

# Northwest Justice Project

## Advocacy Report Fourth Quarter, 2007



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**NORTHWEST JUSTICE PROJECT  
2007 FOURTH QUARTER ADVOCACY REPORT  
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## INTRODUCTION

An elderly refugee, whose hands had been amputated years earlier in his country of origin, could not change from refugee to lawful permanent resident status because he could not have fingerprints taken. He was threatened with loss of his SSI subsistence benefits because he was soon reaching his seven year limit on refugee eligibility. NJP helped him obtain alternative documents verifying his eligibility for lawful permanent resident status and protected his very limited source of income.

A used car dealership contracted with an elderly woman for the sale of a car she had never seen. When she went to pick up the car, she was shocked at its poor condition and refused to accept it. A few days later the dealership parked the car in her driveway. NJP helped the client rescind the contract and negotiate for the purchase of a suitable vehicle.

Another woman was charged a “storage fee” when she mistakenly co-signed a used car loan for a friend. The salesman did not explain the paperwork she signed or take her income information, but as she was leaving the lot, he gave her a handwritten note saying the car was hers and that her income was \$3800 per month. Because her income was, in fact, less than \$500 per month from disability benefits, she tried to return the car, but was rebuffed. Nevertheless, she left the car there. After she was billed for a “storage fee”, she contacted NJP. Working with the Office of the Attorney General, NJP convinced the dealer to rescind the transaction and release her from the loan.

Each of these real case examples presents a quagmire and confusion for the people involved. Each is trying to do the right thing. Much is at stake for each of them - preservation of minimal income, obtaining reliable transportation, and avoiding burdensome and unnecessary debt. Without a place to go to get legal help, these individuals would have suffered significant loss and potential harm to their well being from imminent loss of income and victimization by unscrupulous conduct.

During the last quarter of 2007, NJP was able to help the individuals in these examples and nearly 20,000 other people with similar types of legal needs or threatened harms. However, many others who are also affected by unscrupulous business practices, threats to personal or financial well-being, disabilities or other factors that prevent them from being able to solve an immediate legal problem are not able to be served by NJP or obtain legal aid elsewhere. NJP works to stretch its limited resources and expand its reach through community education programs, on-line access to free legal information brochures, through its website ([www.Washingtonlawhelp.org](http://www.Washingtonlawhelp.org)), and through NJP staff presentations on radio and through other media. NJP also serves those in need by providing counsel and assistance to social service agency staff and other community advocates. Finally, through advocacy with governmental agencies and other policy makers, NJP works to correct or prevent errors that can often be the source of harm. NJP is proud to share these activities and many others included in this Report.

## **OVERVIEW OF GENERAL SERVICE DELIVERY**

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

- During the fourth quarter of 2007 NJP's Bellingham office intensified outreach efforts to tribal communities by establishing a monthly legal advice clinic at the Swinomish reservation and working with tribal representatives on the Lummi Reservation to address priority needs there. The office continued serving clients seeking protection from domestic violence and to preserve rights to stable and affordable housing.

### **CLEAR and NJP Web Site**

- CLEAR's project to use non-lawyer screeners to screen calls for eligibility, problem type, conflicts of interest and inappropriate third party callers came to full fruition this quarter. A greater number of calls now move through the system and CLEAR attorneys and paralegals spend a much higher percentage of their time providing legal assistance to eligible persons with priority legal problems. CLEAR advocates handled 6,802 calls resulting in 6,379 new cases or clients. Also, this quarter the Washington LawHelp web site experienced over 106,000 visitor sessions and over 425,000 page views.

### **Contract Attorney Program**

- NJP's Contract Attorney Program (CAP) receives referrals 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 on representation 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 this quarter NJP's Everett office continued to expand its representation of clients in the Tulalip and Stillaguamish tribal courts. The office continued its legal advice clinic on the reservations with an Everett office attorney meeting with clients every first Friday of the month. The clinic assistance includes help with family law petitions and motions in the Tulalip Tribal Court, help with housing and leasing issues exclusive to the Tulalip reservation, and information on the probate process involving Indian Trust land. The office has done outreach to social service agencies on consumer issues and continues participation in the Housing Justice Project run by Snohomish County Legal Services, the volunteer attorney program, and continues to serve clients with issues in family law, health care law, housing and public benefits.

### **Farm Worker Unit**

- NJP's Farm Worker Unit consists of four attorneys and two community workers based in Wenatchee and Yakima. The FWU has been helping mobile home park tenants maintain

affordable housing options in the face of park closures and continues to assist workers with their employment related legal needs, as well as issues of farm worker women who experience work place sexual harassment and/or domestic violence.

### **Longview**

- NJP's Longview office, newly opened this quarter, serves eligible clients in Cowlitz and Wahkiakum Counties. The office includes three attorneys and one legal assistant and enjoys a collaborative relationship with the Cowlitz County Legal Aid program.

### **Native American Unit**

- NJP's Native American Unit (NAU) serves Native American communities 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's targeted work is supplemented by advocates in NJP's field offices. A Statewide Native American Advocacy Coordinator leads the NAU outreach, regional planning and capacity building efforts, in support of NJP's expanded Native American advocacy program.

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

- NJP's Olympia office serves eligible clients of Thurston, Mason, Lewis and Pacific Counties. The office has four attorneys, one of whom is fully bilingual in Spanish, and two part-time support staff. The Thurston County Volunteer Legal Services Program is co-located with the office. During this quarter, the office served clients with family law, housing, health care, public benefits and consumer problems and also provided targeted representation to seniors and members of tribes in the region.

