

# CLIENT UPDATE

F A L L 2 0 0 5

## Open Letter from Jo-Ann Wallace, President and CEO of NLADA, to Members affected by Hurricane Katrina

### Coordinated Effort to Reach out to Members Underway

Dear Members:

During this difficult time, NLADA has been reaching out to our members in Louisiana, Mississippi and Alabama, especially those in areas that have been most affected by Hurricane Katrina. We've been able to reach some of you, while others remain in areas without phone service, electricity and, in some cases, the very infrastructure of their programs. Contact with them has been difficult. Much like some of the reporters we see on TV who are relaying messages of survival and hope, NLADA would like to hear from our members who are in a position to report on their personal status as well as the status of the programs and organizations in which they work. If there



are members out there who have been able to reach colleagues in New Orleans, the communities along the Gulf Coast and all the other areas so terribly affected by Hurricane Katrina, please take a moment to let us know their status and, of course, to let us know what we in the NLADA community can do to help. We will relay any and all information as it comes in

through our Web site, listservs and various electronic publications.

All of us at NLADA are working to develop and coordinate responses to the legal needs of our members. Currently, NLADA is gathering the names of members who have handled a wide variety of issues resulting from crises ranging from the tragedy of September 11 to the hurricanes in Florida to the wildfires in the West. These members have forwarded a great deal of information in the form of manuals,

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## ABA Standards Hearing To Focus on Clients – Make Your Voice Heard!

Part 2 of 2

**By Camille Holmes,  
Co-Director, Project for the Future  
of Equal Justice, Center for Law and  
Social Policy**

On Friday, November 18, 2005, the ABA SCLAID Task Force to Revise the Civil Standards will hold its final hearing at the NLADA Annual Conference in Orlando, Florida. (see box for more details on ABA/SCLAID)

This final hearing will place client advocates' comments, concerns and ideas on center stage. If you are interested in speaking on a particular issue relating to the Standards at the Task Force Hearing, please call or email Camille Holmes at 202-906-8007, cholmes@clasp.org or Terry Brooks at 312-988-5747, tjbrooks@staff.abanet.org. Please make sure to note in your voicemail message or

email: (1) the ABA Standards issue(s) you would like to address; (2) your telephone or email contact information; and, (3) the best times to reach you.

The Task Force would like to hear client voices on the issues that are most important to you. No one can tell the Task Force about the needs of clients but clients. We hope you will make a special effort to participate.

### Why ABA Standards are Important

The ABA Standards for Providers of Civil Legal Services to the Poor (the ABA Standards) are intended to present the "gold standard" for the provision of civil legal assistance to people who are poor – excellence in meeting the legal needs of the clients and communities served.

For clients and communities, the ABA Standards provide a mechanism to hold programs accountable in the areas of

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## LEADERSHIP CORNER

### Message from NLADA Client Policy Group Chair Rosita Stanley

We go into this year's Annual Conference scheduled from November 16–19 in Orlando, Florida charged with addressing the theme: "Defining the Future: The Fundamental Value of Justice for All." The Annual Conference provides us with opportunities to ask new and better questions about the direction of the legal services community and the role of the equal justice movement. The American Bar Association will be conducting hearings on the ABA Standards for the Provision of Legal Services to the Poor. I encourage you to attend the hearings. Our participation and attendance at the hearings provides us with a chance to impact the development of standards that affect the delivery of legal services to our community. The hearings also give us a chance to address issues concerning the role of clients in legal services programs and on legal service program's boards of directors. We must make our presence felt and our voices heard.

The Annual Conference also gives us an opportunity to ask and answer questions about the role of clients and client leadership in doing the work of combating and addressing issues of poverty. We have a front-line role in the equal justice and legal services community in working not only to increase equal justice – but also to combat poverty. The events surrounding Hurricane Katrina reminded the nation of facts and situations we already knew. We know that poverty is real in this nation. It has real effects and consequences for our communities. As we come together in Orlando, let's work to *define the future*. The battle for equal justice requires us to understand that pursuing justice involves fighting against racial and economic injustice. In fact, understanding injustice allows us to understand the meaning of fairness and justice. As ambassadors and advocates for equal justice, we must recognize that justice for all is a fundamental value.

We recently lost one of our ambassadors for equal justice. Shirley Peoples hailed from Columbus, Ohio and was active in the leadership of NOCA, her local program and NLADA. She committed her life to fighting against injustice and fighting for justice, fairness and inclusion. Our community will miss a long-time advocate for equal justice. I miss her as a both a friend and colleague and acknowledge her legacy in Columbus and around the country.

