

2011 DONOR LISTING (continued)  
RILS ADVOCATE < \$ 99

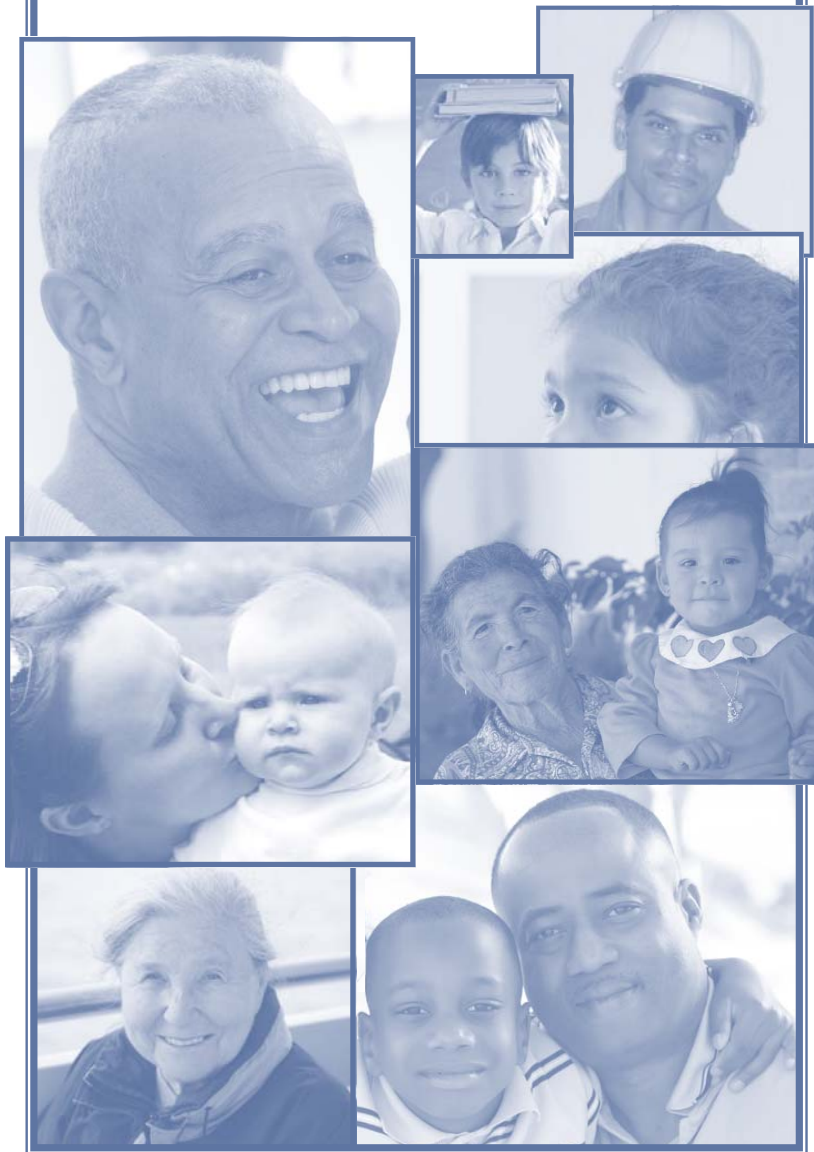
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**RHODE ISLAND LEGAL SERVICES  
ANNUAL REPORT  
2011**



*Every effort has been taken to insure the accuracy of this listing.  
Please accept our sincere apologies if there are any errors or omissions,  
or if we printed your name accidentally though you had asked for anonymity.*

**justice. dignity. self-reliance.**

## Thank you for Making a Difference

In 2011, we were once again thankful for the support and generosity of our community. You helped make a difference in the lives of over 20,000 Rhode Islanders.

The need for legal aid in Rhode Island continues to be critical. Even though the economy shows some early signs of improving, unemployment and other critical economic indicators continue to stall in the Ocean State. Further, our low-income clients are often the last to reap the benefits of any economic recovery. Our clients continue to rely on us for no cost legal aid in civil matters.