### **Port Angeles**

- NJP's Port Angeles office consists of three attorneys and one support staff and serves Jefferson and Clallam counties. Clallam/Jefferson Pro Bono Lawyers program is co-located with the office. During this quarter, the office represented clients in family law, housing, employment and consumer cases and conducted outreach to the community and to the five Indian Tribes located on the Olympia Peninsula.

### **Seattle (King County)**

- NJP's Seattle office consists of 13 attorneys and 4.5 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; and (4) a City of Seattle funded domestic violence advocacy project. 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 staffed with seven attorneys, including a Native American Unit attorney, two legal assistants and a receptionist, and is co-located with the Spokane office of TeamChild and the Spokane Bar Association's Volunteer Attorney Program.

### **Tacoma (Pierce, Kitsap Counties)**

- NJP's Tacoma office consists of eight attorneys, two paralegals and two legal assistants who assist Pierce and Kitsap County clients in public benefits, family, housing, consumer, education, youth and elder law, disability and civil rights cases. The office is co-located with Volunteer Legal Services and TeamChild. The office provides general legal services to indigent Western State Hospital (WSH) residents through a DSHS Health and Rehabilitative Services Administration, Mental Health Division contract, and services 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, Tacoma advocates also provide legal help to certain developmentally disabled persons who are either currently enrolled in, or are being considered for, the Community Protection Program through the Community Protection Legal Services (CPLS) Project.

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

- NJP's Vancouver office has a staff of 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 the latter part of 2007 NJP's Walla Walla office expanded to four attorneys and one legal assistant. The office continues to focus on areas of family law, housing, public benefits, and consumer needs, and serves the Southeast corner of the state as well as the Tri-Cities area through a satellite office located in Pasco.

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

- NJP's Wenatchee office has five attorneys and three legal assistants and includes a two attorney satellite office in Omak serving Okanogan County. The office 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, discrimination, access to public benefits, housing, 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.

## **CASE EXAMPLES AND OTHER SIGNIFICANT ADVOCACY EFFORTS**

### **NJP FIELD OFFICE SERVICES\***

#### **Consumer**

- NJP's Bellingham office represented a Native American client in attempting to resolve a debt issue with the tribal utility authority. The client's wife owned a home that was inherited from her father, but was never occupied by the client or his wife. Unbeknownst to the client, the individuals who were living in the home were not paying the monthly water bill owed to the tribal utility authority. The wife passed away in 2002 and willed the home to the client. The home burned down in 2004. In 2006, when the client started the process of rebuilding the home, he was informed by the tribal utility authority that he would have to pay the outstanding account balance of \$5617 in order to have the water turned on for the new home. Although the account balance had been accruing since 1994, this was the first that the client had ever heard about it. NJP requested a hearing with the Tribal Utility Board of Commissioners to ask for a waiver of the unpaid bill, and represented the client at an informal hearing. A decision is pending.
- NJP's Everett office represented a client who had agreed to cosign a car loan for a friend. The salesperson did not explain the paperwork she signed or take her income information. As she left the salesperson gave her a handwritten note saying that the car was hers and that her income was \$3800 per month from a pension. In fact, her income was less than \$500 per month from Social Security Disability. A couple of days later, she attempted to return the car and get a refund, but was rebuffed. She left the car at the dealer, however, and she later got a notice saying they would charge her a "storage fee." After being contacted by the Attorney General's office and NJP, the dealer agreed to rescind the transaction and cancel the loan.
- NJP's Omak office spearheaded a community effort to open a VITA tax preparation site in Nespelem on the Colville Reservation. The percentage of Earned Income Tax Credit recipients who took out refund anticipation loans is higher in the Nespelem zip code than in anywhere else in the state of Washington. NJP continues to support the AARP tax preparation site started last year in Omak. Day to day management of that site has been turned over to a volunteer. Last year that site obtained \$66,406 in refund money for those who filed electronically, including \$27,692 in Earned Income Credit.
- NJP's Seattle office represented a limited English proficient man who was the victim of an unscrupulous, used car salesman. The actions of the car salesman resulted in the client being sued on a loan relating to a car he never received. After investigating the facts, and communicating with the attorney for the lender, NJP convinced the plaintiff that the complaint had no merit.

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\* 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 26 and 26-30 respectively.



- NJP's Seattle office represents a client who was defrauded by a used car dealership. The client agreed to co-sign a car loan for his granddaughter, but was tricked by a car salesman who came to his home into signing fraudulent loan application documents that made the client the sole purchaser of the car and that inflated his income. When the car was repossessed, the credit union came after the client for the deficiency on the loan. In response to NJP's demand letter, the credit union released the client from the loan and the car dealership paid the credit union for the costs associated with the car's repossession.
- NJP's Spokane office assisted a disabled man from Stevens County to recover improperly garnished Social Security funds and assisted in recovering over \$150 of improper bank fees. An entire month of Social Security income was illegally garnished by a collection agency, and as a result, the client's bank assessed low-balance charges and fees against his account. NJP sent a demand letter to both the collection agency and the bank and recovered all funds.
- NJP's Walla Walla office assisted a client who had been scammed by a used car company. The company had falsified the client's financial information and rushed the client into a transaction that the client could not afford. Based on the falsified information, the lending bank issued the client a very expensive payment plan for a very expensive vehicle. NJP initiated negotiations with the car company which resulted in a cash settlement to the client.

