

Northwest Justice Project

Advocacy Report Second Quarter, 2007



*NORTHWEST JUSTICE PROJECT
401 2ND Avenue South, Suite 407
Seattle, WA 98104
(206) 464-1519*



**NORTHWEST JUSTICE PROJECT
2007 SECOND QUARTER ADVOCACY REPORT
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INTRODUCTION

During the second quarter of 2007, NJP's CLEAR hotline system answered 6,745 calls resulting in 4,868 new clients or cases.

These may seem like startling statistics--and they are when we consider that less than 20 percent of these callers will receive the extent of legal services they ideally need to resolve a critical legal problem. Some of these callers were provided limited scope brief services from a qualified advocate who helped diagnose the legal problem, provided advice and legal information, or perhaps assisted with preparing a pleading to be filed *pro se* or by contacting a third party, such as a landlord or creditor. Most were either referred to a volunteer lawyer program for some possible limited additional assistance or advised on how best to proceed to resolve the problem on their own, armed solely with advice and a legal informational pamphlet or packet of user-friendly forms, in the hope that this will be enough. And for many, it is.

For many others, however, limited assistance such as this will not overcome the complexities of the judicial or administrative dispute resolution systems, particularly for those who have limited education, have disabilities, are not English proficient or experience cultural barriers, or simply lack the confidence or wherewithal to fight a legal battle on their own. NJP's field offices and Contract Attorney Program are able to meet only some of the most critical legal needs of these individuals.

This report provides examples of how the public investment in civil legal aid significantly helped those who *were* able to be served during the second quarter of 2007. Among those are a grandmother who needed to protect her two year old grandchild from an abusive situation after her daughter, the child's mother, was tragically killed in a car accident; another grandmother who's court action to obtain legal custody of her two young grandchildren in the face of the father's imprisonment and the mother's neglect, was nearly dismissed due to her inability to follow the court procedure; an elderly disabled man who was defrauded by his live in caregiver; and, a tenant with a serious mobility impairment who needed an accessible parking space at her apartment complex. NJP's work for these clients made a critical difference to them and their loved ones.

In addition to the cases presented, NJP's robust community education and capacity building activities undertaken in conjunction with our local, regional and statewide partners, also go a long way toward meeting the civil legal needs of Washington's low income communities. These cases and activities provide a snapshot of the work carried out on a daily basis throughout the state to ensure that access to justice is available for all.

OVERVIEW OF GENERAL SERVICE DELIVERY

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

- NJP's Bellingham office has 4 attorneys, 1 paralegal and 2 legal assistants. During this quarter, the office helped create new resources to assist Whatcom County domestic violence victims; participated in a local planning conference to improve access to affordable health care; initiated a monthly legal clinic on the Swinomish reservation; and coordinated comprehensive civil legal aid planning among all regional partners in Whatcom, Skagit, Island, and San Juan Counties.

CLEAR and NJP Web Site

- CLEAR is the statewide centralized intake and referral system for the Alliance for Equal Justice. In addition to the general CLEAR system, NJP has three targeted CLEAR programs with highly specialized expertise, including CLEAR*Sr for persons 60 and over; CLEAR DV for victims of domestic violence and their advocates; and, CLEAR Native American for Indian persons throughout the state. CLEAR's capacity includes several lawyers who are bilingual in Spanish and who are able to assist monolingual Spanish speaking persons in need of civil legal help. In the second quarter of 2007 CLEAR handled 6,745 calls resulting in 4,868 new clients or cases, and the Washington LawHelp web site experienced 98,175 visitor sessions and 440,973 page views.

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 for clients with legal needs in eleven counties (Asotin, Benton, Clallam, Columbia, Franklin, Garfield, Grays Harbor, Jefferson, Kitsap, Walla Walla, and Whitman). CAP refers cases to private attorneys who agree to take cases at highly discounted hourly rates and are supported by CAP staff as needed, including ongoing consultation and assistance. The case-type priorities of CAP are similar to those of other legal services offices across the state and include but are not limited to public benefits, consumer law, housing and family law.

Everett (Snohomish, Island Counties)

- During the second quarter of 2007 NJP's Everett office continued to expand its representation of clients to three tribal courts: Tulalip, Stillaguamish and Sauk-Suiattle. Two Everett office attorneys have passed the Tulalip Bar exam and a legal advice clinic has been started at the Tulalip reservation. The office also continues to serve clients with a wide range of civil legal problems in the areas of family law, health care, housing, consumer and public benefits.

Farm Worker Unit

- NJP's Farm Worker Unit consists of 4 attorneys and 2 community workers. One attorney is based in Wenatchee and 3 are based in Yakima. The FWU has been helping mobile

home park tenants maintain affordable housing options in the face of park closures, as well as continuing to assist workers with their employment related legal needs.

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 attorney in Spokane and one in Seattle. The NAU's targeted work is supplemented by advocates in NJP's field offices. A Statewide Native American Advocacy Coordinator leads the NAU outreach, regional planning, capacity building efforts, and is working to implement NJP's expanded Native American advocacy program.

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

- NJP's Olympia office serves the five county region of Thurston, Mason, Lewis, Grays Harbor and Pacific Counties. The office has 4 attorneys (one of whom is fully bilingual in Spanish-English), and two part-time support staff. During this quarter the Olympia office served clients dealing with family law, housing, health care, public benefits and consumer problems. The office also provides targeted representation to seniors.

Seattle (King County)

- NJP's Seattle office consists of 11 attorneys and 3.5 legal assistants and several other 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. The *King County* office has lead local regional planning pursuant to the revised *State Plan*.

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 now staffed with seven attorneys, including a full-time Native American Unit attorney, two legal assistants and a receptionist.

Tacoma (Pierce, Kitsap Counties)

- NJP's Tacoma office has seven attorneys and two paralegals who represent Pierce and Kitsap County clients in public benefits, family, housing, consumer, education, youth and

elder law and disability and civil rights cases. The office also advises and represents a wide range of community groups. The Tacoma office is co-located with Volunteer Legal Services and TeamChild, and provides legal services to indigent Western State Hospital (WSH) residents through a contract with DSHS. The office serves Kitsap County clients through a satellite office, which is co-located with Kitsap Legal Services in Bremerton. Under a contract with the Washington State Developmental Disabilities Council NJP's Tacoma office also provides legal services statewide to developmentally disabled persons in matters related to the DSHS Community Protection Program for persons with developmental disabilities.

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

- During this quarter, NJP's Vancouver office was staffed by five attorneys, and two legal assistants. 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.

Walla Walla (Benton/Franklin, Walla Walla)

- During this quarter, NJP's Walla Walla office, with a satellite office in Pasco, was staffed by three attorneys and one legal assistant. The Walla Walla office focuses on areas of family law, housing, public benefits and consumer needs, and lead regional planning in regions 3 and 4.

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

- NJP's Wenatchee office is staffed by five attorneys and three legal assistants and includes a satellite office in Omak serving Okanogan County. The office also serves as the North Central Washington component of NJP's Farm Worker Unit. Case service 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 work continues to be focused on the areas of domestic violence, economic security and housing. The office has four attorneys and a Jesuit Volunteer, who assists in interviewing, research and case development for clients with economic security and domestic violence problems. The office also houses three Farm Worker Unit attorneys and an FWU community worker.

CASE EXAMPLES AND OTHER SIGNIFICANT ADVOCACY EFFORTS

NJP FIELD OFFICE SERVICES*

Civil Rights/Land Use

- NJP's Tacoma office represents two City of Tacoma residents in a challenge under the Growth Management Act to the City's "special needs housing" land use ordinance. DSHS and Disability Rights WA (formerly WA Protection & Advocacy) also challenged the ordinance. All parties have now reached a settlement under which the City has agreed to amend the ordinance by removing language regulating housing based on a resident's need for supportive services, allowing location of residential chemical dependency treatment centers, and providing relief from onerous parking requirements for housing for persons with special needs. The case will be dismissed upon adoption of the amendments.

Consumer

- NJP's Tacoma office successfully defended a collection action arising out of a landlord-tenant relationship in which the landlord had assigned its claim for damages to a collection agency. The Complaint alleged a debt of \$1,841 including a \$1,259 early lease termination fee and \$582 in miscellaneous damages. In addition, because the security deposit was also forfeited as a result of alleged early termination, it was not deducted from amounts allegedly owed. Upon filing the Answer, which asserted that both the early termination fee and the forfeiture of the security deposit were unlawful penalties and not true liquidated damages, and other claims that give rise to a setoff covering the value of the alleged debt, the collection agency agreed to dismiss the Complaint.
- NJP's Tacoma office commenced a foreclosure rescue scam lawsuit seeking to quiet title and to obtain damages on behalf of two homeowners who were defrauded of legal title and a substantial amount of equity in their home. This action was commenced on the same day as the show cause hearing in an unlawful detainer action brought by the scammers against the two homeowners. The unlawful detainer action was set for trial. The scammers had convinced the two homeowners, both of whom are disabled and almost completely illiterate, and who were desperate to prevent the foreclosure of their home, to sign a statutory warranty deed transferring title and a lease with an option to buy back the property under terms making it impossible for the option to be exercised. The scammer obtained legal title for less than half of the fair market value of the home and promptly refinanced, stripping \$50,000 of the equity out of the property. The two actions have been consolidated.

* For case examples from NJP's Native American Unit and Farm Worker Unit see pages 23-24 and 24-25 respectively. For case examples from the Contract Attorney Program and CLEAR see pages 25-26 and 26-29 respectively.