More than 200 supporters made financial gifts to Rhode Island Legal Services last year. In addition, many attorneys volunteered their time and effort to help provide legal assistance to low income people in need through the Rhode Island Bar Association's Volunteer Lawyer Program. Our staff also continued to exhibit amazing dedication, accepting reduced salaries and adjusting work hours to make budget ends meet. Thank you also to our Board of Directors who have provided valuable insight and unfailing support at all times.

We would also like to recognize the on-going support of the newly formed Committee for Equal Justice as it continues to dedicate time and energy to our annual development and outreach efforts. This Committee has been steadily forging strong partner relationships with law firms and attorneys throughout our state.

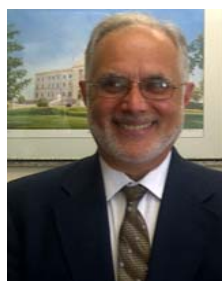
Thank you to all of you who found a way to help us help our neighbors this past year. Without your contributions, more than 20,000 people would not have had our critically needed advice, counsel and representation.

Sincerely,

Robert M. Barge, Esq.  
Executive Director



Robert Oster, Esq.  
Chairman of the Board



## 2011 DONOR LISTING (continued)

RILS ADVOCATE < \$ 249

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When you invest in Rhode Island Legal Services,  
you invest in our statewide community—one client at a time.  
RILS' legal work impacted 20,396 residents last year.  
And our successes happen only thanks to you!

## 2011 DONOR LISTING (continued)

### RILS ADVOCATE < \$ 999

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“My attorney  
gave me a lot of  
respect.  
Thank you for  
your service.  
God bless you.”  
*Client, 10/11*

“Thank you  
for caring about  
people.”  
*Client, 4/11*

## WHAT LEGAL AID MEANS TO OUR CLIENTS

With your generous support, we provide legal aid to thousands of people in crisis across the entire state of Rhode Island.

### Protection from abuse and domestic violence

A four year old no longer has to hide in the closet as her father beats her mother and older sister.

### Avoiding homelessness

A disabled, mentally ill tenant, mistakenly believing that opposing counsel is her own attorney, signs papers agreeing to vacate her subsidized housing - yet has no other place to go.

### Safe housing

A grandmother does not have to spend another cold winter alone surrounded by moldy walls and inadequate heat.

### Health care

A homeless elderly gentleman is able to access healthcare.

### Benefits

A disabled and temporarily out-of-work father is able to collect 3 months of wages unlawfully withheld by his previous employer.

### Education

A disabled teenager, long denied special education programs, is finally able to graduate from high school and faces a promising future.

### Family reunification

Two hard working immigrant parents are reunited with their twin toddlers after allegations of neglect are all proven unfounded.

### Tax assistance

A victim of identity theft has her erroneously levied IRS penalty of \$30,000 erased.

**In 2011, we helped 20,396 low-income Rhode Islanders with their very basic life needs—food, shelter and safety/protection from abuse.**

self-reliance

dignity

justice

## OUR HISTORY

Now in our 43rd year, Rhode Island Legal Services is a non-profit law firm that provides legal aid services and outreach to all corners of Rhode Island. We have become an integral part of the fiber of our state's legal system. The quality of our legal work has been recognized by clients and state and community leaders.

Our ongoing collaborations with the Rhode Island Bar Association, Rhode Island Housing, Roger Williams University School of Law, the Rhode Island Coalition Against Domestic Violence and the Judiciary has allowed us to expand our services to reach clients who might otherwise go without representation.

Currently, a staff of 21 attorneys (plus 3 Pro Bono attorneys), 6 paralegals and 2 support staff, provide expertise in areas vital to the more than 200,000 low-income and elderly persons eligible for our services.

Though our attorneys focus on a variety of legal problems, they will often work together to serve the needs of the whole client.



## OUR FUTURE

Rhode Island may be a small state, yet economic challenges – especially during this prolonged economic crisis – are great.

