

2018 LEGAL AID



ANNUAL REPORT



Empowering Women **THROUGH THE LAW**

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OUR MISSION

To advocate for the legal rights of disadvantaged people to have safe, healthy and independent lives in strong communities.

DEAR FRIENDS,

2018 was quite a year for women in the United States. A record 257 women won major party nominations for the 116th United States Congress, and a record 120+ women took their seats in January. The 91st Minnesota Legislature includes 64 women, many elected for the first time in 2018.

At the same time as women are making these visible advances as government leaders, stark economic realities persist for many others. Sixty-four percent of Legal Aid's clients are women or female-headed households. This has been the case for years on end, as broken systems disproportionately affect women's access to basic safety, health care, financial security, and stable housing.

In the cases described in this report, you'll see how Legal Aid plays a role in empowering women to advance toward their personal and professional goals. You'll read about one of our board members whose mother is a former client, and who now has a hand in shaping our policy decisions. You'll learn about women who find out, from their experience with Legal Aid, how to transact business in a way that protects their interests and care for their families. You'll see how women, both elders and youngsters, are following a path to stand up for their rights, while trusting in their own experience and voices.

As a supporter of Legal Aid, you ensure that all Minnesotans have the opportunity to understand and defend their rights, to protect their finances, to advocate for their children and grandchildren, and to speak out against injustice.

Your support of Legal Aid provides attorneys to stand beside women as they have their day in court - but also in the days before and after. You are leveling the playing field and empowering women in the communities we serve.

Thank you for your generosity. You make justice possible.

Drew Schaffer, Executive Director

HOUSING LAW

Immigrant Woman Seeks Justice in Housing Dispute

Stella entered a contract for deed to buy a house from her employer. She had worked for him since she arrived in the United States as a young immigrant, and she saw it as her one chance to own a home.

Ten years later, Stella suffered an injury and was unable to continue working. She fell behind on payments. When she received a worker's compensation settlement, she paid a huge lump sum, covering her missed payments and paying ahead for the next 12 months. Several months later, her former employer told her that the contract's time was up at the end of the year – six months before her pre-payments would run out, and a full year before the contract was set to expire – and that she would need to be out by then.

FINDING LEGAL AID

"I was so scared," she remembers. "I had given him all that money, and I wasn't working. I had a broken ankle with metal screws. I'm not educated enough to find a job – my jobs have all been physical, housekeeping, or cooking. I didn't know where I was going to go."

Stella called Legal Aid, and Staff Attorney Brittany McCormick looked into the situation. Neither party had any paperwork except the original contract for deed, and neither kept clear records of the financial transactions. Further complicating the issue was a burst pipe that the employer agreed to pay for. In violation of this agreement, the charges were actually assessed to Stella's purchase records.

"I knew he'd been taking advantage of me," says Stella. "But I had no idea how bad it was. Once we started digging, Brittany opened everything up and we found so many more problems. I was crying, I was so grateful."

RESOLVING THE CASE

McCormick asked for an accounting of all payments and waded through amortization schedules and escrow documents. After a long series of negotiations, the employer agreed that he had been mistaken. Stella had more than a year to go before the contract expired, and all house payments were covered for another six months.

"Working with Brittany gave me so much power," Stella says. "It made me feel like I could accomplish things, with someone standing beside me. She told me I could sell the house, pay off what I owed, and any profit would be mine. That gave me the confidence to go on line and look for a buyer."

Legal Aid does not help people sell property, so McCormick closed the case. She advised Stella to get all financial agreements in writing, and to be sure she fully understood everything before signing. Stella received an offer on the house, and the buyer wanted her to sign a purchase agreement immediately.

STANDING UP FOR HER RIGHTS

"I said to the gentleman, I cannot sign that right away – and I ended up getting a much better second offer! If I'd signed, I couldn't have taken the second offer. I came out way ahead, and I'm proud of myself. I know how to stand up for my rights."

Stella negotiated with the buyer to stay in the house for several months until she found another place to live. She made sure the agreement was in writing, witnessed at the bank. At the closing, she paid off her former employer.

"For the first time since I'd known him, I felt free from him," Stella says. "I always thought I had



to obey him, but not anymore. I felt betrayed because I had trusted him. I gave him his money, and we went our separate ways. I handled the closing all on my own. It felt so good, and I have not looked back.”