We know that our charge is to build a community of leaders and advocates who can also serve as ambassadors. These leaders must stand on the shoulders of people like Shirley Peoples. I am committed to the development of client leaders and the creation of a national client leadership development capacity. I am glad to report that progress toward this goal and vision was made during this year's Civil Impact Leadership Conference: "Speaking Truth to Power: Vision, Voice and Justice" held in Phoenix, Arizona. Clients were full and equal partners throughout the training. Our presence was felt by participants, trainers and presenters. Look for more at the Annual Conference and in coming editions of the Client Update. We will have a working session at the Annual Conference to continue the momentum created at Speaking Truth to Power. We will also bring together dynamic new and seasoned voices to this year's Client Track.

The Client Policy Group met in September with the Jo-Ann Wallace, NLADA president & CEO, along with key staff regarding NLADA's efforts to meet the needs of the client community and NLADA members affected by Katrina. I encourage you to read her message to members regarding NLADA's response to Katrina. Our hearts go out to the individuals and communities impacted by hurricanes Katrina and Rita. Let us remain vigilant in supporting them in their ongoing efforts to restore their lives and communities.

#### NLADA Client Policy Group Officers 2005

**Rosita Stanley**  
Chair  
Macon, GA

**Lucille Logan**  
Vice Chair  
Oklahoma City, OK

**Harry Johnson**  
Membership and Section Committee Chair  
Indianapolis, IN

**Lucille Logan**  
Communications Committee Chair  
Oklahoma City, OK

**Rosita Stanley**  
Training Committee Chair  
Macon, GA

We have a full agenda as we go into Orlando. Your participation at the Annual Conference will help us highlight the fundamental value of justice for all. Let's come together from November 16 –19 to partner in *defining the future*.

**Attend the public hearing  
on ABA Standards,  
the morning of Friday,  
November 18,  
at  
the 2005 NLADA  
Annual Conference  
in  
Orlando, Florida.**

**Don't miss the opportunity  
to ensure that the  
ABA Standards advances  
with a client-centered  
vision of justice.**

## LEADERSHIP CORNER

### Message from NOCA President Lucille Logan

Mark your calendars! NOCA's annual meeting is 10 a.m., Saturday, November 19th, at the Omni Orlando Resort in Champion's Gate, Florida. We would like all clients to be in attendance, so please, if possible, stay through Sunday so you won't miss this important meeting. We have a lot to discuss.

One of our most important topics is NOCA's future. Be prepared to discuss our existing structure and explore constructing NOCA as a state organization. We will examine state representation as a possible course of action, and how we will fund our organization. We need to seek funds to set up a national office. The recent natural disasters faced by our country show we are needed more than ever. We will discuss what training we need to make this organization work. We must stop blaming others for our organization being under-funded or under-trained. We have excellent resources such as the NLADA leadership trainings throughout the year, we just have not utilized them. We have the foundation, the question is do we have the energy or the willpower to build on it.

As president of NOCA, I have discussed our organization with different legal services

programs. Our problem is that we know we exist; however, we are not quickly recognized by other organizations. We've got to put the word out and start working to get recognized. The offices of this organization can't do anything without your input. I'd like to see us bring our founders back into the fold and include them in the discussions. Our organization needs to become a resource for other clients on things such as housing, education, employment, etc. At this conference, we need to determine what issues are of the most concern for the majority of clients. We need to get committees set up and start working.

Let's not live in the past but learn from it. We need to stop blaming other organizations for our low membership. There are millions of poor people and we've got our work cut out for us. But we can do it if we work together. Let our differences make us a strong, diverse organization. It's important to attend these meetings, develop strategies, organize and communicate. What we cannot do is continue to come to the meetings, receive a wealth of information, then go back and do nothing with it. If we do that, we have failed. I used to think I could save the world, but that is a journey to failure. If you can help one person and do it well you have done something. On an organizational level, we can set one goal and do it well. When we accomplish that, the world will belong to us! We can do it.

This organization was built on a need and that need is still there. Yes, it may take money, but sometimes all problems aren't solved with money. Caring for your fellow man and doing what you can to the best of your ability is something money can't buy. So, let's put on our thinking caps, roll up our sleeves and go to work. We as client/client advocates have been down; there is no place else to go but up. Keep the faith and we will succeed.

