



LEGAL AID  
— OF THE —  
BLUEGRASS

# 2018

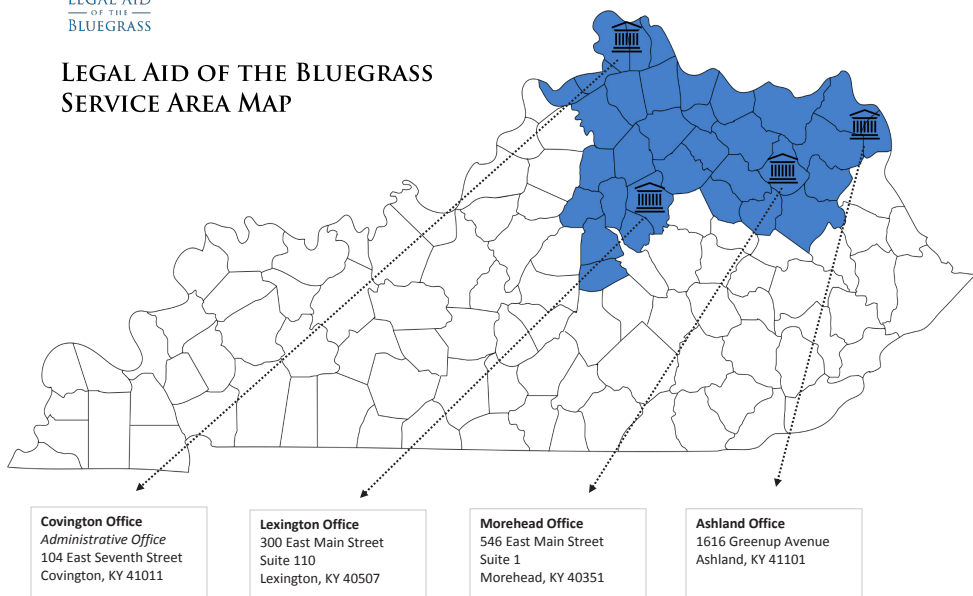
## Annual Report TO THE COMMUNITY

**LSC** | America's Partner  
for Equal Justice  
LEGAL SERVICES CORPORATION





## LEGAL AID OF THE BLUEGRASS SERVICE AREA MAP



**Covington Office**  
*Administrative Office*  
104 East Seventh Street  
Covington, KY 41011

**Lexington Office**  
300 East Main Street  
Suite 110  
Lexington, KY 40507

**Morehead Office**  
546 East Main Street  
Suite 1  
Morehead, KY 40351

**Ashland Office**  
1616 Greenup Avenue  
Ashland, KY 41101

## Our work made possible by:

Access to Justice Foundation-Kentucky  
General Fund  
Commonwealth of Kentucky- Access to  
Justice Act (Filing Fee)  
Commonwealth of Kentucky-  
Administrative Office of the Courts  
Commonwealth of Kentucky-  
Department of Justice-Victims of  
Crime Act Funding  
Blue Grass Community Foundation  
Bluegrass Area Development District  
Boone County Fiscal Court Aging Tax and  
Mental Health  
Buffalo Trace Area Development District  
Butler Foundation  
Campbell County Fiscal Court Aging Tax  
Fayette County Bar Foundation  
FIVCO Area Development District  
Franklin County Fiscal Court  
Gateway Area Development District  
Heart of Kentucky United Way  
Kenton County Fiscal Court Aging Tax

Kentucky Equal Justice Center-Boots on the  
Ground Funding  
Kentucky IOLTA Fund  
Kentucky IOLTA Fund (Bank of America  
Settlement Funds)  
King's Daughters and Sons Foundation  
Legal Aid Society, Inc.  
Legal Services Corporation  
National Council on Aging  
Northern Kentucky Area Development  
District  
Office of Violence Against Women  
Office for Victims of Crime- Department of  
Justice Funding to Help Child Victims of the  
Opioid Crisis  
Ohio Valley United Charities, Inc.  
Philanthropy of PNC  
Rust Consulting (Cy Pres Award)  
United Way of Franklin County  
United Way of Greater Cincinnati  
United Way of the Bluegrass  
West Tennessee Legal Services-HUD  
WK Kellogg Foundation

