



LEGAL AID

OF WESTERN MICHIGAN

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LEGAL SERVICES CORP
RECEIVED

July 19, 2011

Althea Hayward
Legal Services Corporation
3333 K Street NW 3rd Floor
Washington, DC 20007-3522

RE: Legal Aid of Western Michigan
Recipient # 423141

Dear Ms. Hayward:

I would like to thank you and the members of your team for the time and effort spent on the April visit to Legal Aid of Western Michigan. In preparing for your visit, I believe I learned things about the program that I needed to be more proud of and also discovered areas of our operations that need improvement. Throughout the visit, I was impressed that your ambitious schedule was adhered to and that nearly every one of our 55 employees was given a chance to speak with your team. In all respects, it was an open and beneficial exchange of ideas and points of view.

I also appreciate you giving us the opportunity to correct any inaccuracies. Let me just go through the draft report and comment as needed. In that regard, I can start with two typos on pages two and three. The heading for the Table of Contents page refers to us as Legal Services of Western Michigan. Although we did change our name five or six years ago, the program name is Legal Aid of Western Michigan. In addition, page three reflects that Willie Abrams was a member of the team. Tillie Lacayo was a late substitution for Mr. Abrams.



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On page four, the report notes that the LSC funding is 60% of our program's total budget. The actual percentage is closer to 40%. I think that footnote #2 is also inaccurate. Although it is true that Michigan has lost more than 250,000 manufacturing jobs, that loss is measured from the year 2000, not 2008. In addition, although it is true that Michigan's population decreased more than 54,000 since the last census, I believe it is particularly worthy to add in the note that Michigan was the **only** state in the Union which lost population since the 2000 U.S. Census.

In describing the intake function in the Grand Rapids office, it is not entirely accurate to say that it is "staffed by one full-time and one part-time attorney and two paralegals." A more accurate description of the system would be that there is one part-time attorney and one full-time paralegal whose only function is to do intake. The part-time attorney does family law intake and the full-time paralegal does general intake. There are also special days scheduled throughout the month where intake is devoted to foreclosure cases and disability cases. That intake is conducted by attorneys and paralegals that also maintain a full and active caseload. Lastly, the Grand Rapids office is responsible for providing services to two rural counties, Montcalm and Ionia. Those counties are covered by other attorneys who are assigned cases from and travel twice a month to those counties for intake.

Criterion Three of Performance Area Two on page ten has an inaccuracy that needs correction. There is a total of six staff that are fluent in Spanish. Four attorneys (Raquel Olivo, Dan Borton, Kristin Cole, Nicole Rappaport), one paralegal (Juan Salazar) and one legal secretary (Stephanie Sutton) are fluent in Spanish. It is also worthy to note that there is staff in four of our six offices that are bi-lingual.

In Performance Area Three, Criterion One on page 12, you note the 4,755 cases were closed in 2010. It is also accurate to note that these are only the LSC eligible cases. However, I am concerned that this is not reflective of the actual operations of Legal Aid of Western Michigan.

As you know, the counting of advice and counsel cases by the CALL Hotline has been debated by programs in Michigan and LSC staff at length. It is unnecessary to go through the differing points of view on the issue, but I can see how it would harm your report to not mention that an additional 6,246 cases were closed by the CALL Hotline. Although there is a footnote, it does not reflect the numbers of persons served by LAWWM. Since your report will eventually be made

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public and posted on a website, the efforts of Legal Aid of Western Michigan will be slighted by not giving some mention, in a footnote or otherwise, of the 6,246 advice cases closed by CALL. I understand the reasons, but I think it would do both the funder and the grantee a disservice by not disclosing somewhere in the report the other 60% of the cases closed by the grantee.

Continuing under Criterion One, I do not have any issue with finding #12 that LAWMM has the capacity to produce high quality work that affects a significant segment of the client population. I do, however, take issue with the recommendation that we should look for ways to do more impact work in other areas. The problem I have with the recommendation is that it implies that we do not do *enough* impact work in other important areas. That implication is not reflective of legal services for the poor in Michigan in general and the work of LAWMM in particular.