Lucille Logan  
NOCA President

### NOCA OFFICERS

**Lucille Logan**  
*President*  
Oklahoma City, OK

**Charlie Morris**  
*1st Vice President*  
Memphis, TN

**Mollie Gomez**  
*2nd Vice President*  
Norwalk, CA

**Yvette Long**  
*Secretary*  
Philadelphia, PA

**Lucinda Henderson**  
*Parliamentarian*  
Santa Ana, CA

**Secret Henderson**  
*Membership Committee Chair*  
Houston, TX

**Pearly Blunt**  
*Issues Committee Chairperson*  
Houston, TX

**Harry Johnson**  
*Treasurer*  
Indianapolis, IN

### NLADA Client Section Statement of Purpose

*The purpose of the NLADA Client Section is to promote the mission of NLADA by providing a forum for clients of legal aid and public defense programs to voice their interests and concerns as members of NLADA, as program board members, as customers of legal aid and as advocates for themselves.*

## National Organization of Clients Advocates (NOCA) Meeting

2005 Annual Conference,  
Orlando, FL

Saturday, November 19

10:00 a.m. – 12 noon

Contact: Lucille Logan  
(405) 235-8071

## Where Next? Retrospective & Prospective Thoughts on THE WAR ON POVERTY: A CIVILIAN PERSPECTIVE

**By Edgar S. Cahn,  
Professor Emeritus, UDC Davis  
Clarke School of Law**

Civil legal aid for the poor dates back, at least, to the work of Reginald Heber Smith. What our article added to the norm of Equal Justice was the use of the law as a vehicle for enfranchisement of the disenfranchised and as a means to enable persons to break down those barriers that had locked them into poverty by virtue of race, class, gender, and other circumstances that made them peculiarly vulnerable to discrimination and exploitation. We regarded the proposal for a neighborhood law firm as simply the best idea we could come forward with to provide a protected voice for the disenfranchised.

Timing, if not everything, is mighty important. *The War on Poverty: A Civilian Perspective* was in wide, private circulation within government circles prior even to the enactment of the legislation creating the Office of Economic Opportunity. As that draft circulated, I was detailed to the Task Force on the War on Poverty as a special assistant to the Director; Jean was detailed from the Department of State to serve as consultant on Legal Services, within that portion of the Agency charged with distributing Title 11, Community Action funds. As a result, we were ideally positioned, in the early days of the War on Poverty, to birth the legal service program at a time when it could attract the best and brightest coming out of law school and at a time when enterprising law professors, legal scholars and activist practitioners were drawn to the challenge and the possibilities that we envisioned in that article.

Even then, we knew that the program would generate controversy and would come under attack. What we did not foresee was the extent to which a change in political climate would threaten the very existence of the program in the 1990s. What we could not have foretold was the extent to which none of the social programs that emerged in the '60s and

'70s developed the broader base of support needed to survive as times changed and the political climate shifted. What seemed even more inexplicable was the absence of a constituency for those programs among the very beneficiaries of those programs.

It stands to reason that if the only people who will fight for a program are those on its payroll aided by their own professional allies, that program is going to be in trouble. That is particularly true if the function of that program is to challenge existing practice - but it is also true of any program that serves disadvantaged groups and has to compete for limited funds against programs having an articulate constituency. Politicians count votes. If those who are the designated beneficiaries of a program are not prepared to fight for a program, that becomes part of the political calculus. If the designated beneficiaries can or cannot mobilize allies in the broader community, that too becomes part of the calculus.

Let us begin by acknowledging that genuine Equal Justice means more than Equal Access to Lawyers. If we are to address structural issues of inequality - based on race, gender, geography, national origin, age or other factors - we cannot do it alone. More lawyers are essential. But we must go beyond ensuring that people "have their day in court" if we are to find remedies for the more fundamental problems. We need to partner in new ways with the clients we serve and the communities we serve.

Here are some proposals I would put on the table, hoping to stimulate dialog and hoping that others will come forward with even better ideas.

We have to turn the delivery of legal services into a transformative event that unleashes the capacity of the client and the client community to contribute and to bring forth a more just world.<sup>1</sup>

The role of clients, client representatives on the Board and the client community has to change. We must stop defining our clients by their problems. They are human beings with

capacity and with a range of skills and knowledge which we have treated as irrelevant to us, doing our jobs as lawyers meeting their legal needs. Once we begin to see them through a different lens, other possibilities emerge. We as lawyers may not want to be the ones overseeing how they use their capacities but we can broker the relationships which enable them to establish client controlled initiatives that tap those capacities.

