

Northwest Justice Project

Advocacy Report Second Quarter, 2006



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**NORTHWEST JUSTICE PROJECT
2006 SECOND QUARTER ADVOCACY REPORT
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INTRODUCTION



The publication of this *Advocacy Report*, coincides with the Northwest Justice Project’s transition to new leadership occasioned by the impending departure of NJP’s founding executive director, Patrick McIntyre. For the past eleven years “Mac” has inspired and impelled NJP’s attorneys and staff to reach far and aim high in the effort to provide high quality legal help to those in our communities who face the real possibility and consequences of wrongful eviction, family violence, loss of medical benefits, illegal withholding of wages, predatory lending, parental kidnapping, lack of access to education and other illegal acts that fall hardest on low income persons and those with disabilities or other challenges. This report, a compilation of the many cases handled, and other public education and service activities NJP staff are called upon and willingly give of their time to do, is dedicated to Mac as we wish him well in his future endeavors as a champion for equal justice.

As with prior *Advocacy Reports*, this one once again demonstrates that having access to legal aid makes a positive difference in the lives of many low income persons experiencing hardship. In this report, one can read about how NJP helped a single mother who was stuck in the cycle of high interest payday loans; how NJP was able to salvage equity out of forced home foreclosures; and how NJP obtained relief for clients from identity theft and telephone solicitation scams. One will be hard pressed to deny the value of legal aid after reading further about how NJP helped a single mother preserve her state subsidized child care benefits, without which the mother was unable to work; about the child who had experienced low academic performance for several years before NJP advocated for a school assessment and special education services for the child’s learning needs; about the several victims of domestic violence who fled their homes (in some cases without their children) to escape further abuse and possible death; and about those who were on the brink of eviction from low income housing and homelessness.

And, yet again, we face the reality that for every person NJP is able to serve, there are at least three more who go without any legal help or with less legal help than what they need to comprehensively resolve their problem. We are, however, cheered by the many people who were aided and empowered by the help they received from NJP’s intake, advice and brief service system and by the many thousands of people who accessed the library of over 700 legal education publications and self-help packets available through the NJP hosted www.washingtonlawhelp.org, including 121 publications in Spanish, 40 in Russian and 48 in other languages.

Each person who was able to access NJP directly or through NJP’s outreach and education efforts understands what we all know intuitively – that having a knowledgeable source to help understand the law and legal process does indeed make a difference.

OVERVIEW OF GENERAL SERVICE DELIVERY

Bellingham (Whatcom, Island, Skagit, San Juan Counties)

- During this quarter NJP's Bellingham office successfully represented clients to defend their eligibility for safety-net financial, medical, and rent assistance, and to obtain personal and family safety. The office also worked with LAW Advocates, the Whatcom County pro bono program, to integrate a program that provides legal help to families affected by domestic violence.

CLEAR and NJP Web Site

- In the second quarter of 2006 CLEAR answered 2,018 phone calls resulting in 1,495 new cases or clients. The Washington LawHelp web site experienced over 122,000 visitor sessions and 522,669 page views. There are now almost 700 legal education publications and self-help packets available; 490 English, 121 Spanish, 40 Russian, and 48 in other languages.

Contract Attorney Program

- NJP's Contract Attorney Program (CAP) consists of two part-time attorneys who receive client referrals from CLEAR and other legal and social services agencies for clients with issues in thirteen counties (Adams, Asotin, Benton, Clallam, Columbia, Franklin, Garfield, Grant, Grays Harbor, Jefferson, Kitsap, Lincoln, and Whitman). CAP performs brief service and/or will refer the clients to one of the 30-40 private attorneys with whom NJP contracts to provide individual services at highly discounted rates. CAP provides the attorneys ongoing consultation and technical assistance. CAP's priorities are similar to those of other legal services offices across the state. During the first quarter of 2006, CAP provided assistance in approximately 100 cases.

Everett (Snohomish, Island Counties)

- During this quarter, NJP's Everett office continued to represent clients with legal needs in the areas of family law, health care, education, housing, and public benefits. The office also continued to serve as the supervising location of the Indian Land Tenure Foundation funded Indian Estate Planning Project, which has two attorneys and one paralegal located in different parts of the state.

Farm Worker Unit

- NJP's Farm Worker Unit (FWU) consists of 3 attorneys and a community worker in Yakima and an attorney based in Wenatchee. The FWU welcomed a new attorney to the Unit in Yakima.

Native American Unit

- NJP's Native American Unit (NAU) serves Native American communities statewide in matters primarily involving tribal law and federal Indian law. The NAU conducts outreach, provides community legal education, and assists other legal services providers working with Indian clients. The NAU currently has one staff attorney in Spokane and one in Seattle, whose targeted work is supplemented by three advocates in the Indian Estate Project Planning, which does outreach and estate planning for reservation Indians with trust land.

Olympia (Thurston, Mason, Lewis, Grays Harbor, Pacific Counties)

- NJP's Olympia office consists of three attorneys and support staff and serves a five county region that includes Thurston, Mason, Lewis, Grays Harbor and Pacific Counties. The office also enjoys the benefit of co-location with the Thurston County Volunteer Legal Service Program.

Seattle (King County)

- NJP's Seattle based King County office consists of 10 attorneys and 3.5 support staff. The office hosts special programs targeted to underrepresented populations: (1) The Refugee and Immigrant Advocacy Project, operated in conjunction with the University of Washington School of Law, assists immigrants and refugees in the areas of public benefits and naturalization; (2) The Cross Cultural Family Law Clinic, a collaboration with the King County Bar Association through which volunteer attorneys assist domestic violence victims who have emergent family law matters and who are unable to access traditional legal resources due to language, culture, or other barriers; and (3) The Domestic Violence Community Legal Project, a collaborative project with Consejo Counseling and Referral Services and the Refugee Women's Alliance, which provides legal assistance to domestic violence victims served by those agencies.

Spokane (Spokane, Pend Oreille, Stevens, Lincoln, Ferry Counties)

- NJP's Spokane office emphasizes work on family law issues, housing, consumer issues, public benefits and Native American law. The office is staffed with six attorneys and three support staff and houses NJP's eastern Washington Native American Unit attorney.

Tacoma (Pierce, Kitsap Counties)

- NJP's Tacoma office has six attorneys, one paralegal and two support staff who serve Pierce and Kitsap County clients with legal needs in areas of public benefits, family, housing, consumer, education and youth law, elder law, disability and civil rights. The advocates also advise and represent a wide range of community groups. The office is co-located with Tacoma/Pierce County Volunteer Legal Services and TeamChild. The office also provides legal services to indigent Western State Hospital (WSH) residents through a DSHS (Health and Rehabilitative Services Administration, Mental Health Division) contract, and plans to open a part-time satellite office in Kitsap County in the near future.

Vancouver (Clark, Klickitat, Skamania, Cowlitz, Wahkiakum Counties)

- During the second quarter of 2006, NJP's Vancouver office had a staff of five attorneys, two legal assistants, and two law students who joined the office for a ten-week internship. The office continued its focus on economic security (especially the General Assistance program), health care, housing (primarily public and subsidized housing, homeownership, and private landlord-tenant matters involving longer-term tenancies), custody and visitation matters (primarily where there are serious allegations of domestic violence or other risk to the children from the opposing parent), and serving both senior citizens and youth. The office also conducted outreach to migrant workers in southwest Washington.

Walla Walla (Benton/Franklin, Walla Walla)

- During this quarter, NJP's new Walla Walla office, with a satellite office in Pasco, reached full staff capacity of three attorneys and one legal assistant. The staff conducted an extensive research and outreach campaign to bench, bar, education, social and human service leaders, and court officials in the office's three county service region. Based on these discussions and other data, the office developed and submitted its case priorities to CLEAR, and began accepting CLEAR referrals in mid-June.

Wenatchee (Adams, Chelan, Douglas, Grant, Kittitas, Okanogan Counties)

- NJP's Wenatchee office is staffed by five attorneys and three legal assistants and includes a staffed "satellite" office in Omak serving clients on a full range of legal needs in Okanogan County. The office also functions as the North Central Washington component of NJP's Farm Worker Unit. All of the attorneys and all three support staff are bilingual in Spanish-English. The Wenatchee case priorities include non-payment of wages, health and safety violations, employment discrimination, access to health care benefits and income assistance, subsidized housing, utility shut-offs, predatory lending, home foreclosure, education access, and family law.

Yakima (Yakima, Kittitas Counties)

- NJP's Yakima office continues to focus its efforts on the areas of domestic violence, economic security and housing. The basic field staff consists of four attorneys, three support staff and a Jesuit Volunteer. The office shares space with Teamchild and the Yakima Volunteer Legal Services Program, and houses NJP's Yakima based FWU staff.

CASE EXAMPLES AND OTHER SIGNIFICANT ADVOCACY EFFORTS

NJP FIELD OFFICE SERVICES*

Consumer

- NJP's Seattle office represents a woman whose house fell into foreclosure after a realtor and mortgage broker got her into a house and a mortgage loan she could not afford. Once she purchased the house, it was only a matter of months before she got behind in the payments, which constituted more than half her monthly income. The bank foreclosed on the loan, and the realtor did very little to market the house once the client decided to sell it. NJP obtained an extension of the foreclosure sale and helped the client retain a new realtor to help her sell the house. The house was sold and closed one day before the next scheduled foreclosure sale. The client got some money from the sale to put towards living expenses at her new apartment. NJP is pursuing action against the original realtor and mortgage broker for improprieties related to the original purchase of the house and associated mortgage.
- NJP's Seattle office represents a client whose identity was stolen by an employee of a local car dealership. The employee used the client's personal information to apply for an expensive car loan for himself. Soon after getting the car, the employee stopped making payments, subjecting the client to aggressive collection efforts by the lender. Once NJP provided the lender with the needed information it released the client from liability on the car loan.
- NJP's Seattle office represents a single mother who was victimized by a payday lender. The client began obtaining payday loans to make ends meet when her rent and utilities became too expensive for her employment income to cover. Once in the payday loan debt trap (in which she had to take out new payday loans to pay back old payday loans), she became overwhelmed and asked for a payment plan from the payday lender. The lender denied her this contractual right, and in addition, illegally offered to rollover the loan. NJP helped the client file a complaint with the Department of Financial Institutions, which was able to negotiate a payment and rescission plan.
- NJP's Wenatchee office helped a senior couple stop foreclosure on their home. The clients had used their home as security for an emergency cash loan many years ago, and had been losing financial ground ever since due to high interest rates, financial hardships and poor money management. The debt had been bought and sold in the financial markets, and a Texas loan company was threatening to foreclose in June. NJP negotiated a manageable repayment plan with the creditor and therefore postponed the foreclosure action, giving the clients time to seek support and advice from family members regarding this debt. The same clients had also been the victim of a foreclosure rescue scam by a

* For case examples from NJP's Native American Unit and Farm Worker Unit see pages 24 and 24-25 respectively. For case examples from the Contract Attorney Program and CLEAR see pages 26-27 and 27-29 respectively.

