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ANNUAL REPORT

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MICHIGAN
STATE BAR
FOUNDATION

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ENSURING ACCESS AND FAIRNESS FOR ALL IN THE JUSTICE SYSTEM

Dear Donors and Friends,

Thank you for participating in the 2020 Access to Justice Campaign. Your donation directly supports civil legal services that take on the immediate legal needs of low-income households in Michigan. As attorneys, we have a duty to solve the problems of our clients, and we commend your support for issues that may be outside your specialty. Your commitment to the ATJ Campaign helps ensure that countless vulnerable families in Michigan can rely on access to justice.

While 2020 was full of uncertainty for all, people who depend on work from businesses that were shut down were more likely to fall to a low-income status and look to civil legal aid for help with housing and unemployment benefits. All the while, needs for veterans, domestic violence survivors, individuals with disabilities, and older adults were exacerbated by circumstances brought on by the pandemic. To say that Michigan civil legal aid programs had their hands full would be an understatement. They were often the one beacon of light showing a solution to what their clients felt was an impossible situation to overcome.

We are proud and thankful to the Michigan legal community who did not shy away from supporting civil legal aid. In fact, we saw an increase in the number of State Bar of Michigan members who gave to the ATJ Campaign. We know that we can keep this momentum going throughout 2021 and see even more Michigan attorneys, law firms and corporate legal departments support access to justice.

Thank you for supporting the ATJ Campaign to ensure access to justice and fairness for all.



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2020 Civil Legal Aid at a Glance



1,816,069

Number of low income people in Michigan eligible for legal aid services



40,251

Total number of cases in 2020

83,796

Total people in households served, including **36,898 children**



91%

Percentage of positive outcomes for family and stability cases that had attorney representation

1,568

Veterans served by free legal services



There is **one** legal aid attorney for every

6,675

eligible Michiganders



8,358

Older adults helped

98%

Housing cases with positive outcomes when an attorney was provided

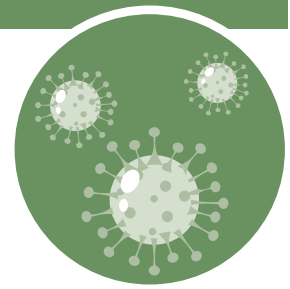


3,800

Consumers helped by legal aid

Legal Aid Critical to COVID-19 Response

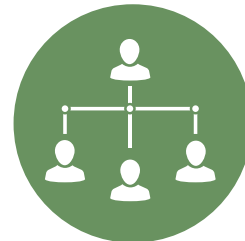
Throughout the COVID-19 pandemic, Michigan's legal aid organizations worked tirelessly to help the influx of people who needed legal help caused by the crisis. Legal aid programs were able to respond quickly to the enormous need by shifting the way they could continue to serve their clients:



- Remote hearings were conducted
- Online toolkits and forms were created as self-help resources



- Programs created outreach paths to let clients know they were still open and operating during the shutdown



- Virtual clinics were held to assist eligible individuals and nonprofit organizations with legal issues

Preventing Eviction

Legal Aid was a vital measure to keep families in their homes during the pandemic, after their sudden and unexpected loss in income. Legal Aid participated in the statewide Eviction Diversion Program, partnering with courts and agencies administering financial assistance for rent, working with landlords and representing tenants. With increased resources through stimulus funding, Legal Aid was able to significantly increase the number of tenants receiving legal assistance.

In the first six months of the program (July 2020 – December 2020), Legal Aid provided legal assistance, including advice, negotiation, and representation, to over 15,200 households, including:

- A single mother who was unable to work and needed help with past due and future rent, as well as longstanding repair issues, including a broken furnace.
- A family of four after both parents lost their jobs at the beginning of the pandemic.
- A single woman, while caring for her terminal father, who received an Order of Eviction despite the landlord's prior agreement to participate in the Eviction Diversion Program.