Now technology is making other forms of mutual self-help possible. Various software programs enable clients to determine whether they are eligible for a variety of entitlements, Earned Income Tax Credits and other federal and state funded programs. Clients can be trained to help other clients with understanding the questions, and inputting the data needed to determine probable eligibility and then to generate the actual application for submission to the appropriate authority.

Enlisting client capacity to help address underlying social problems may be best handled by partnerships with private law firms, other non-profit and government organizations and graduate departments of institutions of higher learning interested in developing new social inventions. But the bottom line is that more lawyers and even more professional patchwork programs will not rebuild the village it takes to raise our children, care for and enlist the wisdom of elders, generate the civic engagement, or undertake the continuing work needed to make genuine Equal Justice a reality. We need to focus on ways that the unutilized and underutilized capacities of the client community we serve can be enlisted. That is less a matter of enforcing rights and duties than it is a matter of enabling our clients to discover their own powers. By power, I mean the ability or capacity to create new relationships of mutual obligation that bind people together in a social contract. To do that means finding ways to redefine the work

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# Educating Homeless Youth in the Wake of Katrina and Rita

By Barbara Duffield & Joy Moses<sup>1</sup>

Hurricane Katrina displaced more than 370,000 school-age children from their homes. Most of these displaced children meet the definition of "homeless" under federal education law and therefore are entitled to important educational protections and services.

Subtitle VII-B of the McKinney-Vento Homeless Assistance Act covers children and youth who lack "a fixed, regular and adequate nighttime residence." This includes children living in shelters; children sharing housing with other families due to loss of housing, economic hardship or similar reasons; children and youth living in motels, hotels, trailer parks or campgrounds due to a lack of alternative adequate accommodations; and children awaiting foster care placement.

Child victims of Hurricanes Katrina and Rita and other children and youth experiencing homelessness are currently benefiting tremendously from the McKinney-Vento Act. The Act provides:

- The designations of school district "homeless liaisons" in every school district to aid families and youth affected by homelessness
- Immediate school enrollment without having to produce academic records, birth certificates, physicals and other documentation
- Access to the same educational programming and services that are provided to non-homeless children
- The opportunity to maintain school stability and receive transportation, despite residential moves
- The right to benefit from the normalcy, structure and resources of a mainstream school environment, without stigmatization or segregation
- Coordination of supportive and academic services
- Referrals for health, mental health, housing and other support services.

Among the most important protections of the McKinney-Vento Act for displaced students is the right to immediate school enrollment. Children and youth in homeless situations do not need to provide birth certificates, school records, immunization records, proof of guardianship or proof of residency to enroll in school. Given the lack of telephone services at their former schools and the potential permanent loss of school records, schools should begin new student files and seek to make appropriate placements based on information gathered from parents and students.

States that have imposed time limits on the collection of records should make exceptions for storm victims. It could be weeks and perhaps months before governmental agencies possessing birth certificates, proof of guardianship, and academic records are fully functioning and able to respond to request for documents. Further, when they do resume business, they will be overwhelmed with requests and possibly distracted by the need to rebuild their internal infrastructures. Therefore, school districts and states should be vigilant in ensuring that their state-established records timelines do not lead to barriers to enrollment and attendance that are prohibited under the McKinney-Vento Act.

Finally, it is important to note that the responsibility for obtaining records does not solely fall on families. McKinney-Vento requires new schools to request academic records while old schools must transfer those records. The law further states that school district homeless liaisons must assist families in obtaining necessary immunizations.

## Residential Movement and School Placement Determinations

Some displaced families and youth may move frequently before finally finding a place to call home. Some may bounce between the homes of family members and friends. Others may be living in shelters provided by storm assistance efforts. As a result, their placements may continue to change, as organizers are able to make

incrementally better arrangements. The McKinney-Vento Act provides school stability by allowing homeless students to continue attending the same school, despite residential moves, if it is feasible for them to do so and desired by their parents or guardians. School districts are required to provide transportation to the school of origin, if requested by the parent or guardian, or, in the case of an unaccompanied youth, by the district liaison. School transfers are detrimental to academic, social and emotional wellbeing and should be avoided to the greatest extent possible.

