

# TOWARD JUSTICE

## INSIDE THIS ISSUE

- > Equal Justice Works
- > Jerry and Lou Rotman: A Legacy of Justice
- > Saving Lives, Restoring Hope, Making History
- > I Got Paid Well Today



## The Big Picture

We could easily fill these pages with statistics, charts and demographic information, but our work is about much more than just the numbers. To understand the heart of Legal Aid's work for justice, you must look at the individual clients we serve. They include the mother attempting to protect her children from an abusive husband, the father struggling to secure health care benefits for his family, and the seniors facing the loss of their home as a result of an unlawful, predatory loan.

Legal Aid protects the rights of thousands of clients like these every year. For every percentage point on a graph or wedge on a pie chart, there are hundreds of individual stories.

### ***The stories behind the statistics:***

June, a working mother of three who purchased a home before developing cancer. The physical pain caused by her chemotherapy paired with her chronic depression made it physically impossible for her to work and she was forced to go on public assistance. Legal Aid attorneys helped stop her mortgage lender from

immediately removing her and her children from their home when she fell behind in her mortgage payments. Both the mortgage bank and HUD agreed to an additional period of occupancy given the client's health issues.

Roger, an 82-year-old who, after his house had burned down, was living for several months in a car on his rural property. Homeless and without a place to cook or basic sanitation, he deteriorated physically. He needed housing, clothing, food and medical care. The county denied him assistance because eligibility staff reasoned that his "homestead" was no longer an exempt resource since it did not have a home on it. Legal Aid staff were able to arrange for housing and access to critical medical care. Legal Aid persuaded the county to change its position on what is a homestead allowing Roger and others in similar situations to get the care they needed.

Maria, a ten-year-old girl living with her father and stepmother, charged her father with sexual abuse. She sought to be placed in the custody of her grandmother, who was also caring for Maria's

*Continued from page 1.*

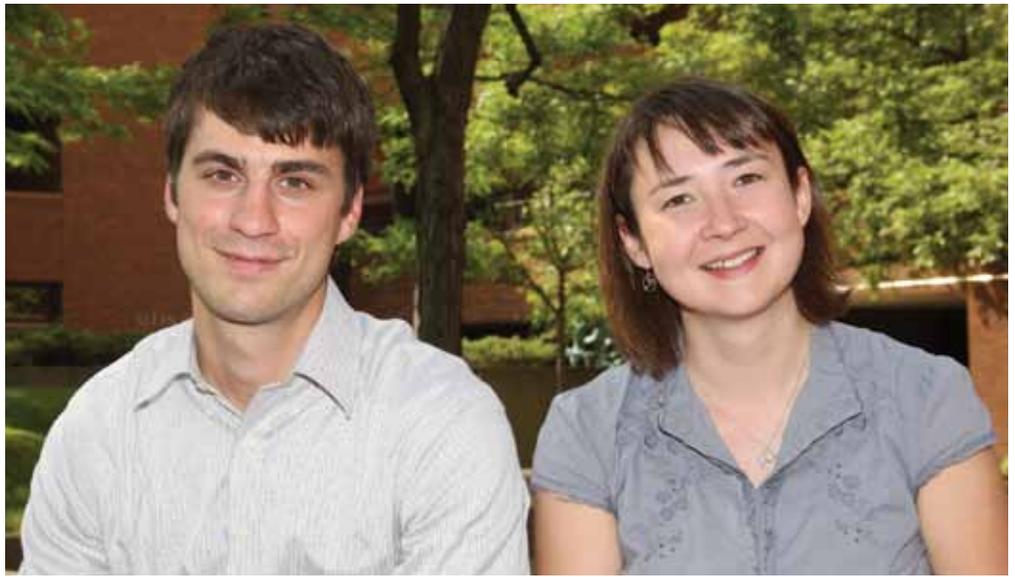
siblings. Legal Aid succeeded in having the child removed from the father's care and reunited her with her grandmother and siblings. She was also provided with intensive therapy and other social services to help her better cope with school and her home life.

June, Roger and Maria can't thank you personally, but they are aware that charitable contributions make our work possible. They realize that individuals like you give generously so that others may gain access to food, shelter, health benefits and freedom from abuse. Their lives have been changed because people like you care enough about justice and about them to support our work. We hope that through their stories you are able to see the big picture and the results of your dollars at work.

