



Indiana Legal Services, Inc.

JON LARAMORE, EXECUTIVE DIRECTOR
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BOARD OFFICERS:

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Shirley Adams, Secretary

2014 Annual Report

Mission

Indiana Legal Services, Inc. (ILS) “provides poor people with a wide variety of aggressive, quality legal services which will effectively help them to gain equal access to the courts; empower them to control their lives; and impact on the major causes and effects of poverty.”

About ILS

ILS is a not-for-profit law firm that provides free civil legal assistance to eligible low-income people, persons who are 60 years old or older, and victims of domestic violence throughout the state of Indiana. ILS helps clients who are faced with legal problems that harm their ability to have such basics as food, shelter, income, medical care or personal safety. ILS handles cases such as family law (usually where there is domestic violence), housing, consumer law, access to health care, and government benefits. ILS does not handle any criminal matters.

ILS serves clients in all 92 Indiana counties from **regional offices in Bloomington, Evansville, Fort Wayne, Indianapolis, Lafayette, Merrillville, New Albany and South Bend.** It serves clients from **satellite offices in Columbus, East Chicago and Yorktown.** The staff conducts *regular client outreach activities in Muncie, Portage, Richmond, Terre Haute and Valparaiso* among others.

By seeking legal aid from ILS’s statewide office network, a client can benefit from legal expertise developed through the organization’s special legal projects (described in more detail in a later section). The experienced attorneys in these special projects have developed a high degree of expertise in these particular areas of poverty law and offer advice to their colleagues in other ILS offices. The special project attorneys are also available to co-counsel on a case if needed.

With a \$20,000 grant from the Ruth Lilly Philanthropic Foundation, ILS has launched a centralized case intake system to make it more convenient for persons to apply for assistance. Residents in Marion County and Central Indiana may call a toll-free telephone line (1-844-243-8570) between 9:00 a.m. and 1:00 p.m. to apply for assistance. They may also apply online 24/7 by going to www.indianalegalservices.org and selecting the online intake option. When applying through the centralized intake system, the applicant’s case will be referred to the most



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2014 OFFICE OF ADMINISTRATION
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151 North Delaware Street
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www.indianalegalservices.org

appropriate ILS legal professional whether that person might be in the Indianapolis regional office or in one of the special legal projects.

On the ILS website, www.indianalegalservices.org, one can find more than 80 brief informational pamphlets (most are translated into Spanish) on frequently raised legal questions as well as referral information for a variety of legal and social services.

Over half a million people in Indiana live below the poverty level. Several legal services agencies and programs around the state work to meet the legal needs of the poor. ILS is the largest of these agencies in Indiana. ILS recognizes and supports other agencies around the state that provide legal assistance to the poor, such as legal aid societies and *pro bono* programs. Even with all of these agencies working hard, it is impossible to meet all the legal needs of the poor. *Needs assessment studies show that 10% of those eligible in Indiana are being helped.*

Impact of ILS Assistance

ILS is a not-for-profit law firm that provides free legal advice and representation in our court system to poor persons in civil matters. ILS clients are frequently faced with a legal problem that threatens their ability to obtain basic necessities, such as personal safety, food, shelter, income and medical care. Furthermore, with the help of ILS attorneys and paralegals, clients are given the opportunity to present their case in court. Lastly, clients are empowered to take more control over their lives as they progress towards self-sufficiency.

ILS' Priorities

In September 2012, the ILS Board of Directors approved a new three-year strategic plan for the organization, applying to the period October 1, 2012 to September 30, 2015. The strategic plan focuses on six goal areas and details specific action steps. The goal areas include: diversity; organizational effectiveness; resource development; access for the client community; strategic advocacy; and technology. The ILS strategic plan includes action steps, assignments to the responsible individuals, timetables and cost estimates.

The strategic plan was created as the result of a special report released in late 2008, entitled "*Unequal Access to Justice: A Comprehensive Study of the Civil Legal Needs of the Poor in Indiana*," that assessed the legal needs of the state's growing poor population and how the legal aid community might best use its resources. The published report was authorized and financed by Indiana Legal Services, Inc., the Indiana Bar Foundation and the Indiana State Bar Association. The comprehensive study featured a professional telephone survey of our target population; a questionnaire sent to low-income clients, ILS Board members and staff, judges, county clerks, private and pro bono attorneys and human service providers; and eight focus group meetings held around Indiana.