However, it cannot be over-emphasized that school placement determinations of feasibility are individualized, child-centered decisions that should take into account the unique factors related to the child's best educational interest. When students attend the school of origin for just a few days prior to moving into more permanent housing, it is appropriate to consider the new neighborhood school when discussing enrollment options with the family. If parents have questions about changing the school placement, their concerns should be addressed. This may include offering the parents tours of the new school or allowing the parents to learn about the new school from teachers and other school staff. Also, parents should be informed of potential advantages to attending school in the neighborhood, especially when long bus rides are involved that might preclude the students from involvement in after-school activities such as tutoring, athletics or music.

If school systems send a child or youth to a school other than the school of origin or school requested by the parent or guardian, they must put their explanation in writing, along with the parent's right to appeal the decisions and refer the parent or youth to the liaison who is responsible for carrying out a state-defined grievance process.

## Segregation

Young people affected by the storm live with constant reminders of tragedy that

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## CLIENT NEWS

### NLADA Client Section News by Harry Johnson

The Client Section of NLADA will hold its fifth annual meeting during the Annual Conference on November 17, from 5 p.m. to 6 p.m. at the Omni Orlando Resort. We look forward to hearing from NLADA's new president & CEO, Jo-Ann Wallace.

Our client community has lost one of its long time soldiers in the fight for equal justice in Shirley Peoples. Shirley was from Columbus, Ohio and was an active member of NLADA's Civil Policy Group, Client Policy Group and a member of NOCA. We are going to miss Shirley being with us and sharing her knowledge and wisdom with clients.

I am glad to report on the outstanding attendance of clients from around the country at NLADA's Civil Impact Leadership Conference: "Speaking Truth to Power" held in Phoenix, Arizona in September.

Clients, project directors, staff, and other community leaders had an opportunity to co-labor on their own projects and make presentations to the larger group. Some of the NLADA client leaders had an opportunity to work with other participants on a project to create a National Client Leadership Institute. I think this is a dream come true. We believe that we set a foundation at the Civil Impact Leadership Conference that we will build on during this year's Annual Conference. We want to engage in a conversation and discussion with the entire client community attending the Annual Conference to address this important initiative. We believe that together we will be supportive and engaged in working in concert as we discuss the blueprint we hope to travel.

I am also glad to report that we continue our efforts to increase the client individual membership at NLADA by asking program directors to enroll all of the program's client board members. The payment of the \$15.00 individual client dues allows you to run for the Board of Directors of NLADA, the Civil Policy Group, the Defender Policy Group and the Client Policy Group.

Thanks to all local, state and regional client councils who hold regular meetings. Some of us have had the opportunity to attend some of the state and regional conferences. Thanks to all the states that submitted nominations for the Mary Ellen Hamilton Award. We did not have submission two years ago. This year's strong interest is greatly appreciated.

Thanks also to Charles "Chuck" Wynder, Jr. who serves as our staff liaison. He gives technical assistance to the Client Section and the Client Policy Group. He will once again address the Client Section this year and give us more information about the continued commitment of NLADA to the client community. I look forward to seeing all of you at the Annual Conference in Orlando, Florida. Have a safe trip!!!

### Educating Homeless Youth in the Wake of Katrina and Rita

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they are still in the process of enduring. They may be waking up on cots in temporary shelters and remaining in those same spaces all day long. School is a time to escape these situations and be a normal kid. Shelter classrooms would deprive them of this vital component in improving their mental health, as well as the resources, stability and normalcy of a mainstream school environment. Thus, the McKinney-Vento Act's prohibition against segregated educational facilities are of great importance to those students affected by Katrina and Rita.

#### Resources

To further explore issues surrounding homeless youth and homelessness generally, please attend NLADA's Annual Conference. Also see the links below.

National Association for the Education of Homeless Children & Youth (NAEHCY) <http://www.naehcy.org>

National Law Center on Homelessness & Poverty (NLCHP) <http://www.nlchp.org>

National Center on Homeless Education (NCHE) <http://www.serve.org/nche>

<sup>1</sup> Barbara Duffield is policy director for the National Association for the Education of Homeless Children and Youth, a national grassroots membership association that serves as the voice and the social conscience for the education of children and youth in homeless situations.

Joy Moses is a staff attorney with the Education Project of the National Law Center on Homelessness & Poverty (NLCHP).

### Message from Jo-Ann Wallace

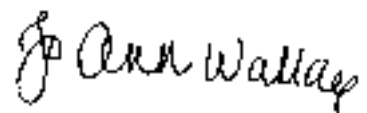
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procedures and collection of real case studies in the wake of disasters and are willing to act as resources for our members in the areas affected by Hurricane Katrina, who have the overwhelming task of attending to people who have literally lost everything. This information will both be distributed electronically and available on our Web site. If you have information that you would like us to distribute, please contact Kate Lang at [k.lang@nlada.org](mailto:k.lang@nlada.org).