## Dear Friends & Supporters,

As a little kid around the ages of my own children who are 3 and 5, my favorite TV show was Mr. Rogers Neighborhood. The lessons from that show are many and maybe because I am a father or because I am a little wiser, I think of the beloved PBS children's television host, Fred Rogers, more frequently than I used to. I was reminded not long ago about one particular episode where Mr. Rogers said: "When I was a boy and I would see scary things in the news, my mother would say to me, 'Look for the helpers. You will always find people who are helping.' To this day...I remember my mother's words, and I am always comforted by realizing that there are still so many helpers—"so many caring people in this world."

Having spent my career in public interest law, I have been especially moved to see recent news stories of lawyers being "helpers" in times of national uncertainty or when disaster strikes. It reminds us that in times of trouble, we fight to protect families, to ensure fairness and change the lives of real people with real problems.

Every year, I am amazed at how our advocates continue to protect clients against violence, to keep them in their homes, and to get them health care and food. What struck me this year is how our work also results in change for thousands of other people in central, northern and northeastern Kentucky, throughout the Commonwealth, and even across the country.

We are inspired to work harder every day by the resilience and determination of our clients. Bringing them justice is the best reward we could receive. We hold the utmost appreciation for our volunteers, generous donors, supporting organizations and strategic partners for their investment in achieving victories for our clients and others—they are essential in enabling us to seek justice for members of our community and others facing similar struggles. Thank you to all of you—our clients, supporters, and friends—for all that you do in the Commonwealth and beyond. You, too, are "helpers," the caring people in this world.

Best Regards,



Joshua B. Crabtree  
Executive Director



# The Year Ahead and a Year in Review



Access to Justice Civil Legal Aid funding was up for elimination at the state and federal level in 2018. Ultimately, funding was restored with only a minor cut at the state level and with an increase in funding for the Legal Services Corporation, the primary federal funder of civil legal aid.



The LABG Justice Bus is on the road. Find information online at [www.lablaw.org/justicebus](http://www.lablaw.org/justicebus) and on Facebook to see if we are coming to a county near you.



LABG has a robust social media presence. In 2018, we increased

our Facebook likes by 18% and our Twitter followers by 16%.

Additionally, LABG added an online application for potential clients in August. Our website had 76,081 page views in 2018.



Legal Aid of the Bluegrass hosts legal clinics throughout the year to help eligible Kentuckians obtain a divorce or criminal record expungement for non-violent offenses. We held 59 clinics in 11 Kentucky counties. 26 of our clinics offered free help for veterans and active military personnel.



We held 440 outreach events reaching about 7,900 people this year. These events range from presentations at job fairs to Continuing Legal Education (CLE) trainings for lawyers.



Poor clients in urban areas in our service area are subject to high rates of eviction. Our Housing Unit is working with stakeholders to better the outcomes for our clients facing eviction. We are currently exploring eviction diversion programs and how to implement those and aggressively pursuing action against landlords who rent spaces in poor condition, such as those without running water, with high lead or mold levels, or a broken A/C or heat units in extreme weather conditions.



In loving memory of Mary Lou Campbell, devoted SHIP Benefits Counselor. Mary Lou passed away in November of 2018. She spent her life in service to others and will be greatly missed. We hold on to our memories of Mary Lou and remember her passion for Equal Justice Under Law.



# ELIGIBILITY SCREENINGS GO LIVE

In April 2018, Legal Aid of the Bluegrass changed its screening process to reduce the time it takes for an applicant to receive legal advice and representation. In lieu of a phone tree, callers are triaged by paralegals and immediately sent to intake attorneys for counsel and advice or brief service; or assigned to an attorney for extended representation. Over the past year, LABG has taken about 16,400 live calls.

Additionally, an online application is available to Kentuckians 24/7. Online submissions are reviewed by a paralegal and applicants are notified by e-mail of their eligibility. Eligible applicants are sent to intake attorneys for advice or representation. Since it launched in August 2018, 1,356 Kentuckians have applied through our website.

