



EQUAL JUSTICE ILLINOIS CAMPAIGN

Access to the Legal System Makes the Difference in People's Lives

The Honorable Philip J. Rock and The Honorable James R. Thompson, Co-Chairs

State Funding for Legal Aid Sees Critical Increase

FY 2006 Budget Includes \$2 Million for Illinois Equal Justice Foundation

Legal aid funding received a major boost in this year's state budget. Funding for the Illinois Equal Justice Foundation (IEJF) was increased to \$2 million, from the previous level of \$472,900. The IEJF distributes state funding for civil legal aid to not-for-profit organizations throughout the state. This additional funding will enable those organizations to help more than 30,000 families in crisis, victims of domestic violence and the elderly.

"With this funding, the state will help low-income residents who have nowhere else to turn get the legal help they need that is essential to their safety and independence. It's absolutely critical we ensure that poor people have access to the same kind of court system and the same kind of legal relief as those who can afford to pay," said Phil Rock, former Illinois Senate President and co-chair of the Equal Justice Illinois Campaign. "While Illinois still needs to do more when it comes to providing legal aid resources, this is a critical first step in getting us in line with the rest of the nation." Among the ten most populous states, the average appropriation for legal aid is \$6.8 million.

In addition, the appropriation for the IEJF, originally housed in the Illinois Department of Human Services, has moved to the Office of the Attorney General. "This increased appropriation is critical to providing services to Illinoisans who need

legal assistance but cannot afford it," said Attorney General Lisa Madigan. "Our legal system was designed for all. With this funding, legal aid organizations throughout the state will make sure that low-income Illinois residents have access to that system."

The effort to increase legal aid funding enjoyed strong bi-partisan support within the Illinois General Assembly. Senators Jeff Schoenberg (D, 9th) and Kirk Dillard (R, 24th) led the effort and sponsored bills to increase the state appropriation for civil legal aid to \$2 M and \$1 M respectively.

"Legal aid funding is a solid investment for our state," said Senator Schoenberg, who also initiated moving the funding to the Attorney General's Office. "Access to legal services makes the difference in people's lives. By providing people with the legal help they need now, we can help prevent problems such as child abuse, domestic violence and homelessness."

The \$2 M in funding will provide critical relief to Illinois' legal aid network, which is so overburdened and under-funded that it is operating in a crisis mode, accepting only the most critical cases and turning away tens of thousands of people each year. A statewide legal needs study released earlier this year found that in 2003 alone, poor people faced more than 1.3 million civil legal problems,

involving issues such as domestic violence, divorce, child

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Chancery Advice Desk Offers Guidance To Those In Danger of Losing Their Home

On a daily basis, attorney Kelli Dudley sees that a person's home is second in importance only to their personal relationships. A home provides stability and security, and often times serves as a family's only source of savings. Dudley estimates that 20,000 people in Cook County alone face foreclosure on their homes each year, many without

two to three attorneys and is open 9 a.m. to noon every weekday. The attorneys at the Advice Desk primarily see cases of foreclosure, but also advise on any legal matter heard by the Chancery Division of the Circuit Court.

When a homeowner misses a mortgage payment, the foreclosure process can be initiated immediately.

"In a matter of months, a family can go from living securely in their own home to being completely dependent on their relatives and friends. And often times the difference between keeping and losing their home is a couple of minutes of free legal advice."

legal representation. The Chicago Legal Clinic's Chancery Advice Desk was created to help these people.

The Chicago Legal Clinic opened the Chancery Advice Desk for the Chancery Division of the Circuit Court of Cook County in February of 2004. Located in the Daley Center, the Advice Desk is staffed by

Many who miss payments have strained finances and do not have the resources to secure legal representation. For people facing the prospect of losing their homes, the legal process can be daunting.

"Many people come to us completely overwhelmed by the foreclosure

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custody, evictions, mortgage foreclosures or the physical and financial abuse of the elderly. However, in more than 80% of those cases, individuals and families faced the problem without any legal assistance.

In addition, federal funding from the Legal Services Corporation, which is the largest source of support for legal aid, has dropped by 38% over the past fifteen years, when adjusted for inflation.