### **Economic Stability (Employment)**

- NJP's Tacoma office represented a client whose home daycare business was shut down due to allegations of improper conduct by her husband. The business was allowed to reopen and the client's license to operate the business was conditionally reinstated, pending an investigation by the state. The condition imposed on the client's business created a personal and financial hardship for the client, as it severely impaired her ability to earn a livelihood. NJP requested information pertaining to the investigation, and helped the client through the investigation. The State determined that the allegations were not substantiated and removed the conditions on the client's license.
- NJP's Port Angeles office represented a bank assistant manager who had been an exemplary 10 year employee but was terminated following an allegation of sexual harassment. The employee had received promotions and was routinely given stellar performance evaluations. Upon receiving a denial notice of her unemployment claim and learning about the Port Angeles NJP office from an outreach project done at the Jamestown S'Klallam Tribe, the client contacted NJP. NJP gathered evidence including a declaration from the alleged victim who denied that any harassment had occurred. The ALJ reversed the denial finding that the client was fired with no misconduct.

### **Economic Stability (Public Benefits)**

- NJP's Bellingham office assisted a 50-year-old woman with physical and emotional disabilities with an administrative appeal challenging DSHS denial of General Assistance (GA) cash and medical benefits. NJP urged her to reapply for GA to obtain better and

current medical evidence, and at the same time advised her in detail on how to represent herself in her pending hearing. The new application was approved and the ALJ overturned DSHS' denial of her initial application. As a result, the client received a retroactive award of \$1415. She also qualified for medical coverage which allows her to obtain the mental health treatment she needs to become fully employed again. NJP further advised the client to document her shelter expenses so that she could obtain the full monthly grant instead of a reduced "supplied shelter" grant.

- NJP's Seattle office represented a woman with disabilities who was having her social security benefits reduced because of delinquent student loans. Student loans may be discharged if the borrower is unable to pay due to disabilities. After reviewing the file, NJP exchanged letters with the loan administrator, who ultimately found the client was entitled to a discharge of the loan.
- NJP's Spokane office succeeded in reinstating SSA, SSI and State Supplemental payments to an elderly client. All the paying agencies stopped paying these benefits after receiving notices that the bank account into which the payments were being electronically deposited had been closed, and mail inquiries to the client's past address came back undeliverable. NJP determined that the client had moved to a new residence in an assisted care facility and had closed her bank account and opened a new one. The client had failed to inform either the state or federal agencies issuing her benefits of her move or her new bank account. NJP helped the client update the information and obtain needed support services at the assisted care facility.
- NJP's Tacoma office represented a 50-year-old, developmentally disabled woman who was denied eligibility for services from DSHS' Division of Developmental Disabilities (DDD). The client had recently moved to Washington from Minnesota where she had received services for developmentally disabled adults for years. Although the client had IQ testing reports establishing her IQ in the mentally retarded range, none of the tests were completed prior to age 18, and the client submitted no current evidence regarding the level of her adaptive functioning. DDD claimed that although the client submitted statements from family members and had attended special education classes, she had not established that her mental retardation occurred prior to age 18. NJP contacted the school districts in Minnesota and obtained reports confirming the client's IQ at age 15. In addition, NJP referred the client to a local psychologist who completed a Vineland Assessment and provided a report with his opinion that the client's IQ and adaptive functioning supported a diagnosis of mental retardation that had occurred prior to age 18 and would continue indefinitely. After NJP provided these reports, the client was approved for DDD services.
- NJP's Vancouver office completed extended assistance to a Clark County woman with severe fibromyalgia and an inoperable lower back injury whom the office had previously represented successfully in two hearings. (First, she defeated a TANF sanction for not meeting individual responsibility plan activities that she was physically unable to; second, the ALJ overturned DSHS's denial of the GA application she made after her son aged out of TANF.) DSHS stopped her GA for not submitting new medical evidence but

did not notify the client of the deadline until it had passed. NJP helped the client obtain new medical evidence which proved her continued inability to work.

- NJP's Wenatchee office negotiated a settlement on behalf of a client who was assessed a Social Security disability overpayment of over \$13,000 due to the client's employment earnings almost ten years ago. The client suffers from both mental and physical disabilities, can no longer work, and had been notified by SSA that it would withhold his entire monthly benefit until the overpayment was paid back. NJP negotiated with the local Social Security office which agreed to withhold only ten dollars per month.
- NJP's Yakima office teamed with a CLEAR advocate to represent a man whose social security money had been revoked because of an outstanding arrest warrant for failure to pay spousal support. The client lived in Sequim. He failed to come to a Yakima hearing in 1997 and an arrest warrant was issued to compel his appearance. The arrest warrant never expired, even though the client's ex-spouse had since passed away. Social Security cancelled his benefits under the "fleeing felon" rule. The CLEAR advocate helped the client appeal the termination. Meanwhile, a Yakima NJP advocate obtained a court order quashing the arrest warrant. The social security benefits were quickly restored.