We will continue to work with our board of directors and our civil, defender and client policy group members to effectively coordinate our efforts in meeting your needs as they arise. We know that the individuals we serve will unfortunately occupy a significant portion of the population in need and that the resources on both the civil and defender sides of our community will be stretched greatly. The enormity of the tasks that lie ahead are daunting, but please know that NLADA is a resource for you and we will do all that we can to support you during this very difficult time.

We will keep you in our thoughts and prayers.

Sincerely,



Jo-Ann Wallace, President & CEO

# Speaking Truth to Power: Vision, Voice & Justice

## Civil Impact Leadership II

**By Jon Mosher, Resource Coordinator, NLADA Defender Legal Services**

“We are in the business of poverty advocacy.” These words by Gary Wexler, president and owner of the social justice marketing firm, Passion Marketing for Issues + Causes, certainly caught my attention at the “Speaking Truth to Power: Vision, Voice & Justice,” Civil Impact Leadership II, held in Phoenix, AZ, September 14–17.

Few things excite me more than a new idea and a challenge to my current frame of thought. I am not in the business of equal justice advocacy, but *poverty* advocacy? Is it therefore the case that NLADA is fighting a campaign as part of a larger war? It became quickly apparent to me at the conference that my mind wasn't the only one racing because of Wexler's words. His simple statement was just the opening volley in a two-hour debate, one of a series of panels and presentations that continued to challenge the diverse audience.

Unfortunately, I wasn't around to witness the conclusion of the discussion, as

I had to duck out into the hallway to take care some logistical detail or another. But what excited me was the fact that there were client members in the audience, scattered about the room, sharing their thoughts, being seen and being heard.

These members of the client community were a large part of what made the entire conference, of which Wexler's presentation was but one portion, so greatly successful. I participated in the conference as a member of the logistical staff in support of both the NDLI Impact Leadership 2005, “Leading Change: Vision, Empowerment, Action” and the Civil Impact Leadership conference. However, as resource coordinator for NLADA's Defender Legal Services division, I rarely see client involvement in any of our defender events; while our defender programs proudly focus all attention on the best interests of the client, for various reasons the participation of clients at defender events is not part of the culture.

I see that culture changing already. In this new era, the post-Katrina world, NLADA will continue to advocate for equal access to justice on behalf of the

nation's less fortunate. It will be a part of the focus of the 2005 NLADA Annual Conference in Orlando, Florida, with both civil and defender sessions devoted to providing legal support to the victims of the hurricanes, while seeking out remedies to major systemic flaws across the nation.

The NLADA staff is asking the right questions: what are the larger issues at play here, and how do they affect our clients and our client communities? And NLADA staff is entirely devoted to engaging the membership – civil, defender and client communities – to find the answer. It is essential that the client community remain involved, as was the case in Phoenix. It is imperative that clients be an active part of the dialogue during November's Annual Conference.

I am not convinced Wexler's presentation ever ended. It certainly hasn't yet reached its conclusion for NLADA staff. The debate rages on in the offices, hallways, and conference rooms. It excites me and challenges me to debate these issues. But it excites me most to hear the voice of the client community – to hear what you have to say. Stand up, be seen and be heard. I'll see you in Orlando.

## Where Next? Retrospective & Prospective Thoughts on THE WAR ON POVERTY: A CIVILIAN PERSPECTIVE

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force to include the young and the old, those with disability, those who have no marketable skills and those who are ignored, rejected, excluded or overlooked by the market economy. Those are the clients of legal aid. That is where we have to begin: by using the provision of legal services as an opportunity to discover those capacities and to offer opportunities for them to use what they can do in order to help others. Our perspective has to change from: “How can I help you.” to one of mutual assistance: “How can we help each other build the kind of world we both want for ourselves and our children.” I put it this way sometimes to clients: I may be able to keep you from being evicted - but only you and those you can enlist can make your neighborhood a place where I might want

to live and raise my children. We need each other.

Finally, we need to develop an LLM in Equal Justice and an Equal Justice Fellowship program that combines mini-courses, practicums, projects, project juries and extensive peer collaboration if we are to generate the ideas and solutions - and elevate the work we do to the status to which it is entitled, both within the profession and in the broader world of social policy.