2020 ATJ Campaign Participating Programs

REGIONAL PROGRAMS

The Access to Justice Campaign supports seven regional civil legal aid programs that provide meaningful access to legal information, advice, and representation to low-income individuals and families. Legal aid helps working low-income families with children, veterans and military families, homeowners and renters, individuals with disabilities, older adults and other vulnerable populations.

Where historically the regional programs have seen similar trends in the types of cases handled, the flood of calls for help amid the COVID-19 pandemic changed these projections. The pandemic has caused a dramatic spike in requests for assistance with evictions and unemployment benefits. There was also a rise in other civil justice issues directly related to the social landscape created by the pandemic.

COVID-19 generated a wave of legal needs, and Michigan's regional civil legal aid programs stepped up to provide a voice for those facing uncertainty.

Veteran's Home Protected

A veteran with a disability lost his job due to health reasons and had fallen behind on his condominium association fees. He attended a mediation, without the assistance of a lawyer, and agreed to enter a repayment agreement and transferred the deed to his home to the condo association. After making payments, he mistakenly sent in a check that was returned as non-sufficient funds. Though he quickly issued a new repayment, the condominium association filed an eviction case against him. He requested help and Legal Aid was able to help negotiate a settlement to restore ownership of his condo. The veteran was able to catch up on his past due fees and keep his home.





Hospital Bill Resolved for Older Adult

After three years of trying to resolve a \$14,000 hospital bill, an older adult and his wife contacted Legal Aid for help. The client had been hospitalized for kidney failure. After his stay, he was told that the hospital had failed to get prior authorization from their medical provider and that a portion of the bill would not be covered by insurance. Unable to resolve the issue on their own, they were eventually sent a bill from a collection agency.

Legal Aid contacted the collection agency, the hospital, and the health care provider and demonstrated that the hospital did not follow protocol for prior authorization. They were able to resolve the issue, avoid litigation, and ultimately the client only owed their \$250 deductible.

Our Regions at a Glance

Northern Region

(8.07% poverty)

- Legal Services of Northern Michigan

Western Region

(20.52% poverty)

- Legal Aid of Western Michigan*

Eastern Region

(15.22% poverty)

- Legal Services of Eastern Michigan
- Center for Civil Justice

South Central Region

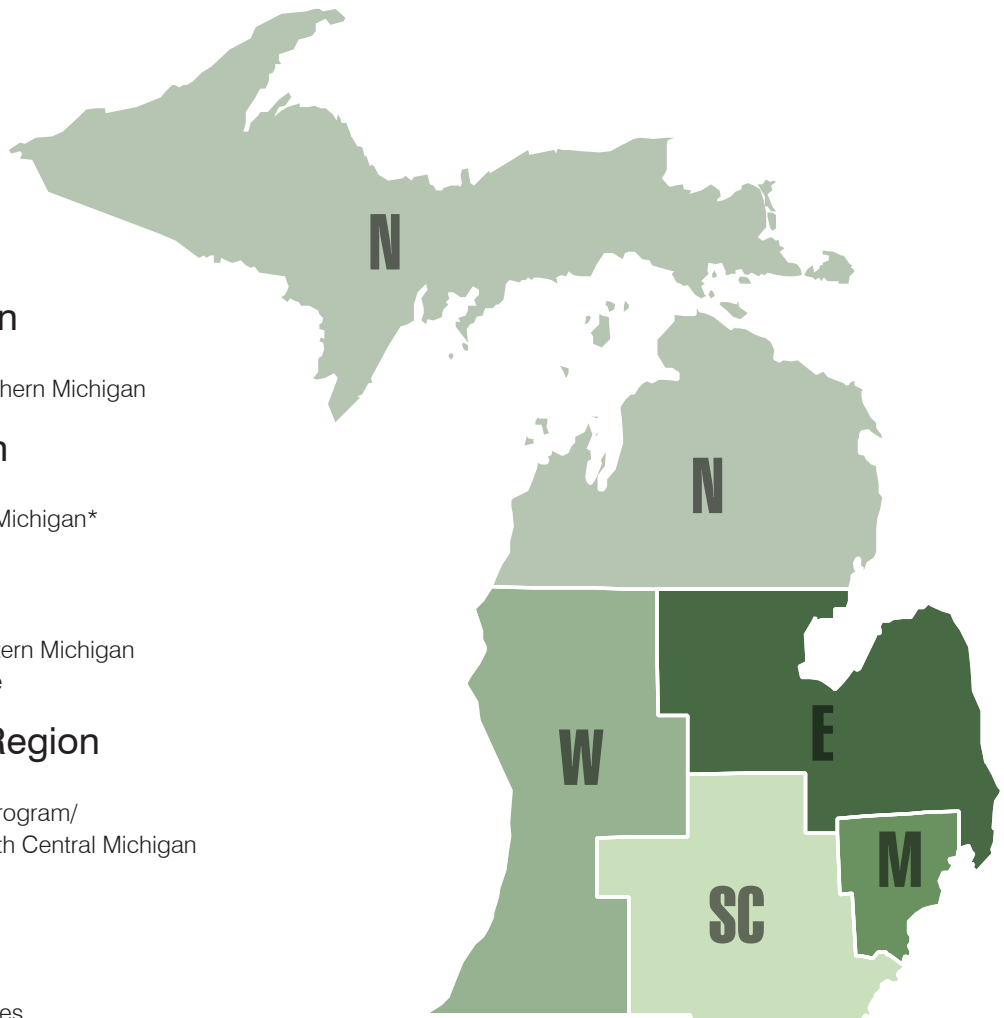
(15.57% poverty)