State funding for civil legal aid is appropriated through the Illinois Equal Justice Act. The Act, approved by the General Assembly and signed into law in 1999, recognizes the State's responsibility to ensure equal access to the legal system. It sets forth a wide range of innovative, cost-effective initiatives to help low-income people understand the legal system and resolve their routine legal problems more effectively.

Maybrook Courthouse Program Helps Abused Women Achieve Independence

One month after leaving her husband who had abused her for more than 16 years, Maria* faced a terrifying situation. Her husband came to her new home, physically assaulted her and took their two

were returned to Maria later that day. The husband was arrested for domestic battery as he left the courtroom. Maria asked Reimherr to represent her and get her a divorce.

It's clear that without legal help,

But often times, obtaining an order of protection just isn't enough.

The Program helps victims who have children with their abusers and who, therefore, also need to obtain custody, child support and visitation

"It's a hard decision to choose between feeding your kids and leaving an abusive situation. I think a lot of women are afraid to seek legal counsel."

children. Over the next several days, her husband periodically called to tell her that she would never see their children unless she reconciled with him.

Maria turned to the Legal Assistance Foundation of Metropolitan Chicago (LAF) and attorney Lori Reimherr obtained an emergency order of protection on her behalf which ordered her husband to turn over the children. At a hearing a few weeks later, Reimherr was able to get a plenary order of protection and the children

the fate of Maria and her children would have been rather grim. The Legal Assistance Foundation's program, based at the Maybrook Courthouse, aims to help women such as Maria free themselves from abusive situations.

"We really want to help women understand how they can be independent," said Reimherr. "It's a hard decision to choose between feeding your kids and leaving an abusive situation. I think a lot of women are afraid to seek legal counsel."

schedules. LAF attorneys also assist victims in need of a divorce (even if they don't have children in common with the abuser) in order to divide assets and property that is necessary for women to achieve economic security. While addressing these issues is critical to stopping the cycle of domestic violence, they are outside of the purview of the state's attorney office.

"We take an individual and really try to help them improve their

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Excellence in Pro Bono & Public Interest Service Award Goes to Michelle Weinberg



Michelle Weinberg, attorney with the Consumer Fraud and the Elderly Project at the Legal Assistance Foundation of Metropolitan Chicago, was awarded the 'Excellence in Pro Bono and Public Interest Service Award' from the United States District Court for the Northern District of Illinois and the Chicago Chapter of the Federal Bar Association. Weinberg, pictured here with Alan Alop, Deputy Director of the Legal Assistance Foundation, was singled out for her work on behalf of four elderly women who were victimized by a fraudulent home improvement and predatory loan scheme. Weinberg's position with the Consumer Fraud and the Elderly project is funded through the Illinois Equal Justice Foundation.

The ceremony, which also honored several private attorneys for pro bono work, was held in the Dirksen Federal Building courthouse.

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process,” said Dudley, who serves as the Supervisor of the Chancery Advice Desk. “They are afraid that they will be forced from their home immediately and have no idea how to fight back.”

Each client who comes to the Advice Desk fills out an internal intake form about themselves and their case. An attorney then meets one-on-one with the client to offer advice on the client's options and next steps. Dudley says this usually involves filling out legal forms and helping the client contact their lenders.

The legal hurdles leave many feeling helpless and disempowered. She recalls one client who was so convinced that she could not fight foreclosure that she packed her belongings and abandoned her home without even exploring her options.

“The clients we see are in an extremely vulnerable position.

They are facing losing their homes in a legal system that is difficult to navigate without legal expertise,” said Dudley.

The Advice Desk volunteer attorneys help clients with the court processes and refer them to further legal services, if needed. “We assure them that they have legal recourse. We study their case and try to offer the most appropriate and comprehensive guidance on how they should proceed,” said Dudley.

Many clients have already fallen victim to one of the countless scams that prey on homeowners facing foreclosure. Dudley says that poor financial literacy compounded with the fear of imminent repossession, make her clients particularly susceptible to unscrupulous sources offering help for a sizable fee. She often finds herself advising on how to avoid these scams as much as she advises on how to

avoid foreclosure.