- NJP’s Vancouver office co-counseled a case involving an elderly quadriplegic client who had been taken advantage of by a former caregiver. The client had loaned the caregiver a significant amount of money which the caregiver promised to repay through periodic payments. Several months after the State terminated the caregiver’s contract, the caregiver ceased making payments on the loan. NJP sued the former caregiver to recover the outstanding balance of \$12,000 plus interest. The caregiver counterclaimed for over \$250,000 for unpaid wages, wrongful termination and defamation. After extensive discovery and pre-trial motions, the case went to trial. The client prevailed on virtually all claims and the caregiver’s counter-claim was dismissed. The caregiver appealed the judgment, but subsequently dismissed her appeal with prejudice.
- NJP’s Wenatchee office assisted a senior in a consumer dispute with a car dealership. The client is elderly and disabled by fibromyalgia and entered into a contract for purchase of a used pick up truck last summer. The client claimed she did not get the vehicle promised and had approached the dealer asking him to buy back the vehicle from her. The dealer had declined to take the truck back. NJP assisted the client in drafting and submitting a complaint to the Attorney General. After the car dealer got a copy of her complaint, the dealer contacted the client and offered to cancel the contract. The client was able to sell the vehicle back to the dealer and avoided continuing payments on a truck she did not want or need.
- NJP’s Wenatchee office helped a client complete a wage garnishment claim to enforce a small claims court judgment she obtained in 2004 but on which she had never received payment. The client suffered from severe post traumatic stress and anxiety disorder. She had obtained the small claims court judgment against a former housemate. Initially the client asked only for help filling out the garnishment forms. NJP later determined that due to the client’s disability and her need for privacy with regard to the defendant, it would be better if NJP handled the garnishment for her. NJP obtained payment.
- NJP’s Wenatchee satellite office in Omak organized a tax preparation site that prepared 76 tax returns to completion for 88 customers in its debut year. Six volunteers persevered through training and the whole tax season. The site obtained \$66,406 in refund money for those who filed electronically, including \$27,692 in Earned Income Credit. NJP opened the free tax preparation site by recruiting and training volunteers, recruiting trainers from Seattle, Idaho, and Walla Walla, convincing Wenatchee Valley College Omak campus to host the electronic tax prep site, and obtaining licensing to do online tax preparation. The NJP attorney and one of the volunteers appeared on a local Spanish language radio program to explain about the tax site and the earned income tax credit. Four hundred fliers were posted and distributed throughout Okanogan County. The tax site operated electronically at the college and “paper-only” at the Senior Center. The tax prep site is a free, bilingual, electronic alternative to tax preparers who sell Refund Anticipation Loans. Planning has commenced for expansion next year.

Economic Stability (Employment)

- NJP’s Tacoma office recently represented an individual in her appeal of a preliminary finding that she had neglected a vulnerable adult in her care. The Department of Social

and Health Services' Adult Protective Services made this preliminary finding based upon its caseworker's belief that the individual failed to provide appropriate medical treatment for the vulnerable adult's shoulder pain. However, unrefuted evidence demonstrated: (1) that the client was exceptionally attentive to the alleged victim's needs; (2) that the alleged victim suffered from a chronic, degenerative bone condition for which she was receiving appropriate medical treatment; (3) that the allegedly untreated "injury" to the victim's shoulder was merely the result of this on-going condition; and (4) that, in the particular instance at issue, the alleged victim had adamantly denied any need for further medical treatment. After a full-day hearing on the merits, the ALJ reversed the preliminary finding of neglect. DSHS did not appeal. As a result of this favorable decision, the client preserved her ability to work in her chosen field of employment.

- NJP's Tacoma office advised a Western State Hospital patient on issues arising from the hospital's plan to revise its patient work programs. The plan involved reducing patient worker wages from the state minimum wage to the much lower federal minimum wage, or perhaps even to some lower than minimum "therapeutic" or "training" wage. In researching the issue, NJP learned that Washington's minimum wage and hour laws contained an explicit exemption for work performed by prison inmates or hospital patients, but that the parallel federal labor laws did not contain such an exemption. At least one federal court case had concluded that work done by patients in jobs such as laundry, cafeteria or grounds positions did not qualify as therapeutic or training and was covered by the federal minimum wage. The hospital's plan has since been implemented consistent with this legal framework.

Economic Stability (Public Benefits)

- NJP's Bellingham office represented a 30-year old man with a seizure disorder in a fair hearing challenging DSHS' denial of his application for General Assistance (GA) cash and medical benefits. The client has a history of both grand mal and petit mal seizures and has not been able to afford the medical care and medications necessary to control them. DSHS' position was that because the client's seizures could be controlled with medication, his condition was not severe enough to establish that he was incapacitated and thus eligible for GA. The ALJ found that DSHS could not reduce the severity rating on the basis that the client's medical condition is controllable by medication when the client cannot afford the medication. His GA benefits were restored retroactive to the date DSHS received but misinterpreted the medical evidence. Following his favorable hearing decision, the client immediately sought and began medical treatment to bring his seizures under control so he will be able to work.
- NJP's Everett office assisted a senior receiving low Social Security retirement payments who was granted food assistance but denied SSI cash assistance and medical benefits. Although his income was far below the income standards for these assistance programs, DSHS believed he did not qualify because he owned land in a foreign country where the government had forcibly resettled his family many years ago. Several destitute extended family members continue to live there. NJP recommended options for him to become eligible for assistance he needs and then helped him complete the required actions.

- NJP’s Olympia office received a favorable decision from the State Supreme Court that the “shared living rule” is illegal. This rule applies to over 10,000 elderly and disabled Washingtonians who receive personal care services to help with things like dressing, bathing, cooking, etc. The rule requires that the amount of personal care they receive be cut by 15% when they live in the same home as their caregiver. The state cuts these hours even when a client’s needs are not met by his or her shared living situation. This quarter, the Washington State Supreme Court agreed that the “shared living rule” violates federal Medicaid comparability law. The Court instructed DSHS to perform individual assessment of shared living clients’ needs as DSHS does for personal care clients who do not live with their caregivers. NJP is now working with DSHS to implement the Court’s decision.
- NJP’s Tacoma office represented a limited English proficient Cambodian client who was terminated from General Assistance cash and medical benefits for failing to provide adequate medical evidence of her continuing incapacity from employment. The client contacted NJP several weeks after her benefits had terminated, and the 10 day deadline to appeal and receive continued benefits pending the appeal had lapsed. NJP requested a hearing on the client’s behalf and was successful in getting the client’s benefits reinstated pending the hearing due to the inadequacy of the termination notice that had been sent to the client. NJP then assisted the client in obtaining additional medical evidence ultimately resulting in a reinstatement of her benefits with no lapse in coverage.
- NJP’s Walla Walla office assisted a client with reinstatement of GAU benefits. The client had received a termination notice indicating he was no longer medically eligible for GAU. NJP reviewed the client’s extensive medical evaluations and prior work history, and then requested a meeting with DSHS about the case. DSHS agreed that the termination was in error, and immediately reinstated the client’s benefits.
- NJP’s Wenatchee office is assisting a developmentally disabled senior charged with a food assistant program overpayment. When the Department of Social and Health Services (DSHS) changed the client’s case worker, the new case worker incorrectly calculated the client’s rent and utility payments. Because of the client’s disability, he has been unable to communicate effectively with DSHS. The client’s care provider came to NJP after the new case worker would not believe the care giver’s representation as to the amount of rent and utilities the client is paying.

Education

- NJP’s Seattle office represents a student with multiple disabilities who has been denied a free, appropriate education. The school district failed to provide an appropriate aide who could communicate with the student, and the student remained out of school for almost 7 months. The parties have been in settlement discussions regarding ongoing services and compensatory education.
- NJP’s Tacoma office assisted a high school freshman with special education needs who had been emergency expelled from school after posting inappropriate pictures on his MySpace page. The client had been out of school for months and had received none of

the special education services the school was obligated to provide under the Individuals with Disabilities Education Act (IDEA). NJP negotiated with the school district to have the student readmitted to the general education curriculum and receive compensatory education services to make up for the improper denial of his rights under the IDEA.

- NJP's Tacoma office represented a profoundly disabled autistic elementary school student who was suspended from school for throwing tantrums in class. The student had previously received a broad range of special education services which had been successful in managing his behavior in Puerto Rico and New York, but when his family moved to the Northwest the local school district failed to implement a similar range of measures. NJP represented the student in extended negotiations which accomplished his return to school, a re-evaluation of his need for social, emotional and behavioral supports in school, and the eventual implementation of an Individual Education Plan (IEP) which specified such services for the student.
- NJP's Vancouver office helped a high school student who has Fetal Alcohol Syndrome (FAS) and his adoptive mother negotiate appropriate provisions when his Individual Education Plan (IEP) and behavioral intervention plan came up for three-year re-evaluation and annual review. The school planned to restrict his ability to take "time outs" from class claiming he was "choosing" not to participate. The extra time he needed to complete assignments and the unavailability at home of some tools and materials that he needed were causing him to fall behind to the point that he was at risk of not completing credits. The mother, NJP, and a consulting psychologist presented evidence that the student's performance was not simply his free choice, as FAS limits his ability to sustain the work pace and cope with daily challenges. New plans were negotiated that included training his teachers about FAS, making and sending home more frequent interim progress reports, clarifying the expectations and protocol for his taking "time outs," and making some software from his computer animation class available at home. The student shows potential for a career in animation and NJP will continue working with the family as his senior year begins.
- NJP's Yakima office successfully appealed an expulsion on behalf of a Latino student who was expelled for saying "ouch." The District had strictly construed progressive discipline resulting in punishment that was disproportionate with the behavior. The student immediately returned to school after the hearing.

Family Stability, Safety & Security

- NJP's Bellingham office represented a woman who was seeking an Order of Protection for her four year old daughter. The child made statements to her mother which indicated that she had been molested by her father, the client's ex-husband. The mother contacted CPS and the police and obtained a temporary Sexual Assault Protection Order on her daughter's behalf. NJP agreed to represent the client at the hearing on the Order of Protection. The court granted NJP's motion to convert the proceeding from a Petition for a Sexual Assault Protection Order to a Petition for a Domestic Violence Protection Order. NJP subpoenaed the CPS investigator who testified that, based on her interview with the child, she did not believe the child was coached. The court granted the client a six month

Order of Protection to allow sufficient time for the police to complete their investigation and ordered that all visitation by the father be under supervision.

