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LCBH promotes the availability of and access to safe, decent and affordable housing for low-income households in Chicago.

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In this issue, we feature Blue Ribbon Committee member, State Representative Patricia R. Bellock, a tireless advocate for the rights of Illinois' most vulnerable residents and a dedicated supporter of increased funding for civil legal aid.



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GRANTEE SPOTLIGHT:
LAWYERS' COMMITTEE FOR
BETTER HOUSING

The Lawyers' Committee for Better Housing (LCBH) promotes the availability of and access to safe, decent and affordable housing for low-income households in Chicago through legal representation, individual and public advocacy, supportive social services and education.

While there have been countless news reports focused on the millions of homeowners affected by the mortgage foreclosure crisis, renters facing eviction due to foreclosure proceedings have generally been overlooked. In response to a huge upsurge in calls from renters caught up in foreclosure-related problems, LCBH founded the *Tenants in Foreclosure Intervention Project* (TFIP) in 2008 with support from the MacArthur Foundation, the Chicago Community Trust, and the City of Chicago. TFIP is the only program in the state that focuses exclusively on the plight of tenants facing deteriorating building conditions, displacement, or eviction due to foreclosure. According to Kathleen Clark, Executive Director of LCBH, "Foreclosures will continue for some time and policy and resources need to be directed to assisting rental families, not just homeowners. Tenants need to understand their rights and how to navigate the difficult situations so many find themselves in."

Based on the number of foreclosure filings in 2009, TFIP estimates that an average of 125 multi-family buildings went into foreclosure each week in Chicago. These properties contained over 20,000 units, greatly exceeding the 16,000 single-family homes and condominiums combined that had gone into foreclosure the same year. By conservative estimates, at least 3,000 more renters than homeowners in Chicago were at risk of losing their homes. Although 2010 data is still incomplete, it appears that foreclosure filings on multi-unit properties continue apace and that more renters than homeowners are still being affected.

According to a 2010 report from the Institute for Housing Studies at DePaul University, multi-family foreclosures in Cook County are at

least three to four times more concentrated in low and moderate-income areas. In Chicago, the hardest hit communities are South Shore, Austin, Humboldt Park and Englewood. This concentration of foreclosed properties threatens the stability of communities that are already reeling from high unemployment, a shortage of affordable housing and crippling cuts in social services. As buildings sit vacant, they become targets of vandalism and illegal activity and quickly deteriorate. TFIP works closely with community-based organizations in these neighborhoods and provides training and research to assist with their intervention efforts as well as legal intervention for cases that are beyond their scope of expertise.

Recent legislation has been enacted to protect renters impacted by the foreclosure crisis. According to both the *Illinois Mortgage Foreclosure Law* and the federal *Protecting Tenants at Foreclosure Act of 2009*, lenders must honor the terms of any existing leases and provide at least 90 days written notice to vacate only after a sale has been confirmed. LCBH was involved in advocacy efforts that led to an amendment of Chicago's *Residential Landlord and Tenant Ordinance* in 2010 to ensure the return of security deposits when tenants are displaced due to foreclosure. LCBH is now pressing to extend this right to the state level.

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Mark Swartz (center), Legal Director at Lawyers' Committee for Better Housing (LCBH), assisted tenants in the Austin neighborhood who were experiencing threats of illegal lockout by a bank receiver. More information about LCBH's programs and services is available at www.lcbh.org.

ABOUT THE CAMPAIGN

The Equal Justice Illinois Campaign is a bi-partisan coalition of state leaders working to increase state funding of civil legal aid so that all Illinois residents – regardless of income – have access to the court system. The Campaign is a project of the Illinois Equal Justice Foundation, the organization charged with distributing the state appropriation for civil legal aid.

The legal aid system in Illinois currently operates near the breaking point. There are fewer than 400 legal aid lawyers to assist the more than 1.5 million Illinois residents living in poverty. Out of the ten most populous states, Illinois ranks last when it comes to legal aid funding, spending \$1.75 million compared to an average of \$10.2 million.

The Equal Justice Illinois Campaign calls on the state to maintain level funding for civil legal aid so this critical safety net continues to function. For more information, visit www.equaljusticeillinois.org.