LESSONS FOR A LIFETIME

Stella found a rental home and moved out of the house with two months still left on the agreement. She received a check from the new owner, and then she called to get a refund on her homeowner’s insurance.

“I wouldn’t have known to do any of that before,” she says. “When I started working with Brittany, it was the lowest time in my life. One day I was crying in a panic attack and Brittany said, ‘You’ve got to be strong. I can do this part, but you’ll have to handle the rest.’ Well, I did. To have someone give you their time and treat you like you are worth something, that’s amazing. I’ll never forget it.”

“Working with Brittany gave me so much power. It made me feel like I could accomplish things, with someone standing beside me.”



FAMILY LAW

Grandmother Fights for Custody of Her Grandchildren

Delaina has been a primary caretaker for her three grandchildren all of their lives. She took the kids for weeks at a time when their mother's (Delaina's daughter's) home was too chaotic. When there were problems at school, she got the call. When their mother lost her housing, the grandchildren (ages 2, 8, and 10) officially moved in with Delaina.

After the move, Delaina was able to better care for her grandchildren. She wasn't called from work as often to pick them up or deal with problems. Still, because she didn't have legal custody, permission slips and medical care were always a hassle.

Delaina wanted legal custody but she wasn't sure about her legal options. If her daughter got angry and took the kids away, there'd be nothing she could do. But,

“Legal custody means I’m more qualified and able to take care of [my grandchildren]. Before, even a simple medical appointment meant explanations and workarounds.”

one day, Delaina’s daughter assaulted her elderly mother.

“That assault on my mother opened the door for me,” Delaina says. “At that point, I knew I could take legal steps.”

TAKING LEGAL ACTION

Delaina was surprised to learn that she qualified for help from Legal Aid’s Family Law Unit. She was also surprised at how quickly she received a call back and an interview with Supervising Attorney Jayne Barnard McCoy.

McCoy has worked in family law for 29 years and understands how difficult third-party custody cases can be. She explained the different scenarios regarding physical and legal custody and how the long-term consequences could play out. Delaina first tried to work with her daughter on a solution, but her daughter wasn’t willing. Ultimately, the case went to trial.

“It’s hard to bring legal action that will hurt your own child,” McCoy says. “It’s not a decision that people come to lightly. Delaina had been giving her daughter the benefit of the doubt for a long time, but she could see how the situation was hurting the kids, and she knew she had to get custody.”

At trial, the school social worker was a powerful witness. She reported that the grandchildren did much better under Delaina’s care. The children’s father and several family members also spoke on Delaina’s behalf, voicing their concerns about the mother’s instability and violent history. They talked about the ways Delaina, who is an enrolled member of the White Earth Band of Chippewa Tribe, helps the kids stay connected to their family and culture.

“Family law cases are difficult emotionally in a way that you don’t see in other areas of law,” says

McCoy. “With a contract dispute, you can move on. In family law cases, the parties will always be connected. I look for solutions that put the least stress possible on the adults and minimize the difficulties for the children involved.”

CUSTODY AWARDED

The Family Court Referee awarded physical custody to Delaina, sharing joint legal custody with the children’s fathers. Delaina has ultimate decision-making authority regarding education and will receive child support from both parents. The children will have supervised visitation with their mother. That time can be extended when their mother follows through with the court’s order to complete a program for women who have been violent.

“Legal custody means I’m more qualified and able to take care of them,” says Delaina. “Before, even a simple medical appointment meant explanations and workarounds. It’s such a relief to get them caught up on vaccinations and medical concerns.”

Delaina is also able to sign their school permission slips and enroll them in extracurricular activities. Her mother helps with childcare, and Delaina, who supports the entire family, is able to focus more consistently on her work.

AN INSPIRATION

“Delaina is an amazing woman,” McCoy says. “She has so much on her plate. Her dedication to her grandchildren is inspirational to me.”

“You do what you have to do,” says Delaina. “I appreciate everything Jayne did for me and my family. She was amazing from the get-go. She was very attentive and told me step by step how things would work. I can’t say enough about how much she helped me.”

ST. CLOUD OFFICE

Former Client Becomes Force for Justice at Legal Aid

Elizabeth has served as a client board member on Legal Aid's Board of Directors since June of 2018. Back in 2010, when Elizabeth was a senior in high school, her mother was a Legal Aid client. At that time, she told Elizabeth about Heather Helmer, the paralegal who was working on her case.