The most critical social problems we face pose major threats to basic values. They deserve and require sustained scrutiny and imaginative exploration that can best be nurtured by creative inquiry and discussion in an academic setting. We know how flash point cultural issues are used to polarize and divide. Those issues

will not go away - but their power to polarize, divide and overwhelm all other issues that should draw us together can be lessened by the creative inquiry and the development of new social inventions. We need to begin calling upon legal academia to create Fellowships that provide opportunities for those in the field to undertake creative inquiry and develop imaginative solutions. And we need to demand of multiple law schools that they create an LLM in Equal Justice that captures the imagination of young and old committed to using their mind to expand the range of the possible for those trapped in poverty.

This piece is an abbreviated version of one submitted for publication to the

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## Client Track

We are glad to announce that the Client Track for this year's Annual Conference will focus on Client Leadership. The Client Policy Group will showcase its efforts to build a movement and mechanism for client and community leadership development. With surprise speakers and presenters, this year's track combined with the second year of the Board Track promises to provide an excellent learning, training and networking opportunity.

## Defender Track Highlights at the NLADA Annual Conference

NLADA invites you to join us in discussing systemic challenges surrounding indigent defense work and reform at our 2005 Annual Conference. In focusing the Defender Track on systemic issues, we have developed sessions that will cover excessive caseload/workload

burdens, cross-examination techniques, constitutional violations of the right to counsel, prosecutorial discovery abuses, sentencing and mitigation strategies, Katrina and persistent poverty and diversity in hiring. We look forward to seeing you in Florida!

## Ensuring Social Justice: The Role of State Justice Communities

The civil track at this year's Annual Conference will explore how the civil legal aid community can take the next steps forward toward fulfilling a broader role for state-based justice communities in the larger social justice context. Advocates will come together to ask how to define ourselves and our role in the next half of

this decade, and what our priorities will be and the next steps that will get us there. Participants will also consider how to respond to the devastation left in the wake of hurricanes Katrina and Rita, within the broader context of poverty and racial injustice in our country.

## Johnnie Mae Flournoy: Mary Ellen Hamilton Award Winner

NLADA is proud to announce that Johnnie Mae Flournoy is the recipient of this year's Mary Ellen Hamilton Award. Ms. Flournoy is being recognized for her distinguished 15 years of volunteer work with the Georgia Clients Council.

Ms. Flournoy's commitment to the Georgia Clients Council was evident from the beginning of her involvement with the organization. After years of little to no membership in the Columbus office, Ms. Flournoy revitalized the program by organizing interested citizens from a local barbershop. Under Ms. Flournoy's leadership as volunteer chair of the Columbus Region, the program quickly grew to include a core of 18 dedicated members. In addition to strengthening program participation, Ms. Flournoy also engaged the community

by organizing educational events where community leaders spoke on issues including housing, TANF and Food Stamp regulations, Social Security, bankruptcy and micro-enterprise. Ms. Flournoy's leadership and community outreach work recently culminated in her role as the chair of the Georgia Legal Council's Annual Conference. The highly successful meeting in July, hosted for the first time ever in Columbus, was attended by more than one hundred participants and key-noted by the Honorable Congressman Sanford Bishop.

In addition to her service to the Georgia Clients Council, Ms. Flournoy has worked full-time and is an active member of her church. Her peers laud her "wonderful work ethic and community service" as well as the way she approaches the world "with deter-

mination and a loving heart." Ms. Flournoy is preparing to retire from her occupation, however, and devote herself solely to the Georgia Clients Council. In describing this decision, she states, "This is what I love to do and I hope I'm fulfilling what God has purposed for me to do."

*The Mary Ellen Hamilton Award honors a client who, on a compensated or volunteer basis, has provided extraordinary service or support to the delivery of legal services to the poor. The award honors one of the founders of the National Clients Council and the Alliance for Legal Rights. Mary Ellen Hamilton served on NLADA's Board of Directors and remained an active member of the Alliance until her death in 1985.*

## ABA Standards Hearing to Focus on Clients

*continued from page 1*

community involvement, client training, governance best practices and resource allocation. Make your voices heard!

## New and Revised Standards and Hearing Testimony

The Task Force has posted several new and revised standards to the website. The Task Force has also posted the audio recordings from its June 3, 2005 hearing at the Pathways to Justice Conference in San Francisco, CA. Please take the opportunity to listen to the testimony online, download some of the new submissions and read new drafts of the standards. Expert panels testified on each of the following topics: Language Issues; Cultural Competence; Statewide Support; Working w/Volunteers; Limited Representation; Full Representation; Governance, Vision, and Partnerships; and, Technology & Hotlines.