We see many new clients who have been forced into unusual circumstances due to unexpected economic pressures such as the loss of a job or the death of a family wage earner, state cuts in benefits, foreclosures or excessive property tax levies.

No matter the situation, people come to us in crisis.

And we will be here to help.

If you find it in your heart to care for someone else, you will have succeeded.

*Maya Angelou*

## 2011 DONOR LISTING

Reflects gifts received during calendar year 2011.

*\* indicates Member of the Board of Directors*

*\*\* indicates current staff*

*CEJ indicates Committee for Equal Justice Member*

**Leadership gifts from alumni, corporations, foundations and friends are most significant in helping us to continue our work, and we are honored to recognize this important community of generous donors.**

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**Robert M. Barge, Esq.**  
Executive Director, Rhode Island Legal Services

The Committee for Equal Justice is a volunteer group of attorneys - representing major law firms as well as private practice - working together with the objective of increasing the support and participation of Rhode Island legal professionals in providing access to free legal assistance in civil matters for the needy of the state.

## OUR MISSION

We provide high quality legal assistance and representation to low-income individuals and eligible client groups for the purpose of improving their economic condition and overall wellbeing by protecting and enforcing legal rights, stabilizing the family unit and communities where clients live, promoting self-reliance, ending domestic violence, preventing homelessness, affording dignity to all people, and reaching out to groups with added burdens on their ability to access the civil justice system.



## OUR FUNDING

### 2011 Major Sources of Income

Legal Services Corporation	\$1,228,770
Rhode Island Judiciary	\$761,922
Rhode Island Filing Fees	\$380,645
U.S. Department of Justice	\$268,488
Interest on Lawyer's Trust Accounts	\$224,976
Other	\$911,206

# Rhode Island Legal Services 2011 HIGHLIGHTS

## We closed 8,040 cases last year.

We use our limited resources efficiently in ways that reach the most vulnerable of Rhode Islanders.

Our clients are diverse:

- 11% are over the age of 60
- 71% are female
- 22% are Latino
- 11% are African/African American
- 1% are Native Americans
- 56% are Caucasian



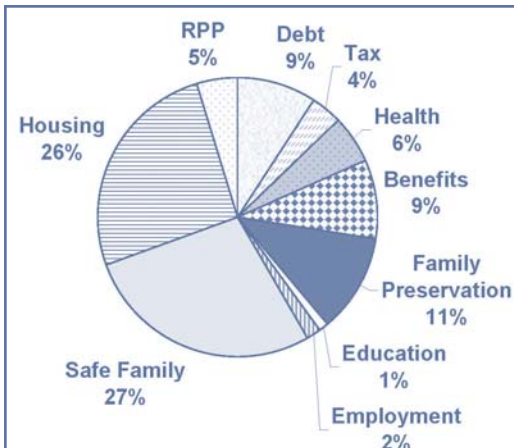
When family and households are considered, 20,396 Rhode Islanders were directly impacted by our legal aid.

**8,924 of those we helped were children.**

While the majority of cases (72%) were resolved with legal advice and counsel, RILS attorneys made 10,524 court appearances/hearings and 30,569 telephone calls on behalf of clients last year.

RILS reaches out, on a statewide basis, via its Low Income Taxpayer Clinics, Community Lawyering Initiative, and Elder Law Workshops. In addition, all other substantive work groups including: Domestic Violence; Foreclosure; Education, Housing; and public benefits engage in outreach activities. Many programs are also conducted in Spanish.