"That's my first memory of Legal Aid," says Elizabeth. "My mom came home and told me about this wonderful and amazing paralegal who was Autistic like me. It gave me hope. I'd been told that graduating from high school and being successful wasn't possible for me. Hearing about Heather, I realized that bullies and science and statistics couldn't hold me back if I didn't let them."

ABUSE AND DISABILITY CHALLENGES

Elizabeth was facing multiple challenges at that time. Her mother was trying to keep the family safe from her stepfather, who was violently abusive. Elizabeth was struggling in school, dealing with mental health issues that stemmed from the abuse, and trying to figure out how to graduate on time. She was also helping to care for her baby sister, who had significant health issues.

"Legal Aid for our family was, in one word, relief," Elizabeth remembers. "The county attorney was fighting for us on the criminal case, but we had a long list of other challenges."

Elizabeth had been in special education for two years, but she had never heard of the Americans with Disabilities Act. She had no idea that laws and rules existed to protect people like her.

Legal Aid helped Elizabeth's family to obtain an Order for Protection, saw them through the very difficult divorce and custody process, and linked

them with resources that led to safe and affordable housing. Elizabeth's younger brother, who also has a disability, had been denied Social Security Disability. Legal Aid helped with a successful appeal, which meant more financial stability for the family.

ASSERTING RIGHTS ON MANY FRONTS

"I learned through that process that we were not alone," says Elizabeth. "Whether it's domestic violence, housing problems, a disability – you probably have rights you don't even know about. There are people who will have your back and walk through the hard times with you."

Ann Cofell, Deputy Director of Legal Aid's St. Cloud office, has known Elizabeth for over six years. She remembers that soon after Legal Aid began working with the family, Elizabeth started raking leaves and shoveling snow for the neighbors. Cofell remembers that Elizabeth said, "People are helping us, so I want to help someone, too."

"I am in awe of this amazing woman," Cofell says. "She embraces her strength and takes on challenges. She lifts others up. I'm a better person because she is in my life. She has stepped forward again and again as a Board member and supported Legal Aid in every way possible."

MAKING A DIFFERENCE FOR OTHERS

"I feel so honored to be part of the organization," says Elizabeth. "It's truly a dream to help other people who need it. I know the statistics. Many people qualify for Legal Aid's help and don't get it because there aren't enough resources. I won't be satisfied until that percentage is zero. I know how it feels to be in the position of needing help I can't afford. I can't imagine what it must feel like to be told 'I'm sorry, but we can't take your case.'"



Elizabeth works as a personal care assistant (PCA) for children with disabilities. She is the Council Chair for Protection and Advocacy for Individuals with Mental Illness (PAIMI). As the PAIMI representative to Legal Aid's Board, she helps to guide the direction and priorities of Legal Aid's work. Because of her personal experience with domestic violence and living with a disability, Elizabeth has a great deal of insight into the challenges faced by Legal Aid's clients.

"It means everything to be empowered legally," she says. "It means I have not only the right but the strength to stand up for my rights as a citizen, a woman, and a person with a disability. Legal Aid's work gives women like me the opportunity to put a silver lining on the past. It's truly empowering to be a force for change in today's world."

"I have not only the right but the strength to stand up for my rights as a citizen, a woman, and a person with a disability."



TAX LAW | ISUROON PARTNERSHIP

Somali-American Mom Takes on the IRS with Legal Aid

Jamila is a United States citizen and the single mother of three children. Her husband died before she and her children moved to the United States. Jamila studies hard, but English is still difficult for her. Most of her income goes to cover the family's basic needs, and she counts on her tax refunds.

The money goes immediately into her savings account as an emergency fund. In 2017, instead of receiving her expected tax refund, Jamila received a letter from the IRS saying that she had a tax deficiency of over \$7,000.

“I was so relieved and happy with the help I received from Legal Aid... With this tax problem, I didn't know what to do...I'm very thankful for Isuroon and for Greger and Nick.”

TURNING TO ISUROON FOR TAX HELP

“I knew I didn't owe money and that I should get a refund,” says Jamila. “Something had gone wrong, but I didn't know how to get through and reach the right person. It was hard for me to talk with anyone by phone. I didn't know which door to knock on. I finally came to Isuroon for help.”