EFFECTIVE STEWARDS OF STATE DOLLARS FOR CIVIL LEGAL AID

The state's fiscal crisis has impacted all Illinoisans, but it has hurt social service providers and their vulnerable clients the most. The stories of providers across Illinois closing their doors due to state payment delays are becoming commonplace. These closures come at a time when demand for services is at its highest in decades. The newly poor compete with people with disabilities, children with special needs, senior citizens and veterans for the few life preservers left.

In this sea of need, how can the Governor and General Assembly prioritize the limited resources they have at their disposal? The recently enacted Budgeting for Results Act aims to ensure that programs able to deliver results with proven community impact rise to the top of the list. The Illinois Equal Justice Foundation (IEJF) is one of those programs.

“Civil legal aid is a cost-effective investment that builds healthier, more stable communities.”

Did you know?

- Since its first grant cycle in 2001, the IEJF has awarded over \$17.6 million in grants to legal aid organizations across Illinois serving the civil legal needs of 400,000 low-income families, children with disabilities, seniors and veterans.

- IEJF grants range in scope from funding for web-based legal information resources and telephone advice hotlines, to mediation and full-scale litigation. These programs address mortgage foreclosure, domestic violence, elder abuse, homelessness, veteran's

benefits, special education, consumer fraud and predatory lending.

- Civil legal aid is a cost-effective investment that builds healthier, more stable communities. Legal aid attorneys are uniquely equipped to address the mortgage foreclosure crisis and the increasing number of people seeking public benefits for the first time. A study by economists at Colgate University and the University of Arkansas found that legal aid is the only public service that decreases domestic violence over the long-term.

- IEJF grants increase the efficiency of our court system by educating self-represented litigants on court procedures. The IEJF funds legal information centers and advice outposts in court-houses and public libraries across the state to offer help where and when people need it.

- The state appropriation for civil legal aid was slashed by 50 percent in 2010 from \$3.5 million to \$1.75 million. As a result, 43,000 fewer people received critical legal assistance compared to 2009. However, last year our grants served more than 31,000 low-income people and provided web-based legal resources that were accessed more than 333,000 times.

- Of the ten most populous states, Illinois ranks last in spending on critical civil legal aid services. The average spent among the ten most populous states is \$10.2 million.

The IEJF is a sound investment of state funds with a proven track record of good stewardship. Attorney General Lisa Madigan has requested level funding for the IEJF in her fiscal year 2012 budget request. **The Equal Justice Illinois Campaign also advocates for level funding for FY 12 and asks that the IEJF be spared additional funding cuts this year.**

BLUE RIBBON COMMITTEE MEMBER PROFILE

Patricia R. Bellock (R),
State Representative, 47th District



State Representative Patti Bellock was elected to the Illinois House of Representatives in January of 1999. Now in her seventh term, Representative Bellock continues to advocate for improvements in education, juvenile justice, healthcare, developmental disabilities and mental health, as well as Great Lakes water issues. She also is an advocate of tougher laws on domestic violence, terrorism, drug trafficking and sexual predators on the Internet. She has received numerous state and national awards including being named Legislator of the Year by twelve statewide organizations. She serves on national health and human service committees and is Midwest Director at Women in Government in Washington D.C. Representative Bellock joined the Equal Justice Illinois Campaign's Blue Ribbon Committee in 2009.

Q&A

How does the work of legal aid organizations impact your constituents?

These organizations are outstanding resources for us to refer clients to, particularly women who need legal assistance. Over the years we have been able to refer many constituents who were in dire need of legal services but could not afford a private attorney.

What motivated you to serve on the Equal Justice Illinois Campaign's Blue Ribbon Committee?

I have worked with them for several years and found them to be deeply committed to their mission. I feel that they perform an important and much needed service for people within our community.

Why do you believe it is necessary to maintain the state appropriation for civil legal aid?

The funding for these organizations is an extremely important line item in order to continue providing these desperately needed services within our state.

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GRANTEE SPOTLIGHT: LAWYERS' COMMITTEE FOR BETTER HOUSING

Despite this recent legislation, there is a lack of awareness of legal rights and responsibilities among renters, landlords and lenders alike. Landlords often do not provide notice of foreclosure proceedings and many abandon their properties when a bank takeover is imminent. Meanwhile, lenders generally do not want to spend money to maintain unsold properties and prefer to deliver buildings vacant to potential buyers. This disinvestment means the buildings fall into disrepair and the unsuspecting tenants often do not know where to turn.