Florida company. NJP sent a letter demanding that the company refund the money it had obtained from the clients, and threatened to file suit in Washington if they did not provide a refund. The company refunded the clients' money.

- NJP's Wenatchee office assisted a senior who was the victim of a telephone solicitation scam. The client, who was recently released from the hospital and feeling very anxious about his mounting medical bills, received a phone call offering to consolidate his debt. He was pressured into purchasing credit assistance and provided his social security and credit card numbers. The very next morning the client realized his mistake, called back, and canceled the order. The telephone solicitors had already, however, billed him \$500 for an "information packet" on consolidating debt, and refused to refund his money. NJP contacted the telephone solicitors and negotiated a refund. NJP also contacted the client's credit card company and reported the fraud, and provided the client with instructions on filing a criminal complaint, and a complaint with the Office of the Attorney General.

Economic Stability (Employment)

- NJP's Everett office successfully helped a client with disabilities avoid an adverse finding that would result in the client being placed on the state registry for abuse and financial exploitation of vulnerable adults. The alleged misconduct was completely unsupported by the available evidence and mitigated by the client's disabilities. NJP's help allows the client to continue to have unrestricted employment options consistent with the disabling conditions.
- NJP's Seattle office represented a single mother of three children, two of whom have special needs after DSHS improperly terminated her childcare benefits. The mother lost her full-time job because she missed too much work due to school related absences to deal with the two special needs children. Although DSHS initially helped the mother to address the special needs of her children by referring her to experts and providing the necessary childcare to follow through with each referral, it later failed to help her develop an ongoing work plan and terminated her child care. NJP subsequently negotiated a successful settlement by which DSHS agreed to develop a new, workable plan providing proper supports for the children and to move her towards self-sufficiency, and reinstated the necessary full-time childcare subsidy.
- NJP's Tacoma office successfully represented a single woman whose subsistence-level wages had been garnished to collect a very old food stamp overpayment. An administrative law judge determined that DSHS' ability to collect the overpayment was time-barred instead of running until 2012 as it had asserted.

Economic Stability (Public Benefits)

- NJP's Bellingham office represented a 41-year old woman with major depression and post-traumatic stress disorder (PTSD), when DSHS terminated her General Assistance (GA) cash and medical benefits. DSHS concluded the client no longer met the GA incapacity requirements, based solely on one out of three scores on a standardized test of current personality functioning and symptoms. DSHS claimed that the single test score

proved the client was simply malingering. NJP learned that the client's aberrant test score was typical of someone with PTSD and that the doctor administering that test had failed to interview her during the process to gather relevant information for interpreting the score. NJP also noted that DSHS had ignored two medical reports from a doctor who had evaluated the client twice previously for DSHS eligibility and who wrote a letter specifically disputing the conclusion that she was malingering. With this information, NJP persuaded DSHS to review the totality of the client's records. Based on that review, DSHS promptly reversed its termination and approved the client's continuing eligibility for GA and medical assistance.

- NJP's Bellingham office represented a man whose Social Security disability benefits were terminated because of an outstanding felony warrant in Oregon. Because of the warrant, the Social Security Administration (SSA) also held him liable for repaying a \$24,000 overpayment. The client has been disabled and unable to work due to terminal liver cancer, cirrhosis, severe diabetes, and related mental confusion and poor memory. Years ago, an Oregon county court order had placed him on supervised probation for an old criminal conviction and expressly allowed him to move back to his home in Washington. Two months after, the same court issued a new warrant on a different charge. The client successfully completed three years of supervised probation under the court's jurisdiction, during which he regularly reported his address to that Oregon county. However, for unknown reasons, the client was not notified about the new warrant and did not know about it until SSA cut off his checks. Despite those facts, SSA found that he was a "fleeing felon" and, cut off his disability benefits. The client and his disabled wife live in a small trailer and need all their income to meet his medical expenses, their rent, and their daily living costs. The couple feared that the loss of his benefits would result in their being evicted and the client losing the medical care he required. NJP quickly got SSA to reinstate his monthly benefits during a 90 day appeal period. Then NJP obtained the client's probation and medical records, a letter from his physician, and a letter from the Oregon prosecutor indicating that Oregon would not extradite the client. SSA then agreed that the client was not fleeing to avoid prosecution, restored the client's disability payments, and rescinded its overpayment determination against him.
- NJP's Bellingham office represented a woman referred by a community advocate at a local kidney care center. The client, a married mother of two children, was born with one kidney and has end stage renal disease. The severity of her condition qualified her to receive SSI disability benefits. The client and her husband faithfully and timely reported his wages to the Social Security Administration (SSA), as SSI rules require. By mistake, however, SSA failed to consider those reported earnings in calculating the amount of her monthly SSI benefit. Once SSA discovered its error it charged the client an overpayment of over \$9,000. NJP helped the client file a request to waive the overpayment, which was readily granted relieving the client of the need to repay the overpayment.
- NJP's Olympia office helped a Lewis County mother of two young children who was forced to apply for welfare when the father left the home during her last trimester of a complicated pregnancy. Although DSHS lifted the normal work requirements they insisted the mother start work when the baby was three months old. This was difficult

because the infant had serious medical issues. Despite the fact that NJP helped the mother document the medical issues, DSHS continued to “sanction” her for not working, reducing her grant to only \$440 per month. The family faced eviction and homelessness. NJP requested a hearing and asked DSHS supervisors to intervene. In the interim, the mother found employment caring for a friend’s children, which allowed her to stay home with her baby and young son. While waiting for her job and paychecks to start, NJP learned that this client’s story and others like it had generated a change in policy. Families on assistance will no longer be sanctioned if they can show they are participating with work requirements or they cannot do so because of serious medical or personal circumstances. This client’s grant is now out of sanction, and her income may soon allow her to go off assistance altogether.

- NJP’s Olympia office recently closed a case of a young woman with disabilities who contacted NJP in 2005 because she was being terminated from General Assistance (GAU) benefits. She was homeless and living in a camper. She had been on GAU for about a year and had tried to get on a different assistance program because of mental health problems but was denied. She was ultimately terminated from GAU for being a “malingerer”. NJP helped the client obtain low-income housing with a project for homeless people. NJP also tried to obtain new psychological evaluations to document her mental illness but these were not accepted by DSHS. Pending a hearing the woman had a mental breakdown and was hospitalized for psychiatric care. After a new psychological evaluation DSHS awarded her benefits for a full year. The client was thus able to gain access to medication and counseling that has helped to stabilize her life. NJP also provided the client additional advocacy regarding debt collection issues.
- NJP’s Spokane office was successful in obtaining GAU benefits for a 23-year-old man who had been injured when a riding lawn mower fell on him while he was loading it into a pickup truck. DSHS denied his initial GAU application claiming there was no objective medical evidence to support his doctor’s ratings on the “severity” of his incapacitating injuries. At the appeal hearing, the ALJ held that there was significant objective medical evidence to support the severity rating, the DSHS GAU incapacity “specialist” is not a physician, and DSHS failed to provide clear and convincing reasons for reducing the doctor’s severity ratings. The client’s GAU was therefore approved.
- NJP’s Spokane office was also successful in convincing DSHS to reverse its decision to terminate a Gulf War veteran’s GAU benefits. NJP had the client undergo a psychological evaluation which was sufficient for approval of the client for GAU.
- NJP’s Vancouver office won a Social Security Administration hearing decision that reinstated a disabled Klickitat County client’s ongoing SSI benefits and prevented a \$10,000 overpayment. The client’s benefits had been terminated under the “fleeing felon” rule based on an outstanding 1997 warrant from another state that the client reasonably believed had been quashed. The client only became aware of the warrant’s continued existence when he was notified by SSA that his SSI benefits would be terminated. The client tried to resolve the warrant, but due to his poor health was unable to travel to the issuing state on his own. The state that issued the warrant repeatedly declined to extradite the client, although law enforcement was aware of his location. At the hearing, NJP

demonstrated that despite SSA policy, the “fleeing felon” law requires an intent to flee to avoid prosecution, and that benefits cannot be suspended unless there is a warrant or order issued by a court or other authorized tribunal on the basis of a finding that the individual fled or was fleeing to avoid prosecution. Given the lack of such evidence in this case the ALJ reinstated client’s SSI benefits.

- NJP’s Vancouver office represented two families from Clark County winning hearing decisions that reversed TANF sanctions that DSHS had imposed for alleged non-compliance with WorkFirst requirements. In each case, the ALJ found that the local DSHS office had misapplied their own procedures by failing to make clear what they expected the clients to do and what the clients had done wrong, and had punished the clients for missing appointments for reasons that were beyond the clients’ control. One of the families recovered more than \$1,400 that had been taken out of their grant because of the sanction, at just about the same time that the husband’s new job raised their income to the point where they will no longer receive TANF.
- NJP’s Wenatchee office assisted a monolingual Spanish-speaking senior who had been injured while employed as a farm worker. The client wished to return to his home in Mexico, but did not believe the Washington Department of Labor and Industries would send payments to him there. NJP assisted the client in completing the paperwork and arranging for the L&I payments to be sent to Mexico.

Education

- NJP’s Seattle office represents a student whose behavior in school has resulted in discipline problems for several years. In spite of extremely low academic progress and chronic behavioral and attention problems that have been evident since elementary school, the school district never evaluated the student for special education services. NJP requested a comprehensive evaluation that has resulted in the student obtaining special education services. The client and the district are in negotiations regarding compensatory education for the time the student should have been receiving services but was not.
- NJP’s Spokane office assisted a mother and her twelve-year-old daughter to advocate for her special education needs in the public school district. The mother contacted NJP after her child, who has juvenile bipolar disorder and other mental health issues, had been put on a decreased school day schedule. The school officials told the mother that “they gave up” on the child’s ability to learn due to the child’s behavior in the classroom. The child’s academic functioning was five grades below her current grade level, and the school was not properly addressing the academic issues. The child was routinely suspended when she expressed her frustration about not learning. The mother had attempted to work with the school district since the child was age six. NJP attended numerous meetings with local school officials, district special education providers and the client. NJP sought a new special education assessment, a new IEP that more appropriately addressed the child’s severe academic and social deficiencies, and a detailed plan to address behavioral outbursts that does not include near automatic out of school suspension. The school district offered the child a new IEP and placement at a school that is heavily focused on mental health counseling as well as remedial academic support. The

mother accepted this placement, beginning this fall where the new IEP is being implemented.