**859-431-8200**

**[www.lablaw.org/apply-here](http://www.lablaw.org/apply-here)**



LEGAL AID OF THE BLUEGRASS

# *Pro Bono Awards* *event series*

## **ATTORNEY ACCESS COMMITTEE**

PRO BONO RECOGNITION EVENT  
SEPTEMBER 27, 2018



## **NORTHERN KENTUCKY VOLUNTEER LAWYERS (NKVL)**

PRO BONO RECOGNITION EVENT  
OCTOBER 4, 2018



# FAYETTE COUNTY BAR ASSOCIATION (FCBA)

PRO BONO RECOGNITION EVENT

NOVEMBER 1, 2018



LABG's Pro Bono Awards event series sponsored by:



**Lawyers Mutual**

[www.lmick.com](http://www.lmick.com)

## *Pappy for Pro Bono*

A RAFFLE BENEFITTING LABG'S PRO BONO PROGRAM

Thanks to the generosity of Party Town Florence, Legal Aid of the Bluegrass raised over \$10,000 through the Pappy for Pro Bono raffle.

Legal Aid of the Bluegrass will auction off three bottles of prized bourbon in the Fall of 2019. All proceeds benefit the Pro Bono Program.



# ENSURING FA

## Managing Grief and a Looming Foreclosure

When a loved one passes, the burden of finalizing affairs often falls to the people closest to the deceased. Legal Aid of the Bluegrass helped a woman living in Scott County regain stability and move forward after the death of her husband but only after a series of mishaps.

One of many obstacles to overcome after her husband's death was how Mary could stay in her home of over 23 years. She could no longer afford her mortgage payments and was on the brink of foreclosure when Legal Aid's housing counselor stepped in.. The Counselor worked with Mary to apply for a loan modification so the payments would be more affordable. But the loan had been sold and Mary was in default with the new servicer. Since her husband was listed as the sole borrower on the loan, the new lender was not working with Mary to modify the payments or even to recognize that she was now the owner. Finally, the Kentucky Attorney General got involved and worked with the lender to help Mary get the loan modified, and she began making payments that were more affordable for her.

After only one payment, however, Mary's loan was sold to yet another lender that claimed that Mary had not made a payment in over a year. Again, the mortgage company was hesitant to work with Mary on modifying the loan and the saga continued with yet another sale to yet another lender. But we persevered with Mary through it all, and after several years of work, Mary's loan was permanently modified so her payments are affordable and she is able to keep the family home. Now she has a full house as she recently was granted custody of her minor grandchildren.

This year, a new rule came into effect that will alleviate the predicaments for people like Mary in the future. In April 2018, a new Consumer Financial Protection Bureau mortgage servicing rule brings additional protections to surviving spouses and heirs. Among other things, the rule disables a lender from foreclosing on a property because the person is not specifically on the note and ensures that a lender must work with the the current successor to help them keep the property. Far too often a borrower's death leads to an endless cycle of default and inevitable foreclosure. The new rules should make these scenarios far less likely, and help keep families stable long after a loved one dies.



# AIRNESS

## Landlords Aren't Lawyers

For years, landlords have been evicting clients by incorrect process. Recently, Legal Aid took on this issue and in a recently published decision the Kentucky Court of Appeals held that the housing authority executive director who is a non-attorney has no authority in a legal capacity. In *Hornsby v. Housing Authority of Dry Ridge*, 566 S.W.3d 587, the Court of Appeals ruled that an executive director of a housing authority who files a forcible detainer action without an attorney engages in the unauthorized practice of law.

Landlords often do not know Kentucky's eviction law and provide tenants improper notice, file too quickly, or fail to provide tenants with opportunities to cure as required by law. The statute requires that the property owner or an attorney representative to bring the case. Too often the courts grant the forcible detainer judgment despite these valid defenses being offered. This case took up the problem of landlords often sending a property or office manager to court to file the petition or appear for the court hearing.

Holding landlords to basic standards of being involved in their own actions or hiring counsel assures minimal involvement for a lucrative business venture. Quoting Legal Aid's previous Supreme Court win, this Court recognized that although it may be a common and accepted practice, eviction courts "are not at liberty to circumvent or evade the rules and statutory provisions by turning a blind eye to the requirements for the sake of expedience." *Shinkle v. Turner*, 496 S.W.3d @423.