- Michigan Advocacy Program/
Legal Services of South Central Michigan

Metro Region

(40.62% poverty)

- Lakeshore Legal Aid
- Michigan Legal Services



* Although a participant in the ATJ Campaign, LAWM has decided not to be included in the ATJ Campaign's centralized fundraising effort at this time and will only receive donations designated to LAWM.

Statewide Programs

Eight statewide programs provide civil legal services to specific vulnerable populations.

- **Counsel and Advocacy Law Line (CALL)** is an integrated statewide system that provides immediate access to legal advice for low-income individuals and older adults across Michigan, then refers priority cases to full service legal aid organizations. CALL was particularly critical during 2020, as it helped people navigate their legal issues amid the pandemic restrictions. CALL served over 17,400 clients in 2020, with 43% transferred to regional legal aid programs for further assistance.
- **Michigan Community Resources** (formerly known as Community Legal Resources) provides legal programs to strengthen organizations that serve low-income individuals and communities. Throughout 2020, the need in communities served by MCR was profoundly intensified due to the COVID-19 pandemic. MCR directly served 98 organizations in legal consultations, provided pro bono consultations to 87 nonprofits through legal clinics, and placed 97 matters with pro bono counsel. In addition, MCR facilitated a series of virtual workshops providing education related to the pandemic, and developed toolkits on topics such as pandemic-related government orders, federal assistance, and other legal implications for nonprofit organizations.
- **Farmworker Legal Services (FLS)** provides free legal assistance to migrant and seasonal farmworkers across Michigan with a focus on workers' rights, housing, access to public benefits and education, and civil rights. FLS worked throughout 2020 to address the unique and harsh impact of the COVID-19 crisis for farmworkers. FLS provided legal advice and representation to farmworkers on their rights under the various Executive Orders, public health orders, CDC guidelines, workplace health and safety guidelines, and the federal paid sick leave act. Through the work of FLS, Michigan was one of the first states to implement emergency rules related to the health and safety of farmworkers, including free mandatory COVID-19 testing for farmworkers.
- **Michigan Elder Justice Initiative (MEJI)** seeks to empower, educate, and protect low-income older adults and people with disabilities through administrative and policy advocacy, educational efforts, and collaboration with multi-disciplinary partners on the local, state, and national level. MEJI spent much of 2020 advocating for the needs of especially vulnerable residents of nursing homes. These efforts led to state policies to improve infection control practices in long term facilities, better respond to understaffing and substandard care, and increase visitation along with other measures to address residents' isolation. MEJI served on the Attorney General and Supreme Court's Elder Abuse Task Force to address longstanding rights violations and abuses in guardianships and conservatorships among other important topics.