## RILS CASE LOAD 2011



**“We’re proud of what we do and the difference that we make.”**

*RILS Attorneys*

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## In 2011, RILS work groups Included:

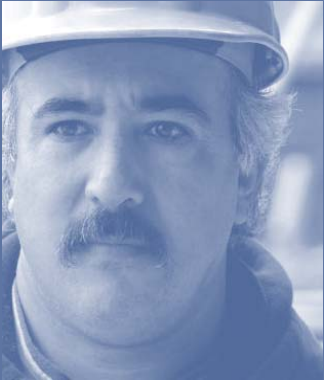
Consumer Law Group  
 Education Law Group  
 Environmental Justice Project  
 Family Preservation Project  
 Homeless Prevention & Rapid Re-housing Project  
 Housing Law Center & Eviction Defense Clinic  
 Low Income Taxpayer Clinic  
 Private Attorney Group (Pro Bono)  
 Public Benefits Group  
 Responsible Parent Project (RPP)  
 Family Law Project/Safe Family Project  
 Senior Legal Assistance  
 Worker's Rights Group  
 and the **Volunteer Lawyer Program**  
*(a RILS sub-grant to the Rhode Island Bar Association)*



Outcomes	Persons directly affected
Delayed eviction giving time to find alternate housing	1138
Prevented homelessness/prevented eviction from housing	898
Obtained protection from domestic violence	862
Reduced debt/stopped debt collection agency	22
Obtained or maintained custody of children	359
Reunited family members after state separation	381
Parents and students helped with educational issues	88
Obtained/preserved Medicaid benefits	165
Obtained/preserved welfare benefit	106
Obtained/preserved unemployment benefit	34
Resolved IRS disputes and liens	163
Obtained counsel and advice on legal issue	5753

## CONSUMER LAW GROUP

- Foreclosure prevention.
- Defense against predatory lenders and creditors.



Walter was afraid of being homeless. “Two more weeks and his life would have changed dramatically. Though proud, he was also petrified—he came to us just in time.”

*Steve Bagian  
RILS Attorney*

### SAVE THE DREAM

Walter was a single and self-sufficient 50 year old construction worker who had been steadily employed since he was 18; but was now in danger of losing everything.

A work related injury had left both thumbs severely swollen and painful. Unable to work and waiting for resolution of his workers’ compensation case, he had used up his savings. He also had thousands of dollars in debt (mostly medical).

Temporary payments were not enough for his mortgage, utilities and food, and he had been repaying his medical bills at the expense of the mortgage. Unfortunately, foreclosure was imminent.

Two weeks before foreclosure and frightened that he would be homeless, Walter came in to RILS. Attorney Steve Bagian’s immediate goal was to delay adverse actions until Walter could receive his workers’ compensation settlement, estimated at \$33,000. Attorney Bagian determined that the best way to save Walter’s home was to restructure his debts and file a chapter 13 bankruptcy.

The bankruptcy filing stopped the foreclosure. A chapter 13 plan was submitted to repay other debts.

Attorney Bagian was successful in getting a modification of Walter’s mortgage whereby all arrearages were added to the end of the loan.

And while Walter’s mortgage payment did increase by \$20 per month, more importantly, RILS was able to change the adjustable rate to fixed. Some of Walter’s workers’ comp settlement paid off most of his other debts, and he received a check for the remaining \$16,000.

### A GOOD NIGHT’S SLEEP IS PRICELESS

A disabled client called to inquire about an agreement she had made with a debt consolidation company in which she had agreed to make monthly payments of about \$300 to pay off her debts (this includes a \$40 fee to the company for the monthly service). Her only income was from Social Security (SSI) and this debt agreement amounted to almost 1/2 of her income, leaving not enough for basic necessities such as rent, utilities and food.

Distraught and fearful, she knew she could no longer afford to continue making this huge monthly payment without risking her rental lease and her health. She wanted to know if she had any other options.

RILS advised her to call her bank, cancel automatic payment, make no further payments and not to worry because her SSI benefits were not touchable by a creditor—these benefits were meant to cover her daily survival needs. She could advise the debt consolidation company when they called that she was canceling the agreement on advice from RILS.

She called back to say she had had her first good night’s sleep in five years.