- NJP's Bellingham office represented a woman who had obtained an Order of Protection against her husband on behalf of her teenage daughter (his step-daughter). The client alleged that the husband had engaged in extremely inappropriate behavior with her daughter and was concerned that he would transfer this inappropriate attention to their shared young daughter. The court entered an Order of Protection and the husband filed for dissolution. NJP represented the client at a hearing on a Motion for Temporary Orders where the judge ordered that the husband should have no contact with his step-children, and prohibited overnight visits with his biological daughter. NJP sought and obtained an advance on the community property division so the client would have the finances to hire a private attorney to represent her in the dissolution. NJP withdrew after the client retained a private attorney with the funds advanced from the community property.
- NJP's Everett office represents a client with disabilities who is a victim of domestic violence in a modification action where the client received only minimal supervised visitation based on allegations stemming from her former batterer. NJP successfully negotiated a final agreed parenting plan that allowed the client immediate unsupervised and liberal visitation with her three children. NJP was also successful in negotiating a final child support order that reduced the client's monthly transfer payment to \$42 per child from \$126.65 per month.
- NJP's Everett office represented a single mother of five minor children who was a domestic violence victim in responding to a contempt motion and filing an action to modify her parenting plan. The client was faced with a contempt action filed by her former batterer, her children's father, after she denied him visitation pursuant to a CPS "contract" not to allow visits until investigations were completed. The court refused to find the client in contempt and subsequently modified the parenting plan to allow for only supervised visitation by the father for 2 hours a week or less.
- NJP's Everett office represented a non-English speaking domestic violence victim in a dissolution. After assaulting the client the estranged husband left the home and has refused to maintain mortgage payments and pay child support. NJP obtained temporary orders that gave the client temporary custody, continued use of a family vehicle, continued residence in the family home with the child, and provided for child support.
- NJP's Everett office represented a mother in a parenting plan modification action where the father had a lengthy criminal history due to drugs and alcohol, and domestic violence. The client was faced with losing custody after she voluntarily asked the father to allow the child to stay temporarily with him until she was well following a health emergency. Once the client fully recuperated from her illness, the father refused to give the child back to the client. NJP obtained the court ordered return of the child to the mother.
- NJP's Everett office represented a young mother in Sauk-Suiattle Tribal Court who was in danger of losing custody of her 3 year old child due to a CPS complaint. The tribal social worker had removed the child from his grandmother's care and placed the child in

a tribal foster home, alleging that the child was abandoned and the relationship between the client and grandmother was unstable. NJP demonstrated that in accordance with tribal custom and culture, the client had secured a stable home for her child with his grandmother while she sought stability. Though there were occasional upsets in their relationship, the client affirmed her decision to place her child with his grandmother. The Tribal Court dismissed the case and extended tribal services to assist the client and her mother in caring for the child.

- NJP's Olympia office represented a young Grays Harbor woman to file for divorce from her husband after he became very abusive. He threw objects at the client, punched holes in the walls, threatened to kill her and pointed a gun at his own head. He also was emotionally abusive with his children by holding them upside down over a bridge and telling one child he would chop his hands off. NJP represented the client in a trial on the residential schedule and debt distribution. The court limited the father's residential time with the children, allowing only supervised visitation, and requiring mental health counseling.
- NJP's Olympia office represented a mother from Texas who had previously lived in Grays Harbor County. The father had custody of their child. When the client came from Texas to pick up the child for a holiday visitation, the father raped the client at gunpoint. He went to prison for the crime. Immediately after he was arrested the paternal grandparents filed a third party custody action seeking primary residential placement of the child. With NJP's help the mother was able to show that the grandparents were not entitled to primary residential placement and they agreed to drop the petition. The father signed an agreement that placed the child with the client and limited his visitation rights.
- NJP's Seattle office represented a monolingual Spanish speaking grandmother in a non parental custody action that was going to be dismissed due to the grandmother's language barrier and inability to follow correct procedure pro se. The grandmother was seeking custody of her two young grandchildren because the children's father had been sent to prison and the children's mother had been abusive and neglectful. The mother was threatening to take the children out of her care. NJP represented the woman in filing an amended Petition and obtained a temporary restraining order restricting the mother to supervised visitation pending trial.
- NJP's Seattle based Domestic Violence Community Legal Project (DVCLP) successfully represented an immigrant woman from Mexico in a protection order action and in a dissolution/custody proceeding. The husband originally filed for a protection order against the wife alleging that she had abused him. He then filed for dissolution seeking immediate custody of the two younger children as well as a restraining order against the wife. NJP successfully obtained an order realigning the parties in the protection order action. NJP then represented the woman in the dissolution action, successfully obtaining temporary orders granting the woman custody and child support pending trial. Shortly before trial, the case settled and the client was granted custody and sole decision-making over the children, and child support. The husband was required to undergo perpetrator treatment, and his contact with the children was limited pending successful completion of treatment and parenting classes.

- NJP's Seattle based DVCLP successfully represented an immigrant woman from Mexico in her I-360 VAWA Self-Petition for permanent residency based on her husband's extreme physical and emotional cruelty. The client met her husband in Mexico but moved with him to Washington after their wedding. Once in this country, she found herself isolated and physically and emotionally abused by her husband. After their child was born, the client tried to return to Mexico with her family but he threatened to accuse her of kidnapping the child and forced her to return to him. Finally, he was arrested for abusing her and she was able to leave him. The court granted her an Order for Protection and the VAWA Self-Petition gave her legal immigration status.
- NJP's Spokane office represented a woman in a dissolution in Stevens County. During her long-term marriage the client suffered from serious mental health/emotional issues, and was subjected to an on-going pattern of emotional abuse by her husband. The client was incapable of working outside the home due to her disabilities. The husband had a practice of applying financial pressure on the wife. He routinely failed to make the house payments so the client was always on the verge of homelessness. The husband would also not pay the phone and other utility bills, jeopardizing her electric, water, garbage and telephone service. He also routinely failed to make the car payments on the car that she was using, and did not pay the insurance timely. NJP obtained temporary orders requiring the husband to pay all of the client's regularly-occurring bills. The case then settled without trial. As there was no equity left in the home, the client agreed to allow the husband to retain the home and associated debt, in exchange for a substantial cash settlement, retention of all the household personal property, including a car, free of any loan or lien.
- NJP's Spokane office represented a monolingual Spanish-speaking father who sought emergency and permanent placement of his daughter. The child's mother was addicted to drugs, had no stable residence, and appeared to be engaging in prostitution. As a result, the mother had abandoned the child to the maternal grandmother's home. At the maternal grandmother's home, the child was left alone many days and nights with the various men who moved in and out of the household. One of these men molested the child, but the grandmother continued to allow him to live in the house and baby-sit the child. NJP filed a petition to modify the residential schedule, along with a request for immediate emergency placement with the father. The court granted both requests.
- NJP's Tacoma office represented a client who petitioned the court on behalf of his minor child for a sexual assault protection order and to modify his parenting plan to give him sole custody of the child. A two-year sexual assault protection order was entered along with temporary orders granting the client sole custody of the child with supervised visitation for the other parent pending trial.
- NJP's Tacoma office represented a terminally ill man who petitioned the court for custody of his minor child during a dissolution action. The mother argued that the client should not be granted custody because his illness prevented him from parenting the child. She also argued that because the child is a girl she needs to be with her mother. After

much discovery and negotiation, the case settled with the client receiving sole custody with liberal visitation to the mother, and the dissolution was finalized.

- NJP's Vancouver office represented a monolingual Spanish speaking immigrant victim of domestic violence who separated from her husband after he assaulted her. Throughout the proceedings the husband unsuccessfully attempted to use the client's immigration status as leverage to take their children away from her. NJP secured favorable temporary orders for her and her children, and then negotiated a final dissolution agreement.
- NJP's Vancouver office represented another immigrant woman to negotiate agreed final dissolution orders in her settlement conference. The orders provided appropriate safeguards for the young children from the father who had been only sporadically involved in their lives.
- NJP's Walla Walla office represented a monolingual Spanish-speaking woman in a child support modification initiated by her abusive former husband. Fifteen months after the original Order of Child Support was entered, the husband sought modification which would have reduced his support obligation to less than ten percent of the original amount. The modification was denied, and the husband's child support obligation continued in the originally ordered amount.
- NJP's Wenatchee office secured an emergency, temporary order granting the client immediate custody of her children and ordering the abusive father to relinquish his weapons to the authorities. The client contacted NJP after the father threw her out of the home and denied her access to the children.
- NJP's Wenatchee office obtained a long-term protection order for a domestic violence victim who NJP represents in a parentage action. For years the client endured beatings by the putative father that included throwing her to the ground, punching her, and kicking her while she was pregnant. He also stalked the client and threatened to have her deported and keep the child. After he was served with an action to collect child support, he hired an attorney and sought custody of the child.
- NJP's Wenatchee satellite office in Omak represents a mother of two children to obtain a protection order, custody, and a dissolution. The client has a third grade education and does not speak English. During fifteen years of marriage, the husband rarely let the client leave the family's home, prevented her from attending English classes or from getting a driver's license. He would often hit her with a stick, drag her around the home by her hair, and sexually assault her. The client finally left the abusive situation with her two children after the husband encouraged the eldest son to also hit the client.
- NJP's Yakima office had been representing a victim of domestic violence in a parentage action and had successfully limited the batterer's time with the child to 2 hours per week of supervised visitation. Sadly, NJP's client was tragically killed in a car accident. NJP immediately filed a non-parental custody action on behalf of the former client's mother to have temporary custody of the child. Custody was granted to the grandmother and restrictions on the batterer's visitation are still in place.

- NJP's Yakima office represented a non-Native mother of a young girl in a custody case in tribal court. The mother was concerned about the father, a tribal member, having visitation because of a history of domestic violence, alcohol abuse and his failure to protect the child while in his care. The child was sexually abused by her father's nephew while in her father's care for summer visitation. The father reacted to the disclosure nonchalantly and took no action to report the abuse to authorities. The final order adopted the child's psychologist's recommendations to bar the father from further visitation or contact with the child pending counseling and other services.
- NJP's Yakima office represented a Native American mother of two toddlers in a custody case in tribal court. The father forcefully took the children from their mother's care. The mother, who had been the children's primary care provider their entire lives, had never been separated from her children and was unable to have any contact with them for approximately three months. The father had a history of domestic violence and drug use. Although the father initially obtained an ex parte temporary custody order, the tribal court judge granted the mother full custody of the children at trial and ordered their immediate return to her. The father was granted supervised visitation and ordered to complete a drug and alcohol evaluation, follow up on treatment recommendations and receive treatment addressing domestic violence and anger management.

Healthcare, Access and Quality of Care

- NJP's Everett office represented an elderly man who appealed a DSHS denial of coverage for a partial cast metal denture recommended by his dentist. DSHS rules restrict coverage of these dentures. NJP compiled necessary records to support a request for an exception to the rule. On the basis of the records and argument NJP submitted, DSHS granted the needed dental appliance.
- NJP's Olympia office helped a Grays Harbor senior who has several physical and developmental disabilities. DSHS paid a caregiver to come in for 65 hours every month to help with the client's care needs that her husband was no longer able to do as his own health is failing. Although the client's condition had in fact worsened, a new assessment resulted in an award of only 38 hours per month. The client and her husband knew this would not be enough, and faced the choice of moving the client to an Adult Family Home, or going without needed care. NJP worked with DSHS to provide more accurate information about the client's conditions and needs. Based on this information, DSHS reassessed the client and awarded 78 hours of subsidized in home care per month, 40 more monthly hours than their original assessment.
- NJP's Olympia office represented a woman who lost her sight suddenly to meningitis. She was granted Medicaid personal care hours to have someone care for her in her home. The hours were cut significantly by the administering agency. NJP negotiated to reinstate the higher number of hours. The increase was due in part to the Supreme Court's favorable decision in the "shared living case" that allowed the client to get hours that had been cut because she lived with her mother who is the paid care provider.