- NJP's Spokane office successfully assisted a mother whose child has significant physical and mental disabilities, to obtain a very detailed IEP, helping ensure that the child receives the support she needs for her educational goals. The IEP requires the district to dedicate an appropriate classroom setting; construct a new entrance/egress door into the client's classroom from the parking lot; hire and specially train two "one-on-one" aids to attend to the client's daily classroom needs and education; provide a para-transit school bus to transport the child and provide an aid for the bus in the morning and afternoon – with specific permission granted by the union to allow the aid to help get the client into and out of the bus.

Family Stability, Safety & Security

- NJP's Bellingham office represents an immigrant domestic violence victim who fled physical, emotional and sexual abuse by her husband. The client married her husband in India in 2002 and joined him in the United States in 2004 as a conditional resident. As soon as she arrived, the client's husband began a variety of controlling, and abusive behavior. He refused to let her contact her family or friends in India and beat her if he thought she had disobeyed him. He prohibited the client from leaving the house except to go to work and to go with him to deposit her paycheck into his account. His mother and sister lived with them and also abused the client, threatening to report her to immigration authorities if she did not obey them. In one instance the client called 911 when she was very afraid and left her husband for two weeks. Her husband then appeared at her workplace and threatened to kill her if she did not come back to him. After she reluctantly returned, he forced her to quit her job and take another at a factory where his sister worked. The sister watched the client at work and would not allow her to speak to other workers. During this time, the client suffered medical complications from a miscarriage but her husband made it difficult for her to get medical treatment. In despair, the client took an overdose of pills and a hospital social worker advised her of agencies that could help her. The client went from the emergency room to a shelter. While there, the client contacted NJP. NJP filed an application to remove the conditions on her immigration status along with a request for a waiver of the usual requirement that she file for permanent residency with her husband, based on the exception allowed when an immigrant spouse has suffered domestic violence. Eleven months later, the client was granted the waiver, paving the way for her permanent resident status. NJP is further assisting to address her ongoing safety needs.
- NJP's Everett office is representing a victim of domestic violence who fled to her parents' home in California but left her 7 year old daughter with the father. Over a matter of weeks, it became clear that the father allowed undesirable people to stay in their home. The child began to miss school and when she did go to school appeared hungry and dirty. NJP filed the client's dissolution action and obtained temporary orders giving the mother residential placement. The client has now been reunited with her daughter in California. NJP also helped the mother to get a domestic violence protection order providing for law

enforcement backup for the mother to go to the marital home and obtain necessary papers to enroll the child in school in California.

- NJP's Everett office represents a domestic violence victim in a custody modification action based in part on allegations stemming from a CPS investigation and shelter care order due to conduct by her former spouse. NJP worked with CPS and obtained several declarations from caseworkers to corroborate the client's declarations. NJP successfully obtained a Protection Order for the client and an order suspending visitation until a family court investigation is completed and report produced.
- NJP's Seattle office represented a Mexican immigrant who married her husband and had two children with him but later returned to Mexico with the children because of the husband's abuse. When the youngest child became ill, the husband brought the child to the United States for medical care, leaving the mother and older child in Mexico. For a period of two years, the mother tried to return to Washington to be with her child but could not. The husband, a U.S. citizen, refused to help her. However, he would travel between the U.S. and Mexico leaving the child with the mother for long periods of time but would show up unannounced and take the child from her. The mother managed to move to Seattle in the fall of 2005 and continued living with the husband in order to be with the child. The husband again physically abused and sexually assaulted her and she fled to a shelter with both children. After she petitioned for a Protection Order, the court placed the younger child in foster care pending a Domestic Violence Assessment. NJP successfully represented the mother at the return hearing where she obtained a Protection Order as well as temporary custody of both children. The husband's Motion for Revision was denied.
- NJP's Seattle office represented an immigrant woman in a trafficking case, involving Child Protective Services, a protection order action, a paternity action, and a criminal action. The client's abuser had paid for his brother to bring her illegally to Seattle from a remote rural area in Mexico. At the time, the client was still a minor and was told that she was coming to the U.S. to work. When she got to Seattle, the abuser informed her that he had paid for her to be his wife. He then proceeded to engage in a pattern of severe domestic violence toward her that lasted for several years. In 1999, one incident of domestic violence resulted in his arrest. He fled to Mexico, taking the client and their child with him. Once in Mexico, the abuse continued and he took the child from her. He told her that the only way for her to recover the child was to stay with him, which she did. He brought her back to Washington, leaving the baby with his family in Mexico. In 2003, he agreed that she could recover her son, who was then almost four years old. She continued to live with him because she was afraid to lose the child again and became pregnant with a second child. After he again beat her while she was holding the baby, she left him in March 2005. A few days later, he removed the son from school, alleging that the mother abused the children. CPS opened a case and, based almost entirely on what the father and his family told the social worker, informed the Court that they would take the children from the mother. The court then entered a Protection Order against the mother, even though it found that the father was the abuser, and kept the son with him. NJP successfully represented the mother in the dependency case to reverse the finding of abuse against the mother. NJP then was able to "realign" the Protection Order against

him, giving the mother unsupervised contact with the son pending trial in a paternity action. NJP will represent the mother through trial.

- NJP's Seattle office represented a woman who had been a victim of domestic violence at a dissolution trial. The husband sought unrestricted contact with their son and opposed the woman and child's relocation out of state. NJP obtained an order allowing the woman to relocate to another state where she would have the support of her family. The court entered a protective parenting plan, ordering the husband to complete domestic violence treatment before granting any unsupervised visitation.
- NJP's Spokane office obtained temporary orders in a custody case in Stevens County protecting a woman who fled with her three children from their father, due to his significant physical, mental, emotional, and verbal abuse, including numerous threats to harm and/or kill them. The temporary order placed the children with their mother, restricted the father from having any contact or visitation with the children, required the father to undergo a domestic violence perpetrator evaluation and a substance abuse evaluation, and appointed a guardian ad litem on behalf of the children.
- NJP's Spokane office successfully vacated a final parenting plan which had been entered by default in Lincoln County Superior Court. Neither the client nor the children resided in the state of Washington at the time the father started the divorce action, nor at the time the parenting plan was entered by default. Under the circumstances, the Lincoln County Superior Court did not have jurisdiction to address the issues of custody, visitation, and/or relocation. The parties reached a negotiated settlement.
- NJP's Spokane office assisted a young Native American woman who risked losing her newborn daughter. At the hospital, CPS had induced the client to sign a voluntary placement agreement. NJP met with the client and her CPS caseworker, and ultimately assisted the mother in revoking the voluntary placement agreement, ensuring her continued custody of the infant.
- NJP's Tacoma office represented a patient at Western State Hospital who was voluntarily committed after various suicide attempts. The client suffers from depression and anxiety disorder, much of which was exacerbated by 11 years of emotional abuse and domestic violence suffered at the hands of her husband. The client's husband filed for legal separation with a harsh restraining order against the client (while she was in the hospital) in order to keep their three young children away from her. NJP worked with the client to prepare a comprehensive declaration with an abundance of evidence documenting the abuse she suffered. At the restraining order hearing the client was able to convince the court that there should be restraints against the father's time with the children (once she is released from the hospital) due to the history of domestic violence. Additionally, the client's excellent progress and recovery spurred the court to order ample visitation time for the client in anticipation of her eventual return to the role of primary parent.
- NJP's Tacoma office represented a 47-year-old disabled father in a motion to vacate a previous order of child support and for modification of prospective child support. The client's sole income was GAU and his monthly obligation was greater than his monthly

benefit. The previous order had been entered by default in an amount in excess of the amount requested in the pleadings. NJP represented the client in Pierce County Superior Court at a show cause/modification hearing. The Commissioner granted the motion to vacate the previous order and recalculated the amount of child support the client owed to the statutory minimum of \$25 per child per month, greatly reducing his debt. The Commissioner also modified the client's prospective child support obligation to the statutory minimum. The client is able to pay this monthly amount.

- NJP's Vancouver office assisted a mother from a distant state regain custody of her child who was being wrongfully withheld by the father's relatives in Clark County. After the father had been convicted of a crime and sentenced to two years in prison, his extended family tried to keep the fact of the father's imprisonment a secret from the child's mother so that she would not regain custody. NJP assisted the client to modify her parenting plan and obtaining a restraining order to prevent further interference from the extended family. The child is now with her mother.
- NJP's Wenatchee office represents a victim of domestic violence in a parentage action in Okanogan County. NJP obtained a temporary order that required the child's father to undergo treatment for alcoholism before being allowed to drive with the child. In the past the father drove while intoxicated with the child in the car. After obtaining the order, the father violated it by driving with the child before undergoing treatment for his alcoholism. NJP filed a contempt proceeding at which the court imposed monetary penalties and further expanded the prohibition against the father driving with the child.
- NJP's Yakima office represented a survivor of severe domestic violence with five children obtain a protection order. At least two of her children were diagnosed with oppositional defiance disorder because they had witnessed domestic violence. The client then filed a dissolution action in Yakima. Thereafter she moved to Grays Harbor County because it was too difficult to live near the abuser. Her husband filed a motion for temporary orders. NJP secured a parenting plan that prohibited contact between the father and children until he attends domestic violence perpetrator treatment. The parties agreed to a final parenting plan that still requires the father to obtain perpetrator treatment before he can have contact with the children.

Healthcare, Access and Quality of Care

- NJP's Everett office represented a client initially to establish her disability status for the purpose of getting Medicaid, and subsequently represented her in a dispute about the extent of medical benefits awarded. DSHS initially required the client to share a significant part of the health care costs through a "spenddown" liability based on her husband's alleged income. However, DSHS misinterpreted the Medicaid rules counting as "income" the value of the rent-free apartment where the husband as apartment manager was required to live. This "income" was not available to pay for health care, and the federal guidelines did not allow it to be counted under these circumstances. DSHS reversed the erroneous decision and awarded benefits without a "spenddown" liability.

