

*“Equal Justice For All”*

**COMMUNITY**  

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**LEGAL SERVICES, INC.**



**2010 Annual Report**

## ***Community Legal Services. . .***

### ***Our Vision . . .***

***‘Civil Justice for All’***

### ***Our Mission Statement:***

***‘Community Legal Services is committed to eliminating poverty-based inequities in the civil justice system by providing high-quality legal advice, advocacy and assistance to low-income Arizonans.’***

### ***Value Statement:***

***As a promoter of free and equal access to the justice system within our community, Community Legal Services pursues aggressive advocacy as the cornerstone of our work on behalf of the disenfranchised.***

## CLS OFFICES

### Maricopa County Central Office

305 South Second Avenue  
Phoenix, Arizona 85003  
(602) 258-3434  
1-800-852-9075  
TTY: (602) 254-9852

### Disability Advocacy Project

250 N. 2nd Avenue  
Phoenix, Arizona 85004  
(602) 212-2724  
TTY: (602) 212-2702

### Volunteer Lawyers Program

305 South Second Avenue  
Phoenix, Arizona 85003  
(602) 258-3434  
1-800-852-9075  
TTY: (602) 254-9852

### Eastside Office

20 W. First Street, Suite 101  
Mesa, Arizona 85201  
(480) 833-1442  
1-800-896-3631  
TTY: (480) 644-0572

### Yavapai County Office

401 N. Mount Vernon  
Prescott, Arizona 86301  
(928) 445-9240  
1-800-233-5114  
Arizona Relay - 711

### Mohave/LaPaz Counties Office

1720 Beverly, Suite A  
Kingman, Arizona 86409  
(928) 681-1177  
1-800-255-9031  
TTY: (928) 681-7281

### Yuma County Office

201 South 1st Avenue  
Yuma, Arizona 85364  
(928) 782-7511  
1-800-424-7962  
Arizona Relay - 711

### Farmworker Program Maricopa County Office

305 South Second Avenue  
Phoenix, Arizona 85003  
(602) 258-3434  
1-800-356-7115  
TTY: (602) 254-9852

### Farmworker Program San Luis Office

845 E. "B" Street, Suite 2  
San Luis, Arizona 85349  
(928) 627-8023  
1-800-356-7115  
Arizona Relay - 711

[www.clsaz.org](http://www.clsaz.org)

Dear Friends, Colleagues and Partners:



Economists tell us that the "Great Recession" ended in 2010. Despite that good news, the population of client-eligible families and individuals served by Community Legal Services continues to grow, and now exceeds 210,000. Simultaneously, CLS had significantly fewer legal professionals on staff to provide such services, due to a workforce reduction caused by the recession. While this could have been a recipe for disaster, CLS successfully emerged from 2010 stronger than ever. CLS remains firmly committed to using our limited resources as wisely and creatively as it can to meet our goal of providing access to the civil justice system for all.

I am pleased to report that in 2010, more than 65,000 low-income individuals and families benefitted from Community Legal Services. The legal services provided by CLS staff attorneys and paralegals alone impacted the lives of 31,000 people. Others were served by hundreds of volunteer private practice attorneys recruited and supported by the Volunteer Lawyers Program, a joint project of CLS and the Maricopa County Bar Association. Others benefitted from many outreach activities and educational programs.

Through direct representation of clients with critical legal needs, CLS advocates provided access to our civil justice system for those who lacked the funds to retain a lawyer. In the most extreme cases, homelessness was prevented, and women and children were protected from abuse and violence. Health care benefits were obtained or preserved for those in critical need of medical attention, and fraudulent consumer practices were corrected or avoided. Educational opportunities were accessed for special needs children, and government benefits such as Social Security, S&DI and food stamps were reinstated and/or protected. Further, CLS advocates assisted many of the "working poor" with resolving unpaid wage claims.

