed cases</b>		



**Family** - divorce, spousal and/or child abuse, child support, custody, guardianships, and conservatorships.

**Housing** - private landlord-tenant evictions, cases concerning public and subsidized housing programs, fair housing, and housing preservation.

**Government Benefits** - TAFI, Food Stamps, Social Security, Supplemental Security Income, and Veterans Benefits.

**Health** - Medicaid, Medicare, and other health issues.

**Consumer** - public utilities, fair debt collection practices, and unfair sales practices.

**Other** - migrant farmworker and Native American issues, advanced directives, wills, wage claims, juvenile, employment, and education.

### Other Education/ Community Service

Legal education brochures distributed—**32,129**

Legal education materials posted on website (page views)—**22,697**

Referrals to private attorneys, social service agencies, and other providers—**5,923**

Hours expended by attorney staff on private bar involvement activities—**516**

### Client Characteristics

White	82.0	Native American	6.0
Black	0.5	Asian/Pacific Islander	0.5
Hispanic	9.0	Other	2.0





## Legal Outreach Presentations

Community presentations on a variety of subjects were made throughout the year. Subjects included teen dating violence, domestic violence, fair housing issues, and use of the interactive court forms available on the ILAS website. Presentation attendance—**79,485**.

## Hotline Statistics

Domestic Violence Legal Advice Line cases opened (based in Coeur d'Alene office) —**368**

Senior Legal Hotline cases opened (based in Boise office) —**781**

## Income/Resources 2006

Balance Forward	\$536,007
Legal Services Corporation	\$1,409,431
Idaho Law Foundation	\$106,600
Indian Estate Planning Project	\$32,740
Area Agencies on Aging	\$148,988
U.S. Dept. of Housing & Urban Development	\$51,110
STOP Crime Bill	\$38,00
Impact Fund	\$10,000
United Way	\$75,993
SPILF & PILF	\$16,875
U.S. Department of Justice	\$496,206
U.S. Health & Human Services/Aging	\$18,266
Interest	\$16,198
Miscellaneous	\$17,922
Idaho Partners Against Domestic Violence and Other Donations	\$93,682
<b>Total Income/Resources</b>	<b>\$3,068,618</b>

## Expenses 2006

Salaries	\$1,483,925
Employee Benefits	\$395,012
Contract Services	\$122,338
Occupancy	\$137,406
Office Expense	\$67,972
Travel and Outreach	\$36,217
Telephone	\$29,955
Library	\$17,537
Training	\$40,376
Insurance	\$10,110
Equipment Rental/Repair	\$29,173
Litigation Reimbursement	\$1,620
Audit	\$21,672
Depreciation	\$20,839
Other	\$13,757
<b>Total Expenses</b>	<b>\$2,417,907</b>
*Fund Balance End of 2006	\$650,711

\*Includes payments received in 2006 for 2007





# Stopping Family Violence

Victims and society pay the cost of domestic violence. Victims often pay exorbitant medical bills to recover from injuries. Many survivors lose jobs or housing as a result of abuse and are forced to seek government help. Employers lose reliable workers. Government loses taxes. Schools must provide abused children additional services. Social service agencies often pay medical bills and public assistance benefits required by survivors. Prisons frequently house children and adults raised with the belief that violence is an acceptable form of control in their relationships. Grandparents and other relatives frequently pay to house survivors or raise their grandchildren. Ending this violence is an investment in our people and in Idaho's financial well-being.

Idaho Legal Aid Services provides free legal representation to domestic violence victims. In 2006, ILAS closed 955 cases helping victims to find relief from the horrors of domestic violence. Our attorneys helped clients to secure protection and stability through Idaho's laws. We routinely represent survivors in protection order, divorce, custody, modification, contempt, and parental termination proceedings.

ILAS fights family violence with grants from the Idaho Coalition Against Sexual and Domestic Violence, Idaho State Police (STOP Violence Against Women grants), United Way agencies, donations to the Idaho Partners Against Domestic Violence campaign, and an IOLTA grant from the Idaho Law Foundation.

Domestic violence causes far more pain than the visible marks of bruises and scars. It is devastating to be abused by someone that you love and think loves you in return. It is estimated that approximately 3 million incidents of domestic violence are reported each year in the United States.