- NJP’s Everett office represented a senior denied Medicaid coverage for a medication she needed to stay awake. The medication was initially a “non-preferred” drug and therefore not Medicaid eligible. NJP investigated and learned that the state subsequently had added the specific drug to the preferred list. The client was thus automatically placed in the new Medicare “Part D” program for prescription coverage. This automatic enrollment did not go smoothly, and initially the pharmacy was unable to process any medications for the client. NJP provided the client and pharmacist information about a stop-gap plan for persons in this situation and then referred the client for help in choosing a plan that would provide maximum coverage for her many medications. NJP will continue to monitor her situation for medication coverage issues under the new program.
- NJP’s Olympia office helped a developmentally delayed, severely disabled young man when DSHS reduced his personal care hours and terminated his nursing services. The client has cystic fibrosis, intestinal problems, persistent respiratory infections, scoliosis, pancreatic disorder, cerebral palsy, quadriplegia, a severe and active seizure disorder as well as more minor diagnoses. He obtains all his nutrition from a tube in his stomach. He cannot bend more than a few inches, so the caregiver must shift his position frequently. He cannot breathe properly, so his caregiver must loosen his mucous and clear his throat and lungs regularly using a variety of manual, electronic, and medication methods. He needs constant care and supervision. After months of advocacy with DSHS to show the extraordinary needs of this client, DSHS agreed to maintain the same personal in home care benefits indefinitely but required the client to transition much of his nursing care to non-nurse providers. However, DSHS can’t find any nurse willing to delegate the more serious care needs of the client to unskilled providers. Thus, the client remains in a loving home with his care providers, their children, and the other disabled boys they care for.
- NJP’s Seattle office assisted a disabled and elderly limited English proficient client who had been terminated from Adult Day Health (ADH) services and received a limited amount of in-home personal care hours while the client’s fair hearing was pending. NJP helped arrange a new assessment of the client’s needs and submitted medical information supporting the client’s need for skilled nursing and rehabilitation services. DSHS agreed to rescind the termination but refused to restore the client’s benefits. DSHS then filed a motion to dismiss the client’s fair hearing, which NJP successfully argued against. Soon thereafter DSHS approved the client’s ADH benefits and doubled her in-home care hours.
- NJP’s Seattle office represented another disabled client who was facing a dramatic reduction of Personal Care benefits. The client has severe mental disability and cognitive impairments and requires personal care to remain in the family home. The client’s family and care providers were limited English proficient and did not receive notices (or any documents) translated into their primary language. Before seeking assistance from NJP, the client’s family tried to participate in multiple pre-hearing motions, but they did not understand the legal or factual basis for the reduced hours. NJP successfully argued a motion to dismiss the hearing and DSHS reinstated the client’s benefits. DSHS then conducted a new assessment, which included translated notices and documents to the client’s family and care providers. NJP helped the client file a new hearing request and

advised the client's family about how to report accurate information during the assessment process to prevent a further reduction of in-home care hours.

- NJP's Spokane office represented a seriously disabled client whose subsidized personal in home care hours were not adequate to address her needs. NJP obtained a declaration from the client's doctor confirming the client's diagnosis of paraplegia based on her severe lower extremity neuropathy. The client's care needs include a turning/repositioning program, then passive range of motion exercises and a bowel program. The client was then re-assessed, placed in the exceptional care group, and DSHS awarded 333 hours of in-home care per month.
- NJP's Spokane office was successful in assisting a disabled and bedridden woman navigate the new Medicare Part D program. The client was funneled into a Medicare Part D program that would not cover her migraine medication, but would only fill a prescription for a similar drug that caused severe side effects for the client. When the client requested an administrative appeal under her policy, she waited many weeks without a response from the insurer. NJP contacted the insurer and inquired into the status of the appeal. Shortly thereafter, the client received notice that her prescribed medication would be covered under her policy. When the client tried to get her prescription filled, the pharmacy would not give her the drugs because their computer was not showing that they were covered by the insurance. NJP called the Medicare Part D insurer once again and was assured that the computer now reflected that the client was covered for that medication and the rest of client's prescription drugs. The client has not had any further problems with her Medicare Part D provider.
- NJP's Tacoma office assisted a 14-year-old boy with severe disabilities caused by a near-drowning incident when he was 18 months old. As a result of his injuries, the boy suffered from upper and lower limb spasticity, similar to that in children with Cerebral Palsy. His treating physician had prescribed Botox injections to treat the spasticity. The client received these treatments for two years and showed marked improvement in his tone and range of motion, and a decrease in the respiratory illness that had been caused by the spasticity in his chest. After two years of approving the treatment, DSHS denied further treatments because they were considered experimental. NJP collected numerous letters from the client's treatment team as well as from an expert on spasticity in children, all supporting the Botox treatment. Two days before the appeal hearing, DSHS reversed its position and approved the treatment. The client immediately showed improvement in his tone and range of motion, allowing him to spend more time in his wheelchair and participate in school activities.
- NJP's Vancouver office successfully assisted a mentally disabled client in retaining coverage of her extensive medication regimen. The state Medicaid agency intended to discontinue coverage of one of the client's medications in particular, stating that the usage as prescribed was not approved by the FDA. NJP successfully argued that that medication in combination with the rest of the client's medications was the only regimen that had proven successful for the client over the course of several years' worth of drug trials. It was during one unsuccessful drug trial without the medication in question that the client, experiencing a severe psychotic episode, set fire to her home while her

boyfriend was inside asleep. The state Medicaid agency ultimately agreed with NJP that to deprive the client of this medication would put both the client and the greater community at potential risk.

- NJP's Vancouver office assisted two Cowlitz County women who each have several physical as well as mental health problems, and whom DSHS proposed to assign to its "Patient Review and Restriction" (PRR) Medicaid program. For more than 10 years, TANF families and most children receiving Medicaid in Washington have been enrolled in managed health care plans through a program called Healthy Options in which DSHS pays a flat monthly amount to the plan for each recipient, and the plan is responsible for coordinating care through a primary provider. In the mid-1990s, DSHS began implementing Healthy Options for SSI recipients in some counties, but the effort was abandoned because financial issues between DSHS and the plans regarding these clients, many of whose care is complex and expensive, could not be resolved. As a result, SSI and GA recipients still have "fee-for-service" coverage which requires them to find willing providers to give and coordinate care. DSHS uses billing dates to identify recipients whose amounts or patterns of medical services suggest that their use may be excessive, duplicative, or otherwise inappropriate; then, DSHS assigns them to the PRR which assigns a primary provider and controls their access to other providers. NJP's clients believed that they were responsibly using services – they just needed many kinds of care – and that their situations did not meet the PRR program's rather stigmatizing criteria. After considering the clients' medical records DSHS eventually agreed. Based on these clients' experiences DSHS has sought NJP's input on policy implementation related to the PRR program.
- NJP's Wenatchee office is assisting a father in his 40's who has Parkinson's Disease. The client was the sole breadwinner in the family of four and can no longer work due to his disability. He requires ongoing medical attention in order to manage pain and retain some mobility, and is having problems finding affordable medical insurance. NJP is counseling the client through the Social Security and public benefits application process and assisting the client with charity care coverage for care through the Booth Gardner Parkinson's Care Center at Evergreen Hospital.
- NJP's Wenatchee office continues to represent an individual who is the DSHS certified primary care provider for a 26 year-old severely disabled woman. The client and the disabled woman are related and live together in the same home. At issue is the number of compensable hours under the "shared living rule." NJP negotiated a continued stay of proceedings with the Attorney General's office in this case while the state's higher courts determine a case, also brought by NJP on behalf of another client who presents the same legal issue. NJP also provided advice regarding how to respond to a care assessment summary while the legal issue is pending.
- NJP's Yakima office successfully represented a developmentally disabled adult client who receives in-home services through the DSHS Personal Care program. DSHS proposed to reduce the number of paid caregiver hours by 60%. NJP developed medical evidence that the client's communication abilities were just as impaired as a person with aphasia, who would have received significantly more hours of care than what was

proposed for this client. DSHS agreed to increase the hours of paid care even higher than what the client had been receiving before the proposed reduction.

Preservation of Housing & Habitability Issues

- NJP's Bellingham office represented a 52-year old grandmother in appealing her local housing authority's proposed termination of her Section 8 rent assistance and its related decision to assess a \$5,100 overpayment against her. The housing authority (HA) claimed that the client fraudulently reported that her two grandchildren had been living with her for over a year. The housing authority cited school records that listed the children as living with their mother at a different address. The children's mother provided a notarized statement giving temporary custody of the children to the client, but the HA refused to recognize that statement because it was over two years old. With help from NJP, the client obtained a corrected school record listing the children's residence as the client's address. The mother signed the corrected school record attesting to its accuracy, and also provided a current sworn statement that the client had custody of the children over 50% of the time and that this arrangement had been in effect continuously since her prior statement. Based on this information, the housing authority reversed its termination and overpayment decisions and reinstated the client's full rent assistance.
- NJP's Everett office is assisting a single mother of three children in a dispute with a local housing authority. Though a number of issues were in dispute, the primary one was the client's failure to report child support received as income for her rent-assistance calculation. The client's file contained many reporting forms or eligibility review documents where the client reported either child support stopped or started. NJP sought reconsideration noting documents from the client's file showing that she had reported the child support fluctuations but the staff failed to use the information reported to calculate the client's rent assistance. The request for reconsideration was denied. NJP will represent her at hearing to review the decision.
- NJP's Everett office represented a veteran plagued with disabling health problems, faced with being evicted and losing his rent assistance because he was unable to timely move after receiving a 20-day notice terminating his tenancy. The Landlord's action was presumptively retaliatory because the 20-day notice was given within 90 days after the Human Rights Commission concluded an investigation of the client's complaint against the landlord. The client's rental assistance was preserved by negotiating an agreement between the client and his landlord.
- NJP's Olympia office helped a 42 year old man with terminal cancer who was facing homelessness. The client's landlord told him verbally to move out, but the client did not want to move and had nowhere to go. Instead of giving the client proper notice, the landlord terminated the client's electricity. Although the bill was in the client's name, and he was current in payments, the landlord told the City of Centralia that the client had moved out. When the City went to shut off service, the client called Customer Service and explained what had happened. Customer Service instructed their workers not to terminate service. The landlord then called the City utility shop directly, requesting shut-off at the street saying he was doing some electrical upgrades. Without knowing about

the prior interaction, the shop staff shut off the power, being reassured by the landlord that the tenant was on his way out. The client was without power for several days and lost food and several doses of his cancer medication that had to be kept refrigerated. NJP worked with the City to get the power restored the day after opening the case. The client was referred to private counsel to evaluate any further claims for relief.