Unemployment Assistance

A woman came to Legal Aid after being denied unemployment benefits. She worked at a restaurant and lost her job in March of 2020, due to the pandemic. The legal aid attorney determined that although the denial of state unemployment benefits was proper, she was eligible for federal Pandemic Unemployment Assistance (PUA). With the help of Legal Aid, she was able to contact the unemployment agency and complete a successful PUA application.





Protecting End-of-Life Decisions

A tribal elder, who was nearing the end of her life, asked Michigan Indian Legal Services (MILS) for help to ensure that the family home would remain in the family and that her disabled daughter would have proper care and maintain her federal disability benefits. MILS explored options to keep the home within the family and created an estate plan that included a will and a durable power of attorney for finances and health care decisions. MILS was able to work quickly and bring her peace of mind during a difficult time.

- **Michigan Immigrant Rights Center (MIRC)** is a statewide legal resource center for Michigan's immigrant communities. MIRC provides direct representation, systemic advocacy, technical assistance, and community education for Michigan's immigrant communities. After the March 2020, statewide shutdown MIRC contacted clients impacted by policy changes caused by the pandemic. MIRC also provided outreach and know-your-rights education via online models and phone communication. MIRC has expanded their legal representation to unaccompanied or displaced minors who have been relocated to Michigan.
- **Michigan Indian Legal Services (MILS)** provides legal services statewide to income-eligible individuals and Tribes, advocates for the rights of individuals, which advances systems of justice, and works to preserve Native American families through state and tribal courts. MILS works collaboratively with tribes, tribal staff members, and the tribal courts on a regular basis. In 2020, MILS instituted technology to allow for remote work throughout the pandemic, and conducted virtual legal clinics and community legal education events. MILS continues to prioritize cases involving violations of the Indian Child Welfare Act and the Michigan Indian Family Preservation Act, as well as defensive work in the 12 tribal judicial systems in Michigan.
- **Michigan Legal Help Program (MLH)** works with judges, courts, lawyers, bar associations, nonprofits, self-help centers, libraries, and others to promote coordinated and quality assistance for people representing themselves in civil legal matters in Michigan. With the COVID-19 pandemic came an unprecedented number of people seeking legal help. This amounted to a 191% increase in visits to the Michigan Legal Help website (michiganlegalhelp.org, available in Spanish at AyudaLegaldeMichigan.org), with an average of 127,706 visits per week in 2020. MLH increased its server capacity to handle the influx of traffic, and created new toolkits related to specific issues caused by the pandemic, namely eviction and foreclosure, unemployment benefits, and family safety.
- **Michigan Poverty Law Program (MPLP)** provides training, case consultation and referral services to civil legal aid attorneys and other legal advocates in the areas of family law, elder law, consumer law, housing law, and public benefits. MPLP also engages in systemic advocacy to help alleviate barriers faced by low-income individuals. In 2020, MPLP advocated for the pandemic-based eviction moratorium, and was extensively involved in the development and implementation of statewide rental assistance programs. The resulting impact of these efforts was preventing eviction for thousands of Michiganders during a time of extreme unrest.

Access to Justice Campaign Results

Contributions to the Access to Justice Campaign directly support civil legal services for low-income people in every Michigan county. The Campaign’s goal is to raise significant funds from the legal community for the 15 supported programs. The legal community’s support of legal aid is an increasingly critical source of funding. While funding for civil legal aid comes from a few sources, unpredictable shifts occurred in 2020 that affected the amount of funding from IOLTA accounts and filing fees.

In 2020:

- **4,304** Michigan attorneys made donations
- **51** Law Firms made gifts at or above the Leadership level of **\$300** per attorney
- **68** Law Firms and Corporate Legal Departments gave at tiered levels between **\$1,000** and **\$100,000+**

Access to civil legal aid is a lifeline during a time of crisis. Increased support for the Access to Justice Campaign will help ensure that more low-income families and individuals have access to an attorney.