Sincerely,



Jerry Lane  
*Executive Director*



## Equal Justice Works

### **Making the connection between law school and social justice**

Equal Justice Works (EJW) is a non-profit organization founded in 1986 by law students from 14 law schools. EJW seeks to expand legal services for underserved populations and increase opportunities in the field of public interest. The Equal Justice Works Fellowship Program creates partnerships among public interest lawyers, non-profit organizations, law firm/corporate sponsors and other donors in order to afford underrepresented populations effective access to the justice system. It now has nearly 200 law school members and is the nation's largest postgraduate legal fellowship program.

The **Leonard Street and Deinard** fellow is Luke Grundman, a 2009 graduate of the University of Minnesota Law School who received a two-year fellowship to work with the Legal Aid Society of Minneapolis in the areas of fair housing and consumer rights. His fellowship is sponsored by the family of Hyman Edelman, the law firm of Leonard, Street and Deinard, and the Allen and Linda Saeks Family Foundation.

In his project, Grundman uses policy advocacy, direct representation, and impact litigation to further fair housing goals and prevent predatory practices in the sale and use of post-foreclosure real estate in the Minneapolis metro area.

**Robins Kaplan Miller & Ciresi, LLP** has sponsored Carmen O'Halloran as their fellow. A 2008 graduate of the University of Minnesota Law School, O'Halloran works with Legal Aid Society of Minneapolis in its Immigration Law Unit.

O'Halloran's project focuses on East African youth in Hennepin and Anoka County, many of whom suffer the traumas of war and some of whom have entered the United States without proper immigration status. She works to secure their immigration status through education, community collaboration, and direct representation.

Hundreds of capable and dedicated law school graduates apply to Equal Justice Works each year for support in pursuing their public interest aspirations. In 2009, EJW bestowed 46 public interest fellowships. Grundman is grateful to his sponsors for giving him the opportunity to address fair housing, "an area of great need," he says. "I could not have designed a better conclusion to my education at the University of Minnesota Law School, or a better beginning to a career in public interest law."

# Saving Lives, Restoring Hope, Making History

“It’s not about the cases; it’s about the people,” reflects Galen Robinson, one of three Legal Aid attorneys who represented six low-income and vulnerable Minnesotans relying on a state-funded food assistance program. The program costs the state approximately \$77 per person per month, and subsidizes very poor, very sick people who must follow a strict diet to maintain their health. “We do what we need to do for our clients, no matter how formidable the challenge.”

In the spring of 2009, the legislature passed appropriation bills. Governor Pawlenty signed them into law, but then vetoed a revenue bill that would have balanced the budget. The Governor then claimed that a state statute gave him the authority to unilaterally cut \$2.7 billion from the state budget.

One of the programs eliminated by the Governor was the Minnesota Supplemental Aid-Special Diet program that serves approximately 5,000 elderly, low-income and disabled Minnesotans. The program helps low-income disabled Minnesotans who have special health-related dietary needs. The diets must be prescribed by a doctor. State assistance is only available if there are no other resources available to help the person meet their dietary needs. In his unallotment orders, Governor Pawlenty zeroed out this program, effective last November.

Clients began contacting Legal Aid in mid-October after they received notices that their special diet funds would end beginning November 1. On behalf of their clients, Legal Aid attorneys Ralonda Mason and David Gassoway, along with Robinson, sued the Governor and the Commissioners of the Departments of Management and Budget, Human Services, and Revenue. Legal Aid asked the Court to restore the special diet funds, arguing that the statute did not give the Governor the authority to cut funds for the program.

Ramsey County District Court Judge Kathleen Gearin agreed. In a decision issued December 30, 2009, Judge Gearin held

that the Governor misused the unallotment statute. On appeal, the Supreme Court of Minnesota affirmed the decision of the district court. It held that the Governor exceeded his authority and misused the unallotment statute to eliminate the program.

In an opinion by the Chief Justice, the Court concluded that the statute was not intended to be used by the Governor the way he used it. Under state law, biennium budgets are required to be balanced. If a balanced budget is approved by the legislature and the Governor, and a budget deficit subsequently occurs, the budget must be re-balanced. The Court found that the statute did not shift broad budget-making authority to the

executive branch to address a deficit if the executive and the legislative branches have not resolved their differences. Instead, the Court concluded that the statute is only available to address unanticipated deficits that occur after a balanced budget has been previously agreed to.