Though renters are required to continue paying rent to the landlord until the property is sold, they do have rights when their building goes into foreclosure. However, tenants need legal assistance to respond to eviction notices, address unsafe living conditions, and protect themselves from illegal threats and small "cash for keys" offers that prey upon tenants' desperate situations. Additionally, an eviction due to foreclosure often appears on a renter's record and affects their credit rating and ability to find new housing or employment. An example is the case of Sandra who came to LCBH in 2010 to report that her new building had gone into foreclosure and that the receiver for the bank had filed an eviction case against her. While searching for new housing, she learned that there was an eviction on her record from a building where she had lived in 2008 that had also gone into foreclosure. Her only chance of finding decent and affordable housing was to have her court records sealed with assistance from LCBH, as allowed under the *Illinois Mortgage Foreclosure Law*.

“Foreclosures will continue for some time and policy and resources need to be directed to assisting rental families, not just homeowners.”

- Kathleen Clark

TFIP was established to advise tenants fully of all of their rights and ensure that they have the necessary time to find adequate new housing. According to the program's Legal Director, Mark Swartz, "Tenants have a right to a safe, well-maintained building with utilities during the remainder of their lease and the new owner is obligated to be a landlord. They should not be pressured to make rash decisions that put them at risk of homelessness."

IEJF FY 11 GRANT AWARDS

The Illinois Equal Justice Foundation awarded \$1.66 million in grants to 16 not-for-profit organizations assisting residents facing critical legal challenges throughout the state. Please visit www.iejf.org for more information about the IEJF's grant program.

Land of Lincoln Legal Assistance Foundation (Alton, Champaign, East St. Louis, Carbondale and Springfield) (\$367,000)

Prairie State Legal Services (Rock Island, Waukegan, Galesburg, Peoria, Ottawa, Joliet, Wheaton and St. Charles) (\$366,800)

Legal Assistance Foundation of Metropolitan Chicago (Cook County) (\$194,000)

Coordinated Advice & Referral Program for Legal Services (Cook County) (\$189,000)

Illinois Legal Aid Online (Statewide) (\$114,000)

Equip for Equality (Chicago, Moline, Carbondale and Springfield) (\$110,000)

Center for Conflict Resolution (Cook County) (\$75,000)

Chicago Legal Clinic (Cook County) (\$70,000)

Chicago Volunteer Legal Services (Cook County) (\$70,000)

Kankakee Center for Conflict Resolution of the John R. Tate Advocacy Center (Kankakee) (\$29,000)

Cabrini Green Legal Aid (Chicago) (\$26,000)

Dispute Resolution Institute (Carbondale) (\$25,000)

Lawyers' Committee for Better Housing (Chicago) (\$10,000)

Working Hands Legal Clinic (Chicago) (\$9,000)

Midwest Center for Law & the Deaf (Statewide) (\$6,000)

Southern Illinois University School of Law Foundation (Carbondale) (\$1,700)

EQUAL JUSTICE ILLINOIS CAMPAIGN BLUE RIBBON COMMITTEE

James R. Thompson, Chair, Former Governor

Philip J. Rock, Chair, Former Senate President

Linda Renee Baker, Professor, Paul Simon Public Policy Institute, Southern Illinois University

Patricia R. Bellock, State Representative, 47th District

Dorothy Brown, Clerk, Circuit Court of Cook County

James Buda, General Counsel, Caterpillar Inc.

Robert Clifford, Clifford Law Offices

Carolyn Clift, President, Illinois Equal Justice Foundation

Philip Harnett Corboy, Jr., Corboy & Demetrio

Jerry Costello, US Congressman, 12th District

Joseph Dailing, Illinois Coalition for Equal Justice

Richard M. Daley, Mayor, Chicago, IL

Ken Dunkin, State Representative, 5th District

Timothy Evans, Chief Judge, Circuit Court of Cook County

Karen Hasara, Former Mayor of Springfield

Mark Hassakis, President, Illinois State Bar Association

Janet Holmgren, Chiel Judge, 17th Judicial Circuit

Dallas Ingemunson, Former Illinois Republican Party Chairman

James Jenkins, General Counsel, Deere & Company

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David Stricklin, Stricklin & Associates

James Wexstten, Judge, 5th District Appellate Court

Jesse White, Secretary of State of Illinois