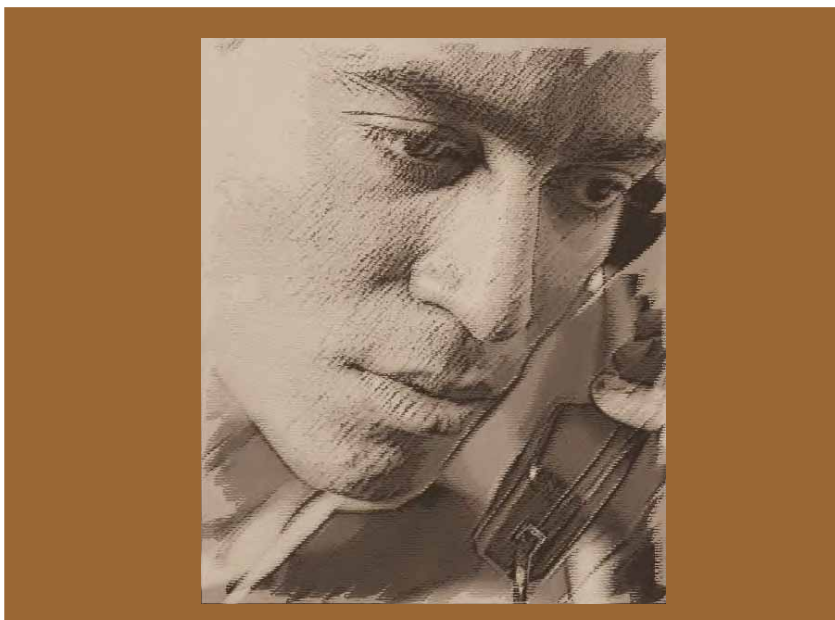
Dianne Feinstein  
U.S. Senator





**H**ome should be a safe haven. But for Idaho women and children who are victims of domestic violence, home is anything but. Some sobering 2006 statistics:

- The Idaho State Police reported 6,252 incidents of domestic violence between intimate partners, ex-spouses, and those in dating relationships.
- According to the Idaho Supreme Court, 4,955 Idahoans filed for civil protection orders.
- About half of the murders in Idaho were related to domestic abuse.
- In 50% of cases where domestic violence is present, child abuse is also present.
- Children in homes where there is domestic violence are 1000 times more likely to commit domestic violence as adults.
- Children in homes where there is domestic violence are 74% more likely to commit crimes of violence.
- Children in homes with domestic violence are six times more likely to commit suicide.
- Girls whose mothers are being assaulted are 65% more likely to be sexually assaulted.



**1-877-500-2980**

## **Domestic Violence Legal Advice Line**

Perhaps nothing is more frightening than being *hurt by someone you love*. "Where will I go? How can I get away?" are often the questions facing the victims of domestic violence. Since its inception in 1999, the Domestic Violence Legal Advice line has opened over 3600 cases, assisting over 10,200 victims and their children. The hotline is particularly suited to serving Idaho's rural population living in some of the most geographically isolated areas of the state.

Domestic violence victims using the attorney staffed hotline receive immediate help with their legal questions and referrals to domestic violence shelters and other resources. The experienced attorneys at Idaho Legal Aid Services routinely answer questions like, "How do I get a protection order?" or "What can I do if my spouse kidnaps my child?"

The Domestic Violence Legal Advice Line is staffed by an attorney Monday through Friday from 9:30 am until 3:30 pm Mountain Time.





# Other Services

## Idaho Senior Legal Hotline

**I**daho is a rural state. Totaling over 83,000 square miles, Idaho's rural areas make it an ideal place to hunt and fish and find a bit of recreation. However, for Idaho seniors who live in rural areas, these same advantages become disadvantages, particularly where accessing legal help is concerned. Following the success of the Domestic Violence Legal Advice Hotline, Idaho Legal Aid Services created the Senior Legal Hotline to bridge the gap between Idaho's seniors and their access to justice. Working in partnerships with the Idaho Commission on Aging and with funds from the U.S. Department of Health and Human Services, Administration on Aging, the project is open to all seniors but gives special priority to seniors with disabilities and Hispanic and Native American seniors. Modern telecom-

munications provides the means for those in Idaho's most remote areas to access the legal system without cost to them.

Seven hundred eighty-one Idaho seniors received assistance with legal problems from the Senior Legal Hotline in 2006. Common legal questions concerned Medicaid and Medicare, consumer rip-offs, advance directives, wills, grandparents' rights, Social Security, guardianships, and senior abuse.

The Senior Legal Hotline is open Monday through Friday, 9:00 am to noon and 1:00 pm to 4:00 pm, Mountain Time. Please call toll free: 1-866-345-0106 or if you reside in the Boise calling area: 345-0106. Spanish speakers may call toll free: 1-866-954-2591 or if you reside in the Caldwell calling area: 454-2591.



So act that your principle of action might safely be made a law for the whole world.

Immanuel Kant

## Health and Government Benefits

**I**n 2006, Idaho Legal Aid Services attorneys assisted more than 345 seniors, families, and individuals in obtaining needed government assistance. Typical cases concerned Medicaid (frequently assisting the elderly to qualify for nursing home care), Supplemental Security Income for disabled children and adults, Food Stamps to feed needy families, and help for Idaho seniors navigating the Medicare Part D prescription drug benefit. Idaho Legal Aid Services attorneys are known throughout Idaho for their experience and proficiency in practicing in this complex and changing field.