### **Education**

- NJP's Bellingham office represented an 18-year-old Latino youth who objected to the actions of security staff at a high school football game. The client, who had just graduated from the school the prior spring and had been a leader in an anti-gang campaign among Hispanic students, was accused by high school security staff of communicating by gang signs and was physically forced to leave the stadium when he denied the accusation. He and his parents complained about the action and met briefly with the district superintendent. They identified witnesses to the events, but they did not trust that the school district would investigate their complaint. NJP asked to review the evidence gathered in the district's inquiry, and asked to be informed of the results and subsequent action to advise the client about possible further appeal. Information revealed that the security employee received a warning letter and had been required to attend training on effective techniques for de-escalating crowd and individual tensions. The client was satisfied with the school district's response to the investigation and complaint.
- NJP's Olympia office helped a rural Thurston County high school student who was summarily suspended from school with no written notice. The young man and his friend were drawing during math class. When the teacher confiscated their drawing, she perceived it to be a violent, cartoon-like depiction of a town under gun and bomb attack by a group of stick figures, some of whom were labeled as the client and his friends. None of the victims in the drawing were labeled or recognizable as particular people (they were all very basic stick figures), and the buildings (all of which were labeled things like "my house", "store", etc.) did not include a school. The on-site police officer and vice principal met immediately with the client and his father, whom they had called to the school. The officer and vice principal explained why the drawing was poor judgment, but found the client's statements credible that the drawing had no significance. The client was sent back to class. Despite the client's statements and the opinion of the

police officer and vice principal, the teacher felt that the drawing was a direct threat to her and to the high school. She immediately got a restraining order against the client, which prohibited him from returning to school. NJP filed court papers in his defense, spoke with the school officials about an immediate return to school and also demanded they give the client his missing work immediately, which they did. At the court hearing NJP presented testimony and argument establishing that this incident did not meet the legal requirements for a restraining order. The court agreed and dropped the order. NJP arranged for the client to be back in school with a different math teacher as the only change to his schedule. The school put up no resistance and also arranged for the client to have an after-school tutor until he is caught up due to the two weeks he missed.

- NJP's Tacoma office represented three participants in DDD's Community Protection Program for the purposes of obtaining educational services through their local school district. The school district delayed delivery of services for approximately one year due to their requirement for, yet refusal to fund, one-on-one supervision for the clients. Following meetings and negotiation with the school district, NJP participated in the evaluations and IEP compositions for the three clients, during which the district agreed to fund full-time para-educators for two of the clients and the third was granted district services without the requirement for one-on-one supervision.
- NJP's Tacoma office represents a 15-year-old African American youth expelled from school and charged in juvenile court with threatening to cause violence at school based solely on hearsay evidence. After challenging the expulsion by requesting a hearing, NJP negotiated the student's return to alternative school, an opportunity to make up missed classes and a tuition waiver for summer school.
- NJP's Vancouver office helped a Vancouver School District middle schooler settle an emergency and permanent expulsion by reducing the penalty to a long-term suspension and transferring to a different school. The student and his brother, who lost their mother to cancer in 2001, had recently been placed in foster care by DSHS because their parenting by the man they knew as their father, their mother's partner at the time of her death, was deteriorating in part due to his own multiple health problems. Among other things, he had not sought a special education evaluation despite the student's evident depression. During the first few weeks after entering foster care, the client misbehaved in ways that he admitted was inappropriate, and that seriously damaged his relationships at school. Excessive time passed between the prompt hearing request by the student's DSHS caseworker and the scheduling of the hearing because of communication problems between DSHS and the District. In only the second negotiated settlement before a discipline hearing that the school district's general counsel could recall in ten years, it was agreed to give him a "fresh start" at another school closer to his foster home, to begin evaluation for special education, and to commence more intensive mental health care services that are available through the DSHS child welfare system.

### **Family Stability, Safety & Security**

- NJP's Bellingham office represented an immigrant victim of domestic violence and her 12-year-old son in obtaining their permanent residency. The mother had married a United

States citizen who physically and emotionally abused her resulting in her making numerous calls to police. Although the husband was never charged with a crime, the client eventually fled from him with her two children and moved into a battered women's shelter. NJP helped the client obtain permanent residency status and work authorization so she could begin working to support her children.

- NJP's Bellingham office represented a victim of domestic violence after her husband hit and choked her several times during a weekend. The client called the police when the husband next left for work. The husband was arrested and criminal charges were filed. With NJP's help, the client filed for a domestic violence protection order for herself and their three small children. The husband sought a special hearing in order to have several witnesses testify on his behalf, claiming the client had lied to the police, that he had never become violent with her and that the client neglected the children. NJP represented the client and the judge entered the protection order. NJP also represents the client in a dissolution proceeding and obtained temporary orders granting her primary residential time with the children and supervised visits by the husband. The court appointed a guardian ad litem (GAL) to investigate as the case continues.
- NJP's Everett office represented a deaf monolingual Russian woman who was a domestic violence survivor in a dissolution action brought by her sponsor. She had a protection order but was in need of maintenance due to obstacles with employment due to her disability, difficulties with American Sign Language and cultural barriers. NJP successfully negotiated agreed dissolution orders in which the client received maintenance and a property settlement.
- NJP's Everett office represented a Telugu speaking domestic violence survivor in a family law matter. The client sought assistance due to threats made by her estranged husband that he would flee the country with proceeds from the sale of a family owned business and leave her with nothing. The client also feared the possibility that he would take their minor children with him. NJP obtained an ex-parte restraining order to keep the husband from fleeing the country pending final resolution of the issues.
- NJP's Longview office assisted a single mother with obtaining a temporary parenting plan modification that restricted visitation in order to protect her child's safety. The child's father had developed an addiction to prescription drugs that led to a suicide attempt and abusive behavior toward the child. NJP assisted the client with filing a modification petition that resulted in an agreed temporary order allowing only supervised visits until the father completed drug treatment and testing.
- NJP's Longview office assisted a young woman with significant disabilities to obtain a generous visitation schedule with her child. The father had forcefully removed the four month old from the client's home, refused to allow the client to see her daughter, and filed a petition for a parenting plan which would severely restrict the client's time with her child. NJP assisted the client in responding to the petition. After three months of no visitation with her daughter, the court awarded the client nearly equal parenting time.