Furthermore, in its final 2014 meeting, the ILS Board approved a set of general priorities for 2015 that gives local ILS offices considerable discretion to respond to their area's particular

most urgent legal issues. When assessing whether a person's legal situation warrants legal representation, our attorneys and paralegals prioritize on the basis of the following items:

- Safety, stability and well being;
- Improving outcomes for children;
- Preservation of housing and related housing needs;
- Maintaining, enhancing and protecting income and economic stability;
- Fairness in and access to judicial and administrative proceedings;
- Populations with special vulnerabilities.

Clients Served

ILS provides **free** legal help to low-income persons and to seniors who are U.S. citizens or documented immigrants.

A low-income person is defined as someone whose household income is less than 125% of the federal poverty level or a person with significant work expenses (i.e. transportation, child care) and whose household income is less than 187.5% of the poverty level. In 2014, these annual income levels were \$14,588 for a one-person household and \$29,813 for a four-person household.

A senior citizen is someone who is 60 years of age or older.

In 2014, ILS served 9,335 clients who were:

65% of the clients were female (6,109);

35% of the clients were male (3,226)

63% of the clients were white (5,839);

30% of the clients were African American (2,789);

4% of the clients were Hispanic (382);

3% of the clients were Other/Unknown (325).

In 2015, ILS staff closed 9,335 cases, including

14.2% --Consumer cases (1,323);

0.2% --Education cases (22);

1.5% --Employment cases (142);

37.0% --Family cases (3,455);

2.3% --Juvenile cases (211);

7.9% --Health cases (739);

15.8% --Housing cases (1,468);

6.2% --Income Maintenance cases (582);

2.1% --Individual Rights cases, including immigration (200);

- 5.9% --Miscellaneous – Advance Directives/Wills (546)
- 3.2% --Miscellaneous – Criminal Records Expungement (299)
- 3.7% --Miscellaneous – Other (348)

Special Projects

Community Economic Development Project: Works to assist community/economic development for low-income people through collaborating with community groups and providing individual legal counseling and representation in such areas as housing and access to health care.

Consumer Law Center: Created in 2001, the Consumer Law Center has provided direct legal services to clients, including repossession deficiency defenses, predatory and conventional mortgage foreclosures, landlord-tenant disputes, utilities issues, administrative discharges of student loans, bankruptcy (Chapter 7, 13 and adversary cases), medical and other debt collection, credit card suits and a major lead-paint poisoning case.

ILS' Consumer Law Center is led by an attorney who has nearly 25 years with the organization and more than 10 years of experience in private practice with a focus on consumer bankruptcy. While the director is in New Albany which is approximately 120 miles from Indianapolis, he maintains close contact with the staffs in the Indianapolis branch office and other branch offices by using technology and coordinating regular round-table conferences on topical consumer matters.

In September 2014, Indiana Legal Services, Inc. (ILS) and the Heartland Pro Bono Council received a \$73,882 cy pres award from the Marion County Circuit Court to provide legal help to low-income Indianapolis residents who experience problems with payday loan companies or who suffer other consumer rights abuses.

With the cy pres award, the two partnering organizations will help residents of Indianapolis' Near Eastside neighborhoods through a new *Consumer Advocacy Project*. In this project, ILS collaborates with the John H. Boner Center and its Financial Foundations staff who counsel neighborhood residents on personal financial management. An ILS attorney provides direct legal representation to individuals identified by the financial counselors as having consumer law problems as well as conduct informational meetings on consumer law topics for both the Boner Center clients and financial counselors. Heartland Pro Bono intends to train local private attorneys on the relevant points of consumer law that frequently impact on these residents and encourage them to accept pro bono cases.

The cy pres award stemmed from the case of *Edwards V. Apex 1 Processing, Inc. d/b/a Paycheck Today*, where the Marion County Circuit Court found that the payday lender had imposed illegal finance charges and had automatically renewed payday loans in violation of Indiana's Small Loans Act. The plaintiffs were represented by attorneys from Cohen and Malad, LLC.

Homeless Legal Project: For nearly twenty years, ILS has operated Homeless Legal projects in Indianapolis where the ILS staff has worked closely with the Horizon House, a shelter for

persons during the day. They also worked with several overnight shelters to counsel persons on various legal issues, but especially those relating to debt and public benefits.