- NJP's Seattle office represented a woman who appealed DSHS's proposed reduction of her in-home care hours. The middle-aged woman, severely impaired by Down's syndrome, had been institutionalized for most of her life. For the past decade, she has been able to live in the community, with her legal guardian, with the support of in-home personal care services. DSHS's proposed reduction of these services put her at risk. NJP successfully negotiated a settlement in advance of the hearing, with DSHS agreeing to restore all of the needed care hours.
- NJP's Seattle office represented an elderly monolingual Russian-speaking couple in their effort to enforce an Administrative Law Judge's order. In 2006, an ALJ ordered DSHS to pay for six months of the personal care services that they had received, but for which the providers not yet been compensated. NJP obtained DSHS' compliance with the order, paying the couple's providers in full for the months of uncompensated care.
- NJP's Spokane office assisted a client in obtaining prescriptions from a local pharmacy. The client is eligible for both Medicare and Medicaid. The local pharmacy was wrongly charging the client the co-pay charged by her Medicare Part D provider, and refusing to fill certain prescriptions. The client now receives her prescriptions without charge.
- NJP's Spokane office was contacted by a client who was denied non-grant medical assistance (NGMA). The client was routinely diagnosed by her care providers as suffering from a personality disorder, and as a result of her violent and inappropriate behavior, she had repeatedly been fired from employment. The client's only concerns were to remain in counseling, and to be able to access her anti-depression medications. At her fair hearing the ALJ agreed that there was sufficient medical evidence to show she is unable to work and thus qualify for social security related medical care benefits.
- NJP's Vancouver office represents a morbidly obese client, who suffers from several chronic physical illnesses, Bipolar Disorder, and Attention Deficit Disorder (ADD) that was not diagnosed until age 50, in an effort to retain Medicaid coverage for the medication that her psychiatrist prescribed after careful monitoring of the client's functioning over several years. Notwithstanding her disabilities, with the medication, the client has for the past five years been able to meet the care needs of her blind and developmentally-disabled teen-aged daughter whom she adopted from India as an infant. But in early 2006, DSHS imposed a maximum dose limit on payment for this medication for all Medicaid recipients. On investigation, NJP determined that the maximum dose limit was based on research involving the medication's impact on children and adolescents, ignoring the psychiatrist's individualized explanation why a higher dosage is "medically necessary" for this client. An administrative decision is pending.
- NJP's Wenatchee office provided advice and counsel to a monolingual, Spanish-speaking, illiterate senior client. The client had lived in Washington for many years, but had been out of state for a period of about six months while living with a daughter, and had applied for and received Medicare services while out of state. When she returned to Washington, none of her medical services providers accepted her Medicare insurance coverage despite the fact that the client had been paying monthly premiums all along. NJP's investigation revealed that the source of the problem was that DSHS no longer had

the client's name correctly entered into its system. NJP helped the client provide DSHS with proof that Medicare premiums had been paid all along and to make requests to medical creditors that they put a hold on her accounts until the problem was sorted out.

Individual Rights

- NJP's Tacoma office assisted a visually impaired client in confirming his lawful immigration status in order to establish his eligibility for necessary medical assistance and other public benefits. The client was born in a refugee camp in Europe shortly following World War II and emigrated with his mother while he was still a baby. He was then removed by the state from his mother's care and placed in an orphanage and foster care settings and never again saw his mother or possessed any of her immigration documents. However, as a young man he had served in and been honorably discharged from the Armed Forces and his discharge papers contained an alien registration number. With considerable assistance from the constituent services staff of the district Congressman, US Immigration & Customs Enforcement (ICE) eventually confirmed the validity of the registration number. NJP then assisted the client in applying for replacement documentation.

Preservation of Housing & Habitability Issues

- NJP's Bellingham office represented a 19-year-old woman with a history of severe mental illness who appealed the denial of federal rental assistance. As a teenager, the client had required extended mental health care, including hospitalization, and had a juvenile court record. The housing authority found her ineligible for housing assistance due to her criminal history. However, the client had made unusual progress in her treatment in the past two years and was assessed as being ready to live independently. NJP assembled evidence of the client's successful completion of a group-living treatment program for at-risk youth, and obtained a statement from her current mental health counselor strongly endorsing her ability to be a responsible tenant. The client did an impressive job of testifying on her own behalf at her appeal hearing, after which the housing authority quickly reversed its denial and issued her a voucher for federal rental assistance. The client promptly found affordable housing and is continuing her efforts to become a productive adult.
- NJP's Bellingham office represented a 48-year-old woman referred by a domestic violence services agency when her local housing authority sought to terminate her tenancy in public housing. The housing authority based its decision on complaints of disruptive and belligerent behavior by the client and her guests and on allegations that her boyfriend was living with her without authorization. In fact, the client is successfully recovering from alcoholism through the 12-step program and was being abused and intimidated by her boyfriend over a long period. At an expedited hearing NJP established that the client had made good-faith, though unsuccessful, efforts to control her boyfriend and keep him out of the building. NJP submitted a police report confirming a serious domestic violence incident against her; a copy of a domestic violence protection order against her boyfriend; a statement by the domestic violence advocate regarding services to the client; and a log of the client's attendance at 12-step meetings. Based on the

evidence presented, the housing authority reversed its termination decision and reinstated the client's public housing tenancy.

- NJP's Everett office represented a disabled woman whose federal rental assistance eligibility was terminated by the Housing Authority (HASCO). The termination was based on her failure to complete her eligibility review forms and timely return them to HASCO. The client suffers from debilitating migraine headaches; loss of her equilibrium requiring a service dog to assist her in walking; fibromyalgia with severe pain; and hyperthyroidism which negatively impacts her memory and energy level. NJP requested the client's disabilities be accommodated by returning her assistance certificate and sending duplicate notices of its correspondence to the client's daughter. This request was granted after an informal hearing.
- NJP's Everett office assisted a senior woman who had been evicted from her home and was in danger of losing her federal rental assistance. When she contacted NJP she had been homeless for five months living at a Seattle shelter. Her housing assistance was threatened because she owed back rent to her former landlord and could not obtain new housing. Her possessions were about to be sold. NJP persuaded the Housing Authority to give her additional time to pay the back rent owing to her landlord, and helped her secure funds through a private charity thereby preserving her voucher. NJP also worked with the landlord's attorney to arrange payment of the storage fees and release of her possessions.
- NJP's Olympia office helped a single mother and her disabled son. The mobile home park they lived in increased their water bill by hundreds of dollars per month, including one month with a water charge of over \$300. The client had her home checked for leaks, but none were found. Although she knew the charges were wrong, the client paid them because the landlord threatened to evict her if she did not. The client had to use payday loans more than once from her modest income as an elementary school aide. The interest from these loans got her deeper into debt, and less able to pay the continuing charges related to her housing. Based on the billings, meter readings, policies from the landlord, and typical residential usage and charges for nearby homes NJP sent a demand letter to the landlord requesting a refund of the overcharges and an immediate cessation of future excessive billings. After several phone conversations regarding these issues, the landlord refunded the client \$1000 and agreed to charge a flat monthly fee for water consistent with normal area water rates. The client used the money to get herself out from under the payday loan debts. She subsequently moved into a new home she and her son had helped build as part of a Habitat for Humanity project.
- NJP's Olympia office helped a Thurston County senior whose home was in foreclosure. When they fell behind on their payments due to medical bills, the client's late husband worked out a repayment arrangement with the mortgage company. Unfortunately, the arrangement was never put in writing. The husband died, and the loan was transferred to another mortgage company, under the original terms. The new mortgage company saw that the client had missed a payment several months back (the one the husband had worked out), and started foreclosure proceedings. Also, the loan was in the late husband's name, and the mortgage company refused to speak with the client without his authorization, which was obviously impossible to obtain. NJP negotiated with the

mortgage company to obtain a loan modification and assumption so the account was in the client's name and showed in current pay status. The mortgage company called off the trustee's sale and reinstated the account in good standing.

- NJP's Olympia office provided advice and representation to a group of seniors living in a small mobile home park in Lewis County. The owner sought to increase rents and charge for utilities without following the notice requirements of the Manufactured/Mobile Home Landlord Tenant Act. With NJP's help many tenants were able to compel the landlord to follow proper notice requirements for the rental increases and charges for utilities, and obtain appropriate reduction in rent.
- NJP's Seattle office represented a 58-year old homeless man with mental and physical disabilities who had been terminated from federal rental assistance. His representative payee had kept the client's Social Security money and did not pay the landlord for the client's rent or utility bills. The first the client knew of this was when he received a 3 day pay or vacate notice from the landlord. Part of the client's disability was severe depression, which made it almost impossible for him to advocate effectively for himself. When the client sought a new voucher to move, the Housing Authority refused because he owed rent and utilities. He was shortly thereafter locked out by his landlord. He tried to explain the situation, but the Housing Authority terminated his voucher. At an informal hearing, he tried to explain that his representative payee had illegally kept his funds, therefore putting him in arrears. However, the hearing officer approved the termination. After a period of homelessness, the client's heart disease worsened, and he was hospitalized. Working with the client, his medical providers, and a local homeless shelter, NJP was able to get the information from Social Security regarding the former payee's illegal actions, verification that the client now had a reliable agency payee, and assistance from transitional housing providers to get the client transitional housing. The client successfully filed a civil rights complaint against his former landlord, which resulted in the landlord waiving any financial obligations from the client arising from the tenancy. NJP then submitted a reasonable accommodation request detailing everything that had transpired and the client's physician's and psychiatrist's reports, and analyzed the impact of the client's disabilities. Based on the evidence and arguments presented, the Housing Authority reinstated his rental assistance voucher.
- NJP's Seattle office assisted a single mother in recovering her federal rental assistance voucher, which had been revoked without a hearing. She informed the housing authority that she had become married several months earlier, and wished for her new husband to move into her home. The housing authority allowed him to move in, but then claimed she had violated the rules by not reporting the marriage earlier, and decided to revoke her voucher. In the interim, the husband had assaulted the client. She fled the residence to avoid the violence, during which time the housing authority letter revoking the voucher was delivered. By the time she returned home and discovered that her rental assistance benefits were being cut, the deadline for requesting a hearing had expired. With NJP's assistance, this woman demanded reinstatement to the rental assistance program, or at least a hearing at which to contest the termination of her assistance. When the housing authority declined, NJP represented her in a civil action that resulted in a settlement halfway through trial. Though the case took nearly 2 years to resolve, the client recovered

her rental assistance voucher, about \$2,400 in retroactive benefits, forgiveness of a rent debt, and twice the usual allowable time to secure housing with the voucher.