## CONSUMER LAW GROUP

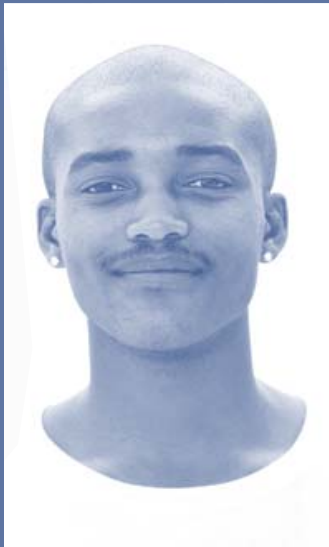
- Defense against predatory lenders and creditors.
- Foreclosure prevention.

While a debt consolidation firm may agree to help a client, the deals they make may not always be in the clients’ best interest.



“My experience with [RILS attorney] Amy was above and beyond what I had expected.”

*Tom  
RILS client*



## WORKER'S RIGHTS

- Advocating for clients where employers deny wages or benefits.
- Advocating for clients wrongfully denied a wage opportunity.

## STANDING PROUD

Tom is a married, 25 year old father of three who had worked at his job for over three years. After a one-month medical leave, his employer informed Tom that they would not allow him to return until his doctor completed an invasive medical questionnaire delving into his mental health. His doctor authorized his return to work without restrictions, but refused to complete the questionnaire.

Tom panicked. He did not want state aid. He wanted only to return to work, pay his bills, and support his family.

On the advice of a friend (a former RILS client), Tom called RILS.

Attorney Amy Retsinas Romero, Skadden Fellow at RILS, immediately informed the employer that refusing to allow Tom to return to work violated the Family Medical Leave Act as well as the Americans with Disabilities Act.

Upon threat of legal action, the employer quickly capitulated and allowed Tom to return to work the following day; however, as soon as he returned, the employer informed Tom that they had given away his position and demoted him to a lower-paying position. Again, RILS responded quickly by informing the employer of the legal consequences of their retaliatory actions.

In less than a week, Attorney Romero was able to get Tom reinstated in his job at the same pay he had before medical leave. This successful reinstatement was accomplished without having to go to court, preventing litigation costs on each side, and more importantly, allowing Tom to provide for himself and his family.



## MUSIC TO HIS EARS

Joe, a high school teenager with a documented disability, was repeating the 10<sup>th</sup> grade for the third time. He experienced frequent panic attacks while in school and even had difficulty leaving his home.

The school district had failed to provide legally mandated supports despite their knowledge of his disability and special needs.

Once RILS intervened and advocated for Joe, he was provided home instruction and tutoring to make up for lost time.

Unfortunately, the school again interrupted home instruction, in violation of Joe's Individualized Education Program (IEP).

Veronika Kot, RILS' education attorney, filed a complaint with the RI Department of Education - and prevailed. Home instruction was reinstated.

After three years of ongoing legal support and case monitoring, Joe was finally able to graduate from high school and is now in the process of applying to college.

Joe's dream is to complete his college degree and to eventually work in the music industry.

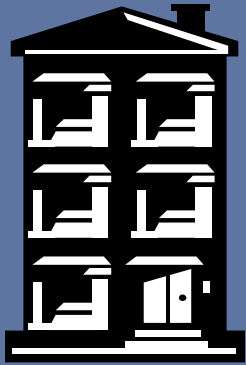
## EDUCATION LAW GROUP

- Ensuring that all students have access to education.
- Advocating for students' access to needed services and tutoring.
- Protecting the education rights of homeless families and their children.



“I don’t believe I have ever felt so strongly about a case. This was not Mary’s fault - it was so blatantly unjust.”

Nora Salomon  
RILS Attorney



## HOUSING LAW CENTER & EVICTION DEFENSE CLINIC

- Enforcing minimum housing codes to maintain safe and habitable shelter.
- Avoiding homelessness by arranging for needed time to secure alternate housing.
- Protecting tenants’ rights.
- Intervening to prevent unwarranted evictions and sudden eviction from land-



### HOME SWEET HOME

Mary naively believed that opposing counsel was working on her behalf. And she did not bring an attorney to court. Of course, these were terrible mistakes, but Mary was disabled and mentally ill.