Isuroon is a woman-led program in south Minneapolis that partners with Legal Aid's East African Community Legal Clinic. Isuroon provides office space and interpreters for Staff Attorney Greger Calhan, whose work is generously funded by the Pat and Tom Grossman Family Fund of the Minnesota Community Foundation. The clinic aims to address the difficulties that Minnesota's East African and Somali communities have in gaining access to justice.

“Jamila was lucky that she came to the Isuroon clinic when she did,” says Calhan, who consulted with Legal Aid colleague Nick Xanthopoulos, Staff Attorney in the tax unit. “Tax law is complicated and highly technical with little accommodation for honest mistakes. The process for bringing a case is complex, and the window for a taxpayer to petition the court for review is quite narrow. If they move too soon or too late, the tax court doors are closed.”

Xanthopoulos immediately recognized that Jamila's tax court window was open. He also discovered some serious mistakes on her tax return. Legal Aid advises clients to always use a free Volunteer Income Tax Assistance (VITA) preparer, because their members must pass a tax and ethics test that is certified by the IRS. Like many of Legal Aid's tax cases, Jamila's problem stemmed from mistakes by a paid tax preparer who was either inexperienced or unscrupulous.

“It's very important to have Legal Aid here at the Isuroon office,” Jamila says. “There are people like

me who need help, and it's good to have a place where we can come and get that help to solve our problems. The government offers benefits to citizens but doesn't tell you how to get them.”

A SWIFT RESOLUTION

Calhan and Xanthopoulos helped Jamila file her petition with the tax court. After a series of requests for supporting evidence, which Jamila was able to provide, the Chief Judge of the United States Tax Court determined that Jamila had no tax debt, and that she was entitled to a refund of over \$6,000. The refund was paid, and Jamila once again has emergency funds in her savings account.


“Some of the back and forth was related to the confusing, bureaucratic nature of the IRS,” Calhan says. “Rights are only as good as the practical and realistic avenues for enforcing them. If the enforcing tools are inaccessible – physically, culturally, linguistically – then the rights themselves are inaccessible. Working with Isuroon, I can put clients' rights within reach. Isuroon is a place that is warm, welcoming, and trusted by the community. Somali women, in particular, find that they can get reliable help with complicated problems.”

Jamila appreciates the ease of meeting with a lawyer close to her home and finds Isuroon to be a convenient, familiar, and welcoming place. The staff all speak Somali, and it's a comfortable place to meet with an attorney.

“I was so relieved and happy with the help I received from Legal Aid,” she says. “Women like me need all the help we can get because we have kids at home and we are trying to learn the language and reach higher-level employment. With this tax problem, I didn't know what to do, and I was really getting crazy. I'm very thankful for Isuroon and for Greger and Nick.”

WILLMAR OFFICE

Young Dreamer Paves a Path to Her Citizenship

 Cinthia arrived in the United States when she was three years old on a visitor visa with her mother. She knew nothing of immigration or green cards. She grew up in rural Minnesota and attended a public high school.

When she looked ahead to high school graduation, Cinthia could only see dead ends. She did not have legal documentation to be in the United States. As her peers talked about college and careers, she faced the reality of no driver's license, no college, no future. She had always wanted to be a nurse, but that seemed completely out of reach.

In the spring of Cinthia's junior year, her grandfather called with news of a new immigration policy called Deferred Action for Childhood Arrivals (DACA). DACA allows young people who arrived in the United States as children without documentation to become eligible for a work permit.

"He was so excited," says Cinthia. "He told me to get on it right away, and my mom told me to call Legal Aid. That was nerve-racking because I didn't know how to start or what to do, but the attorney took me on and was such a good communicator."

NAVIGATING DACA

Cinthia called Legal Aid's Willmar office and learned that although application procedures were not yet in place, she would probably be eligible. She had been a model member of the community, with no criminal history, and she had never left the United States. She just had to gather the necessary paperwork and the filing fees.

"Young people applying for DACA face a complex process," says Peter Omari, Staff Attorney

in Legal Aid's Willmar office. "Proving a teenager came to the United States before age 16 and has been here the entire time entailed a lot of research. It meant finding old receipts, bills, even tickets to high school dances."

The summer after high school graduation, Cinthia was approved for DACA and a work permit. The first thing she did was get a driver's license.