- NJP's Olympia office represented parents who were seeking the return of their two year old son in a tribal court dependency case. The parents had been compliant with the court ordered case plan for over one year but the tribal welfare agency made no attempt to reunify the family. NJP argued successfully that it was in the child's best interests to be reunited with his mother and father. The court reunited the child with his parents and dismissed the dependency.
- NJP's Olympia office represented a father in tribal court when his children were removed from his care by the tribal child welfare agency after unsupported claims of abuse were made against him. The children were returned and the case dismissed after the allegations were proven to have been previously investigated by state, federal and tribal authorities and found to have been unfounded.
- NJP's Olympia office assisted a monolingual Spanish speaking domestic violence survivor substantially increase her visitation rights with her three children. Previously, the visits were only taking place at the father's home while he was present. Although there were orders permitting the client to take the children with her, the father would not allow it and the client did not know how to enforce her rights. NJP assisted the client in getting a more specific court order that gave the client greatly expanded visitation rights.
- NJP's Omak satellite office represents a mother of five in tribal court to obtain permanent custody, a permanent protection order, and child support. The mother suffered beatings and sexual abuse from the father until she left him. Prior to NJP's appearance, when the client was not represented but the father was, the court awarded primary custody of the children to the father. This occurred even after an expert recommended that there be no unsupervised contact between the daughter and the father. Thereafter, the father assaulted his girlfriend in public, and the client sought help from NJP. The children have since been residing with their mother and the father's criminal trial for domestic assault is pending.
- NJP's Port Angeles office represented a Makah Tribal member in a protection order action filed in Clallam County District Court. The client was accused of striking the child of his girlfriend and the father of the child obtained an ex parte protection order. The client denied that he ever struck the child and NJP represented the client in a full hearing after which the District Court dismissed the action.
- NJP's Port Angeles office represented a domestic violence survivor in a contested dissolution in superior court. The client had been physically and sexually abused throughout the marriage and upon separation, the husband assaulted her again. The client was referred to NJP pursuant to a recent outreach project done with a domestic violence agency. NJP successfully fought a contempt action and the case was eventually settled with the client obtaining full custody, child support and a continuing restraining order that keeps the ex-husband from having any contact with the client.
- NJP's Port Angeles office represented a Native American woman in a parentage action filed in Clallam County Superior Court. The father was seeking a residential schedule and a child support order that was significantly lower than the standard amount. The

father had previously had minimal participation in parenting the child. The client appeared pro se at a show cause hearing and was very confused about the ruling. The client had significant fears that the petitioner and his family would use their resources to wrest custody of the child from her. NJP entered the case and was successful in obtaining a child support order of \$852 a month rather than the \$400 requested by the father. The residential schedule provided that the child would reside with the client and that the father would have every other weekend visitation.

- NJP's Seattle office represented a client in a dissolution action involving severe domestic violence. The case involves an opposing party who is a law enforcement officer. NJP assisted the client in obtaining a protection order. The client was awarded custody of the children after a five and half day trial. The court found that there was substantial evidence of domestic violence in the marriage and ordered that the father obtain domestic violence treatment and that his contact with the children be limited.
- NJP's Seattle office represented a victim of domestic violence in a custody modification case. The father, who had been represented in the previous dissolution case while the victim was not, had obtained primary custody of the parties' two daughters despite findings of domestic violence against him. The father allegedly committed sexual abuse of the oldest child and NJP assisted the client in filing a Petition for Modification, obtaining a temporary restraining order, temporary custody of her two daughters with no contact with the father, and a finding of adequate cause to proceed to trial.
- NJP's Seattle based Domestic Violence Community Legal Project (DVCLP) successfully represented an immigrant woman to obtain a Protection Order and custody of her child. The client was physically attacked and threatened by the husband shortly after she gave birth to their child. When she sought a Protection Order, the husband filed a Dissolution action and a Motion for Temporary Orders seeking an order to obtain immediate custody of the child who was two-months-old at the time. The court granted the Protection Order and a Temporary Order giving custody to the client pending trial, limiting the father's contact to supervised visitation, requiring the father to enroll in treatment, and ordering the father to pay child support. The father unsuccessfully sought to overturn the orders. NJP continued representing the client through the dissolution action and successfully negotiated a settlement, shortly before trial, giving the client absolute custody, ordering the father to comply with treatment and extending the Protection Order. At trial, the court ordered the father to pay child support.
- NJP's Seattle based DVCLP successfully represented an immigrant woman in a dissolution/custody case. The woman married her husband after she became pregnant by him. She then followed the husband to this country where he began frequently using illegal drugs and became very violent toward her. He beat her, assaulted her sexually, threatened her, and controlled what she could and could not do, keeping her isolated at home with the child. The client tried to leave the husband but he followed her and threatened to accuse her of kidnapping their young child. During a visit to the hospital because of illness, she was connected with a social worker who referred her to a domestic violence advocate. NJP helped the client obtain temporary custody pending trial, orders that the father obtain treatment and pay child support.