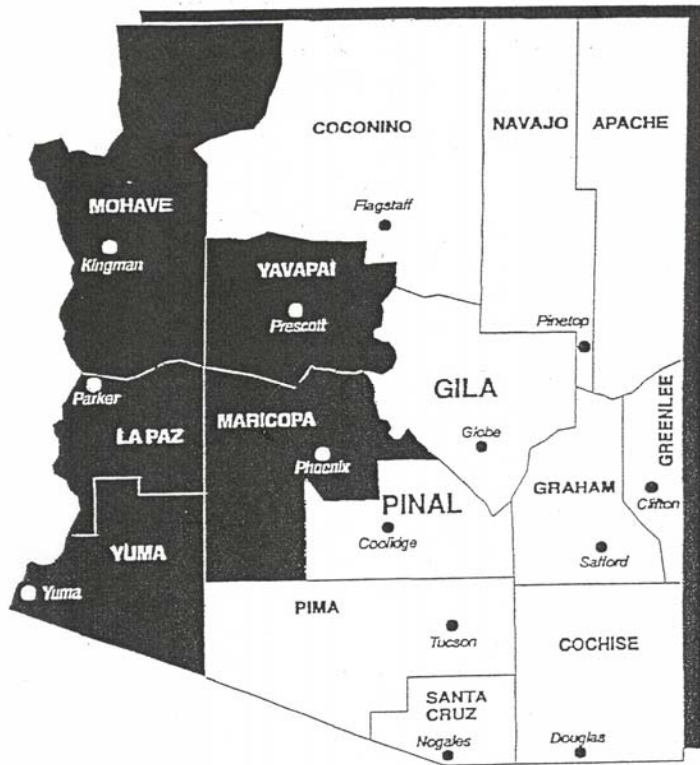
In troubled economic times, children, the sick and disabled, the elderly and the poor are at particular risk. For that reason, in 2010 CLS continued to offer special programs designed to address the unique legal needs of children, those facing bankruptcy, clients with HIV/AIDS, migrant farm workers and persons with disabilities. Brief service clinics, self-help instructional workshops and expansive community education activities continue to be important components of Community Legal Services, as our clients learn skills needed to successfully resolve their own legal problems.

Community Legal Services looks forward to the opportunity to assist our client population with constant and emerging legal needs. With the continued support of our governmental, community and private funding partners like you, CLS will continue to provide access to justice for our clients in 2011 and beyond.

On behalf of Community Legal Services, thank you for your support!

*Patrick X. Fowler*  
Patrick X. Fowler, Esq.  
CLS 2010-2011 Board Chair

## CLS STAFF ROSTER



CLS Service Areas

COUNTY	TOTAL POPULATION	AT OR BELOW POVERTY LEVEL	%
LaPaz	20,086	5,243	26.1
Maricopa	3,954,598	529,916	13.4
Mohave	196,281	32,975	16.8
Yavapai	215,503	27,800	12.9
Yuma	194,322	41,780	21.5

### ADMINISTRATION

Lillian O. Johnson, Executive Director  
 George H. McKay, Litigation Director  
 Otis Perkins, Chief Financial Officer  
 Nancy Guadagno, Res. Develop Dir.  
 Lilly Paniaqua, Human Res. Specialist  
 Emily Dietz, Dev. Assoc. Media Relations  
 Judy Goldfader, Admin. Assistant to ED  
 VonDall Moore, Admin Asst. to Lit. Dir.  
 and Res. Dev. Dir.  
 Leesa Bowman, Grants Accounting  
 Tim Godwin, Accounts Payable  
 Larita Neal, Network Admin.

### CENTRAL PHOENIX OFFICE

#### Domestic Relations Unit

Patricia Madsen, Managing Attorney  
 Thomas Alongi, Sr. Staff Attorney  
 Josh Eisenstein, Staff Attorney  
 Doris Jessee, Senior Paralegal  
 Maria Porter, Sr. Paralegal  
 Annmarie Thomas, Paralegal/Legal Asst.