# PROTECTI

## KidsRISE Project Expands Family Law Work

An unexpected resource is taking Legal Aid of the Bluegrass in a new direction for aid programs selected nationwide by the U.S. Department of Justice to receive grant funding to address the opioid crisis by providing legal services. The three-year, \$670,000.00 commitment will allow Legal Aid to take on the most complex and difficult legal problems that Legal Aid could not previously handle for lack of funds.

LABG designed a project with two attorneys and a social worker, a new concept that recognizes that a child's best interest often requires family services that can transcend legal services. In the future, LABG will continue to provide holistic, ongoing services for stabilizing children in their new situations away from home.

Kids RISE, as the project is coined, targets seven of Kentucky's counties hardest hit by the opioid crisis. Kids RISE, LABG works directly with health providers, schools and child advocacy groups to help children and families who need legal protections and social services to help them become stable.

The legal supports for these families draw LABG into new territory. Obtaining guardianship for children supplement the program's usual custody work. Typically not needed, these are powerful tools now available for families raising children affected by addiction. Marybeth MSSW and JD, manages the Kids RISE project. Staff attorney Dominic Donovan and social worker Sarah Lowe make up the project team.



## Who Gets to Parent a Child

In April 2017, Governor Matt Bevin signed legislation that created a presumption of joint custody and equal parenting time when both parents are involved. The statute applies to both initial custody determinations and modifications. We measure last year applying the presumption.

Statutory changes also related to how new language specifically lists as a fact being or has been entered.” To have violence and abuse did, in fact, occur. domestic violence or abuse. Victims of subsequent divorce or child custody with new provision of the KRS was created not apply if a domestic violence order court finding of domestic violence in a on how this affects our clients and the

# NG FAMILIES

2019. Legal Aid was one of four legal grants to support child victims of the that opened a door for clients with legal

ot since advocating for the children's e project, LABG envisions providing n those struggling with dependency.

hit by opioid addiction. Through Kids ups to reach families raising children

rdianships and helping with adoption ed in our line of work, these become n. Unit Manager, Brian Dufresne, an d newly hired attorney Desiree Isaac



We provided legal advice  
& representation that  
stabilized

**3,586**  
families.

d?

ned a bill into law which mandates that custody cases in Kentucky begin with the ally shared parenting. The new law presumes that children are better off when rry changes apply the presumption of joint custody and equally shared parenting and custody modifications. The Kentucky General Assembly previously passed a nption to temporary custody orders.

domestic violence and abuse will be considered in custody determinations. The ctor to be considered "a finding by the court that domestic violence and abuse is a finding, a court must hear evidence and issue an order stating that domestic This is a deviation from the previous statutory language that referred to "alleged" of domestic violence who have obtained an order of protection and then seek a will clearly be able to have it considered as a factor of custody. In fact, an entirely stating that the presumption of joint custody and equally shared parenting does r has been issued between the parties. However, for victims who do not have a protective order case, the outcome seems less clear. We are keeping a close eye wellbeing of their children.

# CHANGING L



Legal Aid of the  
Bluegrass helped

**1047**

Veterans and their  
families in 2018.



## Nationwide Impact for Extra Help Applicants

An 83 year old rural, Eastern Kentucky woman had recently lost her husband and was in a difficult financial situation and determined that she would benefit from a Medicare prescription drug coverage enrollment period, but if she was found eligible for the Low Income Subsidy benefit she would be eligible and so the Benefits Counselor helped her apply for the Extra Help.

After submitting the application, the counselor found that the woman had been denied. The counselor continued to research the issue and found that the denial was erroneous. Even though the woman's application, the Social Security Administration was still applying old (POMS) guidelines timely, which resulted in her denial and probably countless others.

Since our program is funded through the National Council on Aging (NCOA) as a benefit issue matter. NCOA immediately contacted the Baltimore SSA office and alerted them to the problem was resolved for all future Low Income Subsidy applicants across the nation.