Advice desk attorneys do not establish on-going relationships and cannot represent clients in court. Despite these restrictions, the attorneys show an unusual dedication to their clients.

Most days, there are more clients lined up in need of assistance than the attorneys can help. But Dudley says as long as a client arrives before closing, she tries to offer some guidance. Dudley has been known to advise clients in the hallway while on her way to court proceedings for other clients.

“We do our best to help as many clients who come to the Advice Desk as possible, but we simply cannot help everyone who needs it,” said Dudley. “In the beginning we projected that we would serve 1,200 people each year. Our intake information shows that we served 1,800

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The Equal Justice Illinois Campaign would like to thank the companies and organizations who provide funding:

- ◆ ADM
- ◆ Chicago Bar Foundation
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- ◆ Lawyers Trust Fund of Illinois
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About the Foundation

The Illinois Equal Justice Foundation is a non-profit entity created to distribute state funding for legal aid efforts, as outlined in the 1999 Illinois Equal Justice Act. This funding directly helps families in crisis, victims of domestic violence and senior citizens facing consumer fraud, estate-planning and health-related issues.

In order to reach the largest number of Illinois residents, Foundation grants fund projects such as legal telephone hotlines for immediate advice and referrals; self-help legal desks in courthouses for guidance on simple legal matters; and dispute resolution centers for speedy and less expensive alternatives to litigation.



Golden Gavel Awards Presented *Former Governor Thompson and Former Senate President Rock Honored*

Former Illinois Governor Jim Thompson and former Illinois Senate President Phil Rock were honored for their leadership of the Equal Justice Illinois Campaign with the 2005 Golden Gavel Awards from CARPLS. CARPLS is Cook County's legal aid hotline and since 1993, has answered more than 300,000 calls from low-income residents in need of legal assistance. The awards ceremony took place at Northern Trust, with Lester Munson of Sports Illustrated serving as master of ceremonies.

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people in our first year and are on track to serve 3,000 this year."

Dudley worries, though, about the countless others who are not receiving legal advice on their foreclosures. With few resources, some are left homeless and others are forced to rely on their friends and family to put a roof over their heads.

"In a matter of months, a family can go from living securely in their own home to being completely dependent on their relatives and friends," said Dudley. "And oftentimes the difference between keeping and losing their home is a couple of minutes of free legal advice."

For More Information

For more information on the Equal Justice Illinois Campaign, please contact Margarite Wypychowski at (312) 335-0100 or margarite@grisko.com or visit www.equaljusticeillinois.org.

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entire situation," said Reimherr. "We will take care of the immediate problem but we will also handle other legal proceedings necessary. For instance, we recently helped a client get back her car after it had been repossessed. We also work closely with domestic violence agencies that provide counseling in the area."

The Maybrook program is unique in that it is one of the few legal aid programs based at a courthouse. The Maybrook Courthouse serves more than 22 western suburbs in Cook County. "It's unusual that someone can come into the courthouse and then go to an office and receive advice on just a broad range of civil legal issues," notes Reimherr.

In Cook County alone, there are more than 75,000 reported domestic violence offenses each year.

Children are involved in more than 60% of these cases. In many cases, Reimherr notes that abusers will use children as bargaining tools in order to force their spouses or girlfriends to stay with them.

Without access to legal aid, many victims of domestic violence

go back to their abusers for fear of losing their children in a custody battle or go "on the run" with their children, living in temporary shelters and existing on welfare because they cannot maintain normal employment.

In fact, a study by economists at Colgate University and the University of Arkansas found that legal aid is the only service that decreases the incidence of domestic violence over the long term. Since legal services help women achieve economic power and self-sufficiency, legal aid programs are a good place to spend public money, according to the study. The economists concluded that access to legal services is the primary factor behind a 21% decrease in the reported incidence of domestic abuse nationwide.

"We try and really focus on the client. There is such a need in these communities," said Reimherr. "Unfortunately, we're forced to turn away many women seeking help because we just don't have the funding. And if people are forced to represent themselves, the justice system just isn't working."

“Equal Justice for All
Is No Longer Just a Slogan . . .
It Has Become a Movement.”

- *Former Illinois Senate President
Phil Rock
Co-Chair, Illinois Equal Justice Campaign*

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