#### Telephone Access Project (TAP)

Robyn James, Manager  
 Denise Gallegos, Paralegal  
 Adeline Avila, Intake  
 Jerry Herrera, Intake  
 Rebecca Infante, Intake  
 Valeria Vega, Intake  
 Nora Powers, Receptionist/Intake

#### Housing and Benefits Law Units

Jeffrey Kastner, Managing Attorney  
 Michael Somsan, Sr. Staff Attorney  
 Dina Lesperance, Sr. Staff Attorney  
 Anna Dahlquist, Staff Attorney  
 Nora Nunez, Staff Attorney  
 Diana Ruiz, Paralegal  
 Louise Mullvain, Paralegal  
 Marea de Nice LaFond, Paralegal  
 Audrey Wanich, Paralegal  
 Karen McGettrick, Secretary

#### Foreclosure Law Project

Allen Ginsberg, Attorney  
 David Hilton, Paralegal

#### Statewide Consumer Law Project

Bradley Gelder, Staff Attorney

#### Farmworker Program—San Luis

Rosa Varela, Sr. Paralegal/Outreach  
 Olga Velasquez, Paralegal/Outreach

### Farmworker/Employment /LITC Unit—Phoenix

George H. McKay, Managing Attorney  
 Pamela Bridge, Sr. Staff Attorney  
 Bree Stamper-Gimbar, Staff Attorney  
 Nina Targovnik, Sr. Staff Attorney  
 Elise Halvorson-Maza, Paralegal (LITC)  
 Laura Smith, Secretary/Paralegal

### Volunteer Lawyers Program

Patricia Gerrich, Director  
 Roni Tropper, Coordinator,  
 Children's Law Project  
 Peggi Cornelius, Programs Coordinator  
 Maria Fulgencio, Sr. Paralegal  
 David Bishop, Paralegal (DR)  
 Danae Brownell, Support Advocate  
 Karen Jackman, Paralegal (FLAP)  
 Tania Rathburn, Assistant (FLAP)  
 Karen Stuart, Paralegal (HIV/AIDS)  
 Miriam Arellano, Secretary

### EASTSIDE OFFICE—MESA

Sarah Youngblood, Managing Attorney  
 Stanley Silas, Sr. Staff Attorney  
 Jami Cornish, Staff Attorney  
 Sue Ann Springer, Sr. Paralegal  
 Kathie Goodwin, Paralegal  
 Anabel Pina, Receptionist/Intake

### MOHAVE OFFICE—KINGMAN

Beth Engels, Managing Attorney  
 Douglas Self, Staff Attorney  
 John Torrance, Volunteer P/T Attorney  
 Kevin Frandsen, Paralegal  
 Xochilt Kelly, Pro Bono Coordinator  
 Lourdes Bottlik, Recept/Secretary

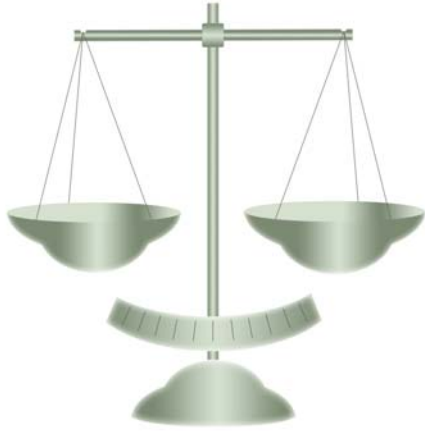
### YAVAPAI OFFICE—PRESCOTT

J. Ward Sturm, Managing Attorney  
 Joseph Waesche, Staff Attorney  
 Jeanine Thompson, Sr. Paralegal  
 Tina Roach, Pro Bono Coordinator  
 Anita Chronister, Intake/Receptionist

### YUMA/LA PAZ OFFICE—YUMA

Kay Macuil, Managing Attorney  
 Nina Eddidin, Staff Attorney  
 Estella Desarden, Paralegal  
 Alicia Franco, Sr. Paralegal  
 Nohemi Haro, Intake/Receptionist  
 Maria Haley, Legal Secretary

You can help ensure access to justice and a brighter future for the hundreds of thousands of Arizonans in need by donating to Community Legal Services



You may also contact any CLS office or the Volunteer Lawyers Program to donate your time and expertise.