- NJP's Spokane office represented a woman in establishing a parenting plan for her two adolescent daughters. The mother sought a very restrictive plan as there were significant allegations that the father was abusive and violent, both to the client and the children, and a master at the abusive use of conflict; that he had abandoned the children for lengthy periods of time and that he suffered from significant mental or emotional impairments, which were exacerbated by his alcohol and drug abuse. The appointed GAL favored a less restrictive parenting plan, believing that the father was much less of a risk to the children than alleged by the mother. After trial, the court ultimately entered a parenting plan that provided for strict controls/restrictions and prohibited the father from having any contact whatsoever with either the mother or the children. Both a continuing restraining order and a domestic violence protective order were entered. The father is required to successfully complete a one-year, state-certified batterer's treatment program as a condition of the court allowing any reunification or supervised visits.
- NJP's Spokane office represented a woman who sought custody of her children, despite significant barriers. The client, though an excellent mother, has cognitive limitations and mental health diagnoses that had led the court to give custody of the children to their father during the parties' divorce. After obtaining custody, the father endangered the children in many ways, ranging from failure to obtain medical care to an inability to maintain stable housing. NJP began representing the woman after the father took the children, without any warning, on a three-month cross-country road trip, pulling them out of school. The father left no way for the mother to find or contact the children, and for those three months she didn't know if they were dead or alive. The court twice found the father in contempt, and granted the mother's petition for custody. During the trial, NJP demonstrated and the court found that notwithstanding her cognitive and mental health limitations, the mother would be a good parent to the children.
- NJP's Tacoma office successfully defended a Congolese immigrant woman whose stepbrother had obtained a temporary domestic violence protection order against her after she gave refuge to his teenage daughters (her nieces) who were fleeing abuse in their father's home.
- NJP's Tacoma office successfully represented a client at trial in a third-party custody case. The woman had assumed temporary custody of her four grandchildren after the death of the children's mother. The father opposed the third-party custody action, despite never having parented the children, arguing that he had always supported the children financially and visited occasionally.
- NJP's Vancouver office represented a Clark County mother in obtaining a dissolution and protective parenting plan for her two children through a contested trial. The father had a history of mental instability, drug use and violence against the mother in front of the children, and had threatened to abduct the children to Alaska. The father failed to comply with domestic violence perpetrator treatment as ordered and had gotten into further criminal trouble since separation. The father was denied visitation until he complied with conditions of his probation, participated in treatment as recommended by a psychological evaluation, and met with the children's counselor. Visitation thereafter



would be supervised. NJP also represented the client in renewing the domestic violence protection order for her and the children.

- NJP's Vancouver office successfully represented a Cowlitz County mother in modifying her parenting plan to gain primary custody of her three children, thereby protecting them from further sexual abuse. The father, who had been the primary custodian, had failed to take any protective action to prevent further sexual abuse of two of the children by a family friend, even after the children disclosed the abuse to the father. After obtaining favorable temporary orders in a contested hearing, NJP was able to negotiate an agreed final parenting plan. NJP also negotiated a favorable child support order that allows the mother to pay down her sizeable child support arrears to the father through an offset against the father's support obligation, and that allows the mother to negotiate a manageable payment plan with DCS for the remaining arrears she owes to the State so the mother can get her driver's license back.
- NJP's Walla Walla office represented a monolingual Spanish speaking woman in a dissolution proceeding. The woman sought NJP assistance after her two daughters had been sexually assaulted while visiting with their father. NJP finalized the dissolution with a parenting plan that allowed the client control over visitation until the father could prove that the children would be adequately cared for in his home.
- NJP's Yakima office represents a victim of domestic violence who suffers from a disability in a custody modification matter involving an abusive partner with substantial drug abuse problems. NJP helped the client respond to a motion to modify the parenting plan, in which the partner was requesting unsupervised visitation and freedom from drug monitoring that had been ordered previously. NJP also helped the client to renew her domestic violence protection order, which was hotly contested due to underlying allegations of criminal violations.

### **Healthcare, Access and Quality of Care**

- NJP's Everett office represented a senior who was denied Medicaid coverage for replacement of her broken dentures. Current Medicaid rules allow replacement of dentures only once every five years. The client's dentures split during use and could not be repaired. Her medical conditions included diabetes and cardiovascular disease, and she required a specialized diet. Without dentures she was unable to chew the kinds of foods required on her diet. NJP obtained an "Exception to Rule" on her behalf, justified with additional evidence from her dentist, denturist, and physician.
- NJP's Olympia office accepted a referral from a local Social Security attorney for a Thurston county woman who had lost her Medicaid coverage. DSHS continued her Medicaid during the first two levels of her SSI denial appeal, but terminated Medicaid after the administrative hearing. NJP convinced DSHS that the state regulation that requires DSHS to stop benefits at the third appeal stage conflicts with other state and federal regulations, which allow DSHS to continue Medicaid until all levels of SSA appeal are exhausted. In response, DSHS reinstated the client's benefits retroactive to the

date of termination and convinced DSHS administration to ensure that the policy is changed throughout the department.