There is a very human side to the story. Deanna Brayton of Coon Rapids, Minnesota receives funding from the Minnesota Supplemental Aid-Special Diet program. She struggles with several debilitating medical conditions. She is unable to work and survives on her \$674 monthly Supplemental Security Income check. The nutrition program provides another \$334.40 to help Ms. Brayton afford the lactose and gluten-free diet

prescribed by her doctor. She estimates that she spends about \$400 a month on groceries. “When you’re on these special diets, you have to have them,” Brayton said.

Darlene Bullock, another plaintiff in the suit, said the court’s decision means she can stop worrying about whether she’ll be able to afford healthy food. Bullock had triple bypass surgery in 2005 and follows a low-cholesterol, high-protein diet. “I had a lot of anxiety,” she said. “It’s been very frustrating.”

Plaintiff Debra Branley said she was “absolutely elated” when she learned of the Court’s ruling. Deborah Schlick, executive

**“With significant decreases in virtually every funding source, charitable contributions make the difference between being able to serve clients like those in the program and having to see them victimized by the system. Our donors are truly an extension of our staff and we are grateful.”**

**—Galen Robinson,  
Legal Aid Attorney**

## Sustainers of Justice

# Partners for the Future

“Legal Aid’s life-changing advocacy for the voiceless and most vulnerable members of our community rests on a foundation built by the generations before us. After 40 years of service, I am convinced that one of our most important responsibilities is to broaden that foundation, so that the generations who come after us will have Legal Aid to turn to in their hour of need.”

—Jerry Lane, Executive Director, Legal Aid

*Continued from page 3.*

director of the anti-poverty advocacy group Affirmative Options, said the ruling shows the power that poor people have when they fight back. “So often low-income Minnesotans and the resources they need are dismissed in the political process as sort of small players,” Schlick said. “It’s a reminder that nobody’s a small player.”

Attorney Galen Robinson said people dependent on the program had been struggling to get by since the money was revoked. “This means they will be able to purchase the foods necessary to remain healthy,” said Robinson of Legal Aid. “Our clients’ special diets cannot be met by having to rely on food shelves.”

Legal Aid attorneys work hard to advocate for the poor, the elderly and the disabled, but they can’t do it alone. “Our work would not be possible without the generous financial support of our donors. When people make a gift to Legal Aid, their dollars truly make justice possible,” said Robinson.

Planned gifts provide the resources that create extraordinary opportunities and preserve the promise of justice for countless Minnesotans. When you make a planned gift to Legal Aid, you ensure that your passion for justice will be part of your legacy. Planned Giving offers donors a way to make a larger gift than would otherwise be possible. The different ways of structuring a gift can achieve tax savings, enhance cash flow, and the transfer of valuable resources to your family. For Legal Aid, planned gifts sustain our work in perpetuity and ensure our long-term stability.

Each person making a planned gift will be invited to become a member of the Giving Society, Sustainers of Justice. We would like to extend our heartfelt thanks to the following individuals who have made a provision for Legal Aid in their will.

Bruce W. Blackburn  
Rebecca A. Chaffee  
Laura and Benjamin Cooper  
John and Joanne Gordon  
Deanne and John Greco  
John Holten  
Thomas and Victoria Keller  
Tom King  
Nancy J. Kleeman  
Jeremy Lane  
Richard G. Lareau  
Nancy Malmon  
Seymour and Susan Mansfield  
William E. Mullin  
Jerry and Lou Rotman  
Allen I. Saeks  
Clinton A. Schroeder  
Warren R. Spannaus  
Michael P. Sullivan, Sr.  
Tom Tinkham  
Iris C. Freeman and Warren D. Woessner  
Hon. Lloyd Zimmerman and Rebecca Palmer

**For more information  
on making a planned  
gift, please contact  
Lisa Cohen, Director of  
Administration  
at 612-746-3770.**

## Jerry and Lou Rotman

# A Legacy of Justice

Jerry and Lou Rotman have made a life out of serving others and supporting the people and causes that are important to them. When asked if they would consider making a planned gift to Legal Aid, their answer came quickly. Although the decision to make a planned gift is an important one, the Rotmans understood the significant impact they were making today and for the future of Legal Aid.