- NJP's Spokane office represented a client whose federal rental assistance voucher was terminated by Northeast Washington Housing Solutions (NEWHS.) The client had not reported back to NEWHS in writing that he had changed the battery in his smoke detector within 24 hours after the yearly inspection identified this defect. The client had lived in this particular building for over seven years. The client is both illiterate and developmentally disabled. NJP requested the landlord and NEWHS "reasonably accommodate" the client's "disabilities." The landlord agreed but NEWHS declined. At hearing, NEWHS was ordered to pay all back rent owing, and to assign the client a contact person within the agency to assist him in understanding paperwork and tenant requirements, and thereby preserve his housing.
- NJP's Tacoma office helped a severely disabled Kitsap County man with a housing issue. The man resided in a project-based federal housing assistance unit and his tenancy was being terminated. The notice asserted he was not residing in the unit and he failed to keep the unit in a safe and sanitary manner. The man had been in the hospital and a rehabilitation center and was not at the unit full-time during the period covered by the notice. NJP discussed the client's situation with the landlord/property management company and prepared a reasonable accommodation request on behalf of the client. The landlord reversed its decision to terminate the client's tenancy. Due to NJP's intervention, the client was able to retain his housing benefits.
- NJP's Tacoma office represented a mother of three whose federal housing assistance was being terminated for alleged fraud and lease violations. After she and the landlord had a falling out, the landlord reported to the housing authority that the client was deceiving it by having additional, unauthorized persons live with her. At a termination hearing, NJP presented evidence that the purported unauthorized person was in fact an authorized caregiver who had been helping the client because of her several medical ailments. The decision was reversed and her housing assistance reinstated.
- NJP's Tacoma office assisted a woman with severe medical disabilities whose housing assistance was threatened. The woman had recently moved in and had stored items in her garage. She was in the process of disposing of the items with the assistance of members of her church. Her progress was slow because of her medical disabilities which stemmed from several recent major surgeries, including operations on her heart and leg. The housing authority inspected her house and then terminated her housing assistance for failure to thoroughly clean her garage. NJP requested a "reasonable accommodation" of her disabilities and preserved her housing assistance.
- NJP's Vancouver office reversed an unlawful eviction of an expectant mother from subsidized housing. The eviction action was predicated on defective notices to terminate the tenancy for the client's failure to complete recertification paperwork. The writ was executed and the locks changed while the client was out of her home attempting to get legal assistance. NJP was able to convince the opposing party to let the client return to her home the same day, and a settlement was reached whereby the unlawful detainer

action was dismissed, and the client per her request moved out within one month and maintained her housing subsidy.

- NJP's Walla Walla office assisted a woman in re-securing federally assisted housing. The client had entered a mental hospital and, during her hospitalization, had missed a recertification deadline, resulting in termination of housing assistance. When the client re-entered the community, the previous subsidy termination threatened her current eligibility for housing assistance. NJP clarified the woman's history and status and negotiated an agreement with the housing authority that the client's eligibility would not be hampered upon submitting a new application. NJP assisted the client in completing the application, and she was placed on a waiting list for housing with priority status.
- NJP's Walla Walla office prevented the eviction of an elderly man from a mobile home park. The client had multiple health problems and utilized the services of a part-time caregiver. Although he owned his modest mobile home, relocation of the home would have been beyond the client's physical and financial abilities and may have been financially impractical. NJP negotiated an acceptable resolution with the park owner, and the client listed his mobile home for sale through a real estate agent. The mobile home sold, and the elderly client moved to a senior housing development where he is free of the demands of home ownership and property maintenance.
- NJP's Wenatchee office filed a Petition for Review with the Eastern Washington Growth Management Hearings Board challenging the City of Wenatchee's Comprehensive Plan on the issue of affordable housing. The Petition alleges, in part, that the City's recently updated Comprehensive Plan does not comply with the Growth Management Act's goals and requirements for encouraging affordable housing. The client group includes senior citizens living in a mobile home park that is being closed because the property will be redeveloped into expensive condominiums exacerbating the problem of area low-income seniors being priced out of the housing market.
- NJP's Wenatchee satellite office in Omak successfully defended an eviction case in tribal court for a mother of two. The court found that NJP's client was current on her rent and that the landlord couple had engaged in fraud, intimidation, and harassment. The court awarded NJP's client a judgment in the amount of \$10,000. NJP had previously represented the same client in obtaining a protection order against the husband/landlord, who has a long criminal record. The landlords refused to give the client a key to the premises, and the husband/landlord entered the client's home whether the client was present or not, and used her phone, even at times the client's daughters were home alone and told him he could not come in. The landlords also stole tires from the client, threatened to cut off her electricity, threatened forcible eviction, and threatened to put a barrier in the driveway so that the client would be unable to exit.
- NJP's Wenatchee satellite office in Omak is assisting two low-income home owners regarding the City's effort to force them to build new connections to the City sewer main, at a cost to the homeowners of approximately \$16,000. One home owner has substantial mental health issues and diabetes. The other is a single mother who cares for her adult disabled child. Neither can possibly pay for the repairs demanded by the City. NJP

referred the home owners to the Community Action Council where they obtained grant funding to make the repairs demanded by the City. However, the City set a 60-day deadline for shutting off the clients' water if the repairs are not completed. The sewer connections at issue have been in existence since the early 1950s and there is no public health hazard to the situation. NJP is negotiating with the City to help resolve the problems and retain the clients' ability to remain in their homes.

- NJP's Yakima office successfully negotiated a settlement with a former landlord in order to preserve a terminally-ill tenant's housing subsidy. The tenant's homeless, mentally-ill son had caused considerable damage and problems at the former housing unit and the client risked losing her housing subsidy. Fortunately, a settlement was reached that resulted in no loss of housing subsidy and continued, affordable and stable housing for this terminally-ill tenant.
- NJP's Yakima office represented a group of 37 senior mobile home park residents in negotiation to repeal rent increases and other rules that violated the park lease and the Mobile Home Landlord Tenant Act. After NJP began initial negotiation, the park owner suggested the negotiations take place directly between the park owner and the home owners. NJP continued to provide advice, drafting suggestions and legal research to the home owners, who were able to negotiate with the park owner for satisfactory rent calculations and park maintenance.

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

- NJP's Bellingham office represented a 45-year old developmentally disabled woman and successfully reversed the termination of Medicaid funding for supported living and job coach assistance the client requires to maintain her employment and to live independently in the community. The DSHS Division of Developmental Disabilities (DDD) sent the woman a termination notice after the Social Security Administration indicated that she no longer met disability criteria and terminated her SSI benefits. However, NJP established that SSA's action was in error. Despite the error, DDD refused to withdraw its termination. NJP then assisted the client in reapplying for benefits and the client received a retroactive award, and reversal of DDD's termination of her support services.
- NJP's Olympia office successfully assisted a Native American elder to quiet title in an Indian allotment allowing the property to be taken back into trust status. The undivided property interest was inherited in 1922 by the client's non Indian father, who soon after quit claimed it to another non Indian. The Bureau of Indian Affairs did not recognize the transfer at the time and recommended that the allotment be partitioned before the transfer could take effect. This was never done and the interest was not taken out of trust status until 1995. The client's father left the family and moved out of state. The client attempted to have his father's undivided interest placed back into trust but discovered the quit claim deed recorded with the county. An extensive search was conducted to locate heirs of either the father or the man to whom the interest had been deeded. The father's three living step grandchildren were located. All three relinquished any claim they may have

had to the property. No other heirs were found. The Grays Harbor Superior Court entered the order and decree to quiet title.

- NJP's Refugee and Immigrant Advocacy Project (RIAP) represents a young Ethiopian man who has been granted withholding of deportation (a status similar to political asylum) who has applied for SSI due to inability to work. SSA initially denied his application due to the belief that he was not lawfully present in the U.S. on August 22, 1996, the day that the welfare law restricting SSI eligibility to certain immigrants went into effect. The case was scheduled for hearing and NJP argued that as a political asylum applicant he was lawfully present. The decision was fully favorable and SSA will now determine his ongoing eligibility for SSI.
- NJP's Seattle office is currently representing an immigrant client who is deaf in a divorce. The client fled with her child from a severely abusive relationship in another state, and has been in Washington for nearly two years. The father has now initiated an action to establish visitation with the child. NJP is assisting the client in limiting the father's contact with the child in order to protect the child and the mother's safety and to assure that appropriate supervision is used for the visitation that will occur. NJP is collaborating with Abused Deaf Women's Advocacy Services in order to effectively provide culturally competent services to a client for whom representation is critical to her meaningful participation in the legal system.
- NJP's Tacoma office represents a 71-year-old former Western State Hospital patient in U.S. District Court in a claim under the Americans with Disability Act that the local transit authority, Pierce Transit, failed to properly assess and wrongly denied the client's request for paratransit special needs bus service. After a period of discovery followed by extensive negotiations, the parties agreed in April 2007, to the entry of a Consent Decree reversing the transit authority's denial of paratransit services. The Consent Decree also requires that Pierce Transit create new written policies governing its paratransit eligibility determination and appeal procedures. The new policies must comply with federal ADA requirements, and must be submitted by the transit authority to the court for approval no later than 11/19/2007.
- NJP's Tacoma office represented a developmentally disabled client committed to Western State Hospital (WSH) who was terminated from DSHS Division of Developmental Disabilities (DDD) support services. The client met criteria to be released from WSH, but without DDD eligibility, no alternative placements were available to meet his needs. DDD argued that the client's IQ was too high to qualify for benefits under the category of "Mental Retardation." DDD also argued that the client could not be considered eligible under the category of "Other Condition Similar to Mental Retardation" because he had psychiatric conditions also affecting his intellectual and adaptive functioning. NJP argued that the client did qualify and presented medical witnesses who testified that all of the client's conditions affecting intellectual and adaptive functioning were related to an underlying neurological disorder, congenital encephalopathy. The ALJ reversed the termination of DDD benefits and specifically found that the client qualified based on the "Other Condition Similar to Mental Retardation" criteria.