With a grant from the Simon Family Foundation in late 2013, ILS continued its working to help homeless persons in Indianapolis by sending an attorney to the Horizon House to conduct on-site client intake each week. ILS staff has identified certain legal issues that, if resolved, will increase the person's ability to support him or herself, thereby ending (or possibly preventing) homelessness. These issues include criminal record expungement, child support modification and government benefits assistance. Other areas of focus, including the provision of legal counsel on outstanding monetary judgments and in reinstating driver's licenses, will provide persons with better opportunities to secure employment and increase their available income.

While ILS expects its staff to handle most case intake and legal counseling associated with the initiative, the project also calls for the recruitment of private attorneys from Marion and surrounding counties to pro bono assistance.

Housing Law Center: In 2002, ILS created the Housing Law Center (HLC) where experienced attorneys focus on problems like foreclosures and predatory lending, landlord-tenant issues and quality of housing matters (i.e. lead paint) to help clients secure or maintain safe, adequate shelter. The HLC is certified as a housing counseling agency by the U.S. Department of Housing and Urban Development.

The HLC has been heavily involved in mortgage foreclosure legal defense work. The ILS staff follows the practices developed through two earlier "Saving Homes Projects" that focused on an inner city Indianapolis neighborhood where a large number of homeowners who were low-income or seniors living on fixed incomes were threatened with foreclosure. Now ILS provides vulnerable homeowners with a number of legal defenses and often negotiates with the lender on new agreement terms. To increase the effectiveness of this assistance, ILS staff works with neighborhood organizations, advocacy groups, public and private community development agencies, credit counseling services, the legal clinics at the state's law schools and the Indiana Attorney General's Office.

ILS' HLC staff is working with the Indiana Housing and Community Development Authority (IHCDA) to provide counsel (non-litigation) to homeowners threatened with foreclosure and who contact the statewide Indiana Foreclosure Prevention Network (IFPN).

The HLC operates the Indiana Subsidized Housing Initiative from Bloomington that represents low-income persons on public housing issues in ten South Central Indiana counties.

Immigrants & Language Rights Center: ILS created the Immigrants' and Language Rights Center (ILRC) in an effort to reach vulnerable and under-served immigrant and limited English proficient populations within Indiana. These populations have particular difficulties accessing legal services because of their language and cultural barriers. They may also have legal issues that are different than other legal service clients. The ILRC works to reduce these barriers to services and tries to employ different means to reach these groups and provide them with quality legal services. The ILRC grew out of the former ILS Hispanic Law Center; ILRC's director is located in the ILS Indianapolis office.

ILRC is responsible for a) providing direct legal services to clients on issues unique to immigrants or language minorities; b) conducting statewide outreach to LEP communities; c) performing centralized case intake for ILS offices statewide of LEP clients; and d) providing

interpretation and translation services for LEP clients when needed by other ILS offices and special projects.

ILRC's centralized statewide case intake center is in Indianapolis, where an attorney who is proficient in both English and Spanish supervises bilingual law students who conduct intake interviews of prospective clients and perform needed interpretation and translation. ILS employs Language Line to interpret for persons whose primary language is something other than Spanish.

Due to outreach efforts over the past year, word has spread throughout the immigrant and LEP communities that ILS' services are easy to access and that the attorneys are able to communicate with their non-English speaking clients. At the same time, the ILRC has seen a marked increase in the number of requests for legal assistance, particularly for assistance with certain "victims' benefits," which includes immigration petitions under the Violence Against Women Act, "U" visas for victims of crimes, and "T" visas for victims of trafficking.

ILRC handles a large number of humanitarian cases, but it also handles difficult cases related to deportations and applications for permanent residence or citizenship that are complicated due to the client's immigration or criminal history. These types of cases take considerable research regarding new statutes and case law

In August 2014, the ILRC concluded a special initiative to help expand legal services to Spanish-speaking persons through ILRC's centralized case intake system with the support of a \$15,000 grant from the Clowes Foundation in Indianapolis.

Indiana Justice Center: In 1999, ILS established the Indiana Justice Center to foster the development of a statewide justice community in which members of the judicial system and the client community can work together to facilitate the most effective and efficient delivery of legal services to low-income persons. ILS has conducted seven Access to Justice Conferences to bring members of the private bar, the state's law schools, social service groups, advocacy groups and faith-based groups to discuss major concerns in the poverty law field.