## Migrant Farmworker Law

Idaho agriculture is heavily dependent on migrant farmworker labor to keep this multi-billion dollar industry working. Idaho Legal Aid Services' Migrant Farmworker Unit was created to protect this often vulnerable population. Common cases concern the recovery of unpaid wages, violations of farmworker protection laws, denial of public benefits, housing evictions, consumer problems, and other legal matters.

Migrant Unit outreach workers are based in Caldwell, Twin Falls, and Idaho Falls. They provide door-to-door outreach to farmworkers on labor laws such as the Idaho farm labor registration and bonding act, the Idaho worker's compensation law, and the federal migrant and seasonal agricultural worker protection act.

The Migrant Unit works closely with community organizations and state and federal agencies. We collaborate with the Idaho Migrant Council, the Idaho Community Action Network, Campesinos Unidos de Idaho, and migrant health clinics like Terry Reilly Health Services. Migrant Unit staff participate in local networks of agencies that provide services to farmworkers, and serve on the boards of organizations that serve farmworkers.

## Housing Law

Idaho Legal Aid Services' housing law representation has changed with the needs of our clients. Historically, Idaho Legal Aid Services focused on representing tenants facing improper evictions. This representation often made the difference between having a home and homelessness for Idaho's families. In recent years Idaho Legal Aid Services' housing attorneys have dedicated a growing part of their practice to representing mobile home park tenants faced with park closure. Soaring property prices have helped to drive mobile home park closures around Idaho. For example, five Boise mobile home parks with over 300 home spaces closed during 2005. Another eleven parks closed in Coeur d'Alene in 2006. These parks have traditionally provided unsubsidized housing for low-income Idahoans, a substantial number of which are seniors or are persons with disabilities. When parks close, many residents who own a home and pay space rent

lose their homes due to the high costs of moving a mobile home. Idaho Legal Aid Services' attorneys help tenants being evicted when parks close on a variety of legal issues.

Enforcement of the Fair Housing Act is another growing practice area. The Fair Housing Act protects Idahoans from housing discrimination based on their race, color, sex, religion, national origin, disability, and familial status.

In 2006, Idaho Legal Aid Services attorneys represented families and individuals in 714 housing cases.



## Indian Law

Almost a quarter of Native Americans in Idaho live in poverty. Idaho Legal Aid Services' Indian Law Unit provides legal assistance to Native Americans and Tribes in Idaho. The Tribes have their own tribal courts, judges, legal codes, traditions, and customs. Idaho

Legal Aid Services' attorneys provide representation to Native Americans in a number of cases involving the federal government's trust responsibility and the management and protection of trust land on behalf of individual tribal members.





# Technology and the Law

## Idaho Legal Aid Services and the Web



The screenshot shows the homepage of Idaho Legal Aid Services, Inc. The header includes the organization's name and a tagline: "A nonprofit Idaho law firm & community education organization." Below the header is a navigation menu with links to Home, About Us, Client Resources, Brochures & Legal Info, Self-Help Online Forms, Legal Advice Lines, Domestic Violence, Fair Housing, Links to Add'l Help, Events Calendar/News, Jobs & Internships, ProBono Opportunities, and Donations. A search bar is located below the menu. The main content area features a welcome message, a list of upcoming events for January (New Year's Day, Eviction Workshop in Boise), and featured items such as self-help interactive court forms and information about Wash. Co. Judge Rules. A footer section mentions a partnership with the Legal Services Corporation (LSC).

Thanks to grants from the Legal Services Corporation, Idaho Legal Aid Services has developed a website for client use. Resources include an Events Calendar with information such as upcoming community legal presentations and a Law Library containing legal brochures and pamphlets. To help people help themselves, the website provides helpful materials in thirteen areas including—domestic violence, consumer, education, employment, family law, immigration, migrant farmworker, housing, individual rights, Native American issues, wills and probate, public benefits, and seniors.

## The Interactive Forms Project

Idaho Legal Aid Services and the Idaho Supreme Court have partnered to develop “automated” legal forms for use by low income self-represented persons in selected civil court cases. The project, funded by the Legal Services Corporation, is one of the most innovative in the country, using document automation software linked to a user-friendly interface that guides the self-represented litigant through the form completion process. The system helps users through an online interview using a question and answer format designed to simplify form completion. At the end of the interview users can print completed documents and filing instructions. The interactive court forms are available online at no cost through both the Idaho Legal Aid Services and Idaho Supreme Court websites at:

[www.idaholegalaid.org](http://www.idaholegalaid.org)  
[www.courtsselfhelp.idaho.gov](http://www.courtsselfhelp.idaho.gov)

It is the spirit and not the form of law that keeps justice alive.