- NJP's Olympia office helped a 73-year-old Thurston County man retain his in home nursing services when DSHS claimed this could be done by a non-nurse caregiver. DSHS had approved nursing benefits nine years before, when the client sustained a traumatic brain injury. The brain injury compounded his already severe health problems including chronic obstructive pulmonary disease and emphysema. These require constant use of oral suctioning and frequent ventilator treatments. He also suffers from gastro-intestinal problems that require him to use a g-tube for feeding. Although the client's condition worsened in the past year, DSHS claimed that a non-nurse caregiver could be trained to provide the nursing services the client needs. Neither the client's wife nor the client's paid nurses felt this was safe. After months of trying to settle the case, and significant discovery including depositions of DSHS employees regarding the agency's failure to follow policy, DSHS agreed to reinstate benefits.
- NJP's Tacoma office represented a severely brain-damaged man diagnosed with Muscular Dystrophy in an appeal of DSHS' denial of durable medical equipment. The device in question had been prescribed by the client's doctors and had, in their opinion, significantly reduced the client's co-morbidity and improved his quality of life. NJP prevailed at hearing and obtained coverage for the medical device.
- NJP's Tacoma office recently assisted a medically-complex, developmentally-disabled woman in restoring her Medicaid-funded private duty nursing services. After conducting its annual assessment of the client, DSHS terminated the client's private duty nursing services on the stated basis that the client's care tasks could be properly delegated to a certified nursing assistant. NJP appealed arguing that Washington law did not permit nurse-delegation of the client's multiple, complex care needs. DSHS reversed its position and fully reinstated the client's private duty nursing services.

### **Preservation of Housing & Habitability Issues**

- NJP's Bellingham office represented five owners of recreational vehicles threatened with eviction from a mobile home park in a dispute over park sanitation conditions. The mobile home owners had complained to the park manager about problems with the septic system after raw sewage leaked from the septic tank into their yards. When the manager failed to respond to their complaints, one of the mobile home owners filed complaints with the state attorney general's office and the county health department. The health department found several violations, fined the park owner, and ordered that the park owner address the problem by a deadline. After receiving the letter from the health department, the park management terminated the owners' tenancies at the park. The park management claimed that the park was an RV park, not a mobile home park, which allowed them to terminate the tenancies with 20 days' notice, even though all the home owners had signed leases indicating that the tenancies were governed by the Mobile Home Landlord Tenant Act (MHLTA). The home owners contacted NJP after receiving the termination notices. NJP identified several potential claims, including violations of the MHLTA, the Consumer Protection Act and the warranty of habitability. NJP was able

to negotiate with the park owner to resolve this matter allowing the clients to retain their tenancies and live in a safe, habitable park.

- NJP's Bellingham office represented three families in a mobile home park who got a notice that the park would be closing in 12 months after a new owner bought it for redevelopment. The new landlord then required each of the families to sign a month-to-month lease and promptly issued a notice to increase their rent to \$500, from \$350. Two of the clients had a current annual lease with the prior landlord, while the third had unlawfully been offered only a month-to-month lease. NJP represented the clients and demanded that the landlord rescind the rent increase and not enforce the monthly leases, which also had unfair late fees and guest parking rules. The landlord agreed to rescind its rent increase as to both the families and the rest of the park residents, and refunded the payments the clients had already made at the higher rent. NJP also gave the clients advice and assistance with their legal rights related to closure of the park.
- NJP's Everett office represented a disabled senior who had been living in public housing who needed to add her daughter to her household as her live-in caregiver. Although the client asked for this as a reasonable accommodation to her disabilities, the housing authority did not timely respond. NJP successfully assisted the client in filing a discrimination complaint with the Washington State Human Rights Commission, which led the housing authority to offer the client a federal housing subsidy allowing her to move out of public housing.
- NJP's Longview office contacted the Longview Housing Authority on behalf of several federal housing assistance tenants to discuss concerns that a certain landlord with a long history of tenant complaints was succeeding in evicting pro se tenants even when they had meritorious defenses, resulting in unnecessary terminations of federal housing subsidies. After a meeting with NJP, the Housing Authority and its Hearing Examiner agreed to make greater efforts to identify and scrutinize cases involving this particular landlord to determine whether termination decisions should be reversed due to procedural and other defenses.
- NJP's Longview office assisted a woman who was receiving a federal housing subsidy and had lived in the same apartment for several years. A change in ownership brought the client into conflict with the new manager. She received a 3-day notice based on hazard/nuisance, but because there were police in the background when her manager gave her the notice, she moved out immediately, believing the only alternative was incarceration. Although she contacted the housing authority to let them know what had happened, they responded with a notice terminating her subsidy claiming she repeatedly violated the lease, created nuisance and moved from the unit without proper notice. NJP accompanied her to her termination hearing at which the hearing officer reversed the termination and reinstated the subsidy.
- NJP's Olympia office helped a young Mason County woman who had been evicted from her home recoup the balance owing on a lease-purchase option to buy the home. The eviction occurred after a mix-up with her DSHS benefits left the client without any income for several months resulting in her inability to pay rent. The client had paid

\$27,500 as the down payment on the home. The seller-landlord refused to reimburse the client for the unaccrued portion of the down payment and NJP filed suit. The court set the case for trial. The landlord-owner then agreed to sell the disputed property, with the client to receive all proceeds after mortgage pay-off. On closing the client netted over \$10,400. With these funds, the client and her new husband were able to purchase a nice mobile home in which they now live.