Low-Income Taxpayers Clinic: With the support of a small grant from the U.S. Internal Revenue Service, ILS opened in 2006 its Low-Income Taxpayers Clinic in Bloomington to resolve diverse federal tax controversies faced by low-income people, including tax exams, appeals, audit reconsiderations and representation in the U.S. Tax Court. (IRS grants in succeeding years have partially funded the continuation of the special project). The LITC (that consists of one staff attorney and one contract attorney) help "non-filers" come into compliance. They also assist taxpayers experiencing collection actions that have included IRS levies on wages, bank accounts and Social security benefits. Frequently, our clients' problems contain multiple issues, covering multiple years as well as state tax implications. The LITC staff also conducts trainings for ILS attorneys in other offices throughout the state so that they too can handle tax cases.

Launched with the support of a small grant from the U.S. Internal Revenue Service, ILS' statewide Low-Income Taxpayer Clinic (LITC), which opened in Bloomington in 2006, helps Hoosiers with issues of tax liability. Issues addressed include tax exams, appeals, aiding non-filers with coming into compliance, audit reconsiderations, assistance for those facing IRS collection actions, and representation in the United States Tax Court which visits Indianapolis twice per year. Assistance can sometimes be provided for related state tax problems.

One of LITC's most successful efforts has been helping clients settle their tax debts with the IRS using the offer in compromise program through which the IRS will accept offers that reflect the taxpayer's "reasonable collection potential." In addition, the LITC was accepted as one of 5 partners nationwide by the Center for Survivor Agency & Justice's Consumer Rights for Domestic Violence Survivor's Initiative and has developed a pilot project to ensure that low income domestic violence survivors have access to lawyers to help them address their federal tax problems by providing training to family law lawyers, doing more effective outreach to survivors, and partnering with Indiana agencies that serve survivors.

Migrant Farm Worker Law Center: Through its Migrant Farm Worker Law Center (MFLC), ILS provides legal help to Indiana's migrant farm workers on employment and related issues. In one notable recent case, the MFLC represented migrant workers and their families who were recruited in Texas to work for three different farms around Vincennes, Indiana. The workers and their families were housed, at times, 10 or 12 persons per a small apartment. The apartments were dilapidated and in much need of repair. In addition to being housed in substandard housing, the workers were not paid for all of the work they performed for the farm labor contractor and the three farmers. The MFLC, working with the Texas Rio Grande Legal Aid, negotiated a settlement between the migrant workers and the different farmers, which resulted in the migrant workers properly receiving compensation for the work they performed and damages permitted under state and federal law.

Pro Bono Projects: ILS coordinates with Indiana's 12 Judicial District *Pro Bono* Committees to increase legal services to low-income clients through the involvement of private attorneys. The Code of Professional Conduct encourages attorneys to provide free legal services to those unable to hire legal counsel. Collaborations cited as good models included the collaboration between ILS, the Indiana Coalition against Domestic Violence and several domestic violence shelters to serve the needs of domestic violence victims; collaborations between ILS and local *pro bono* committees; and ILS collaborations to provide *pro se* assistance to persons who go to court on relatively uncomplicated legal issues without an attorney.

Senior Law Project: Located in several ILS branch offices, the staff is coordinated through the Indianapolis Senior Law Project This ILS project specializes in elder law issues with support from Area Agencies on Aging. It handles a wide variety of cases including Social Security/SSI, Medicaid, Medicare, guardianship, housing, advance directives, wills and consumer rights. Its staff also serves as the nursing home Ombudsman for a number of Area Agencies on Aging.

Every year the SLP staff conducts a continuing legal education credit event in Indianapolis on Medicaid for private attorneys and for social workers who counsel seniors. These Medicaid CLE trainings usually attract 200-250 private attorneys from around Indiana, and the training session for social workers generally have more than 70 in attendance.