Both Jerry and Lou come from families in which philanthropy was encouraged. “My parents’ deep-seated commitment to helping others permeated all aspects of our lives,” says Jerry, who is known by his fellow Legal Aid emeritus board members as “a trusted colleague, a dynamic leader and a generous spirit.” His father was active in their synagogue and Jerry observed the joy that came from giving back to the community. For Lou, it was her grandmother, an early feminist, who was instrumental in teaching her granddaughter about standing up for the rights of others. Lou’s grandmother helped those in need in Sioux City, Iowa, where they made their home, and served as a role model for Lou. Further inspiration came from wife of the Dean of Harvard Law School, who counseled that wise and thoughtful philanthropy greatly enhances one’s life. Most significantly, Lou finds in Jerry the epitome of a generous spirit. “It never occurred to either of us not to make active philanthropy part of our lives,” says Lou.



**“It never occurred to either of us not to make active philanthropy part of our lives.”**

**—Lou Rotman**

Currently of Counsel at Briggs and Morgan, Jerry has been committed to the practice of law, social justice and community service for over forty years. In addition to raising three children, Lou served as President of ORT, the Organization for Rehabilitation Through Training, helping underprivileged people to help themselves. She continues to serve as a substitute teacher in Social Studies and Language Arts at St. Louis Park High School. It was there that Jerry established a Dollars for Scholars Scholarship Fund, a program that makes higher education a reality for young people who otherwise could not afford to go to college. He established this fund in honor of Lou.

Our entire community is fortunate to have had this couple from Iowa, by way of Yale and Harvard, settle here. They brought with them their benevolent spirit and serve as examples of graciousness to all who know them. And they have made a difference. For years, the Rotmans’ annual gifts have provided critical support to Legal Aid, making a direct impact on our ability to serve our clients. Through their planned gift, they ensure a strong future for Legal Aid clients and for the community as whole. We thank them, honor them, and hope that their example of giving back prompts others to do the same.



430 First Ave. N., Suite 300  
Minneapolis, MN 55401  
Phone: 612-332-1441

Non-Profit  
Organization  
U.S. Postage  
**PAID**  
Permit #3201  
Minneapolis, MN



Legal Aid has received the Charities Review Seal, given to nonprofits exemplifying quality, ethics, accountability, and transparency.

# I Got Paid Well Today

## A true story from a Legal Aid attorney

Because of supervisory responsibilities, I rarely represent clients any more, so when I do, I always wonder if this will be my last hearing. Today would not have been a bad one to go out on.

I represented a young man in an SSI case (Supplemental Security Income—federal program providing cash for basic needs for people with disabilities and others who have little or no income). He has had many diagnoses over his life, beginning at about age 12. The doctors agree he is seriously mentally ill. He has been institutionalized repeatedly, most recently about 12 months ago, after going to a public place and telling people he was Jesus Christ and could use his phone to win ball games.

When he is on medication, he does better, but I think that means he just knows enough not to tell most people about his unusual thoughts.

**I couldn't make him healthy, or give him the capability of living independently, but today I got to help this young man be able to afford something that will, for the first time ever, help him to feel important. What great work we get to do.**

Not a tough case at all (the kind I worry most about losing). I spent most of my time getting medical records, preparing him to tell his story, and not letting him give up. We had the hearing today. His mom brought him, even though her own mother was hospitalized and not expected to recover. The judge fairly quickly told us she would award benefits.

As I picked up my paperwork, the client went out to tell his mom. When I got to the hallway, she was standing, with tears streaming down her face.



As we talked about what this meant, the client asked me how much he would get for back benefits. I told him I couldn't tell him yet, because the history of where he lived made a difference. He asked me if he would have enough to buy a bowling ball. I told him there would be enough for a bowling ball and for bowling shoes too.

I couldn't make him healthy, or give him the capability of living independently, but today I got to help this young man be able to afford something that will, for the first time ever, help him to feel important. What great work we get to do.

—Ann Cofell, Deputy Director  
St. Cloud Area Legal Services, Western Minnesota Legal Services