The Arizona Equal Justice Foundation (AEJF) is a stand alone, 501(c)(3), non-profit foundation that raises funds to support Arizona's three major civil legal aid programs: **Community Legal Services**, **DNA-People's Legal Services**, and **Southern Arizona Legal Aid**.

To make an impact statewide, please support the Arizona Equal Justice Foundation.

Please mail your check to:

Attn: Nancy S. Guadagno  
Community Legal Services or Arizona Equal Justice Foundation  
305 South Second Avenue  
Phoenix, Arizona 85003

To make a credit card donation to **Community Legal Services**, please visit our website at [www.clsaz.org](http://www.clsaz.org) and click on the "donate Now" link to our Paypal donation page.

To make a credit card donation to the **Arizona Equal Justice Foundation**, call (602) 258-3434 x 2150 or (800) 852-9075 x 2150.

CLS and AEJF are separate 501(c)(3) non-profit corporations. Contributions to both are 100% tax-deductible.

Helping to ensure 'equal justice for all' 1 client at a time

## 2010 BOARD OF DIRECTORS

### PRESIDENT

**Patrick X. Fowler, Esq.**  
Snell & Wilmer, LLP

### VICE PRESIDENT

**Gregorio M. Garcia, Esq.**  
Polsinelli Shughart PC

### SECRETARY

**Jason Pritchett, Esq.**  
Fennemore Craig

### TREASURER

**Douglas J. Suits, Esq.**  
Attorney at Law

### Immediate Past President

**Judge Penny L. Willrich  
(Retired)**  
Associate Professor  
Phoenix School of Law

### At-Large Executive Committee

**Jennifer Barnes, Esq.**  
Arizona State University  
Sandra Day O'Connor College  
of Law Civil Justice Clinic

### Gordon Lewis, Esq.

Jones, Skelton & Hochuli

### Jose Raul Redondo

Yuma Program Service  
Evaluator

### Claudia Serrine

Jaclyn Tipp

### MEMBERS

**Patriak Achiek**

### Anne Chapman, Esq.

Osborne Maledon

### James J. Haas, Esq.

Maricopa County Public  
Defender Office

### Carlene Higgins

**Clarence Matherson, Jr., Esq.**  
City of Tempe

### Charleen McDade

Diana Moll

### Robert E. Pastor, Esq.

Haralson Miller Pitt  
Feldman & McAnally

### Kevin Quigley, Esq.

Quarles & Brady

### John Ruot

### Victoria Tandy, Esq.

Assistant Federal  
Public Defender

### Thomas E. Varela, Esq.

Yuma County  
Justice Court

### Victoria Washington, Esq.

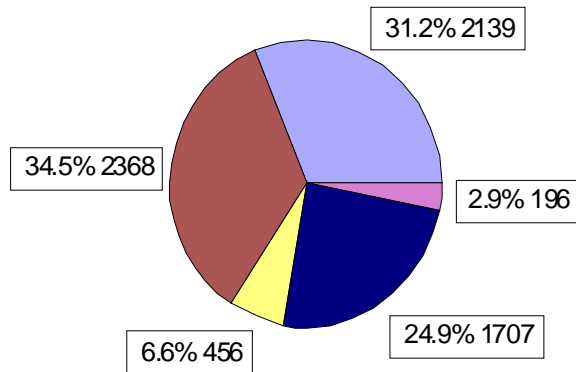
Maricopa County Public  
Defender Office

Governing the composition of the Community Legal Services Board of Directors is a federal regulation which requires two-thirds of the Board to be made up of lawyers licensed to practice law in the geographic areas in which services are provided; Maricopa, Mohave, Yavapai, Yuma, and La Paz counties, and to represent migrant and seasonal agricultural workers statewide. These Directors are appointed by a local, county or state bar association.

One-third of the Board must be financially eligible to be served as a client of the program at the time of their appointment. These Directors are appointed by a local community organization within the CLS service area.

All CLS Board members serve on a voluntary, uncompensated basis, and may serve two consecutive, three-year terms. Officers and members of the Executive Committee are elected annually. The Board meets bi-monthly from September through May and meetings are open to the public.