In 2014 the Indianapolis Senior Law Project (SLP) was deeply involved in assisting seniors and the disabled in responding to major changes to the Medicaid program implemented by FSSA on June 1, 2014. Attorney Dennis Frick participated in meetings with FSSA advocating for policies concerning the need for "Miller Trusts" for nursing home residents to lessen the impact of the changes on our clients. FSSA positively responded to the comments and suggestions that were provided. The SLP assisted 241 central Indiana clients in 2014 on various

Medicaid issues, many of them related to the June 1 changes. That was more than twice the number of clients assisted in 2013. In addition, the SLP conducted a full day Medicaid training attended by 250 attorneys statewide educating them on the Medicaid rules. The SLP also conducted trainings for Area Aging Agency staffs and nursing home staffs to educate them on the new rules.

Medical-Legal Partnerships: The ILS Indianapolis office has medical-partnerships with Eskenazi Health (formerly, Wishard Hospital) and IU Health's Riley Hospital for Children. The medical-legal partnership is a health care delivery system in which legal professionals are integrated into the health care team so that they may partner with health care professionals to deliver needed legal care to vulnerable patient populations. Persons receiving medical attention often face civil legal obstacle that might impair their ability to be self-sufficient and/or reduce the chances for later, more serious social problems for the community.

Working with Eskenazi Health, an ILS attorney provides direct legal assistance on civil legal issues to patients at the Midtown Community Mental Health Clinic. A majority of the patients are referred to the project attorney by the medical and social services staff at Midtown. In turn, the ILS project attorney regularly conducts informal training sessions for the Midtown staff, describing features that will help them determine whether a patient has a civil legal problem impacting their situation. By eliminating troubling civil legal problems (i.e. Social Security Disability, other public assistance issues, family law problems, housing problems), ILS and Midtown Community Mental Health believe that patients will also have better health outcomes. ILS continues its MLP relationship at Eskenazi Health's North Arlington Community Health Clinic with regular visits to the clinic and receiving referrals from the clinic staff.

The MLP between ILS and Midtown Community Mental Health was greatly helped when the Nina Mason Pulliam Charitable Trust awarded a grant of \$110,000 grant late in 2014 to help cover project expenses in 2015 and in 2016. Midtown Community Mental Health recognized the valuable assistance that the legal assistance is to its patients by including \$61,326 in 2014 and 2015 in its operating budget for ILS.

ILS also works with IU Health's Riley Children's Hospital in a Medical-Legal Partnership (MLP), providing free legal help to eligible families that have a child receiving medical care. With client referrals from the hospital staff, the ILS staff provides direct legal help on matters ranging from receiving public benefits to which they are eligible, custody, guardianships, powers of attorney, special education and the needed quality of housing. ILS staff organizes training sessions for Riley Hospital's social work staff to help them better identify the underlining legal problems and to more easily recognize families who need legal help.

In Evansville, ILS began its MLP with the Southwestern Behavioral Health and Echo Community Health Care. Southwestern provides a wide range of mental health and addiction recovery needs to persons in Gibson, Posey Vanderburgh and Warrick Counties. Through 14 locations, Southwestern serves 9,500 patients annually. Echo Community Health Care is a federally qualified health center, providing comprehensive health care to the uninsured, the under insured and the homeless. In October, with the support of its MLP partners, ILS was awarded a \$6,000 grant from the John L. Sanders Memorial-Evansville Bar Foundation.

Veterans Assistance Project: ILS' Military Assistance Project (MAP), which provides free, civil legal aid to military members, veterans, and their dependents, was awarded an Impact Grant

of \$35,000 by the Indianapolis Bar Foundation. The project, staffed by attorneys who are retired veterans, focuses on preventing homelessness by ensuring that more than 60,000 veterans in Marion County are knowledgeable about the benefits for which they are eligible, receive needed medical care, help with military discharge issues and receive legal counsel on family and consumer law matters.

ILS conducts veterans' outreach activities at the Richard L. Roudebush VA Medical Center and to other locations serving our local veterans population. It also has developed a special veterans' assistance handbook to enlist pro bono and modest means attorneys to volunteer their services in an effort to satisfy the legal needs of veterans. The MAP has developed a Listserv to foster greater collaboration between pro bono and modest means attorneys by creating a means to raise questions and to share information concerning case strategies, legal competencies, and networking.