- NJP's Olympia office continued to assist a disabled senior couple who were forced into homelessness when they learned their landlord had rented them a unit in a condemned building. NJP obtained a judgment awarding \$3,600 in relocation costs pursuant to a law passed in 2005 by the Washington State Legislature. As the landlord would not respond to repeated requests to pay on the judgment, NJP started garnishment proceedings. After one paycheck had been garnished, the landlord paid the balance in full. With the relocation funds the clients were able to stay temporarily in a motel and pay the security deposit and rent to secure an apartment.
- NJP's Olympia office helped two Thurston County families who were being evicted from a mobile home park. One client was a disabled senior and the other was a family with a disabled senior man, his wife and their grandchild. The new owner of the mobile home park issued eviction papers because the families refused to sign a new lease which raised their rent, changed responsibility for the electricity bill to the tenants, and changed several park rules, including rules affecting the clients' pets. The clients had just renewed a one-year lease and wanted to stay under those terms and then move when the lease expired. The clients also felt they could not move because there were not any mobile home parks that would take their trailers, as many parks in the area had closed due to flooding. NJP discovered that the new owners did not have experience with Washington's laws regarding mobile home parks and the notice requirements of these laws. After several rounds of correspondence, the owners signed an agreement that allowed the clients to stay until their lease term expired with the clients' agreement to pay electricity.
- NJP's Olympia office helped a disabled senior in Grays Harbor County who received an eviction notice from the manager of his public housing unit. The notice did not adequately explain what the tenant had done to allegedly violate his lease except a mention of complaints that he was disturbing the quiet enjoyment of other residents. Also, the eviction notice came just a few weeks after the tenant posted notices in common areas to form a tenant's group to talk about tenants' rights and issues at the complex. NJP met with the client manager to negotiate a settlement. The manager agreed that there was no specific reason to evict the client at this time and withdrew the eviction notice. NJP wrote a letter summarizing the client's lack of fault, to be kept in the client's file for future reference since the building was being transferred to a new management company.
- NJP's Seattle office represented a mentally-ill man and his cognitively-impaired companion in securing a rental subsidy and gaining access to a suitable apartment, following a protracted lawsuit threatening them with eviction from their public housing apartment in Seattle. The couple had fallen behind on their public housing rent after the man's representative payee left her job and the mental health agency discharged him from its care. NJP represented the tenants in multiple court hearings and extended

negotiations regarding the housing authority duty to make continuing accommodations for this mentally-impaired tenant. Pending litigation, the couple received a rent assistance voucher that would allow them to move into subsidized private rental housing. NJP obtained assurances that the rental assistance voucher would be funded despite the ongoing eviction lawsuit. The clients made plans to move into the new subsidized private unit, where the couple is now living and not facing legal proceedings of any kind.

- NJP's Seattle office represented an elected body of tenant representatives in Seattle Housing Authority (SHA) public housing in a lawsuit challenging an SHA rule prohibiting residents from posting any signs or other materials on the outside surfaces of their doors. The tenant group filed the lawsuit alleging the rule unlawfully infringed on tenants' rights to free speech under the U.S. and Washington State Constitutions, and denied residents proper use of their leased apartment doors. After a brief period of litigation, the court granted NJP's motion for summary judgment, finding the rule was indeed unconstitutional, and entering a permanent injunction forbidding SHA from enforcing the rule.
- NJP's Spokane office successfully represented a tenant facing eviction from subsidized housing due to alleged violations of house rules regarding pets and alleged violations of previous reasonable accommodation arrangements. After significant negotiations on a new reasonable accommodation plan with the landlord's attorney, the landlord terminated his attorney's representation, and finished the negotiations directly with NJP. The client was able to retain the companionship provided by her support dog; received an additional accommodation identifying a specific area near her apartment for her dog's exercise and elimination needs; and was granted an accommodation to store personal effects in her apartment's closet in excess of what would normally be allowed under the house rules, due to the lack of tenant storage units accessible to physically disabled tenants.
- NJP's Spokane office assisted a single mother undergoing cancer treatment move out of a marginal apartment complex where the property manager was making inappropriate sexual advances to the client and her sixteen-year-old daughter. The client had been served with a three-day pay or vacate notice that included illegal charges and did not reflect her deposit and prepayment of the last month's rent. Through negotiations with the landlord, NJP was able to secure reduced back rent due, return of all deposits and credit for her prepayment. The client was able to avoid a writ of restitution and move out of the apartment without an outstanding rent balance.
- NJP's Spokane office represented a client who faced foreclosure on her house based on a small second mortgage. The client's husband lost his job after breaking his back, and they had gotten behind in payments. Foreclosure would have resulted in the client, her husband, and the grandchildren in their care becoming homeless. NJP negotiated an agreement with the bank that would allow the client to pay off the second mortgage in full, while the bank waived many of the fees and add-on costs that had made it impossible for the client to do so on her own.

- NJP’s Spokane office represented a domestic violence victim who faced homelessness along with her baby. Prior to approaching NJP, the client had obtained a protection order against her abuser, the child’s father. The commissioner added language to the protection order which required her to give the abuser possession of their mobile home and their car by the end of the month. NJP represented the client in negotiations and a request for revision of the protection order. As a result of NJP’s advocacy, and emergency assistance from DSHS, the client was able to buy out the abuser’s ownership interest in the mobile home at significantly less than its actual value, and under highly favorable terms, and the abuser was required to provide the client with a car. NJP continues to represent this client in a family law matter concerning the child.
- NJP’s Tacoma office represented a limited English proficient Section 8 rent subsidy program participant in obtaining the re-issuance of her voucher that had expired. The voucher expired because the client did not submit either a request for lease approval or a written request for an extension prior to the expiration of the 60-day term of the voucher as required. The client had requested an extension one day after the 60-day term. The client’s request for hearing was denied on grounds that the voucher had expired and had not been extended prior to the expiration. NJP asked the HA’s Executive Director to reconsider on several grounds including that the one day late request for an extension is *de minimis* and the consequence grossly disproportionate to the seriousness of the program violation; the HA failed to comply with the requirements of Title VI to provide translation services to persons with limited English proficiency; and the expiration of a voucher is not among exclusive grounds for termination. The Executive Director agreed to reissue the voucher and to provide the client an additional 60 days within which to find substitute housing.
- NJP’s Tacoma office continues to represent two individual clients concerned about the City of Tacoma’s moratorium on the development of any new housing for persons with “special needs.” The moratorium and proposed development rules would severely limit areas of the City where new housing could be developed in which tenants receive social services as part of their housing. NJP has submitted a legal analysis of the proposal addressing the ways in which it violates provisions of the Washington Growth Management Act and federal Fair Housing Act amendments. Litigation is contemplated if the proposed regulations are adopted without substantial change.
- NJP’s Vancouver office prevented the unlawful eviction of a mentally and physically disabled woman from a low-income tax credit housing complex. The landlord attempted to evict the client with just cause. NJP was able to persuade the landlord to rescind its notice and not proceed with any further action based on the alleged breaches of the tenant’s lease before it filed an eviction action.
- NJP’s Walla Walla office represented a 94 year-old woman receiving a subsidized housing voucher in Pasco. After three years of successive decreases in her housing assistance, she had slowly been priced out of her housing and would have been forced to move out of the home she had occupied for nearly 20 years. She decided to request a reasonable accommodation of her disabilities. Severely disabled after a stroke, the client was nearly blind and hearing impaired, and had other medical frailties which would have

endangered her life if she had been forced to move. NJP represented the client at a hearing before the Housing Authority, making a request that the Housing Authority reasonably accommodate her disability with respect to decreases in housing assistance. In a favorable decision, the Housing Authority reversed its previous three rent increases and awarded the client \$900 in back subsidy.

- NJP's Wenatchee office assisted a senior couple who had been served with an eviction action, and negotiated a settlement on their behalf. The couple lives on social security and had fallen behind on rent over the course of about four years. Due to medical issues, it would have been impossible for the couple to find a new residence and move their belongings within the amount of time before a Sheriff's supervised forcible eviction took place. NJP prepared an answer to the eviction complaint alleging defenses to the eviction. After the landlord received the answer he contacted NJP and NJP negotiated an agreement allowing the clients to stay in the residence for an extra month, thereby providing them more time to tap into social services and obtain assistance finding a new residence and moving their belongings.
- NJP's Wenatchee office assisted two households whose water had been illegally shut off by their mobile home landlord. The residents of the mobile homes had been suffering intermittent water outages, some for periods of up to five days. After NJP sent a demand letter to the landlord, the water was restored. One of the clients has ongoing habitability issues in her rented mobile home, however, and NJP continues to assist her. She has literally fallen through a hole in the floor of the rented mobile home, has been forced to disconnect numerous electrical outlets because they were sparking, her home is missing windows, and the walls of the home are so deteriorated that the client herself cut up boards to line the walls in an effort to keep the wind out of the house.
- NJP's Wenatchee office is representing a farm worker client in a breach of contract issue. The client purchased land on an oral contract for sale and placed a home on the property. But the seller has refused to convey title. The opposing party did not respond to a demand letter, and an almost day-long alternative dispute resolution session was unsuccessful. NJP continues to represent the client and is preparing to file a quiet title action.
- NJP's Wenatchee office has filed a lawsuit against a landlord on behalf of one of his tenant families. The client contacted NJP reporting that the septic system for the home where she lived with her two children had been backing up for months. The roof and interior plumbing leaked, and there was mold growing on the walls of the bedroom, bathroom, and in the basement. NJP discovered that the property had already been posted "unlawful to occupy" by the county health district *before* the landlord rented the house to the client due to the failure of the septic system. The health district again posted the home "unlawful to occupy." The client and her children were evicted pursuant to the posting, and moved into a hotel. A fairly recently enacted section of the Washington Residential Landlord Tenant Act provides a new and important right to "relocation assistance" for tenants who have been evicted under such circumstances.

Targeted Populations (Persons with Disabilities, Limited English, Cultural and Other Barriers to Accessing Legal Services)

- NJP's Seattle office represented a developmentally disabled Somali refugee single parent in her efforts to keep her Section 8 housing assistance from being terminated. The Housing Authority decided that the fact that the client had four children with the same father was proof that she and the father were living together. The only evidence indicating that the father lived with the client was that he had used the client's address on his driver's license two years ago. The father stated in an affidavit that he had done so without the client's knowledge or permission. The HA further claimed that the client had lied to them on a form stating that she received more child support than she actually did. NJP supplied evidence that the client could not read, that she had been evaluated for special education. NJP represented the client in several hearings, including presenting testimony from a consulting psychologist, who explained the client's global disabilities and their effect on her life, and her inability to read and understand complex information. The HA continued to assert that she had deliberately misled them. The HA also insisted that no evidence of disability would be allowed in the fact finding hearing, and no factual matters would be addressed in the hearing related to her request for a reasonable accommodation. Thus, a bifurcated hearing arrangement was required resulting in multiple administrative hearings. Only when NJP prepared an affirmative lawsuit did the HA change its mind and reinstate the client's housing assistance.
- NJP's Refugee and Immigrant Advocacy Project (RIAP) represented a young Iraqi immigrant whose SSI had been terminated because he had recovered from a brain tumor and allegedly was able to work. NJP was able to get his benefits reinstated pending appeal, and then assembled information from his doctors and others to demonstrate that residual cognitive impairments due to the tumor along with PTSD and depression due to torture and the witnessing of many atrocities (including the execution of his twin brother) in Iraq left him unable to work. A favorable decision from the Office of Disability Insurance means his benefits will continue.
- NJP's Tacoma office represented a 68-year-old non-English-speaking Vietnamese immigrant in an administrative hearing to appeal a proposed reduction in her Medicaid-funded, in-home care benefits from 122 hours to 47 hours per month. The case manager in charge of assessing the client's care needs had determined that the client's functional limitations had improved and that her need for in-home care had decreased since her previous yearly assessment. This determination was made despite medical evidence that the client has significant ongoing care needs and suffers from severe and chronic pain due, in part, to a tumor growing in her spinal column. After a day-long administrative hearing, an administrative law judge ordered the client's in-home care hours increased to 116 hours per month.
- NJP's Tacoma office represented a 53-year-old Western State Hospital patient in Thurston County Superior Court on a petition for judicial review to appeal a DSHS administrative order that he must contribute towards the cost of his care at the state

mental hospital. The client, who had been committed to the hospital to assess and restore his competency to stand trial on criminal charges, argued that the order that he must pay for his competency restoration commitment violated the state constitutional prohibition against charging a criminal defendant any costs associated with his prosecution. A Thurston County Superior Court Judge agreed and issued an order reversing the administrative order at issue, and finding the agency rule requiring that patients committed to the state hospital to restore their competency to stand trial on criminal charges pay for their commitments unconstitutional.