## 2010 Closed Cases - 6,866



- Consumer/Income Maint./Employment
- Family Law
- Health Care/Education/Juvenile
- Housing Law
- Miscellaneous

During calendar year 2010, CLS provided legal services to more than 50,000 people through legal case work, outreach activities and the distribution of educational printed materials.

Without the assistance of CLS, our clients would have had no recourse to resolve their civil legal problems impacting their basic human needs. If unresolved, problems may escalate and result in homelessness, continued abuse and domestic violence, loss of already limited incomes due to consumer fraud and illegal employment practices, lack of health care and the right to public school education for children with disabilities.

## PARTNERS IN FUNDING

**Arizona Equal Justice Foundation**

**Arizona Foundation for Legal Services and Education**

**Arizona Domestic Violence Legal Assistance Project**

**Community Development Block Grants and General Funds**

City of Chandler  
 City of Glendale  
 City of Mesa  
 City of Peoria  
 City of Scottsdale  
 City of Tempe  
 City of Yuma

**Internal Revenue Services**  
 Low-Income Taxpayer Clinic

**Legal Services Corporation**

**Tenants Rights and Fair Housing Funding**

City of Glendale Fair Housing  
 City of Mesa Tenants Rights Hotline  
 City of Yuma Fair Housing

**United Ways**

Lake Havasu City , LaPaz, Kingman, Bullhead City  
 Mesa  
 Valley of the Sun  
 Yuma

## FINANCIAL STATEMENT

**2010**

**REVENUE:**

Legal Services Corporation	4,655,999
Contributions	302,564
United Way	252,498
Other Government Contracts	589,731
Grants and Other Awards	427,747
Investment Income	4,337
<b>TOTAL REVENUE</b>	<b>6,232,876</b>

**EXPENSES:**

Program Services	4,923,440
Management and General	809,741
Fundraising	165,984
<b>TOTAL EXPENSES</b>	<b>5,899,165</b>

Increase (decrease) in net assets	333,710
Net Assets at beginning of year	714,123
Net Assets at end of year	1,047,834

**Based on 2010 audited financial statements.**

## Balancing The Scales of Justice

In 2010, CLS achieved successful resolutions for our clients and had a broad impact across our client community.

- 52,941 Educational materials distributed throughout the client community
- 17,213 Household members directly impacted by our legal case work
- 14,274 Persons connecting with CLS staff at outreach activities and events
- 10,315 Client cases handled
- 6,866 Cases closed for CLS clients
- 6,508 Individuals directly impacted in family law cases
- 5,000 Attorneys on VLP pro bono roster in Maricopa County
- 4,206 Family members impacted by CLS' Housing Law Program
- 3,025 Persons impacted by Consumer Law Program
- 89 Domestic violence related deaths in Arizona in 2010
- 74 Staff, including
  - 28 Attorneys, 24 Paralegals and 22 Support Staff
  - 6 Offices
- 1 Vision - 'EQUAL JUSTICE FOR ALL'

## DOMESTIC VIOLENCE

### Finding Hope and Moving Forward

A Spanish speaking wife and mother of three young children spoke and understood very little English, and was so relieved when CLS, through its Volunteer Lawyers Program, assigned a Spanish speaking attorney to help with her legal problem.

Married for 10 years, Christina and her husband were separated when Christina came to CLS for help. This couple have three children under the age of seven.



Our client, Christina, suffered a long history of physical and sexual violence at the hands of her husband. The sexual abuse escalated significantly over the past two years, especially after the birth of their youngest child. She had been stalked, verbally abused, and her husband damaged property in the home during his frequent and violent episodes. Her husband punched our client in the head as she held their (then) infant, causing her to fall over onto the baby.

Christina was especially intimidated as her husband was a Law Enforcement Officer and regularly threatened to get custody of their children and report her to CPS as an abusive parent. Fearing for the safety of her children, and believing that as a law enforcement officer, he would be more persuasive, she knew she needed professional help.