"That was such a big step!" Cinthia says. "I applied for a job right away. I'd always wanted to work and help my mom. My first job was putting together microscopic parts for hearing aids. It was very cool. I worked with a lot of engineers and they taught me how to operate machinery and use microscopes to build the tiny parts."

Cinthia also enrolled in a summer bridge program at Southwest Minnesota State University (SMSU) where she completed 10 credits in an accelerated program. In the fall, she started college. She has returned to Legal Aid's Willmar office every two years to renew her DACA.

"The Department of Homeland Security reviews renewal applications carefully," says Omari. "Any error can mean a young adult will lose their job and the ability to work. A lawyer ensures that young people with DACA status can move forward to achieve their dreams."

CHARTING A COURSE TO CITIZENSHIP AND A NURSING CAREER

Cinthia's DACA was approved again in June of 2017, and she is now exploring a path toward citizenship. She completed her undergraduate degree and will be starting a Licensed Practical Nurse (LPN) program in the spring.

"I've had so many opportunities for work and education, and I've learned so much!" she says. "The



“I’ve had so many opportunities for work and education, and I’ve learned so much! The attorneys were always helpful. They answered all of my questions and explained what I would need.”

attorneys were always helpful. They answered all of my questions and explained what I would need. I wouldn’t want to go somewhere else and worry about them messing up my paperwork. Legal Aid is familiar, like family.”

“It is such an honor to work with our DACA clients,” says Omari. “Their dedication to make the most out of this opportunity and to benefit both community and family, as Cinthia has, is inspiring.”

YOUTH LAW PROJECT

Legal Advocacy Gives Power, Voice and Choice to Vulnerable Youth

Legal Aid's Youth Law Project Staff Attorneys Pheng Thao and Laura Wilson serve youth up to age 24 who, for a variety of reasons, are functioning at a much more independent level than most people their age. Most are young women, and many identify as queer or transgender.

"Often, it's the first time our clients have learned about their rights or had a chance to make decisions about where they're living," says Wilson. "A lot of other people make decisions about them, with or without our clients' consent. Having a lawyer to empower them in making their desires known can be a new experience and an important one."

"Working with Legal Aid gave me back my power, my voice, and my choice. I learned how to work within the system, and I got a glimpse of who I could become beyond the circumstances I was in at the time", says Michelle Basham, MPA/Esq, former YLP client, current Executive Director of The Bridge for Youth and part-time adjunct professor at Mitchell Hamline School of Law.

Wilson, who worked for several years in Legal Aid's immigration unit, has been especially struck by how intimidated many of the young people are to talk with her – far beyond the nervousness she encountered with undocumented immigrants. Many of YLP's clients are recovering from trauma.

"On my first visit to a shelter, I met with three girls," Wilson says. "One was visibly shaking. Another took 10 minutes before she could even talk. Now I start by telling our clients that everything we talk about is confidential. I emphasize that I can't tell anyone anything about them without their permission. Not their parents, not child protection, or the shelter staff, or their teachers."

Youth who have grown up involved in the system of Child Protective Services often do not feel much personal agency in their situations. They feel as if it's them against the system. An attorney can help them understand their rights and develop skills in self-advocacy and self-sufficiency.

"Legal Aid helps me regardless of my financial situation," says Marla, age 20. "That gives me an opportunity for a better life, without having to worry and stress about not being able to take care of the important matters that have to be done."

Some YLP clients need help to prove their citizenship so they can rent apartments, obtain employment, or go to college. Greta and her brother were adopted by their U.S. citizen aunt when their mother died. Later, their aunt abandoned them. She took all of their legal paperwork, and they had no way to prove that they were citizens by adoption. Wilson helped them obtain their Certificates of Citizenship.

"Getting my Certificate of Citizenship gives me access to the other identity documents I need," says Greta, age 18. "Now I can get health insurance. With a passport, I can eventually go and visit my dad, whom I haven't seen in many years. Without that certificate, I worried about being deported."

YLP works closely with Safe Harbors shelters, which provide emergency, transitional, and permanent housing for sexually exploited youth. Some young victims of sexual exploitation have to participate in prosecution of adult perpetrators. They want to know if they have to testify, and what kind of protections to request. If they are also charged with a crime, they want to know what they can expect from their public defender,



or how to have their record expunged. With an understanding of the law and their rights, they can work toward their goals.