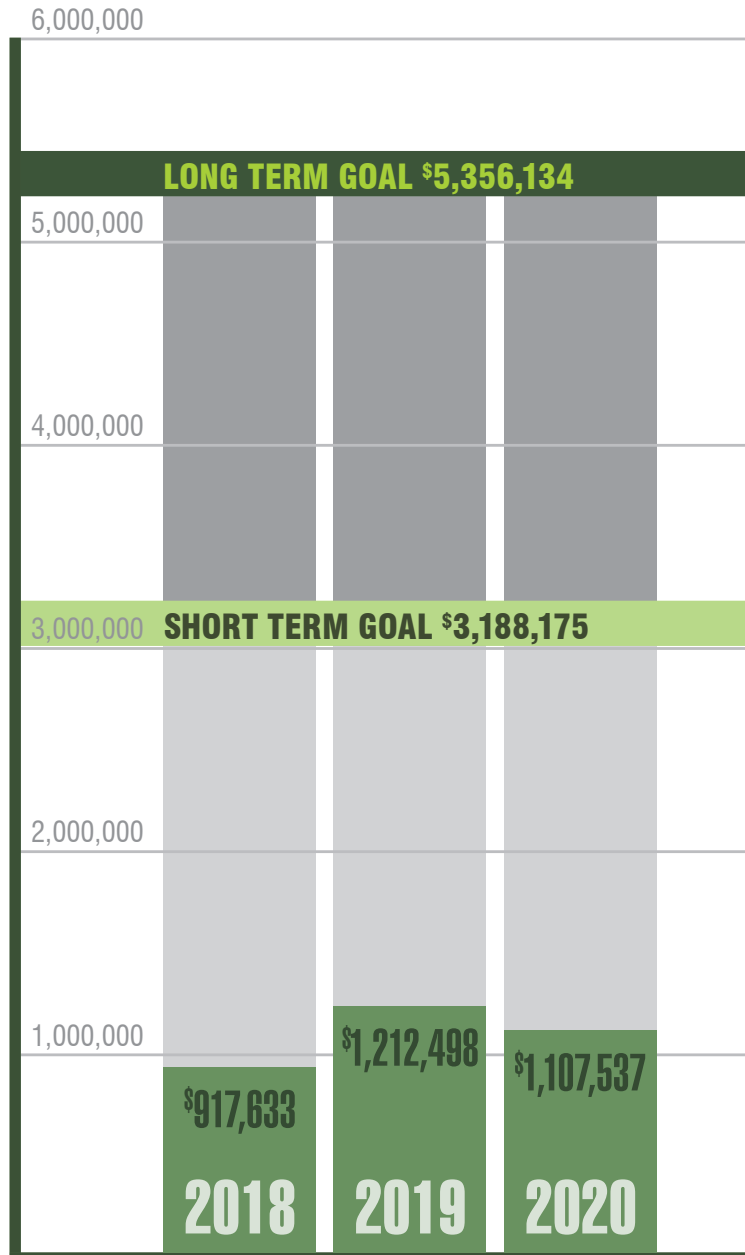
Moving Towards our Goal:

3,188,175

short term goal based on national average of per attorney giving

\$5,356,134

long term goal based on per attorney giving in states with statewide campaigns



2020 ATJ Campaign Leadership Firms

Thank you to the following 51 Leadership Firms.

Your generous support is particularly critical for many families during times of uncertainty.

The tiers reflect the per attorney amount given to the ATJ Campaign by firms in 2020.