# LIVES

## Kentucky Veterans Earn Fresh Start

Criminal records, even misdemeanors sometimes, can inhibit veterans from successfully getting a job. Legal Aid of the Bluegrass (LABG) partners with the Cincinnati Veterans Justice Outreach to combat barriers to employment for Northern Kentucky Veterans through the Criminal Records Relief Clinics. In 2018 and 2019, LABG provided legal services at the Cincinnati VA in the areas of expungement and criminal record relief. LABG Staff Attorneys represented those eligible to have criminal records expunged. For cases where expungements are not yet ripe, LABG provides information, advice, and referrals to other organizations. At a minimum, each attendee walks away with advice and a timeline with instructions about how to seek expungement when ready and most beneficial to them. In 2018, LABG assisted 30 veterans through this clinic.

Veterans with substance abuse issues often face barriers to recovery that legal assistance can help them overcome. Monthly LABG staffs a civil legal clinic at the Ft. Thomas Domiciliary where Veterans sign up to meet with a Staff Attorney to discuss legal issues. Many Veterans receiving services or residing at the Domiciliary are being treated for substance abuse. As part of their recovery, they seek to reconnect with their children or other family. It is an important component of their recovery to address outstanding legal issues. LABG is honored to assist in this way. Finally, LABG helps them obtain or maintain housing, or defend against eviction. Attorneys also help them with employment barriers through counsel, advice or expungements. Often, advice and referral sources are enough to make a difference in Veterans' daily lives. During 2018, LABG helped 195 Veterans through this outreach.

and was having trouble making ends meet. An LABG Benefits Counselor evaluated her budget plan so she could save on out of pocket costs for her prescriptions. It was outside the budget, also known as Extra Help, the counselor knew she could enroll anyway. She appeared

denied access to the benefit coverage based on her income being too high. The counselor thought the poverty guidelines, which go up every year, had been posted weeks before the guidelines. They had simply failed to update their Program Operations Manual System (POMS).

At the National Benefits Enrollment Center, the program manager enlisted NCOA's help in resolving the error. Within 3 days of learning about SSA's failure to update the guidelines, the error was corrected.

# 2018

# FOCUSED

Legal Aid of the Bluegrass provides FREE civil legal services



82%  
of LABG's counties have  
a higher poverty rate  
than the National  
average of 12.3%



10 counties in the  
LABG service area  
have a poverty  
rate of over

20%

71%

of low-income households have experienced a civil  
legal problem in the last year.

(Legal Services Corporation: The Justice Gap: Measuring the Unmet Civil Legal Needs of Low-income Americans)

In 2018, LABG reached 24,773 of its target population  
through direct services or outreach.

Direct legal services were provided to

9,024  
families

affecting



11,143  
adults &

5,704  
children



31%

of LABG clients are  
the working poor.

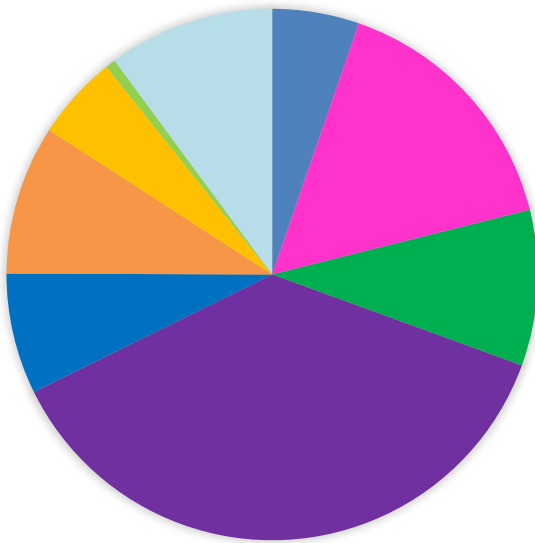
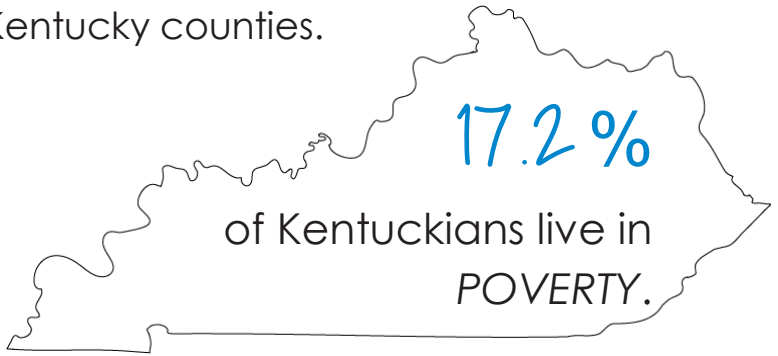




# REACH



Services in **33** Kentucky counties.