"We represent what the child wants," says Thao. "That goes a long way in empowering a client to speak her mind. It's tough to be heard sometimes over the social worker, the guardian ad litem, the county attorney, and the parents."

"Now more than ever, young women need voice, choice, and control over their destiny. They also need role models and beacons for hope for what they could do and how they could someday help other young women like themselves."

FINANCIALS

REVENUE & EXPENDITURES | 2018

REVENUE

United Ways	\$457,840
Federal	4,171,593
State	4,660,992
Foundations	1,355,582
Local Government	428,739
Fund for Legal Aid	1,300,000
Legal Services Advisory Committee (LSAC)	1,575,991
State Support and LSAP	391,845
Attorney Fees	67,500
Miscellaneous	797,571
TOTAL	\$15,207,653

EXPENDITURES

Poverty Law	9,481,648
Disability Law	2,332,855
Administration	1,465,574
LSAP	597,088
State Support	698,117
Fundraising	367,476
TOTAL	\$14,942,758
Prior Reserve	2,690,011
Year End Reserve	3,160,025

CONSOLIDATED BALANCE SHEETS | 12.31.18

ASSETS

CURRENT ASSETS

Cash and Cash Equivalents	\$2,650,650
Receivables:	
Grants and Contracts	2,070,280
Pledges and Other	62,697
Prepaid Expenses	54,436
TOTAL CURRENT ASSETS	4,838,063

PROPERTY AND EQUIPMENT, at cost

Less Accumulated Depreciation	(421,940)
TOTAL PROPERTY AND EQUIPMENT (NET)	464,417

OTHER LONG-TERM ASSETS

Funds Held by Community Foundation	2,573,206
Client Escrow Funds	69,858
TOTAL OTHER LONG-TERM ASSETS	2,643,064
TOTAL ASSETS	\$7,945,544

LIABILITIES AND NET ASSETS

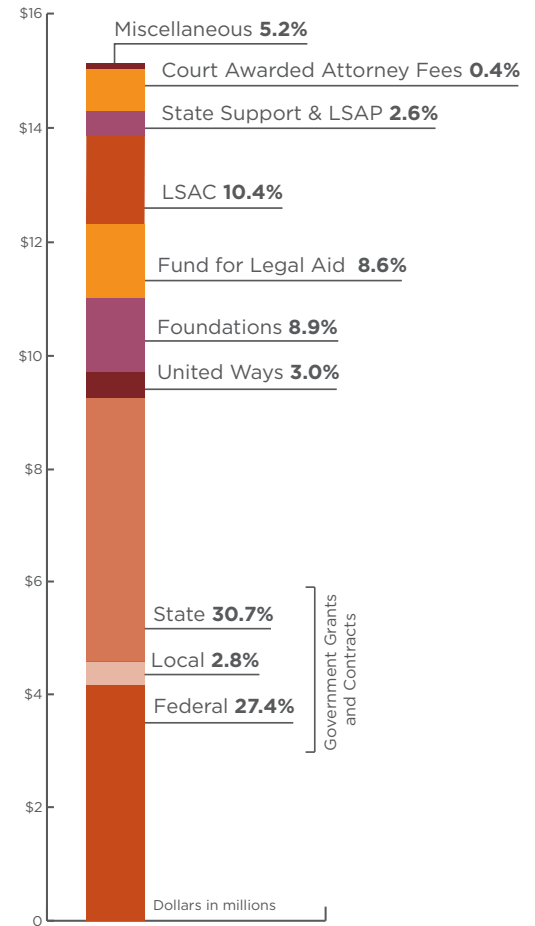
CURRENT LIABILITIES

Accounts Payable	\$274,758
Client Trust Deposits	69,858
Accrued Expenses	399,151
TOTAL CURRENT LIABILITIES	743,767