NATIVE AMERICAN UNIT - STATEWIDE (NAU)

Indian Estate And Probate Project (IEPP)

- NJP's Everett-based IEPP drafted a will for an 85-year old tribal elder who owns many varying interests in Federal Indian Trust land throughout his home reservation. The client's prior will did not address his Trust land interests nor the income produced from his trust land. Upon learning that his trust land ownership interests would be subject to the new Federal Indian Probate law, the client sought out NJP's services to devise a mechanism within the will to name beneficiaries for specific groupings of his property interests. The client stated that he is grateful to receive services from an attorney who understands the importance of trust land ownership and the autonomy to make choices on how his property will pass on to future generations.
- NJP's Yakima-based IEPP executed a will with a disabled client who has repeatedly been the victim of financial abuse by his siblings. Instead of perpetuating the fighting that routinely happens among his siblings, the client decided to write a will that would help stop the family feuds, while keeping his land interests intact. Without a will the land would have been split into tiny fractions and given to over 30 individuals in his family.
- NJP's Spokane office assisted a disabled Native American man in drafting his last will and testament. The client was due to have major surgery in less than one week and did not know how to prepare a will that would include his Indian trust land interests and Individual Indian Money account interests. NJP drafted his will to include his Indian interests in time for him to have it completed before his operation.

FARM WORKER UNIT - STATEWIDE (FWU)

Consumer

- NJP's Wenatchee FWU in collaboration with local pro bono attorneys obtained a default judgment on behalf of an elderly disabled Hispanic farm worker. The client had provided a substantial portion of his life savings (\$26,500) to a nephew who had promised to make him an equal partner in the purchase of a one acre parcel which included a mobile home. Upon receiving the client's funds, the nephew purchased the property but did not identify his uncle as a half owner of the property as promised. In addition, the nephew had promised his uncle that he could live with him in the mobile home. Instead, another nephew discovered that his uncle was forced to sleep in a utility closet in the mobile

home, and was frequently locked inside the room. Upon learning of his uncle's abuse, the second nephew invited his frail uncle to live in his home and assisted him in contacting legal services. NJP and the pro bono attorneys then worked together to secure the client's interest in the property by filing an action in the Superior Court. Although the abusive nephew was served with the summons and complaint, he failed an answer and the judge entered a default judgment, ordering that there be a sale by partition and that the proceeds be divided between the parties. The pro bono law firm and NJP are currently working on the sale of the property with the referee appointed by the court.

- NJP's Wenatchee FWU filed a complaint on behalf of a retired farm worker couple who purchased a mobile home from the owner of the mobile home park where the home was located. With assistance from their adult children, the elderly couple provided a few accelerated payments and paid the entire contract amount to the mobile home park owner. Upon paying the full contract price, the couple asked the owner to provide them the title to the mobile home. When the owner refused, the couple contacted NJP for legal assistance. Upon investigating the couple's case, NJP discovered that the park owner was not the legal or registered owner of the home. In addition, the park owner had also sold homes to other mobile home park residents and that in those cases as well he failed to deliver the title to the home purchasers. NJP is awaiting a response from the park owner to the complaint.

Economic Security (Employment)

- NJP's FWU successfully assisted a migrant family of four from Texas who came to Washington State for the asparagus season to recover unpaid wages. The family had been coming to Washington State since the early 1960's without any problems. However, this year the family worked for an asparagus grower who failed to pay them minimum wage for their work. The family did not know what to do, and they were about to leave for another state to continue following the migrant stream. After hearing a FWU advocate speaking on a Spanish language radio program, the family called NJP. Each family member was owed over \$500. NJP sent the grower a demand letter, and the grower agreed to pay the family right before they left Washington State.
- NJP's FWU successfully assisted a second farm worker family who had been paid less than the minimum wage to collect their wages. The family from the Tri Cities area had worked cutting asparagus. They had earned less than the minimum wage at the per pound contract wage, and the employer had failed to make up the difference as required by law. After receiving a demand letter from NJP, the grower agreed to pay all of the wages that were owed to the family.

NJP'S CONTRACT ATTORNEY PROGRAM (CAP)

- An NJP CAP attorney is helping a young Benton County mother of two divorce her abusive husband. The client and her husband were married in Florida, where she suffered several years of domestic violence. She received a life-long protection order against her husband after he broke into her apartment one night and beat her up in front of their children. At one point in Florida, the husband, who was discharged from the Air Force because of his abusive behavior toward the client, disappeared and the client was forced to put her children into foster care while she sought treatment for cancer. She was able to regain custody and moved to Washington. Her husband reappeared in Washington and threatened to take the children from her.
- An NJP CAP attorney helped a disabled Clallam County man stay in public housing. The client suffers from bipolar mood disorder, arthritis and pulmonary fibrosis for which he is on oxygen. The Clallam Housing Authority served the client with a notice to terminate, claiming that he was threatening and harassing his neighbors. The client claimed that he was really being evicted because he had questioned why the tenant's council spent \$1,650 on a computer. He also felt that the council president, who was his ex-girlfriend, was retaliating against him because he broke up with her. Although the housing authority made a number of vague accusations in their notice, they did not state with any specificity what the client had actually done.
- An NJP CAP attorney is helping a Jefferson County client with three children avoid losing her home in a foreclosure. The client built her home with the help of a USDA subsidized loan. When the USDA decided to foreclose on her home, they did not accurately credit the client for all her payments, and refused to acknowledge that they had granted her a deferment on her mortgage payments. The USDA claimed that she owed some \$7,000. The CAP attorney filed an action to restrain the sale. The USDA removed the case to Federal Court in Pierce County where a Kitsap County CAP attorney associated with the Jefferson County attorney and appeared in the case. The case is pending in Federal Court.
- An NJP CAP attorney represents a young Kitsap County father of two children obtain custody in order to protect the children from their abusive mother. The client received a telephone call approximately one year ago from a sheriff in Alabama who told the client to come pick up his children because they had been abandoned by their mother. The mother was subsequently charged with criminal child neglect. Previously one of the children, who is autistic, was found by himself two miles away from the mother's home. Following the incidents in Alabama the mother moved to Washington to avoid outstanding criminal warrants.
- An NJP CAP attorney in Kitsap County represents an eight year old child appeal his SSI termination. The Social Security Administration terminated the child's benefits because his leukemia was in remission. Unfortunately, he was not cured, and continued to receive large amounts of medical care. He had blood work done every month and had to have special tutors because his eyesight had deteriorated due to chemotherapy to the point that he could barely read.

- An NJP CAP attorney is helping an elderly disabled Whitman County woman avoid eviction from her home. The client had her daughter come live with her to help her deal with a condition which causes her to choke periodically. The daughter brought her dog with her. The client did not notify the landlord about either the daughter or the dog living with her because she didn't understand the need to do so. After the landlord objected, the daughter moved out with her dog. The landlord then gave the client a 20 day notice to vacate, claiming that she was a month to month tenant. The client, however, had never waived her right to a one-year lease under the Mobile Home Landlord Tenant Act. Despite this, the landlord sued the client for unlawful detainer.

COORDINATED LEGAL EDUCATION, ADVICE AND REFERRAL **(CLEAR)**

Consumer

- NJP's CLEAR program helped a woman obtain release of wrongfully garnished funds. The client's bank account was garnished to pay a judgment obtained against the client. She filed an exemption from garnishment because the funds in the account were solely exempt TANF and SSI benefits. The creditor failed to release the writ of garnishment or obtain a court order releasing the writ within seven days of receiving notice of the exemption, as required by statute. CLEAR contacted the creditor's attorney, who agreed to obtain the required court order and to pay the client \$50 as required by the statute for the creditor's failure to timely release the writ.
- NJP's CLEAR*Sr helped a Clark County senior respond to a bill for satellite television services that had been sent to collection. The client had agreed to the installation of a satellite dish when a salesman came to his home. The client had then terminated service one day later when the products that were installed were not the products that were promised. However, the satellite service company debited the client's bank account without his consent and, despite assurances from the company president that there would be no further billing, a large bill was sent to a collection agency. After the CLEAR*Sr attorney contacted the company, it agreed to drop all charges and apologized for the illegal behavior of its employees.

Family Stability, Safety and Security

- NJP's CLEAR helped a man obtain dismissal of a dissolution action that was incorrectly filed in Washington State. The Petitioner filed for dissolution in Cowlitz County even though the client and his family had resided in Washington for only a brief period. CLEAR drafted pleadings to dismiss the Petition for lack of subject matter jurisdiction under the UCCJEA for the client to present to the court pro se. Based on the client's motion, the judge dismissed the petition.
- NJP's CLEAR assisted a mother to initiate a proceeding to rebut the presumed and acknowledged paternity of her child. The mother had a pending dependency action and was represented in that action by a public defender. The public defender advised the

client to disestablish paternity with the presumed and acknowledged father when it was determined that he was likely not the father of the child. Once CLEAR drafted pleadings for the client to use pro se, the public defender agreed to assist the client further in court.