Our client left the marital home with the children and found temporary shelter. The children lived with their mom since the couple separated four months ago. Community Legal Services placed this case with a pro bono attorney from their Volunteer Lawyers Program. The client is now living with her children in a peaceful, healthy and safe environment. The father was granted supervised visitation at a neutral location, was ordered to pay child support and complete an anger management program. For the first time in years, Christina no longer awakens with feelings of fear and hopelessness.

## Volunteer Lawyers Program

The Volunteer Lawyers Program (VLP), a joint project of CLS and the Maricopa County Bar Association, provides civil legal assistance to low-income Maricopa County residents. VLP clients receive legal advice, brief service or direct representation by private attorneys who volunteer their time and services.

**Direct Representation:** Attorneys volunteer to assist clients with problems related to housing, employment, consumer, debt collection, and family law.

**Debt Collection and Bankruptcy Clinics:** Volunteer attorneys provide advice to persons seeking counsel about debt management or defense. Where no asset bankruptcy can provide relief from wage garnishment, representation is also provided.

**The Children's Law Center:** Volunteers address the needs of minors by serving as court advisors representing the best interest of the children in high conflict family law cases. Assistance is provided to children with disabilities who are wrongfully denied benefits. Volunteers represent caretakers in obtaining guardianships of vulnerable children. Volunteers also provide representation in adoption matters.

**Free Advice Clinic for Teens—F.A.C.T.:** Homeless teenagers receive assistance from volunteer attorneys who visit shelters and other sites to provide advice and brief services related to a variety of legal concerns of teens and youth. (F.A.C.T. is a program of the Children's Law Center).

**Family Law Advice Project—F.L.A.P.:** Persons representing themselves (pro per) in family law cases receive legal assistance and brief services. Half-hour consultations are scheduled with volunteer attorneys at the Superior Courts in Phoenix and Mesa.

**HIV/AIDS Law Project:** Volunteer attorneys provide assistance to persons diagnosed with HIV or AIDS. Services include the preparation of wills and health care powers of attorney documents.

**Tenants' Rights Clinic:** Volunteer attorneys provide legal advice and brief service to persons having disputes with landlords. Clients are provided with a Tenants' Rights Handbook including sample letters designed to assist in communication with landlords.

## Volunteer Lawyers Program

“I became a lawyer because I wanted to help make a difference in my community, and I do that every day. Nothing compares to the difference I make when I volunteer my time with the VLP. Their clients would not benefit from our justice system if it weren’t for volunteer attorneys ensuring that everyone has access—not just those who can afford to hire an attorney. It’s a joy to be able to use my skills to help people in this important way—and I get to see the benefits of my work. Recently, I helped protect a disabled mom and her children from abuse—it was the best feeling ever!”

*V.N., Volunteer Attorney, Scottsdale, Arizona*



### Volunteer Lawyers Program Advisory Committee—2010

#### Maricopa County Bar Association Appointments:

Stefanie A. Layton, Esq., Chair

#### Community Legal Services Appointments:

Gregorio M. Garcia, Esq.

Hon. Brian S. Rees, Co-Chair

#### ASU College of Law Appointment:

Dean Paul Schiff Berman, Esq.

#### Ex-Officio Members

Jennifer E. Green, Esq.

Patricia J. Gerrich, Esq.

Patrick X. Fowler, Esq.

Lillian O. Johnson

Allen W. Kimbrough, CAE

#### Special Advisors:

Thomas D. Arn, Esq.

Kenneth W. Burford, Esq.

Tiffany S. Erickson

Justice Frank X. Gordon, Jr.

James R. Gough

Michael T. Hallam, Esq.

Marc Kalish, Esq.

Susan L.B. Lagerman, Esq.

Chris Moeser, Esq.

Kristine A. Reich, Esq.

Michael R. Ross, Esq.

Dawn C. Waldivia, Esq.

Jennifer N. Ward, Esq.

#### MCBA Liaisons:

Laurie Williams

Laura Swendseid

## INCOME MAINTENANCE

### Stolen Checks, Forgeries and Loss of Income

A Phoenix resident and father of two daughters, Roberto, was the sole support for his family of four although he had just been laid off from his job as a custodian at a local community college. He hoped to be called back to work once the fall semester started but now was collecting unemployment benefits and working odd jobs just to keep his family ‘above water.’ His wife was a stay at home mom caring for the two and four-year old, the youngest with physical disabilities. The family lived paycheck to paycheck and barely made ends meet – especially when out of pocket medical costs were incurred.

