



# LSNL QUARTERLY

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Volume 2, Issue 2  
May 2008

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## FROM THE DIRECTOR'S CHAIR



By Alma S. Jones, Director

The mission statement of the Legal Services Corporation (LSC) is "(t)o promote equal access to justice in our Nation and to provide high quality civil legal assistance to low-income individuals." LSC's current president, Helaine Barnett, has devoted her entire professional life to this mission. From her days as an attorney for the New York Legal Aid Society to her current position as LSC President, Ms. Barnett has worked tirelessly to open up the gates of justice to everyone. We are honored that Ms. Barnett agreed to be interviewed for this newsletter, and I think you will be both inspired and educated by her words. Ms. Barnett's interview can be found on pages two and three of this

newsletter.

There are several other items of interest that I would like to bring to your attention:

First, LSNL continues to be able to provide housing and foreclosure counseling through special grants. Given the sub-prime mortgage crisis, these counseling services are an important asset to the residents of North Louisiana. If you know someone who could benefit from housing counseling services, please refer them to an LSNL office.



Helaine Barnett, LSC President

Second, LSNL continues to be able to provide legal representation to victims of domestic violence through a Violence Against Women Act (VAWA) grant. Domestic violence can adversely impact families in untold numbers of ways. Through LSNL's domestic violence services, we are able to help families break the cycle of violence.

Third, there is a legisla-

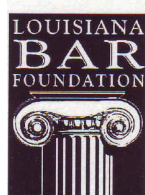
tive update regarding the College Cost Reduction Act on page four of this letter. This is important information for all those that care about the future of legal aid to the poor.

In closing, let me quote John Grisham, who said "Legal Aid is at the center of the last line of defense for the basic civil liberties of the poor. If this line fails, we are all at risk." Let us all commit ourselves to making sure this last line of defense remains strong for years to come.

Enjoy this quarter's newsletter.

*Alma Jones is Executive Director of LSNL and recently celebrated her thirtieth year of practicing law in the State of Louisiana.*

"This program is financially assisted by the Interest on Lawyers' Trust Program of the Louisiana Bar Foundation"





## Q & A: HELAINE BARNETT, LSC PRESIDENT

### Q: How did you get involved in legal aid work? What gives you passion for this work?

I always knew that I wanted to be a lawyer and wanted to do public service work and believed in the importance of equal access to justice. Providing civil legal services to the poor is not only central to fundamental fairness, due process, and equal protection of the law, it is how the law may be used to correct inequities and abuses and to secure and protect the rights of those less fortunate and those not able to represent themselves.

Achieving access to civil legal assistance for all as an essential element of securing justice is an issue about which I feel passionately, having devoted my entire professional career to providing legal services to the poor.

I was inspired to work at the Legal Aid Society of New York—the oldest and largest legal aid organization in the country, whose mission is to provide the poor in New York City with meaningful access to justice—by Professor Robert B. McKay, who was my advisor at the New York University School of Law, the former Dean of the Law School, former President of the Legal Aid Society, and former President of the New York City Bar Association. I began working for the Society as a staff attorney in 1966 and remained there for the next 37 years—the last ten as head of its Civil Division.

I continue to be inspired in my work by memories of the meaningful difference legal aid made in the lives of the Legal Aid Society's clients, and by the stories I hear everyday about clients of LSC-funded programs throughout the country. From my time in New York I carry the memory of the devastating plight of homeless families with children sleeping in a barrack-

style gymnasium or in a welfare office, of the plight of elderly infirm nursing home residents uprooted in the middle of the night, and of the indescribable picture of the 9/11 devastation and its impact on New Yorkers who prior to the attack had low wage jobs around the World Trade Center who suddenly became our clients.

Recently, I learned of a client from Legal Services of North Louisiana who was a victim of Hurricane Katrina applying for benefits under the U.S. Housing and Urban Development's Road Home program who would have lost untold benefits without the help of legal services.

The knowledge of the millions of individual cases that advocates in legal services programs handle day after day in which legal assistance is critical to the clients' economic and personal survival and that of their families and to their safety, security and self-sufficiency, continue to impress upon me the importance of providing civil legal assistance to the most vulnerable among us at a time of great need.

### Q: What do you think are the most important issues facing legal aid to the poor today?

The single most important issue facing legal aid today is that of adequate funding. A 2005 report by the Legal Services Corporation, *Documenting the Justice Gap in America: The Current Unmet Civil Legal Needs of Low-Income Americans*, found that 50 percent of eligible clients seeking assistance from LSC-funded programs are turned away, and for only one reason: lack of resources.

For every one person we help, one eligible person is unable to be served. Recent state legal needs studies and reports have shown that LSC's findings underestimate

the extent of the unmet need, and that closer to 80 percent of low-income Americans confront crucial civil legal problems without legal assistance.

So the issue is: how do you ensure access to justice for the poor without the necessary resources to do so? It is an issue everyone at LSC and advocates throughout the country and national and state leaders of the equal justice communities are working to resolve everyday by convincing Congress, state and local governments, other funders, the private bar, the judiciary, the business community and others of the critical need for legal services, and the resources necessary to provide these essential services.