Unfortunately, Mary agreed to vacate her federally subsidized project based housing and to pay \$1,200 in future rent and court fees. And this eviction was based on only a small debt of \$114. Bottom line: Mary was evicted.

Where could she go? Market rents were unaffordable with her fixed income and disability. Mary was most likely—and imminently—going to be homeless.

RILS appealed. Sadly, Mary had also unknowingly waived her appeal rights.

Nora Salomon, RILS housing attorney, was able to convince the District Court to vacate the agreement that Mary had entered into, based on both her emotional state and her documented inability to understand the court process.

With RILS help, Mary then fought her landlord who tried to bar her from applying for recertification for her subsidized home. Justice ultimately prevailed: Mary was able to stay home: *Home sweet home.*

### FORECLOSURES AFFECT NOT JUST HOMEOWNERS

Sandy, a 65 year old woman, had been living in and paying rent on time in the same apartment for the past thirty years. Her building, a four family house, had two other units also occupied by seniors.

Sandy and the other tenants had been paying rent to the landlord through September when they read a newspaper notice advertising that the property was in foreclosure. In October, they learned that the building was sold but were not advised the name of the new owner.

Shortly thereafter, an agent of this new owner knocked and demanded rent, requesting that all tenants sign “month-to-month leases.” That is when Sandy contacted RILS.

RILS’ Elder Law attorney advised Sandy neither to sign nor to pay any money until he found out the identity of the new owner. He contacted the law firm that handled the foreclosure and learned that the winning bidder had assigned her purchase to a third party investor, ABC Inc., but that the sale was not yet final.

Meanwhile, Sandy found a notice tacked to her door saying that the water would be shut off within the week. RILS’ Elder Law attorney contacted ABC Inc. who agreed to pay the water arrearage to avoid shut-off even though they were not yet officially the owner.

In December, ABC Inc. became the official building owner.

But who was the original person who had demanded rent and signed contracts back in October? They were never seen again.

### SENIOR LEGAL ASSISTANCE

- Legal assistance to seniors.
- In partnership with Rhode Island’s Aging and Disability Resource Center.



Seniors are often the targets of scams and rip-offs in the rental market.

## FAMILY LAW PROJECT

- Representing victims of domestic violence in divorce, custody and domestic abuse restraining order cases to help the victims escape from their abuser.
- On-going efforts ensuring safety for all victims' family members (both adults and children) especially in cases where the abuser seeks custody.

Children are often unfairly used as pawns in domestic violence custody cases.



## MOM PREVAILS & WINS HER BABY BACK

June, a young refugee with an infant child, suddenly lost custody of her baby daughter after a surprise legal move by an abusive father.

The father had filed an ex parte motion gaining sole custody of her baby and granting June only supervised visits, but at his sole discretion.

June hired an attorney, but he was unable to get any changes. Not willing to give up, June had her attorney file a trial request.

Prior to the trial, the attorney asked June for more money. Since she was without additional resources, the attorney withdrew.

With only two days before the trial and desperate for help, RILS accepted June's case.

Quickly, Attorney Bridgette Louro obtained fair treatment for June: in just one meeting, the trial date was continued and she was immediately allowed unsupervised visits. Attorney Louro then prepared for a long trial.

After six days of testimony and 15 witnesses, the judge awarded sole custody to June. This judge routinely orders joint custody but; in this case, granted sole custody once evidence showed that June had been abused by the baby's father.

This fierce custody battle took a full year, but with RILS' guidance and help, June ultimately prevailed.

## IRS AUDIT

Eva was a young Hispanic woman supporting herself and her two children by babysitting and cleaning houses. For two years in a row, she went to a local tax preparer. He spoke Spanish and was in the neighborhood, so Eva trusted him. He was later indicted for tax fraud.

The tax preparer had filed Eva's returns for her claiming exactly the same amount of income for both years.

Eva does not speak English well and did not realize what the tax preparer had done. She had signed the returns trusting in his expertise.

The IRS selected Eva's returns for an office audit and she was charged with owing an additional \$3,000 in taxes.