Health Care and Access to Care

- NJP's CLEAR helped a monolingual Spanish-speaking woman reinstate Medicaid coverage for her children after the Department of Social and Health Services (DSHS) terminated it on the grounds that the woman's income was too high. The woman earned 70% of the federal poverty level. CLEAR assisted the woman in requesting a fair hearing and in completing an eligibility review form for DSHS. DSHS then rescinded its earlier decision and reinstated Medicaid coverage for the children.
- NJP's CLEAR*Sr helped a mentally ill senior understand and maximize her medical benefits. The woman's income source had changed from SSI to Social Security retirement and, as a result, the client's Medicaid benefits switched to a program that required additional documentation. Moreover, the client had not signed up for Medicare Part D or the "Extra Help" Low-Income Subsidy, which would reduce her prescription drug costs. A CLEAR*Sr advocate explained the difference between SSI-related Medicaid and the Medically Needy program, mailed an "Extra Help" application to the client and connected the client with a SHIBA volunteer to assist with the application. The client was approved for "Extra Help."
- NJP's CLEAR*Sr helped a woman maintain in home personal care services after DSHS notified her that she no longer qualified for such care. CLEAR*Sr prepared an appeal of the termination by gathering medical records and letters from the client's medical providers in support of her need for home caregivers. Prior to the date of the hearing, DSHS agreed to a reassessment. The reassessment showed that the client was in need of home care and she was awarded almost twice as many hours as had previously been terminated.
- NJP's CLEAR assisted a disabled woman who was denied Medicaid coverage of prescription medication for chronic pain. Without access to her medication the client had needed to make several emergency room visits. CLEAR contacted DSHS to determine the exact reasons for the denial. The advocate then worked with the client to establish the need for the client's prescription. DSHS then approved coverage for the client's prescription without a hearing.

Preservation of Housing

- NJP's CLEAR*Sr helped a monolingual Vietnamese senior retain his tenancy in subsidized housing. The client and his wife lived on SSI of \$603 per month and were unable to pay anything toward a damage claim. Failure to pay the claim caused a risk of jeopardizing the client's future subsidized housing yet the client disputed the claim. The Seattle Housing Authority had not followed the proper check-in/check-out procedures and was therefore unable to document whether the damage to the apartment was caused by the client or the previous tenant. SHA agreed to waive the damage claim.

- NJP's CLEAR helped a disabled woman get her housing payments transferred from the Bellingham Housing Authority (BHA) to USDA Rural Development when the BHA misplaced the client's notice of intent to vacate, thereby continuing to charge the client rent. In addition, the advocate negotiated for a pet deposit waiver as a reasonable accommodation because the client's pets were emotional support animals. The advocate also helped to smooth out several misunderstandings with the new property management and as a result all outstanding issues between the parties have been resolved.
- CLEAR helped a woman retain a subsidized housing tenancy. The client was living at a complex owned by the Pierce County Housing Authority under a one-year lease. Although the client paid her rent on time, the new manager at the complex claimed that the rent was always late. The client received a three-day notice to pay rent or vacate in May. CLEAR contacted the Housing Authority and the caseworker agreed to waive the three-day notice and late fees for the client.
- NJP's CLEAR*Sr helped a disabled Snohomish County senior keep her Section 8 rental subsidy while moving to a unit without stairs. The woman was no longer able to climb the stairs to her apartment, but still had several months left on her lease. The apartment complex manager told the client that she would not be allowed to cancel the remaining months of her lease. The client didn't want to break her lease as she knew that she might lose her Section 8 rental subsidy voucher. CLEAR*Sr obtained a letter from the client's doctor and requested that the client be permitted to terminate the lease due to her medical necessity. The manager agreed to allow the client to terminate her lease when she had found another apartment.
- CLEAR*Sr helped a homeless senior obtain subsidized housing after her initial application was turned down on the grounds that a criminal history background check showed a felony conviction. CLEAR*Sr worked with the Washington State Patrol to prove that the felony conviction was on the client's record in error. Thereafter the client's application for housing was approved.
- NJP's CLEAR helped a woman avert a physical eviction of which she had received no notice. The client called CLEAR after finding a Writ of Restitution posted on her door, notifying her that the sheriff would forcibly evict her from her apartment the next day. She had not been served with the Unlawful Detainer action and thus did not know that there was an eviction proceeding pending against her. CLEAR provided a form motion to vacate the judgment and stay the writ of restitution, and instructions on how to fill out the motion. The same day the client filled out the forms, notified her landlord of her motion, went to court, and received a stay of the writ pending a further hearing.

CLIENT & COMMUNITY EDUCATION AND CAPACITY BUILDING

BELLINGHAM

- A CLEAR attorney and the Senior Attorney for NJP's Bellingham office gave a presentation on NJP services available to a San Juan County bar association meeting and to a meeting of local social service providers. Discussion included ways to tie local informal volunteer efforts into existing Alliance for Equal Justice programs.
- An NJP Bellingham office attorney presented two trainings for regional Employment Security and WorkSource staff on the rights of disabled persons to confidentiality about their conditions in the context of state-funded employability and job search services.
- An NJP Bellingham office attorney presented information on employment law and background checks to students at Whatcom Community College.
- NJP Bellingham and Yakima office advocates participated in outreach to farm worker labor camps in Skagit and Whatcom counties. Over a two day period, the advocates visited over a dozen sites of farm worker housing and provided hundreds of workers with information on their employment rights.

EVERETT

- An NJP Everett office attorney produced training for Area Agency on Aging staff in Poulsbo. Participants included case management and program staff throughout the state. The training provided updates regarding law changes affecting senior clients' access to health care and long term care benefits and information about the legal services available for cases, training, and technical support.

FARM WORKER UNIT (FWU)

- NJP's FWU published its first edition of "El Faro Legal" (the Legal Beacon), a Spanish language newspaper for farm workers about their legal rights and responsibilities and how to access services. The publication targets a low literacy level reader, contains many pictures, easy-to-understand examples illustrating farm worker's rights and stories in a "novella" style targeting women readers on topics such as domestic violence, sexual assault, and immigration status rights for victims of domestic violence. The newspaper provides basic information and resources relating to public benefits, pesticides, wage and hour issues, drivers' licenses, H-2A, and housing matters. The newspaper is distributed primarily on outreach to geographically isolated labor camps and to places frequented by farm workers such as Laundromats and farm worker clinics.
- NJP's Wenatchee office made a presentation to the St. Joseph's Catholic Church *Just Faith* group on Access to Justice: Representation of Low Income Residents in our Communities and affordable housing issues, including a discussion of a proposed closure of a local mobile home park.

- NJP’s Wenatchee FWU made a presentation on the rights of immigrant victims of trafficking at a Wenatchee Seminar on Human Trafficking at the local police station. The seminar was organized by the Washington Anti-Trafficking Response Network (WARN) to increase awareness about human trafficking and identification of its victims to social service providers, law enforcement and criminal justice agencies.
- NJP FWU advocates made several radio presentations on the *Paisano a Paisano* radio show hosted by Tony Sosa at Skagit Valley College, which is heard by thousands of farm workers living in Skagit County. NJP provided information concerning the legal rights of farm workers, including wage rights, workers’ unemployment compensation and the H-2A temporary foreign worker program.
- NJP’s Wenatchee FWU made a presentation at the Omak School District Migrant Parent Advisory Committee (PAC) meeting attended by 25 parents. NJP provided information about the legal rights of farm workers employed in packing sheds and orchards, immigrant rights, crop and orchard liens, workers compensation and hospital charity care.
- NJP’s Wenatchee FWU made a presentation to 30 participants at the Wenatchee Kiwanis Club concerning legal services in Chelan-Douglas County and about the proposed closure of an area mobile home park whose residents are predominantly low income Hispanic farm workers and their families. The owner-developer of the mobile home park has, voluntarily, proposed to build a mobile home park into which the homes could be relocated when the park is closed for a huge waterfront development.

OLYMPIA

- An NJP Olympia office attorney presented information and materials on legal resources, decision making issues, and Medicaid Long Term Care to 15 Senior Peer Counselor Volunteers in Grays Harbor County.
- An NJP Olympia office attorney helped educate 9 new volunteer mediators for the Thurston County Elder Mediation Program through the local DRC. The attorney presented and provided materials about legal resources for seniors, capacity and decision-making issues, guardianship, and financial planning around Medicaid.
- An NJP Olympia office attorney trained 12 new volunteer long term care ombudsman and related advocates for Grays Harbor and Pacific Counties on guardianship, powers of attorney, living wills, and alternative decision-making solutions, as well as legal resources for seniors.

SEATTLE/KING COUNTY

Basic Field Office

- An NJP Seattle office attorney taught for the third year in teaching Consumer Law 101 to students in the University of Washington Law School’s Poverty Law class.

- NJP's Seattle office attorneys trained social service providers and domestic violence advocates about consumer rights, focusing on rights concerning short-term high-cost loans such as payday loans, auto purchase and lending fraud, and abusive debt collection.
- As a project of the Consumer Law Task Force's Auto Fraud Subcommittee, NJP and the King County Bar Association co-sponsored an all-day CLE on Auto Fraud. Presenters included private consumer attorneys, clinic professors from Seattle University Law School, and attorneys from state and federal agencies. An attorney from NJP's Seattle office moderated the CLE and presented on consumer-related referrals and resources in King County. The CLE was well-received by attendees and resulted in the addition of 10 more volunteer attorneys willing to take pro bono auto fraud cases.
- An NJP Seattle office attorney trained domestic violence advocates on the Confidential Identity Change process which combines the Washington State sealed name change statute with a change of social security number available to domestic violence survivors.
- An NJP Seattle office attorney presented a 2-day consumer rights CLE sponsored by Gonzaga Law School in June.
- An NJP Seattle attorney made a presentation at a conference organized by the Washington State Coalition Language Access (WASCLA) in Ellensburg in June 2006.
- An NJP Seattle office attorney appeared on a Skagit Valley College Spanish language radio program and presented information on domestic violence and family law.
- An NJP Seattle office attorney gave a presentation sponsored by the King County Family Law Roundtable to domestic violence advocates about divorce and temporary relief.

CAP

- NJP's CAP Manager met with the Kitsap Volunteer Lawyer Program Coordinator in April to discuss referral priorities and deliver additional public relations materials. He is also working with the Kitsap Legal Services Board to produce a video on how pro se clients can represent themselves at DSHS fair hearings.
- In April, the CAP Manager also attended a Southeast Washington regional planning meeting which included several counties served by CAP contracted attorneys.

Refugee and Immigrant Advocacy Project (RIAP)

- NJP's RIAP attorney continues to serve on the Immigrant Families Advocacy Project (IFAP) Advisory Board. IFAP is a University of Washington Law School organization, which pairs students with pro-bono attorneys to help battered immigrants file self petitions under the Violence Against Women Act (VAWA).
- NJP's Seattle office co-chaired a statewide group to address how lack of interpreters affects access to justice for low-income immigrant women who are victims of domestic violence. The group organized a state wide conference held on June 16 that drew almost

100 participants from around the state. NJP staff put together materials and made administrative arrangements for the conference which was supported with a grant from the Legal Foundation of Washington. The conference included a presentation on working with interpreters and a presentation on cultural competence. The afternoon sessions consisted of breakout groups in courts, advocates, law enforcement and government agencies with a discussion of a sample LEP policy in each session.