- NJP’s Tacoma office represents a developmentally disabled (DD) client who requested a hearing after he was placed in the Community Protection Program (CPP) without legal justification. There were two evaluations done by two psychologists placing the client in CPP. However, a specialist determined the evaluations were not done in accordance with the professional protocol, and the client should have never been placed in the CPP. The specialist also evaluated the client and reported he should receive supportive living benefits because he was not a threat to the community or himself. The State moved to dismiss the client’s hearing, but did not agree to place him in the program that would allow him to receive services appropriate for his needs. The client was reassessed and ultimately deemed to be appropriate for “supportive living.” The determination on his termination from DD benefits is pending.
- NJP’s Tacoma office represented two elderly limited English proficient Cambodian immigrants in SSI termination appeals. Both cases involved claims that the clients were not disabled, and had never been entitled to the SSI disability benefits they received. In both cases, SSA administrative law judges reversed the terminations and alleged SSI overpayments, in one case reversing an alleged SSI overpayment totaling over \$100,000.

NATIVE AMERICAN UNIT (NAU)

Education

- NJP’s Seattle-based NAU assisted a Makah tribal member whose child was informally suspended from elementary school. The client had been verbally told by school personnel that his son was suspended for the remainder of the school year, although he did not receive any notice of the decision or information about his right to challenge the decision. The client’s son is in first grade and enrolled in special education. NJP advised the client of his legal rights to a decision in writing explaining the reason for the suspension, and an evaluation within 10 days to determine whether the misconduct was related to a disability. After receiving this information and advice, the client took his child back to school where he was readmitted and a new plan was developed to better recognize and meet the child’s needs.

Tribal Peacemaking Forum

- NJP’s Seattle-based Native American Unit (NAU) represented a nine-year-old in a juvenile criminal case in the Skokomish Tribal Court. The child was being charged with assault based on an altercation between him and another child. He faced up to six months in detention and a \$2500 fine. Under the Tribal Code, juveniles may have an attorney represent them in criminal proceedings; however, legal representation is only available at their own expense. In consultation with the client and his parents, it was decided that a traditional tribal peacemaking forum would be a more appropriate process for resolving the conflict between the two children involved in the dispute, as well as their families. Although the Tribe had a tradition of using a peacemaking process and several trained mediators in the community, there was not an active panel in operation. NJP contacted a member of the Tribe’s Law and Order Committee, who helped to identify a community

member who was willing to spearhead a peacemaking process: an elder who is well respected in the community and also a licensed mediator. NJP negotiated an agreement with the Tribe's prosecuting attorney to defer prosecution of the client and refer the case to a tribal peacemaking forum for resolution. After successful completion of the peacemaking, the charges were dismissed.

FARM WORKER UNIT - STATEWIDE (FWU)

Consumer

- NJP's FWU assisted a farm worker to finally collect the amount of his IRS overpayment from the insurance plan of his tax preparer, approximately one year after making a claim. The tax preparer had erroneously claimed the Earned Income Tax Credit on behalf of the client. The tax preparer had also sold the client an insurance policy which promised to pay any IRS overpayment caused by preparer error; however, when the client received his notice of overpayment and filed a claim on the policy, the preparer refused to pay. Many months later, after repeated calls by NJP to the national office, the client finally received a check for the amount of the overpayment, relieving him of great anxiety as to how he was going to be able to pay his debt to the government.

Economic Security (Employment)

- NJP's FWU settled a case for marital status discrimination on behalf of a farm worker woman after filing a complaint for damages in State court. After having worked for her employer for 10 years, the client was terminated from her employment soon after she divorced her husband.

Education

- NJP's FWU represented a special education student who had been expelled from school for writing a threatening letter. The student had no history of disciplinary problems, and evidence was presented that the student did not have the capacity to understand the significance of the threat or have the intention of carrying it out. The hearing officer ordered that the expulsion be converted to a long term suspension and the student will be returning to school during the following school term.

Family Stability, Safety and Security

- NJP's FWU had two self petitions for lawful immigration status approved on behalf of immigrant farm worker women under the Violence Against Women Act due to abuse by their spouses. NJP was then able to file an adjustment of status application for one of the women to become a legal permanent resident. NJP is also awaiting approval of work authorization for the other woman. Because both women have been able to legalize their status independently of their marriages, they were able to leave their abusive spouses without fear of deportation.

Preservation of Housing

- NJP's FWU continues to represent a Wenatchee mobile home park residents association, the majority of whom are low income farm workers. The park owner plans to close the park and construct more than 400 upscale condominium units and a 65 room hotel on the site. When the park closes, approximately 40 mobile home owners and their families are likely to lose their homes as there are insufficient vacant mobile home park spaces in the community to accommodate them. NJP continues to coordinate with the park owners, the city, Chelan County and the State Department of Trade and Economic Development (DCTED) in an effort to create a new mobile home park for the residents. The goal is to maintain the long-term affordability of the proposed mobile home park through a purchase by a non-profit housing organization. NJP's advocacy on behalf of the mobile home park residents was featured in an article entitled *Preserving Our Manufactured Housing Communities* in the June 2007 issue of a Washington State Housing Finance Commission Newsletter.
- NJP's FWU successfully defended a farm worker residing in public tax credit housing from being charged \$400 for property damage allegedly caused by her two sons. The apartment manager claimed that the client's sons and those of seven other residents caused more than \$1,200 in damages to a concrete picnic table. NJP's client and the other residents denied that their children had damaged the property and identified a teenager who did not live in the apartments as responsible. However, the on-site manager refused to believe the residents. NJP assisted the client in requesting a meeting with the apartment complex's management company. Shortly thereafter, the director of the management company determined that since its on-site manager had failed to conduct a proper investigation into the property damage and those responsible prior to billing the residents, the charges were rescinded.

NJP'S CONTRACT ATTORNEY PROGRAM (CAP)

- An NJP CAP attorney represents a mono-lingual Spanish speaking Benton County farm-worker in a custody modification case. The client is a victim of domestic violence who tried to leave the state with her three children to escape her abusive husband. The husband hired an attorney and was able to gain custody of the children at a hearing at which the client was not represented. Since that time the children have reported to the client and to their teachers that the father routinely hits them. Trial is pending.
- An NJP CAP attorney represents a Grays Harbor woman in a subsidized housing eviction case. The landlord claimed that the client's boyfriend was living with her and was an unauthorized guest. The landlord served the client with a notice to vacate, but did not serve it properly and apparently had no evidence to back his claim. The client, who is severely disabled by a head injury, suffers from extreme headaches that sometimes result in her going into shock. Her boyfriend is trained to assist her in these medical emergencies and stays at her home to take care of her. In addition, the client felt that the landlord's actions were in retaliation for her filing a complaint against him with Adult Protective Services for yelling at her and other disabled tenants. The client received the eviction notice shortly after filing her complaint.

- An NJP CAP attorney in Walla Walla County is assisting a woman with severe disabilities to keep her public benefits. The Social Security Administration claims that the client and her ex-husband are holding themselves out as married because they live separately in the same house. Due to financial considerations, they have shared the same house for several years. The SSA claims that the client owes them an overpayment of over \$7,000, and refuses to believe that the client and her ex-husband are only roommates. The SSA reduced the client's SSI benefit from \$324 to \$80. The SSA also communicated to DSHS that the client and her ex-husband were actually married, which resulted in DSHS trying to terminate the client's food stamps and medical benefits. The CAP attorney is representing the client in hearings on all these issues.
- An NJP CAP attorney in Whitman County represents a young woman with three children in a custody case. The father of the children was seen driving drunk on several occasions, and has recently been arrested following an accident caused when he passed out while driving. The father also was seen by the client giving beer to their five month old child.

COORDINATED LEGAL EDUCATION, ADVICE AND REFERRAL (CLEAR)

CLEAR DV (Specialized Domestic Violence Hotline System)

- NJP's CLEAR DV helped a monolingual Spanish-speaking survivor of domestic violence obtain a dissolution of marriage and custody of her child. The client filed her dissolution but after having been to court three times was unable to finalize it due to language barriers and other issues. NJP completed all of the paperwork for the final orders, confirmed that an interpreter was scheduled to appear at the next hearing, and called the Prosecuting Attorney's office to make sure a representative of the State would be present to sign off on the final orders. At the scheduled hearing, the client successfully obtained her final decree of dissolution.
- NJP's CLEAR DV made a limited Notice of Appearance and appeared telephonically at a Domestic Violence Protection Order hearing to establish Washington jurisdiction in a protection order case. The Respondent had never been to Washington and his contacts with Washington, which included unwanted phone calls and emails and some threats to destroy the client's personal property, did not clearly establish personal jurisdiction over him. The case presented an important legal issue that affects domestic violence survivors who flee from one state to another and seek protection orders. Courts nationally are grappling with this issue and at least two state Supreme Courts have held that a person who has been subjected to domestic violence is entitled to the protection of the courts in the state where he or she resides and that personal jurisdiction over the respondent is not required to grant Protection Orders. NJP's CLEAR DV submitted declarations and a legal memorandum for the hearing and argued the motion by telephone. The judge granted the Order and adopted the reasoning of the other courts that have decided the issue.

- NJP’s CLEAR DV and the NJP Wenatchee office collaborated to help a woman who had experienced significant domestic violence by her husband. The parties had separated well over a year ago and their child had been living with the client with no objection from the husband, who rarely visited. After being served with child support paperwork, the husband hired an attorney and filed for a Protection Order for himself and also for custody of the child, alleging that an immediate change of custody was necessary to protect the child. He made allegations about the client’s immigration status and other issues, though many of the allegations appeared to be baseless or had no bearing on the issue of custody of a child. The client was not properly served with the motion paperwork. CLEAR DV drafted the client’s declaration and the Wenatchee office represented the client at the “emergency” hearing the next day. The judge continued the hearing, leaving the child in the client’s care, reissued the client’s Protection Order and awarded the husband limited supervised visitation. NJP’s Wenatchee office has responded to the husband’s various allegations and presented evidence about his violence and lack of relationship with the child.
- NJP’s CLEAR DV helped a King County mother obtain a Domestic Violence Protection Order on behalf of her daughter against the child’s father, who was also the primary residential parent under the parenting plan. The daughter had disclosed to her mother, grandmother and school counselor that the father repeatedly threatened to hit her and that she was very afraid of him. In response, the father admitted that he wanted his daughter to fear him. With the assistance of CLEAR DV the client successfully represented herself and obtained the protection order on behalf of her daughter.

Consumer and Debt

- NJP’s CLEAR assisted a disabled woman to restore water service to her home. The client, who lived in a very rural area, had not had running water for several years. The local utility claimed that she forfeited her water right by non-payment on an old utility loan and that she would have to request an entirely new connection at a cost of several thousand dollars. CLEAR learned that the client’s water service could, in fact, be restored if she made a much smaller back payment on the original loan that had been used to obtain utility service and continued to make small monthly payments. When CLEAR negotiated the payment arrangement, water service was restored.
- NJP’s CLEAR helped a Whatcom County woman restore water service, which had been off for three weeks. The Water & Sewer District told the client that she would not be able to get her water turned on until she paid the landlord’s past due bill. Within 48 hours of CLEAR’s initial contact to the Water and Sewer District, the water was turned back on.