Eva came to the Low Income Taxpayer Clinic at RILS for help.

Luckily, she was able to locate most of her cleaning records and obtained sworn statements from all the people whose children she had cared for during those two years.

Elizabeth Segovis, RILS attorney and Director of the Taxpayer Clinic, along with RILS' bilingual outreach paralegal, Juan Lopez, attended the IRS audit with Eva.

For one audit year, RILS was able to satisfy the examiner that Eva's IRS return was accurate and that she owed nothing more.

For the second audit year, Eva obtained an additional refund of \$1,500.

A welcome turn around by RILS for a hard working, young mother: frightening debt to happy IRS refund.

## LOW INCOME TAX PAYER CLINIC

- Serving low income tax payers in disputes with the IRS regarding issues such as: Earned Income Tax Credit, innocent spouse relief, identity theft and debt cancellation.
- Negotiating regarding IRS liens and/or levies for low income clients.



"It was handled with the utmost respect, courtesy and professionalism.

It was a great result."

*RILS Client*

## PUBLIC BENEFITS GROUP

- Assistance with preserving income and state benefits such as Social Security, General Public Assistance, SSI and unemployment compensation, etc.
- Obtaining and preserving Medical Assistance (MA) and Medicaid benefits for eligible clients.

### MARTINEZ v. ASTRUE

Everyone is entitled to justice. And RILS is often able to right a bureaucratic wrong.

'Mark' was a disabled, mentally ill, low income worker in his 50's. He first came to RILS seeking advice regarding SSI income, but RILS' Public Benefits attorney, Gretchen Bath, realized that he was probably eligible for additional relief based on *Martinez v. Astrue*, a recent class action settlement. Mark was not aware of that case. Federal law provided that anyone fleeing to avoid arrest/prosecution was ineligible for Social Security income. As a result, thousands (who may or may not have even realized a warrant had been issued) lost SSI benefits. They were also required to repay benefits paid during a warrant's existence.

SSA's interpretation of the law was challenged in a national class action, *Martinez v. Astrue*; the case settled in 2009. SSA was required to identify people wrongfully denied payments and to notify them about potential relief.

Mark had been charged with a \$12,500 SSI overpayment. By the time Attorney Bath met Mark, he had already been slowly paying this down, but it was an overwhelming debt for a low income wage earner.

SSA at first denied Mark's eligibility as a *Martinez* class member.

After many emails, phone calls and attorney trips to the Court House, SSA agreed to send the case to their Regional Office. In the end, SSA finally agreed and erased the remainder of his debt (over \$9,000).

### A DIFFERENT SERIES OF UNFORTUNATE EVENTS

Mr. B, a 38 year old low wage earner with diabetes, was behind in his child support yet trying to make payments whenever possible. He had been a long term client of RILS, with RILS helping him focus on making payments for his support arrearages.

Then, Mr. B experienced a series of unfortunate events. He worked as a delivery man (using his own car) so fell farther behind when he had car trouble. Then he lost his job due to multiple hospitalizations related to his diabetes. Because he was behind in child support, he lost his driver's license. And because he was behind in his child support and needed some way to catch up, he agreed to deliver pizza— but was caught in the summer and arrested for driving without a license.

Due to his medical condition, Mr. B was jailed in the ACI hospital - without access to insulin - for 4 days. (Rules prohibit dispensing of insulin without the ACI physician's approval; given all of Mr. B's court dates, the ACI hospital could not arrange a doctor's visit). As Mr. B was brought back to Court for his hearing, RILS Attorney Denise Aiken secured his immediate release by the Magistrate so that he could be taken to the hospital and stabilized. A formal complaint was made to the ACI.

Back on his feet in the fall, Mr. B started his own small business detailing cars. He has been able to start making payments on a regular, weekly basis and is feeling more in control of his life.



### RESPONSIBLE PARENT PROJECT

- Assisting parents to assume their court ordered child support responsibilities in a manner fair and equitable to all parties.