\$1,000 and above per attorney

Mantese Honigman, PC
Soble Rowe & Krichbaum LLP

\$750-\$999 per attorney

Blanchard & Walker PLLC
Crippen, Urquhart & Weber LLP
Hooper Hathaway, PC
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Pitt McGehee Palmer Bonanni & Rivers PC

\$500-\$749 per attorney

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 Edwin S. Bartlett
 Elizabeth P. Benton
 David C. Berry
 Gerald Bishoff
 Charles W. Borgsdorf
 Stephen A. Bromberg

Judge Alfred M. Butzbaugh
 Tiffany Butzbaugh
 Kimberly M. Cahill
 Judge William J. Caprathe
 Karen J. Choate
 Peter P. Cobbs
 I. Goodman Cohen
 Thomas W. Cranmer
 Grace J. Crivello
 Nancy J. Diehl
 Kevin G. Dougherty
 Becky Doyle
 Robert G. Evans
 Julie I. Fershtman
 Mariah E. Fink
 Todd F. Flood
 George Floyd
 Arielle Gaiski
 Jack J. Garris
 Justice Ruth Bader Ginsburg
 George A. Googasian
 Judge Dawnn M. Gruenburg
 Roy Gruenburg
 Vincent J. Haisha
 Joseph L. Hardig, Jr.
 John Hayes
 Dorothy Henderson
 Otto J. Hetzel
 Ronald J. Kooistra
 John A. Krsul, Jr.
 Lisa M. Kuebler-Schmitz
 Representative John R. Lewis
 Anthony P. Marchese, Sr.
 Meryl Markowitz
 Joseph and Suzanne Mason
 Sriram Mohan
 Monique and Julius Norman
 Susan E. Reed
 Dean A. Robb, Sr.
 Judge Dalton A. Roberson
 Ruby A. Robinson

Lisa S. Ruby
 Charles R. Rutherford, Jr.
 Former Judge
 Daniel P. Ryan
 Judge Lorie N. Savin
 Donald H. Scharg
 Judge Gene Schnelz
 Jami Seif
 Charles N. Simkins
 Samuel L. Simpson
 Roy Calvin Spencer
 Lawrence W. Sperling
 David C. Stone
 Elmer Geovany Lopez Toi
 Reginald Tucker
 Sushil Varma
 Charles Walts
 Dorathy Walts
 Justice Elizabeth M. Welch
 Lia Wolock
 Margaret E. Yates

**Firms Directing
 Cy Pres Awards**
 to the ATJ Campaign
 in 2020

Bursor & Fisher, P.A.
 Curtis C. Warner
 Edelson PC

Additional ways to increase resources for civil legal aid

BANKING ON JUSTICE -

Did you know your banking choices can help improve access to justice in Michigan?

The Leadership Bank Program recognizes financial institutions that go above and beyond requirements by paying significantly more interest on IOLTA (Interest on IOLTA Trust Accounts) accounts. Interest generated on IOLTA accounts is paid to the Michigan State Bar Foundation and is an important source of funding for civil legal aid.

If every Michigan lawyer who holds an IOLTA account chose a Leadership Bank, based on current rates, **it would mean an increase of approximately 1.8 million dollars** to provide free civil legal aid to families in need throughout the state.

Current interest rates paid on IOLTA accounts vary between .01% and 1%, with most financial institutions waiving all fees. You can make a significant impact by choosing a bank that pays a higher interest rate. We encourage you to inquire about fees and bank with our Leadership Banks:



CY PRES

Michigan firms and attorneys can also support civil legal aid by directing cy pres funds to the Access to Justice Fund.

Cy pres awards are generated by residual or unclaimed funds from class action cases. In 2019, the Michigan Supreme Court amended MCR 3.501 to indicate that unclaimed residual funds can be disbursed to the Michigan State Bar Foundation to support access to the civil justice system for low-income residents. Increasing access to justice is an ideal match for class action cy pres awards.

In 2020, approximately 1.9 million dollars in cy pres awards bolstered the amount of resources for programs supported by the ATJ Campaign. These funds are being strategically used to support ATJ participating programs by bridging gaps created by the pandemic.



MSBF
MICHIGAN
STATE BAR
FOUNDATION

SBM
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Access to Justice
 Campaign

Access to Justice Fund
Michigan State Bar Foundation
306 Townsend Street
Lansing, Michigan 48933
517-346-6400
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ENSURING ACCESS AND FAIRNESS FOR ALL IN THE JUSTICE SYSTEM