Financial Information

2014 Income: \$9,432,248 (unaudited)

2014 Expenditures: \$8,429,452 (unaudited)

Board of Directors

Officers

Mary Fondrisi, President (Jeffersonville)
Judge Calvin Hawkins, 1st Vice President, (East Chicago)
Phyllis Carr, 2nd Vice President (Indianapolis)
Jennifer Sommer, Secretary (Bloomington)
Norman P. Metzger, Assistant Secretary (Indianapolis)
Ivan Bodensteiner, Treasurer (Valparaiso)
Norman P. Metzger, Executive Director

In keeping with the rules imposed by the Legal Services Corporation (LSC) on its grantees, the ILS board includes 33% of "client" members and 60% attorneys appointed by local bar associations. Currently, ILS' 51 member board consists of 30 attorney members, 17 client-eligible members, 2 non-lawyer/non-client members and two vacancies. Members serve staggered terms, three years in length.

Members, (term expiration)

ABPLANALP, Marc, Bloomington (2015)

ADAMS, Cynthia M., Indianapolis (2015)

ADAMS, Shirley, Indianapolis (2015)	ARNOLD, Michael W., Ft. Wayne (2017)
ATZ, Jacob, Bloomfield (2015)	BARBEE, Johnnie, Gary (2017)
BARLOW, Carolyn, Indianapolis (2014)	BLACKFORM, Lori S., (Evansville)
BODENSTEINER, Ivan E., Valparaiso (2016)	BUTALA, Lisa, Portage (2015)
CARR, Phyllis, Indianapolis (2017)	CHIDESTER, Walter S., Richmond (2017)
CONLEY, Judie Hawley, Indianapolis (2016)	ENSLEN, William T., Hammond (2015)
EZELL, Jerome L. (2017)	FONDRISI, Mary, Jeffersonville (2016)
FRAZEE, David, Indianapolis (2017)	GOLDEN, Tracy, Indianapolis (2015)
GUERRETTAZ, David, Evansville (2016)	HAGAN, Carrie, Indianapolis (2014)
HAWKINS, Calvin, Judge, East Chicago (2014)	JOHNSON, Harry, Indianapolis (2016)
JOLLY, Claretta, Muncie (2016)	LEONARD, Paul A., Jr., Merrillville (2015)
MARQUEZ, Criselda, Lafayette (2015)	McKINNON, Patricia L. Indianapolis (2016)
ROBINSON, Harold, Richmond (2015)	SCHUERMAN, Elizabeth, Indianapolis (2015)
SHANKS II, John N., Anderson (2015)	SHARPE, Susan, Ph.D., South Bend (2015)
SIMBOL, Nellie, Terre Haute (2017)	SIMS, Ladonna, New Haven (2016)
SINGLETON, Paul E., Granger (2016)	SMILEY, Arthur, New Albany (2015)
SMITH, Cynthia Phillips, Lafayette (2016)	SMITH, Tommie F., South Bend (2017)
SOMMER-RICHEY, Jennifer, Bloomington (2014)	SPAHR, Anthony, Peru (2015)
STANTON, Judith, Hobart (2017)	SUMMERS, P. Michael, New Albany (2015)
SWYGERT, Jean, Kokomo (2016)	TAPP, Sylvia, Evansville (2017)
THOMAS, Anthony W., Fort Wayne (2015)	TONER, Kevin M., Indianapolis (2017)
UNDERWOOD, Lori S. Evansville (2015)	UPDIKE, Phil, Muncie (2016)
VILLALPANDO, Jesse M., Judge, Griffith (2015)	WARD, Betty, Gary (2016)
WHITE, Geraldine, Indianapolis (2016)	WILLIAMS, Mildred, Indianapolis (2017)
WILSON, Suzanne D., Mooresville (2016)	

In 2014, the ILS Board met at the following times and places:

March 21, 2014	Renaissance Indianapolis North Hotel 11295 N. Meridian Street Carmel, IN 46032	7:00 p.m. (EST) 6:00 p.m. (CST)
May 30, 2014	<i>Annual Meeting</i> Barnes & Thornburg, LLP 11 S. Meridian Street Indianapolis, IN 46204	7:00 p.m. (EST) 6:00 p.m. (CST)
September 19, 2014	Renaissance Indianapolis North Hotel 11295 N. Meridian Street Carmel, IN 46032	7:00 p.m. (EST) 6:00 p.m. (CST)
December 5, 2014	Renaissance Indianapolis North Hotel 11295 N. Meridian Street Carmel, IN 46032	7:00 p.m. (EST) 6:00 p.m. (CST)