Upon returning home from church one Sunday, the family found their home ransacked and among the many things stolen was their checkbook. After reporting the theft to the police, they suggested Roberto inform his bank as quickly as possible to deter possible identity theft and to protect against any financial losses. Roberto visited his local bank branch the next day and reported the theft to the branch manager.

In spite of several instances in which forged checks were presented to tellers, Roberto’s stolen and forged checks were cashed against his account. Additionally, Roberto was charged several non-sufficient funds (NSF) fees.

Roberto became aware that his account had not been flagged by the bank’s fraud department when he received notice that he had overdrawn his account, which he believed had been frozen pending the clearance of the two checks he had written.



With no resolution from the bank and concerned for his already limited finances, Roberto contacted Community Legal Services. Roberto’s CLS Consumer Attorney cited

provisions which hold financial institutions strictly liable for accepting forgeries in certain instances and was able to get all of Roberto’s money back and reverse all fees charged against him.

## BENEFITS

### Much Needed Public Benefits



Luisa, a 43 year old married mother of four had a multitude of medical conditions which necessitated her husband, Ron to become her care giver. Their children ranged in ages from 8 to 17 years old. Luisa desperately needed and applied for Social Security Disability benefits, but she was

denied. She felt the denial was wrong and came to CLS for help.

Luisa originally applied for benefits in 2006 when she could no longer continue to ensure that printers were stocked with paper, requiring her to lift seventy-pound boxes of paper. During this time, Luisa had also become depressed following the death of her parents, the onset of diabetes, and the fact that Ron had lost his job.

Without Ron's income, the family's car was repossessed, and they lost their home to foreclosure. Luisa now had difficulty walking, lifting her arms and was in constant and severe pain. She needed assistance with bathing, walking and almost all normal daily living and personal care activities.

The family faced the most tragic adjustment when they split up the family. An older adult child, living out of town, took in the 3 youngest children and Luisa, Ron and their eight-year old moved in with Ron's parents.

A CLS Senior Paralegal reviewed Luisa's medical records and compared them to the Social Security records. At the Social Security Administration hearing, Luisa testified and explained to the Hearing Officer her limitations, pain and the deterioration in her quality of life. The result of the hearing was that the disability benefits were granted and would be retroactive to 2008. Luisa is now receiving the benefits to which she is entitled to and desperately needs. Ron is working full time and the family is reunited. Other family members take turns caring for Luisa when Ron or the older children are unable. This case outcome had a significant positive impact on this family.

## HOUSING

### Preserving the home—Desiree and Jamal

Desiree and her ten year old son, Jamal, needed legal assistance in an eviction proceeding. They had been living in Phoenix since their home was destroyed by Hurricane Katrina. Desiree was renting their Phoenix apartment with the assistance of a Section 8 (Public Housing) Voucher. While they were back in New Orleans visiting relatives, their Phoenix apartment was flooded. When they returned, their home was uninhabitable and their belongings had been piled up haphazardly and damaged by water and mold. Though their landlord relocated them to a new unit in the same apartment complex, he disagreed with Desiree about how their furniture and belongings would be moved out of the original apartment. After this disagreement, the landlord filed a complaint to retake possession of the flooded unit.

At that point, Desiree knew she needed legal help, and was referred to Community Legal Services by her Pastor. CLS took the case and learned that the landlord also sought a judgment of \$756 in rent plus \$300 in late fees claiming that the tenants were actually renting the unit by storing their property there. CLS represented Desiree at the eviction hearing, and the Judge quickly ruled that our client owed no rent to the landlord due to the (lack of) habitability of that unit. Desiree's CLS attorney successfully negotiated for her and Jamal to return possession of the unit after the landlord moved out their furniture and belongings at his own cost. Desiree's legal aid attorney contacted a local organization that helped Desiree replace some basic household needs lost in the flood.