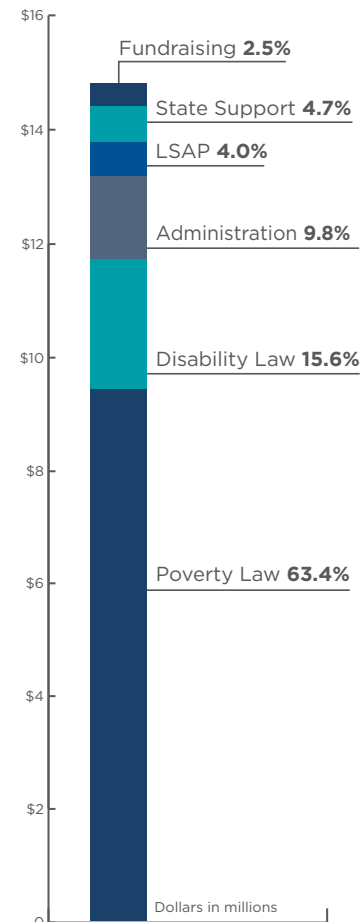
NET ASSETS

Net assets without donor restrictions	4,008,608
Net assets with donor restrictions	3,193,169
TOTAL NET ASSETS	7,201,777
TOTAL LIABILITIES AND NET ASSETS	\$7,945,544

REVENUE



EXPENDITURES



YOU CAN HELP EXPAND OUR REACH

The number of Minnesotans seeking legal assistance continues to rise. Your support – whether through sharing your time or making a monetary donation – makes it possible for us to meet increasing demands and provide much needed assistance for Minnesotans struggling to meet their basic needs. When you contribute to Legal Aid, you contribute to a stronger community. You make someone’s day a bit brighter. You change lives for the better.

We hope you’ll consider a contribution based on what works best for you.

Consider these options:

Make a monetary donation. Any amount allows us to provide invaluable help to people in need. Visit our site at mylegalaid.org/donate to make an online donation, or contact our office to discuss your contribution.

Extend your legacy with planned giving. Making a planned gift to Legal Aid ensures that your passion for justice will be part of your legacy, leading by example, for others to give back. Learn more at: mylegalaid.org/give-and-share.

Volunteer. If you are an attorney, you can share your talents directly with clients in need. To learn more visit mylegalaid.org/get-involved.

To learn more or seek assistance, contact us via email, phone or the web.