Earl Warren





# Funding Sources

- Legal Services Corporation (LSC) grant—principal grant. Funds general operation and legal representation.
- LSC Technology Initiatives Project Website grant – funds website expansion.
- LSC Technology Initiatives Project Interactive Forms Project - funds document automation project.
- U.S. Department of Justice (DOJ) Legal Assistance for Victims grant through subcontract with Idaho Coalition Against Sexual and Domestic Violence — funds representation of domestic violence victims.
- DOJ Rural Domestic Violence and Child Victimization Enforcement grant through subcontract with Idaho Coalition Against Sexual and Domestic Violence - funds domestic violence outreach and education.
- DOJ President’s Family Justice Center Initiative grant - funds representation of domestic violence victims at Nampa Family Justice Center.
- STOP Violence Against Women grant through Idaho State Police— funds Domestic Violence Legal Advice Line.
- United Way agencies in Boise, Caldwell, Coeur d’Alene and Lewiston—funds domestic violence and/or senior representation (depending on grant).
- Interest on Lawyers Trust Account grant from the Idaho Law Foundation—funds domestic violence representation.
- Older Americans Act funds through subcontract with Idaho Area Agencies on Aging – funds legal services to seniors.
- Native Education World Intel-
- ligence - funds legal representation and outreach by Indian Law and Migrant Law Units.
- Indian Estate Planning Project through sub-contract with University of Idaho College of Law - funds estate planning for Native Americans.
- DOJ funds through subcontract with Native American Rights Fund – funds legal services to Native Americans.
- Columbia University Public Law Foundation grant - for outreach to migrant community.
- Stanford Public Interest Law Foundation - grant to automate domestic violence related forms used by Idaho Legal Aid Services Attorneys and placed on private intranet.
- Impact Fund - funds Fair Housing Act case litigation costs.

## Idaho Partners Against Domestic Violence

**I**daho Partners Against Domestic Violence has raised funds for Idaho Legal Aid Services, Inc. and the Idaho Volunteer Lawyers Program to serve victims of domestic violence since 1998. The Idaho Partners Against Domestic Violence raised more than \$125,000 in 2006 for victims of violence. The 2006 campaign was co-chaired by Idaho Supreme Court Justice Linda

Copple Trout and Merlyn Clark of Hawley Troxell Ennis & Hawley, LLP. Idaho Legal Aid Services would like to thank Justice Trout, Mr. Clark, and the other volunteer members of the Idaho Partners Against Domestic Violence Leadership Committee for their skill and dedication in promoting this vital campaign.





# 2006 Donations

**I**daho Legal Aid Services expresses our sincere thanks to the individuals and organizations listed below that generously contributed time and/or financially to our organization in 2006.

Bob Alexander  
Julie Anderson  
Maria Andrade  
Anonymous  
Lisa Barini-Garcia  
Carol Barthlow  
Fred Belzer  
Donna & Ken Benfield  
Mildred Berner  
Donna Boe  
Hon. Larry Boyle  
Greg Bristow, c/o M. Suzanne Sargent  
Margaret Brown  
Roger L Brown  
Alicia Bybee  
Debbie Clark  
Alexis Contreras  
Candy Dale  
Dan Deborde  
Allen Derr  
Allyn Dingel  
Byron Hyatt Erstad  
Alicia Estey  
Ewing Anderson PS  
First District Bar Association  
Debra Flitton  
Wayne Fuller  
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Edward Pike  
Frank Powell  
Ted Quigley  
Paul Quinones  
Margarita Ramirez  
Greg Rauch  
Scott Reed  
Rebecca Rennebaum  
Sally Reynolds  
Stephen Rice  
John & Lois Riley

Randy Robinson  
Clara Showalter  
Mary Lee Shumway  
Rose Marie Smith  
Joanna Smith  
Laird Stone  
John Tait  
Taylor Taylor & Pitts PA  
Terry Tillotson  
Tzo-Nah  
Jean Uranga  
Chester Vig  
Frank Walker  
Stan Welsh  
Jamie Kay White  
Lauramae White  
White Peterson, PA  
Keith & Diana Williams  
Mark Williams  
Robert Williams  
Ron & Rita Wilper  
Michael Wytychak  
Craig Zanetti

Nobody has a more  
sacred obligation to  
obey the law than  
those who make the  
law.

Sophocles





# Board of Directors

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Courage and perseverance have a magical talisman,  
before which difficulties disappear and obstacles vanish  
into air.

John Quincy Adams

Visit us on the web at:  
<http://www.idaholegalaid.org/Home/PublicWeb>



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