Family Stability, Safety and Security

- NJP’s CLEAR assisted a woman with disabilities who was ill and had no money and was threatened with homelessness. Her husband had retained an attorney and filed for temporary orders to have the client removed from the family home. The husband also threatened to terminate the client’s medical insurance without which the client’s prescriptions would have cost \$3,000 per month. CLEAR made an emergency referral to

the local volunteer lawyer program, which immediately assigned an attorney who represented her at a Show Cause Hearing. The Court ordered that the client should stay in the home, receive spousal maintenance of \$1,080 a month and retain medical coverage.

- NJP's CLEAR helped a woman residing in Okanogan County with a child support modification in King County. The prosecutor had told the client that she would be contacted for telephonic testimony at the hearing, but this contact never occurred. As a result, the support was reduced based solely upon the father's testimony. Furthermore, the court did not factor in the stepmother's income as required by law. CLEAR assisted the client to draft, file and serve a Motion for Reconsideration, which outlined, among other points, the requirement to consider the stepparent's income in calculating the child support.

Health Care, Access and Quality of Care

- NJP's CLEAR helped a young woman obtain medical assistance coverage for dentures. DSHS initially indicated it hadn't received the client's application for medical assistance although the dental clinic said the application had been submitted. CLEAR contacted the dental clinic to obtain proof it mailed the client's application to DSHS. Following this contact, DSHS suddenly found the application and the clinic immediately told the client to come in to have her dentures fitted.

Preservation of Housing & Habitability

- NJP's CLEAR helped a senior client obtain a senior property tax exemption. The property tax exemption drastically reduced the annual taxes the client had to pay and allowed him to put all the money he had been saving for taxes into much-needed house repairs and medical bills. The client's savings in turn affected the client's eligibility for medical assistance so the CLEAR advocate worked with DSHS to ensure that the client's Medicaid spend-down was correctly calculated.
- NJP's CLEAR assisted a client with disabilities who received an eviction notice based on non-payment of rent. The client was on subsidized housing and the housing authority had mistakenly set his rent at zero for several months, then increased it to the correct amount and notified the landlord, but not the client. CLEAR arranged with the landlord to have collection of rent suspended until the problem with the housing authority was resolved. CLEAR then challenged the housing authority's imposition of a rent increase without thirty days advance written notice to the tenant. The housing authority agreed to postpone the rent increase until the following month, which allowed the client to be current on rent and avoid further risk to his subsidized housing benefits.
- NJP's CLEAR assisted a client with disabilities living in federal rental assistance housing who received a notice from the housing authority saying she would have to move because her landlord had increased her rent to an amount it had deemed unreasonable. The client's apartment was located near services and had wheelchair accessible modifications, so moving would be a serious hardship for the client, who did not drive. The housing authority, however, had initially informed the client that no reasonable accommodation

could be made because the rent was simply too high. CLEAR argued that the Housing Authority was legally required to “reasonably accommodate” the client’s disabilities, which it ultimately granted and agreed to pay the increased rent allowing the client to remain in her apartment.

- NJP’s CLEAR assisted a client who is very low functioning and suffers from a mental disorder who received a 20-day termination notice from the Island County Housing Authority public housing where he has lived for the past 12 years. The termination notice alleged that his behavior disturbed the peace and quiet of other residents in the complex. The client’s disability limited his ability to read and understand his right to challenge the eviction by timely requesting a grievance hearing. CLEAR reviewed the tenant file and immediately submitted a delayed request for a hearing based on “reasonable accommodation.” CLEAR also worked with the client’s support network, including church members, family and neighbors, in efforts to negotiate an informal resolution to the eviction. The Housing Authority rejected the settlement proposal but agreed to reserve the 20-day termination notice and allow the client the right to a grievance hearing. CLEAR notified the Fair Housing Alliance and referred the case to NJP’s Bellingham office for representation at the grievance hearing.
- NJP’s CLEAR*Sr assisted a man with disabilities when the mother of his children left town, leaving the children on the doorstep of his public housing unit. The client has a cognitive impairment following brain injuries and illness. The housing authority gave him ten days to move the children out or move out entirely. CLEAR*Sr worked with the housing authority to understand the requirements for allowing the children to stay and then referred the client to the King County Bar Association for assistance in modifying the parenting plan and the child support orders. Subsequently, the housing authority began working with the client to locate appropriate housing for his family.
- NJP’s CLEAR helped preserve a tenancy after the client’s former boyfriend left the client without paying rent or telling the client he hadn’t paid. The client was served with a 3-day Pay or Vacate Notice and then a Complaint for Unlawful Detainer. After serving the documents, the landlord accepted the rent from the client. CLEAR helped the client prepare an Answer and a Certificate Denying Rent Is Due. When the client delivered a copy of her response to the landlord’s attorney, the attorney immediately dismissed the complaint as the landlord had not told his attorney that he had accepted rent from the client. The client’s tenancy was maintained as a result.
- NJP’s CLEAR helped a client with disabilities obtain an accessible parking space near her apartment as a reasonable accommodation. The client had a Washington State disabled parking permit on her car, but there were no designated disabled parking spaces near the entrance to her apartment building. Parking near the apartment building was very limited, which meant that the client often had to walk a long distance to get to her apartment. CLEAR contacted the landlord and requested that she provide a designated disabled parking space nearest to the front door of the client’s unit. The landlord agreed and a space was designated for the client.

CLIENT & COMMUNITY EDUCATION AND CAPACITY BUILDING

BELLINGHAM

- NJP's Bellingham office actively participated in a one-day conference sponsored by the Whatcom Alliance for Healthcare Access (WAHA, www.whatcomalliance.org) to develop community-based plans to continue four years of collaborative services expanding access to health care for uninsured and underinsured persons in Whatcom County. Approximately 200 community leaders and stakeholders attended. Former Oregon Governor John Kitzhaber, M.D., a prominent national voice for healthcare reform, was the conference's keynote speaker. NJP took part on a closing panel highlighting the lessons learned and possibilities from the day's discussions.
- NJP's Bellingham office began a monthly legal clinic for tribal members on the Swinomish reservation in Skagit County. The clinic grew from outreach work organized by NJP's Statewide Native American Advocacy Coordinator and discussions that involved NJP Bellingham staff, NAU advocates, Swinomish tribal social service providers and tribal elders, and Swinomish tribal attorneys.
- NJP's Bellingham office provided training and ongoing support for domestic violence advocates at the primary emergency shelter agency in Whatcom County. The training focused on strengthening the ability of lay DV advocates to help victims write sworn personal accounts of their abuse so that subsequent legal assistance to these clients for protection orders and in family law proceedings would be more effective and successful. The attorney meets monthly with lay DV advocates to exchange information, provide education and training, and support each other's work.
- NJP's Bellingham office assisted the local court administrator, the pro bono program, and the community college's paralegal program on an initiative to provide knowledgeable assistance with required paperwork for persons affected by domestic violence who are capable of proceeding on their own to obtain court remedies. This program was approved for state funding and now increases the region's capacity to serve domestic violence survivors.
- NJP's Bellingham office, FWU, CLEAR and other NJP field staff participated in outreach to farm worker labor camps in Skagit and Whatcom counties. Over a three-day period, the advocates visited over a dozen farm worker housing sites and provided hundreds of workers with information on their employment rights.
- An NJP Bellingham office attorney gave a presentation on NJP, case priorities, and Washingtonlawhelp.com to staff at the WorkSource office for Island County.

EVERETT

- NJP's Everett office continues to provide estate planning services to eligible tribal elders in the Swinomish Indian community and the Tulalip Tribal community. Additionally,

NJP Everett did a community education presentation for the Sauk-Suiattle Indian community, and provided will drafting services to eligible tribal members.

FARM WORKER UNIT (FWU)

- NJP's FWU has focused on providing community education to end sexual harassment of farm worker women. In June, NJP advocates attended a national conference together with two farm worker women from Washington State to learn more about this issue and collaborate with others around the country. The FWU has done radio programs, presentations to service providers and to farm worker women about their right to be free from sexual harassment.
- NJP's Yakima FWU shared information about employment and housing rights with a group of health outreach workers from around the state at a training sponsored by the Migrant Health Network.
- NJP's FWU engaged in extensive outreach to migrant farm workers in June, assisted by Laurel Rubin Farm Worker Justice summer interns and interpreters in Mexican indigenous languages. NJP also visited H-2A workers from Mexico, brought to Washington on temporary work visas in Mattawa, Othello and Skagit County.
- NJP's Wenatchee FWU participated in the *Paisano a Paisano* radio show heard by thousands of farm workers living in Skagit County. NJP provided information concerning the legal rights of local farm workers with respect to the H-2A temporary foreign worker program, wage claim rights and free legal services in Washington.
- NJP's FWU continues to work with farm worker women participating in the "Entre Mujeres" community group in Mattawa. The group has taken leadership in reviving the food bank in Mattawa and advocating for improved town services. The group has also sponsored classes in the community to prepare Spanish speakers to obtain a drivers license using a curriculum created by the State Patrol. One farm worker recently encountered on labor camp outreach showed off his new drivers license, obtained after studying these course materials, and spoke proudly of the co-workers who had also been able to obtain their licenses after he shared the same materials with them.

OLYMPIA

- An NJP Olympia office attorney gave presentations about free legal services and decision making planning at the Lewis County senior nutrition meal sites in Toledo, Winlock, Centralia, PeEll, Packwood, and Morton. She also distributed materials about CLEAR and NJP to other social service providers and the libraries in those communities.
- NJP's Olympia office trained 7 new volunteer long term care ombudsman and related advocates for Thurston, Lewis and Mason Counties. Training covered guardianship, powers of attorney, living wills, and alternative decision-making solutions, as well as legal resources for seniors.

- NJP's Olympia office has begun a monthly legal clinic at the Nisqually Indian Reservation. Two attorneys have offered a 4 hour clinic on the reservation once a month to provide on site advice to reservation residents.
- An NJP Olympia office attorney participated in a Housing Fair at the Squaxin Island Indian Tribe.