Another issue of great importance which I have made the primary focus of my tenure as LSC President is ensuring that legal aid programs deliver high-quality legal services to their clients. By making quality a focus, I am not implying in any way that the representation provided by lawyers and other advocates in legal services programs have not been or are not now of high quality. Indeed, in my experience, the legal representation provided by the civil legal services community has been and is of very high quality by any professional standard, even given the very scarce resources with which most, if not all, programs operate.

But by putting quality at the forefront of what LSC stands for today, the aim is to make the delivery of services by programs to their clients even better. The centerpiece of this effort has been the revised LSC Performance Criteria, which provide clear and thorough guidance to LSC-funded programs and incorporates references to the American Bar Association's Standards for the Provision of Civil Legal Aid. These criteria

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*~Helaine Barnett, LSC  
President*

## Q & A CONTINUED: HELAINE BARNETT

collectively reflect LSC's sense of current best practices that promote delivery of high-quality legal services.

**Q: Are there new issues that you see forming that will affect legal aid to the poor in the future?**

Unexpected events, including economic downturns, will always occur that have a disproportionate effect on low-income people requiring legal assistance.

By all accounts, the subprime mortgage crisis will continue to create a need for legal assistance from legal services programs well into the future. Experts predict that foreclosure rates will continue to rise as subprime mortgages with variable interest rates issued recently become unaffordable in the next few years, having a great impact on senior citizen homeowners on fixed incomes and low-income homebuyers and renters. Furthermore, the loss of a stable home can send an individual or family on a downward spiral of mounting legal problems relating to such matters as health, education, employment, issues with government benefits and family matters, including custody.

Legal services programs also continue to be affected by the increased demand for their services resulting from natural disasters and the provision of legal assistance is part of the recovery process. Legal services programs in the Gulf States, like Louisiana, know first-hand the long-term legal problems created by such disasters, but this is an issue which affects legal services programs throughout the country. Whether its tornados in Tennessee, or severe flooding in the Midwest and in Washington State, or wildfires in California, the destruction of property, loss of affordable housing, and permanent dislocation caused by natural disasters

creates more eligible clients for LSC-funded programs and creates additional problems for existing clients.

Another issue is attracting and retaining the next generation of well-trained and diverse legal services advocates and leaders. Legal aid salaries are the lowest of all public sector attorneys and it is an issue that must be addressed. Loan repayment assistance programs are necessary to deal with crushing law school educational debt burdens. We also need to cultivate and develop well-trained, diverse future leaders in the civil legal aid services community through leadership mentoring activities. Our client community has seen a rapid growth of diversity. This creates certain obligations on us to become more diverse and culturally competent in our service delivery.

**Q: How will legal aid to the poor be delivered in twenty years? Will it be the same? Will it be different?**

No one really knows what the next twenty years will bring. But we do know that adequate resources are critical. Just focusing on technology, technology is having a tremendous impact on the delivery of legal services, and has the potential to revolutionize the practice of law in general and legal services practices in particular in ways we can not imagine. Technology is already being used to increase the efficiency and effectiveness of legal services programs in many ways: by connecting staff in offices scattered throughout a state, providing individuals with valuable tools and information necessary to more effectively represent themselves in court, and helping clients apply for the Earned Income Tax Credit.

LSC is currently working to define the technology capacities that legal aid programs should have today and in the

near future. For example, cell phones could affect the way attorneys interact with their clients in the next several years, as could online intake systems. Considering the lightning speed at which technology advances, and the rate at which Americans are becoming comfortable with its use, it is almost impossible to predict the impact it could have twenty years from now.

However, as important as technology is today, and may become in the future, the foundation of legal services work will always be the people who dedicate their careers to making a difference in the lives of the less fortunate.

**Q. What is the most satisfying part of your job?**

The most satisfying part of my job has always been working with my colleagues at Legal Aid, at LSC and advocates at LSC-funded programs throughout the country. The staff and management of programs, such as Legal Services of North Louisiana, are the unsung heroes who strive everyday to give some semblance of reality to the concept of equal access to justice.

As Supreme Court Justice Lewis Powell said, "Equal justice under law is not merely a caption on the façade of the Supreme Court building. It is perhaps the most inspiring ideal of our society ... it is fundamental that justice should be the same, in substance and availability, without regard to economic status."

Our nation promises that there should be equal justice for all and not just for some. This is what motivates me and I am sure all of my colleagues, and it is what binds us together and makes us want to come to work everyday. I am proud of the work we do and the wonderful people with whom we are privileged to do it.



*"Legal services programs also continue to be affected by the increased demand for their services resulting from natural disasters ..."*

*~Helaine Barnett,  
LSC President*

# Staff spotlight

## STAFF SPOTLIGHT: EVENTS AND RECOGNITION



**Left: Angela Coleman**, daughter of Ms. Lois Coleman, Board member of LSNL, graduated from Northwestern State University College of Nursing on Friday, May 9, 2008.

**Right: Endea Vancelle Mayfield**, daughter of Vanessa Mayfield, Office Manager, Shreveport office, graduated from Bossier Parish Community College with an Associate of Applied Science in Telecommunications; Broadcasting Degree, on May 8, 2008.