- Consumer Issues, Inc Main (Emplo)
- Family
- Protection Orders
- Medicare and Medicaid Assistance/Other Health
- Life Planning Documents
- Housing
- Public Benefits, including Vet benefits
- Nursing Home Residents Rights
- Other (Juvenile, Education, Ind Rights)

**57 %**

of working age families have  
children in the household.



**47 %**

of LABG clients are  
poor elderly.



# BOARD OF DIRECTORS



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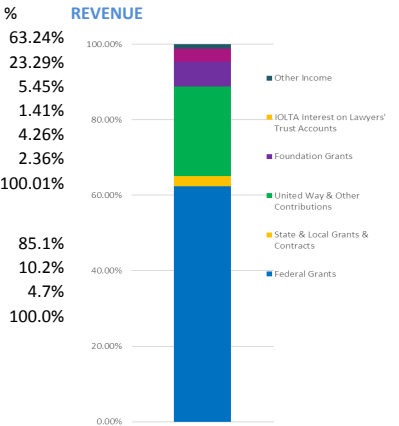
Sarah Young (CR)  
*Women's Crisis Center*

**\*\* CR= Client Representative**

# FINANCIALS

## REVENUE & EXPENDITURES | 2018

REVENUE	\$	%
Federal Grants	\$ 2,853,585	63.24%
State & Local Grants & Contracts	\$ 1,051,030	23.29%
United Way & Other Contributions	\$ 245,722	5.45%
Foundation Grants	\$ 63,718	1.41%
IOLTA Interest on Lawyers Trust Accounts	\$ 192,321	4.26%
Other Income	\$ 106,075	2.36%
<b>TOTAL REVENUE</b>	<b>\$ 4,512,451</b>	<b>100.01%</b>
<b>EXPENDITURES</b>		
Poverty Law	\$ 3,969,051	85.1%
Administration (Support)	\$ 475,537	10.2%
Fundraising	\$ 219,433	4.7%
<b>TOTAL EXPENDITURES</b>	<b>\$ 4,664,021</b>	<b>100.0%</b>



## CONSOLIDATED BALANCE SHEET | 12.31.18

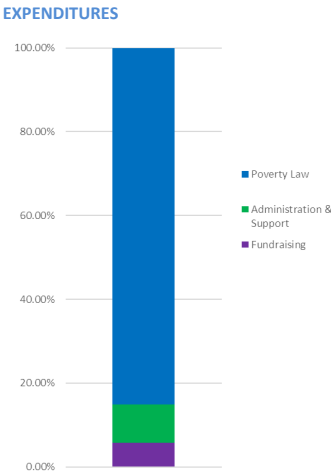
<b>ASSETS</b>	
<b>CURRENT ASSETS</b>	
Cash and Cash Equivalents	\$ 1,445,213
Receivables:	
Contributions Receivable, Short-term, net	\$ 523,547
Accounts Receivable	\$ 374,777
Prepaid Expenses	\$ 29,958
<b>TOTAL CURRENT ASSETS</b>	<b>\$ 2,373,495</b>
<b>PROPERTY PLANT &amp; EQUIPMENT, at cost</b>	<b>\$ 2,319,491</b>
Less: Accumulated Depreciation	\$ (944,774)
<b>TOTAL PROPERTY AND EQUIPMENT (NET)</b>	<b>\$ 1,374,717</b>

<b>OTHER LONG-TERM ASSETS</b>	
Contributions Receivable, Long-term, (NET)	\$ 227,355
<b>TOTAL ASSETS</b>	<b>\$ 3,975,567</b>