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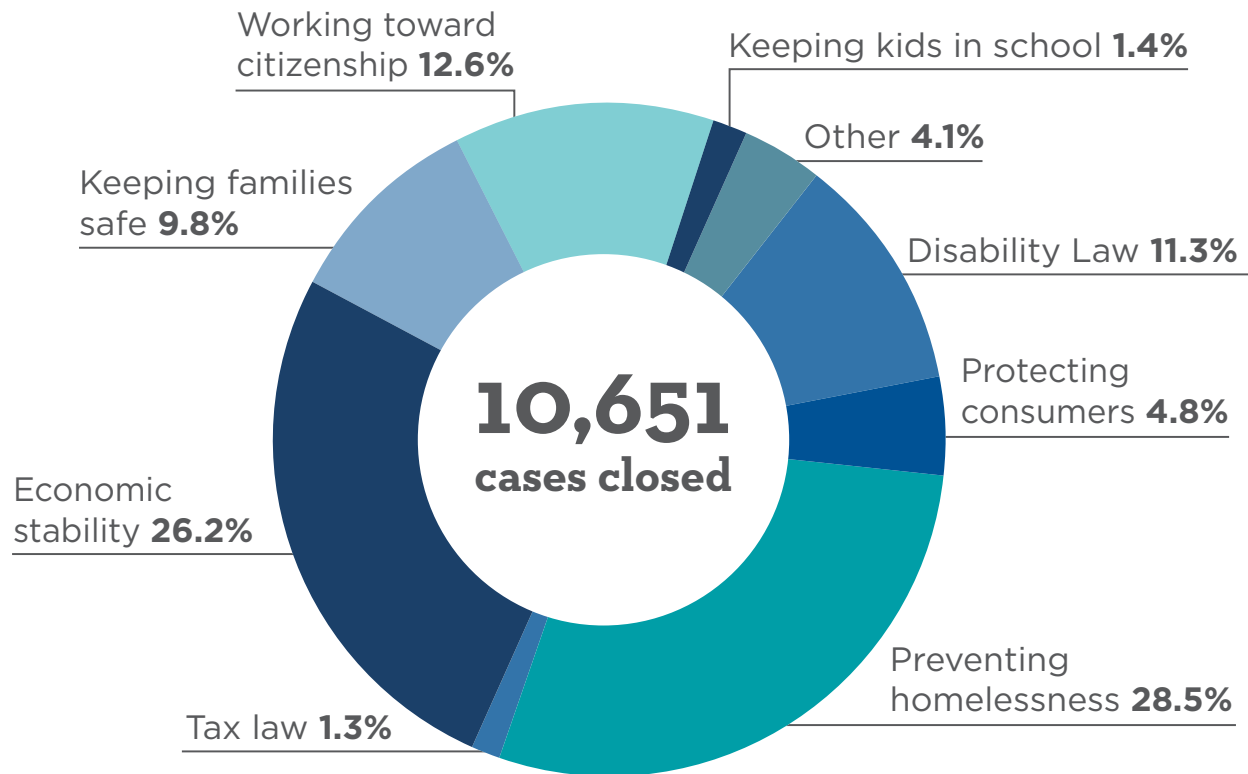
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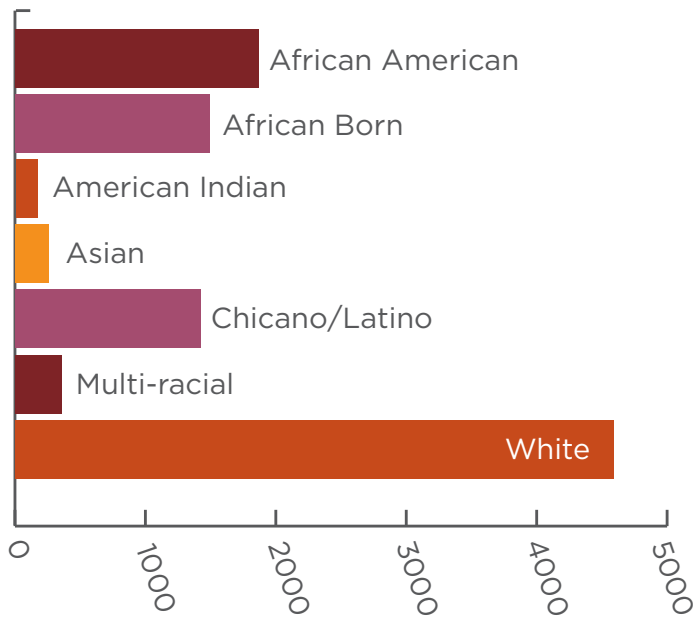
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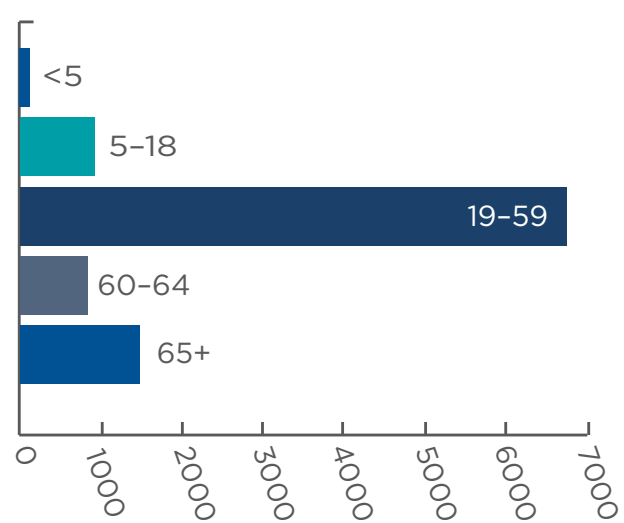
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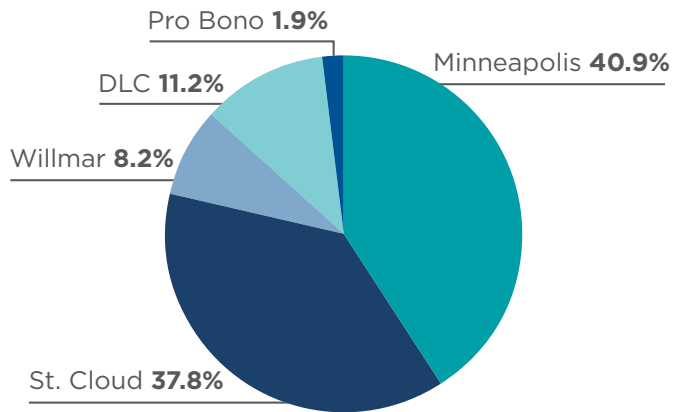
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