**Left: Jared Austin Williams**, son of Karen Williams, Executive Assistant in the Shreveport office, graduated from Booker T. Washington High School on Thursday, May 15, 2008. Jared plans to attend Southern University in Shreveport.

**Right: Ellen F. Sale**, daughter of Al Sale, Supervising Attorney in the Shreveport office, graduated from Faith Academy on May 30, 2008.



**Left: Arthur Gilmore, III**, graduated from Jackson State University College of Business with a Bachelor of Business Administration Degree in Marketing on May 10, 2008.

**Right: Austin Denzell Gilmore** graduated from Carroll High School in Monroe, Louisiana, on Wednesday, May 14, 2008. Both Arthur and Austin are the sons of Deborah Gilmore, the Office Manager in the Monroe office.



**Left: Charity Stills** exchanged wedding vows with Michael D. Jackson in a beautiful ceremony on March 22, 2008, held at Greater Elizabeth Baptist Church. Charity is a Staff Attorney in the Shreveport office.

**Right: Jared Politz**, son of Catherine Politz, a Staff Attorney in the Natchitoches office, married Julie Belle Smith on May 24, 2008.



## LEGISLATIVE UPDATE: THE COLLEGE COST REDUCTION ACT

Congress recently passed the College Cost Reduction Act (H.R. 2669). This Act provides for “income-based repayment” options for federal education debt for several occupations, including public interest lawyers.

Specifically, the Act caps a borrower’s federal loan payments at roughly 15% of his or her adjusted gross income minus 150% of the poverty level.

Professor Phillip Schrage of Georgetown Law School estimates that for a person owing \$100,000 in students

loan with a \$40,000 salary, monthly payments during the first year would be reduced by over a thousand dollars.

Further, after 25 years of non-profit work, the Act allows the remainder of the federal loan to be forgiven.

This legislation is important for several reasons. First, it can be a tool for legal aid organizations in recruiting attorneys that are newly graduated from law school. It

is a well-publicized fact that law school students exit law school with tremendous debt.

Further, the legislation will offer attorneys who are already employees with legal aid organizations the opportunity to stay longer at their jobs.

In sum, then, the College Cost Reduction Act has the potential of improving the quality of legal representation offered at legal aid organizations.



## BOOK REVIEW: THE STREET LAWYER

*The Street Lawyer*, a fiction novel by John Grisham, is a must-read for any legal aid employee.

The book’s main character is Michael Brock. As the book begins, Michael is rising attorney in a prestigious Washington law firm. He is just a few years from making partner, and his future is filled with money and prestige.

An incident takes place at his firm, however, that leads Michael to give up his job and become a legal aid advocate for the homeless.

As with all of Grisham’s novels, there are exciting legal twists and turns that grip the reader. However, several other aspects of the book make *The Street Lawyer* worth reading.

To begin with, Grisham gives a fairly realistic portrait

of working at a legal aid office. There are few novels that have presented an authentic picture of working in a legal aid office. Legal aid employees will surely recognize many of the scenes in the novel.

Second, the book paints public interest law as a noble profession—a profession that far too few people enter. Few books exist that applaud public interest law in the way Grisham does.

Third, the book is compelling because it contrasts life at a high-priced law firm with life at a legal aid office. The manner in which Grisham contrasts the two settings is intriguing.

Fourth, the book is compel-

ling because it depicts the transformation of the main character from a money-seeking corporate lawyer to an idealistic legal aid attorney. Not many novels have explored this theme. Grisham should be applauded for exploring this theme.

In sum, then, *The Street Lawyer* is worth reading because of 1) its over-arching message and theme, 2) the transformation of the main character, and 3) the book’s setting.

*The Street Lawyer* was originally published in 1998.

*“(The Street Lawyer) paints public interest law as a noble profession—a profession that far too few people enter.”*



Worth Reading

## LEGAL BRIEF: REPAIR AND DEDUCT

One common complaint of tenants is that their landlords fail to make repairs to their property. In Louisiana, under certain circumstances tenants have the right to make repairs to the landlord's property and then deduct the repair expenses from the tenant's rent.

Several requirements have to be met before a tenant can "repair and deduct."

First, the repair must be the sort of repair that law requires the landlord to fix—e.g., things that happen from normal use of the property. In general, the landlord is supposed to fix important things.



Second, you must ask the landlord to make the repairs, preferably in writing.

Third, if the landlord initially does not make the repairs, the tenant should send a second letter to the landlord. This letter should include how much it would cost to

do the repairs (this letter should be sent by certified mail). Also put in the letter that the landlord should fix the problem within 14 days or that the repairs will be made by the tenant, and the cost will be deducted from the rent.

The repairs a tenant

makes must be necessary, and the repair cost must be reasonable.

After the work is done, the tenant should send the landlord a copy of the bill for the repairs.

Tenants that are on month-to-month leases must be aware that landlords might respond to the repairs with an eviction notice the next month.

If you have a question about a housing issue, contact an LSNL office.

*This article has been prepared for general information purposes only. The information in this article is not legal advice. Legal advice depends on the specific facts of each situation.*



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