<b>LIABILITIES AND NET ASSETS</b>	
<b>CURRENT LIABILITIES</b>	
Accounts Payable	\$ 31,116
Other Current Liabilities	\$ 229,074
Notes Payable, Short-Term	\$ 87,098
<b>TOTAL CURRENT LIABILITIES</b>	<b>\$ 347,288</b>

<b>OTHER LONG-TERM LIABILITIES</b>	
Notes Payable, Long-Term	\$ 357,041
<b>TOTAL LIABILITIES</b>	<b>\$ 704,329</b>

<b>NET ASSETS</b>	
Net Investment in Property & Equipment	\$ 930,578
Unrestricted Net Assets	\$ 1,249,610
Temporarily Restricted Net Assets	\$ 1,091,050
<b>TOTAL NET ASSETS</b>	<b>\$ 3,271,238</b>
<b>TOTAL LIABILITIES AND NET ASSETS</b>	<b>\$ 3,975,567</b>



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Clinton Beckwith  
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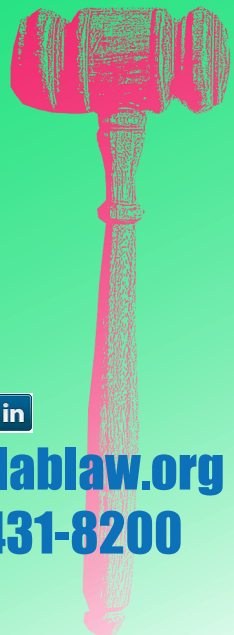
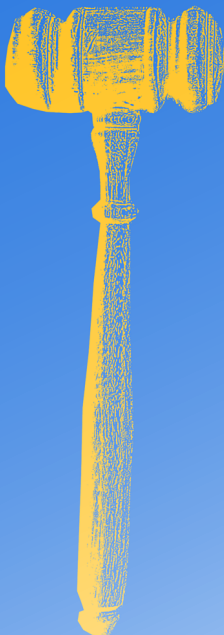
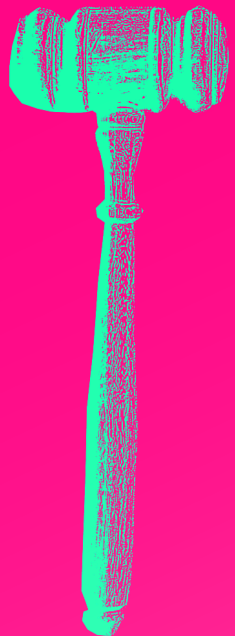
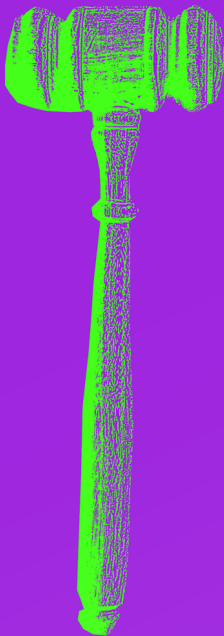
Cory Howitz  
Taylor Huber  
Guy Hughes  
Kimberly Iden  
David Iden  
Brandie Ingalls  
Steven Jaeger  
Stephen Jenei  
Patricia Jessen  
Elizabeth Johnson  
Brad Johnson  
Helen Jones  
David Kaiser  
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Louis Kawaja  
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Tyler McCaughn  
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Anna Ross  
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Pam Schneider  
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Ethan Showalter  
Becky Sittason  
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Patricia Thoman  
Neil Thompson  
Barbara Thompson  
Amanda Thompson  
Martha Thornsberry  
Jerry Truitt  
Andrew Unkraut  
Palmer Vance  
Lucy VanMeter  
Gwen Vice  
Mark Walz  
Barbara Whyte  
Rob Wildermuth  
Matthew Wisecup  
Mary Woolley  
Christian Worth  
Ballard Wright  
Richard Zicchino  
Teresita Sullivan  
Steve and Dominick

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Fidelity Charitable Gift Fund  
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Kroger  
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McGinnis, McBrayer, Leslie & Kirkland, PLLC.  
Network for Good  
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