- An NJP Seattle office attorney continues to coordinate a LEP Task Force to address issues of access to the courts and continues to meet with staff of the Administrator of the Courts and the judiciary to raise issues of lack of access and need for better access throughout the state. The group is working on a draft LEP Plan for Washington State that will be used to assist trial courts throughout the state in improving services.
- An NJP Seattle office attorney provided information to Washington Coalition on Medicaid Outreach (WCOMO) participants on changes to the federal Alien Emergency Medical Program.
- At the request of First Friday Forum, a group of medical assistance outreach and social workers, an NJP Seattle office attorney provided a training on fair hearings and evidence needed to show eligibility for medical programs.

SPOKANE

- NJP's Spokane office continues to work with community agencies to assure they have adequate information about clients' rights when dealing with housing issues and to develop community education presentations to help landlords and client eligible tenants form more successful working relationships with the goal of reducing the number of evictions. One attorney presents a seminar on tenant's rights and responsibilities each quarter to a class of adult students with developmental disabilities at one of the local community colleges.
- An NJP Spokane office attorney recently participated as a trainer/panel member in the Statewide Kinship Care Training, which was co-sponsored by Casey Family Programs, DSHS, and Washington State University and which was presented live by videotape to numerous sites across the state.
- NJP's Spokane office continues to work with members of the private bar and with interested property managers to provide information and training regarding the Residential Landlord Tenant Act. During this quarter, one of the Spokane office's attorneys presented a CLE on defenses to unlawful detainer and prohibited lease provisions.

TACOMA/PIERCE COUNTY

- An NJP Tacoma office attorney is an adjunct professor of poverty law at the Seattle University School of Law.

- An NJP Tacoma office attorney is serving as chair of the Predatory Lending Subcommittee of the Pierce County Asset Building Coalition. Plans of the subcommittee include putting on a CLE on predatory lending and foreclosure defense, and hosting a series of community forums on various aspects of predatory lending including payday loans, refund anticipation loans, predatory mortgage loans and predatory auto loans.

VANCOUVER

- An NJP Vancouver office attorney gave a legal information presentation to non-parental custodians of children participating in a “Parenting the Second Time Around” class sponsored by the Children’s Home Society.
- NJP’s Vancouver office is working with a community service group in Woodland, Washington to provide greater access to legal services in rural Clark and Cowlitz Counties. NJP will begin conducting clinic hours in July and plans to maintain a regular presence at the center.

WALLA WALLA

- NJP’s Walla Walla office staff gave a presentation about the new state Plan for the Delivery of Civil Legal Aid to the advisory board of the Walla Walla County Pro Bono Program.
- NJP’s Walla Walla office staff gave a presentation about NJP and the State Plan at the monthly meeting of the Benton & Franklin County Superior Court Judges’ meeting.

WENATCHEE

- NJP’s Wenatchee office participated in outreach to farm worker labor camps in Chelan and Douglas counties along with an NJP Yakima office advocate. The state-funded Douglas County camp houses roughly 300 farm workers. The state funded Chelan County camp houses roughly 350 farm workers. Workers were provided with information on their employment rights and other community resource information.
- An NJP Wenatchee office advocate spoke on the Paisano-a-Paisano radio program on how victims of domestic violence can become legal permanent residents of the United States under the Violence Against Women Act and the “U Visa” program.

NETWORKING AND DEVELOPING COMMUNITY CONTACTS AND RESOURCES

- Two advocates in NJP's Bellingham office participated with other members of the Whatcom County Homeless/Disability Advocacy Project in a meeting with staff of the DSHS Division of Disability Determination Services (DDS) to learn in detail about DDS' evaluation process. Participants in the meeting also discussed ways the Project members can assist homeless SSI applicants to develop strong medical documentation and work with DDS evaluators to improve applications.
- An attorney in NJP's Bellingham office began participating in two state-mandated civil justice planning groups coordinating Whatcom County services for persons impacted by domestic violence. One, a Coordinated Judicial Response work group, involves judges and administrative representatives of Superior, District and municipal courts, and law enforcement officials who are developing ways in which their various agencies can act consistently and effectively to promote safety and accountability in handling domestic violence situations. The other, the Child Protective Services – Domestic Violence work group, is an effort to establish community-wide protocols for responding to child abuse and neglect concerns in domestic violence situations in ways that support children and non-abusive parents.
- An NJP Everett office attorney participates in a Snohomish County group addressing implementation of Medicare Part D. The group produced community education materials to assist clients with enrollment choices, to train case managers and advocates on implementation issues, and to clarify and resolve enrollment and access problems.
- An NJP Olympia office attorney serves on the statewide Economic Services Advisory Council. The Council meets monthly to review DSHS policy around public assistance programs and provide feedback to DSHS about the impact on clients of current or proposed policies.
- An NJP Olympia office attorney serves on the board of the Lewis-Mason-Thurston Long Term Care Ombudsman Advisory Council, which generates referrals and consultations from volunteer ombudsmen regarding the rights of residents in long term care facilities.
- An NJP Olympia office attorney continues her long-time service as a board member for Lewis County Bar Legal Aid.
- An NJP Olympia office attorney serves on two DSHS-based policy committees. One committee is drafting the policy to implement laws regarding WorkFirst participation; the other is revamping DSHS' system to identify and serve clients with special physical, cognitive, or mental health needs.
- An NJP Olympia office attorney serves on the Board of Directors for the Thurston County Volunteer Legal Services program.

- An NJP Olympia office attorney had been asked to participate in a workgroup led by state Senator Hargrove. The workgroup will review the dissolution and separation statutes with particular focus on the visitation provisions.
- An NJP Seattle office attorney continues to participate in meetings with the DSHS Regional Administrator for the Economic Services Division. The purposes of the meetings are to alert the administrator to common problems experienced by benefit recipients and to collaborate on improving DSHS's services.
- An NJP Seattle office attorney continues to participate on the Steering Committee of the Seattle/King County Coalition for Responsible Lending.
- An NJP Seattle attorney participated in ongoing work by the King County Superior Court's UFC Committee on Language Issues to explore the need for translations of family law documents into languages other than English and will make its recommendations later in the year.
- An NJP Seattle office attorney participated in Fremont Public Association's Community Forum on Predatory Lending which took place at New Hope Baptist Church in Seattle. The forum brought together advocates, community members and experts to discuss predatory lending in the mortgage industry as well as the payday lending industry.
- NJP's Seattle office participates in the Medicaid Assistance Advisory Committee (MAAC), which includes members from the advocacy community, individuals who receive public benefits, medical providers and other health professionals, and representatives from the Health and Recovery Services Administration (HRSA), to discuss health and medical care service issues for Medicaid recipients.
- NJP's Seattle office continues to participate in the DSHS Plain Talk in ACES Letters project, specifically, notices for long-term care issues. The purpose of the project is to modify existing letters and notices to ensure that the clients can understand the content and purpose of the letters, and to ensure that the notices contain all of the information necessary to inform the client of actions taken or required for different benefits programs.
- An NJP Seattle office attorney participates in the Washington State Bar Foundation's Loan Repayment Assistance Program (LRAP) Advisory Committee, which has developed a new LRAP for public interest attorneys across the state.
- NJP's Seattle office Senior Attorney has continued to coordinate the King County Regional Planning meetings. The group has continued to work on developing a proposal for coordinated intake and referral within King County, the only region not currently served by the statewide CLEAR hotline.
- An NJP Seattle office attorney continues to work with the NWIRP Citizenship Attorneys to meet with DSHS and SSA staff to address the ongoing termination of immigrants from SSI due to the expiration of their seven years of refugee status. The attorney also

continues to work with a national USCIS Disability Work Group to address the accommodation of disabled immigrants (including exemption from English and civics due to medical impairments) in the citizenship process.

- An NJP Seattle office attorney continues to work with advocates and agency staff from around the state to improve legal services to victims of trafficking in Washington State. She is a member of the Washington Advisory Committee on Trafficking (WASHACT) and the Rescue and Restore campaign to work on both coordination of legal resources and community education and outreach. She is working with the group to put together some training materials on interpreting and cultural competence along with a system for coordinating services in order to increase efficiency on trafficking cases which often involve a number of different agencies along with civil and criminal defense counsel.
- NJP Spokane office attorneys respectively serve on the Northeast Washington Legal Aid Program's (NWLAP) advisory board, and on the Whitman County Legal Services Advisory Board.
- NJP's Spokane office attorneys serve on the Spokane County Bar Association Volunteer Lawyers Program Advisory Board.
- NJP's Spokane office attorneys serve as members of the Spokane County Family Court Improvement Project. This project has the goal of reformatting how the Superior Court approaches the prosecution of family law cases. Strategies under development include a unified family court; assignment of family law cases to individual court commissioners; longer court rotation periods, providing further stability in family law cases; revamping family law dockets including development of a pro-se docket and an audio-visual program to be available for use by all family law litigants.
- An NJP Tacoma office attorney serves on the Board of a Pierce County not-for-profit social service agency that operates five group homes, day programs and a farm and garden work program for developmentally disabled adults.
- An NJP Vancouver office attorney participates on the WSBA Committee for Diversity.
- An NJP Vancouver office attorney participates in monthly Professionals in Aging meetings and will begin participating in a Vulnerable Adult Task Force in Vancouver.
- As chair of the Clark County Community Action Advisory Board (CAAB), an NJP Vancouver office attorney participated in the county task force which this quarter completed the 10-year plan for ending homelessness under the Homelessness Housing and Assistance Act. The county's plan prioritized spending among the various homeless populations and strategies recognized under the Act. In June, the CAAB considered application proposals from community service providers and recommended to county officials the allocation among these of about \$1 million in funds anticipated to be available for July 2006 through December 2007.

- An NJP Vancouver office attorney serves as Treasurer of the Board of Directors of the Clark County Volunteer Lawyers Program (CCVLP).
- An NJP Vancouver office attorney serves as a Board Advisor to the Cowlitz-Wahkiakum Legal Aid Program.
- NJP's Walla Walla office staff is helping organize regional planning processes in Region 8 and Region 4.
- NJP's Wenatchee office staff serve on a variety of community boards, including the Wenatchee Community Center, Community Foundation of North Central Washington, Chelan-Douglas County Volunteer Attorney Services, Charity Golf Classic for Kids, North Central Washington Hispanic Chamber of Commerce, and United Way.