The State Plan that Michigan arrived at spread expertise out from the field programs and has allowed the Michigan Poverty Law Project to staff their operations with experts in all the major substantive poverty law areas. Within the last two years, the Immigration Rights Project was created and added to MPLP's duties. Their partnership with the University of Michigan Law School Clinical program is also a key component of delivery of legal services to the poor by bringing to bear the substantial resources and talents of one of America's finest law schools. There are two separate migrant legal services programs in the state and an LSC-funded program, Michigan Indian Legal Services, devoted to the legal issues of Native Americans. Lastly, the Center for Civil Justice has been in operation for over 15 years, devoting itself exclusively to impact work in the area of social welfare issues and public benefits.

The impact litigation that LAWMM has developed in reentry law and foreclosure prevention was noted by your team as being impressive. Legal Aid of Western Michigan chose to focus expertise on these issues because no one else in the Michigan legal services community was doing so, and there was a great opportunity provide leadership and significantly effect our clients' lives. However, LAWMM is not a statewide program with statewide responsibilities. The responsibilities for developing issues that will impact the broader community are spread across the state and leadership on many of these issues has been placed with entities other than LAWMM. The recommendation does not take the "lay of the land" in Michigan into account.

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Secondly, Legal Aid of Western Michigan bears some of the responsibility for not doing a better job of showcasing the impact work that we do. For instance, the Kalamazoo office was instrumental in changing the Section 8 program in Kalamazoo County. The Michigan State Housing Development Homeless Housing Vouchers Project was impacted by aggressive and focused advocacy by the Kalamazoo office. With the assistance of Legal Aid's Kalamazoo office, 10 families were restored to the waiting list after it was determined by MSHDA that their removal was improper. It was further determined that the local housing agency failed to accurately interpret the requirements for receiving the vouchers. That local housing agency now operates the voucher program in the manner in which it was intended.

The Kalamazoo's office role in the Kalamazoo Poverty Reduction Initiative has also had an impact on the community as it changes the approach Kalamazoo is taking on poverty. An attorney and a summer law clerk began an effort three years ago to create a strategy to reduce the number of evictions filed. After lengthy meetings with interested parties, a partnership was forged creating a presence in the District Court to prevent many evictions. HRI, a local housing group has a counselor present, an attorney from Legal Aid is there every day the eviction docket is heard, and lastly, two caseworkers from the local welfare office are available to assist in arranging payment for tenants who are behind on their rent.

Attorneys in the Big Rapids office managed to provide relief to all the tenants of Hunter Creek Estates, a mobile home park in Mecosta County. Through a series of lawsuits against the owner, the final outcome was that the Michigan Department of Environmental Quality became interested in the park after evidence of wholesale violations of several state laws were presented to them. The DEQ eventually became the receiver of the property, improving living conditions considerably and depriving the former owner of any operational control.

A series of cases was also filed by the Big Rapids office in Mecosta and Osceola counties challenging the Friend of the Court's determination of child support for disabled persons. Our intervention resulted in the Friend of the Court revising its policies regarding how prospective child support for a payor receiving SSI benefits is calculated. The end result was not only an elimination of substantial child support arrearages for several clients, but also a radical change in child support calculations for disabled payors' in two counties.

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For one reason or another, perhaps these impact cases or projects were not brought to the attention of your team. I hope you would agree, however, that they have had considerable impact on communities around our service area. Taken as a whole, it is my opinion that the implication that Legal Aid of Western Michigan does not do enough impact work is not accurate.

Under Performance Area Four, finding 23, footnote #12, states the program employs one staff attorney and one paralegal who are Latino. Legal Aid of Western Michigan employs two staff attorneys (Raquel Olivo and Dan Borton) who are Latino. Secondly, that same footnote describes one African American staff attorney who holds a Masters degree in Spanish. Legal Aid of Western Michigan does not employ an African American staff attorney. However, there is a white staff attorney who holds a Master degree in Spanish in the Kalamazoo office (Kristin Cole).

The last item I believe needs correction is finding 25 that states that the Program's Development Director does divorce intake. Although it is true that Lacy Cook is primarily responsible for bankruptcy intake, she does not perform any divorce intake. She does however continue to do the legal assistant work for one staff attorney in the program.

I hope all these remarks help to correct the record in regards to the visit with Legal Aid of Western Michigan. With the exception of the recommendation concerning impact work, I don't have a sharp disagreement with any of the findings or recommendations. I found the visit to be helpful, instructive and a learning experience for myself and for the staff. I look forward to seeing the final report. If you have any questions, please do not hesitate to contact me.

Yours truly,



Michael C. Chielens
Executive Director