SEATTLE/KING COUNTY

Basic Field Office

- An NJP Seattle office attorney worked with the King County Bar Association, the King County Prosecutor's Office Protection Order Advocacy Program, and the private bar to re-establish a project designed to assist low income persons in obtaining reconsiderations and revisions of commissioner's rulings denying protection orders or other necessary relief. As part of the process the group organized and presented a continuing legal education program to train volunteer attorneys who serve on a panel to assist clients that come through the program. The NJP attorney continues to serve in an advisory capacity to the coordinator and the volunteer attorneys on the panel.
- An NJP Seattle office attorney gave a presentation sponsored by the King County Family Law Roundtable to domestic violence advocates about relocation and the UCCJEA.
- An NJP Seattle office attorney participated in a panel discussion hosted by the University of Washington Law Women's Caucus on Domestic Violence, Stalking and Sexual Assault. The panel was held in part as a response to the murder of a University of Washington employee by her former boyfriend. The goal was to facilitate the ongoing discussions on campus to increase awareness and enhance safety for victims of domestic violence, stalking and sexual assault.
- An NJP Seattle attorney published an article entitled "Battered Immigrant Women in Family Law Proceedings" with the May 2007 edition of *Equal Justice*, the official publication of the Washington State Minority and Justice Commission, a publication that is available to all state judges across the State of Washington.
- An NJP Seattle office attorney participated in a presentation with TeamChild at the Division of Developmental Disabilities regarding youth-related advocacy.
- An NJP Seattle office attorney participated in the First AME Church of Seattle's annual "Law Day" program which drew about 250 community participants, members of the bar, judiciary, and law enforcement. The presentation covered the pitfalls of payday loans. The attorney also gave a presentation on the pitfalls of payday loans to *Real Change* newspaper vendors at the Recovery Café in Seattle.
- An NJP Seattle office attorney co-presented "Know Your Rights" workshops on health law and consumer law. The workshops were coordinated by the "Powerful Voices" program and were given for young women incarcerated at Juvenile Detention.

- An NJP's Seattle office attorney coordinated a training for social service providers on assisting self-employed low-income workers with benefits eligibility, record-keeping requirements, and tax issues. NJP worked with and co-presented the training with the University of Washington Law School's Entrepreneurial Law Clinic and Solid Ground.

Refugee and Immigrant Advocacy Project (RIAP)

- NJP's RIAP attorney continued to work with a Domestic Violence Community Legal Project attorney to coordinate the Washington State Coalition for Language Access (WASCLA). The group has continued to develop its website and to work on LEP policies and training around the state. A conference to discuss a statewide language bank occurred in September 2007.
- NJP's RIAP attorney presented a two hour training to approximately 120 participants at the Early Childhood Education and Assistance Program (ECEAP) and Head Start on immigrant eligibility for benefits and planning for families in response to immigration raids that leave many lawful family members without assistance.
- NJP's RIAP attorney presented a training on immigrant eligibility for benefits (with a special focus on health care) to approximately 30 staff and social workers at the Odessa Brown Children's Clinic.
- NJP's RIAP attorney and one of the RIAP clinic students presented a 3 hour training to over 150 social workers and agency staff on basic immigration status, immigrant eligibility for benefits including housing, and barriers to receiving assistance.
- NJP's RIAP attorney provided a two hour training on immigrant eligibility for benefits, particularly health care, to approximately 30 members of the Seattle and King County Public Health Department First Steps Network of social and health workers devoted to improving maternal and child health.

SPOKANE

- 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. One Spokane attorney attended a regional Fair Housing Conference in Spokane. A Spokane office attorney, in concert with a local member of the private bar, also taught a Landlord-Tenant Law CLE.

TACOMA/PIERCE COUNTY

- NJP's Tacoma office was one of numerous agencies who participated in a Scam/Jam resource fair sponsored by the Coalition for the Effective Protection of Vulnerable Adults (CEPoVA) in May, 2007. This event was primarily focused on bringing awareness to help people stop fraud in its tracks, protect their I.D., and avoid exploitation of any kind.

- An NJP Tacoma attorney participated in two panels at the City of Tacoma’s Fair Housing Conference, speaking on Domestic Violence and Tenant Screening impacts on and Fair Housing.
- An NJP Tacoma attorney gave a presentation on landlord-tenant issues to property managers for Pierce County Sheriff’s Department Crime Free Housing training.

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.
- Two NJP Vancouver office attorneys provided in-service training to the staff of the Vancouver Housing Authority.
- An NJP Vancouver office attorney provided training to approximately 6 Long-Term Care Ombudsmen on Guardianship and Powers of Attorney matters.
- NJP Vancouver office attorneys did a joint presentation with the Clark County Volunteer Lawyers program to approximately 60 Share ASPIRE program participants on a variety of legal matters, including family law and discrimination issues and access to legal assistance and on landlord/tenant law.

WALLA WALLA

- NJP’s Walla Walla office cosponsored a consumer awareness seminar. The event included among others, speakers from the Federal Trade Commission, Consumer Credit Counseling Service, and a local savings and loan. Spanish translation was made available. The event received good local media coverage.
- An NJP Walla Walla office attorney moderated a local affordable housing summit.
- NJP’s Walla Walla office presented information about NJP and WashingtonLawHelp to more than 160 Aging and Long-Term Care home-service providers.

WENATCHEE

- An NJP Wenatchee office attorney appeared on a local cable TV show (“Senior Moments”) with the Executive Director of Aging and Adult Care of Central Washington to discuss legal issues related to seniors. In the second quarter of 2007, topics included Guardianships (April ’07) and Wills (May ’07).
- NJP’s Wenatchee office did community education presentations to the Elder Abuse Prevention Council of North Central Washington concerning how seniors can access free legal services, and to Catholic Family Services care workers.

- An NJP Wenatchee office attorney teamed with the executive director of the Chelan-Douglas volunteer attorney services to give a presentation about free legal services to seniors at the Adult Care Services Network, a group of adult care professionals in North Central Washington who meet monthly for networking and training.
- NJP's Wenatchee office made a community education presentation to advocates for a domestic and sexual violence center on the topic of "The Unauthorized Practice of Law."
- NJP's Omak satellite office presented information about foreclosure rescue scams to agencies involved in providing care for the elderly and disabled.

YAKIMA

- An NJP Yakima office attorney gave a presentation to the Women's Justice Circle, a group of about 25 Mexican immigrant women, on legal remedies for victims of domestic violence and how our legal system deals with issues like child custody and property.
- An NJP Yakima office attorney provided training to new subsidized housing landlords regarding the landlord's obligations under the Residential Landlord Tenant Act.
- NJP's Yakima office conducted a training on the Yakama Nation Reservation regarding remedies and programs available to help drivers obtain their drivers' licenses after they have been lost due to non-payment of traffic fines. NJP coordinated with Yakima County District Court and the Yakama Nation workforce training program.

NETWORKING AND DEVELOPING COMMUNITY CONTACTS AND RESOURCES

- An Olympia 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 participated on a senior service provider panel to educate local service providers about the various social services available to seniors in Lewis, Mason, and Thurston counties.
- An NJP Olympia office attorney continues to serve as a board member for Thurston County Volunteer Legal Services. In this capacity the attorney helped organize and put on a significant volunteer recognition event that featured special guest speaker John McKay. The event drew 200 members of the government and private bar and recognized individual attorneys and support staff who have provided volunteer legal services to low-income people in Thurston and Mason Counties.

- An NJP Olympia office attorney continues to serve as a member of the Washington State Gender and Justice Commission.
- An NJP's Seattle office attorney worked with the King County Bar Association to co-sponsor with the Washington Attorney General's Office a day-long "think tank" on sub-prime foreclosures and foreclosure rescue scams. The event brought together government regulators, prosecutors, legal services attorneys, members of the private bar, and social services providers to brainstorm ways to combat these growing problems.
- Several attorneys from NJP's Seattle office participated in a Domestic Violence Leadership Summit designed to bring together members of the legal, advocacy, mental health, judicial, and treatment communities to address the issue of standards and protocols for parenting/GAL evaluations in custody matters. Organized and lead by Dr. Anne Ganley, the Summit provided opportunity for discussion and collaboration towards the development of clear domestic violence protocols in parenting evaluations, a critical understanding of the components and structure of these evaluations and more effective use of such evaluations in the court setting.
- An NJP Seattle office attorney participates in the Washington State Bar Foundation's Loan Repayment Assistance Program Advisory Committee, which has developed a new LRAP for public interest attorneys across the state.
- An NJP Seattle office attorney continues to participate on the DSHS Standing Committee on Administrative Hearings with an aim of improving client access to justice in the DSHS administrative hearing process.
- 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. NJP 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. NJP, in concert with other members of the private bar and local fair housing agencies spoke at two neighborhood community meetings on tenant's rights.
- NJP's Spokane office staff serve on both the Northeast Washington Legal Aid Program's (NEWLAP) advisory board, and on the Whitman County Legal Services Advisory Board, helping to assure that coordination and cooperation between these community agencies and Washington's staffed legal services programs results in meaningful and effective access to the justice system for the low-income residents of the three rural, northeastern counties and the one southeastern county in Washington.
- NJP's Spokane office staff serves on the Spokane County Bar Association Volunteer Lawyers Program Advisory Board, helping to promote and assure coordination and cooperation between this program and NJP in providing legal services to low-income residents in this area, and one attorney who serves on the Spokane County Bar Association Board of Trustees.

- NJP Seattle and Tacoma office advocates continued outreach to the Indian tribes by meeting with tribal attorneys for the Suquamish Tribe. Plans are underway to analyze client need and potentially expand NJP services to tribal members.
- At the invitation of the Vancouver Housing Authority (VHA), an NJP Vancouver office attorney participates in a committee to review and comment on VHA's proposal to change its current rent calculation methodology in federal rental assistance and public housing programs to a flat rent/subsidy scheme. This scheme will impact more than 3000 program participants, many of whom face substantial rent increases and possible loss of affordable, decent housing.
- NJP Vancouver office staff continues to chair the Advisory Board of the Clark County Community Action Program; to serve as Treasurer of the Board of Directors of the Clark County Volunteer Lawyers Program; and to serve as a Board Advisor to the Cowlitz-Wahkiakum Legal Aid Program.
- An NJP Vancouver office attorney is a new member of the statewide Domestic Relations Pattern Forms Sub-committee.
- An NJP Vancouver office attorney continues to participate as the legal aid representative in a DSHS workgroup that is reviewing and revising the agency's application for benefits.
- An NJP Wenatchee office attorney participated in the newly formed Elder Abuse Prevention Council (EAPC) of North Central Washington, an affiliation of professionals whose jobs bring them into contact with vulnerable adults.
- An NJP Wenatchee office attorney serves on the Unified Family Court Committee to ensure that the needs and interests of low income litigants are being addressed when considering the establishment of a statewide, unified family court system.
- 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, United Way, the Wenatchee Valley College Latino Advisory Education board, and Café (a local Latino issues and education group).