## Issues to Consider for Testimony: Some Ideas

Testimony can be as brief as you like but should not extend beyond 15 or 20 minutes. The important part for the Task Force is that we hear your voices and that client issues get out on the table. What is most important to the clients in your community? What do you want to make sure is reflected in the final version of the ABA Standards? Below are some ideas of topics for testimony. Hopefully these will spark your ideas about testimony you could provide. Your testimony, for example, could:

- Highlight areas where the ABA Standards are truly client-centered.
- Highlight areas where the ABA Standards could be more client-centered.
- Present examples of how programs effectively support client participation or frustrate and discourage client participation.
- Highlight sections in the ABA Standards that provide or should provide clear guidance to programs on the importance of supporting client participation.

- Discuss the importance of training for attorneys and board members, many of whom may hold client or community representation positions.
- Provide examples of where training paid off or training was sorely needed.
- Discuss priority setting and the role of clients.
- Discuss limited representation and what the ABA Standards should say to programs about balancing the provision of brief service, advice and counsel, pro se, referrals and full representation.
- Emphasize the importance of cultural competence, language access, and disability access.

## A Few Highlighted Standards

### Standard 2.1 – Identifying Client Needs and Objectives (1986 Std 6.1)

This Standard addresses priority setting and legal needs assessments. A draft standard was recently posted to the Task Force Website.

Read the proposed draft standard on the ABA Standards website. Does it reflect your experience? What should be added or amended?

### Standard 2.4 – Cultural Competence (New Standard)

The Task Force will propose a new Standard on Cultural Competence. The new cultural competency standard will address the importance of cultural competence to effective representation and client service.

There are extensive and excellent resources available on the ABA Standards website relating to cultural competence. In particular, five legal aid leaders on the cultural competence panel provided very relevant testimony. Take a moment to listen to as many of the audio clips as possible. The testimony provides information on best practices, the basic

principle of respect for multiple cultures, and cross-cultural communication among people of color, language minorities, the diverse disability community and lawyers. Irene Morales, Executive Director of Inland County Legal Services in Richmond, California, provides a wonderful summary of the cultural competence panel in her testimony.

## Attend the Hearing – Show Your Support for Client Centered Standards

Remember - You can get involved in numerous ways:

- Educate yourself about the ABA Standards – read the actual standards, listen to testimony, read commentary.
- Testify on issues of concern to legal aid clients and your local community.
- Attend the Standards hearing at NLADA Annual Conference November 18, 2005.

Clients can demonstrate their strong interest in the Standards being client-centered by participating fully in the hearing. Through testimony, comments and a strong presence at the hearings, clients can make their voices heard.

## Details Available on the Web

The current standards and information about the work of the Task Force (including how to submit comments) are available on a web page created for the project: <http://www.abanet.org/legalservices/sclaid/civilstandards.html>

I am a member of the Task Force and commend the Task Force on its significant and important work to date. I especially thank the Task Force for responding to your request for an opportunity to present your views. Thank you for lending your voices to the Standards process and ensuring that the ABA Standards advance a client-centered vision of justice.

## THOUGHT FOR THE DAY

**Clean your closet of any old dust balls of anger, resentment, or rage you have hanging out in there, taking up valuable space, so that you can open up to new, more fun feelings.**

Contributor: Lucille Logan

## Where Next? Retrospective & Prospective Thoughts on THE WAR ON POVERTY: A CIVILIAN PERSPECTIVE

*continued from page 7*

Management Information Exchange, and it is written in the hope that five years from now, when half a century will have passed, we will have found a way to enlist our clients and the broader community as active partners in the creation of a better, less unjust world. If we can do that, we can set in motion a process that will have its own sustaining force - as each triumph brings into view the next ledge we must seek to reach, the next height we must seek to attain.

<sup>1</sup> See generally, Cahn, Reinventing Poverty Law, 103, Yale L.J. 2133 (1994); Cahn, CoProducing Justice: The New Imperative, 5 U.D.C. L. REV. 105 (2000)

## ABOUT THE CLIENT UPDATE

NLADA and the National Organization of Client Advocates (NOCA) jointly publish the *Client Update* newsletter for their members three times a year: winter, summer and fall. If you have articles that you would like included, please send them to: NLADA Client Update, 1140 Connecticut Avenue, NW, Suite 900, Washington, DC 20036.

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