- NJP's Olympia office helped keep a disabled man and his wife from being evicted from a mobile home park they had lived in for twenty years. The landlord alleged the couple violated park rules by maintaining debris on the property, including a broken down car, had an unauthorized guest, unauthorized pets, and unauthorized parking. NJP negotiated an agreement that allowed the couple to conform to the rules over a six month period and avoid eviction from their mobile home.
- NJP's Omak office represents a senior living alone in her mobile home on land she rented for 18 years. The landlord lost the land to foreclosure without informing the client. The foreclosing corporation, an international mortgage loan servicer, failed to provide notice of the foreclosure to the tenants on the land, including the client. NJP represented the client in preventing the completion of the foreclosure, and in defending the client against eviction. NJP is now engaged in trying to identify a purchaser of the property who would allow the client to remain as a tenant.
- NJP's Port Angeles office represented a family of six in a federal housing subsidy termination proceeding in Clallam County. Through an outreach project at the Housing Resource Center, a Clallam County low income housing provider, the client was referred to NJP. The Clallam County Housing Authority alleged that the client had committed fraud by signing her husband's name to an employment verification form and gave notice that the federal subsidy was to be terminated. NJP intervened, requested a hearing and prepared the family to testify. At the hearing the client showed that she had power of attorney to sign her husband's name and that no fraud had been intended. The hearing office reversed the termination and the family continues to reside in subsidized housing.
- NJP's Seattle office assisted a monolingual Vietnamese-speaking family who had recently been evicted from their subsidized apartment for non-payment of rent. Because of the eviction, the housing authority was obligated to terminate the family's housing subsidy. However, the reason for the eviction was that the only employed family member had lost his job and, due to the language and cultural barriers, they did not understand that the housing authority could reduce their rent to an affordable level had they promptly reported the decrease in household income. NJP was able to negotiate an arrangement whereby the landlord was paid for the delinquent rent and the eviction judgment was set-aside, thereby enabling the family to retain housing assistance.
- NJP's Seattle office represented a man who came to NJP after he was named as a defendant in an unlawful detainer action that was about to go to trial. The client claimed that he was the true owner of his residence but that a foreclosure rescue scam agreement that he had entered into threatened to leave him homeless and lose substantial equity in

the home. NJP investigated and prepared for trial, but was then able to negotiate a settlement that protected the client's equity in his home.

- NJP's Seattle office brought an action on behalf of a tenant organization representing more than 5,300 public housing families in Seattle, challenging a new public housing rule that forbids tenants from posting signs on their doors. NJP secured an injunction from the trial court in 2006, permanently restraining the housing authority from enforcing the rule. The housing authority appealed, and the case was certified to the Washington Supreme Court. NJP handled the appeal, and the Supreme Court upheld the injunction allowing the tenants to post signs on their external doors.
- NJP's Spokane office assisted a disabled widow with real property in foreclosure to negotiate a \$35,000 reduction in the amount that she owed the creditor on the basis that the client was not provided with an opportunity to renegotiate the terms of her mortgage as other borrowers had been allowed. In addition, NJP was able to delay the entry of a decree of foreclosure, which allowed the client a reasonable amount of time to sell the property and pay the creditor fully, at the reduced amount. NJP also advised the client on how to address the liens that had been filed against the property.
- NJP's Spokane office represented a woman living in a mobile home park and renting the mobile home, who had been issued numerous ten-day comply or vacate notices. NJP advised the client regarding her duties under the Residential Landlord Tenant Act to comply with the law, her lease and the park rules. In the end NJP was able to successfully negotiate a mutually agreeable termination of the lease, a refund of the client's entire damage deposit and ensured proper application of the tenant's pre-paid rent to the end of the leasehold period.
- NJP's Spokane office represented a man who faced chronic homelessness avoid eviction and preserve his housing subsidy. Soon after obtaining housing assistance, the client moved into a new apartment. Due to a rapidly developing personality conflict with the apartment manager, the client was served with eviction notices early in the tenancy. The client's primary concern was that an eviction would cause him to lose his housing assistance, only months after receiving it in the first place. The client found a better housing option and NJP negotiated an agreed move-out date with the landlord. The move was successful, no eviction was initiated, and the client kept his housing subsidy.
- NJP's Tacoma office represented a disabled Kitsap County woman who faced termination of her housing assistance due to a missed appointment for an annual review of her circumstances. The woman had transferred her housing voucher from another housing authority and the housing authority had recently implemented a rather strict policy regarding missed appointments. NJP agreed to represent the woman at hearing. Just prior to the hearing, the housing authority agreed to settle the case, reverse the termination decision, and scheduled the client for another meeting.
- NJP's Tacoma office helped a 76-year-old disabled woman stay in federally-subsidized, project-based housing. With her subsidy, the client's rent was \$72 per month. Although the client had paid her portion of the rental amount every month, the landlord obtained a

Writ of Restitution and Judgment against her by default in an unlawful detainer action based on alleged nonpayment of rent. Due to her advanced age and disabilities, the client had neglected to tell her daughter, who assists with her paperwork, that she had been served with a summons and complaint seeking to evict her. The landlord claimed that she owed full market rent after purporting to terminate her subsidy due to allegations of poor housekeeping. NJP was able to quash the Writ, vacate the Judgment and have the action dismissed after establishing that all rent owed had been tendered and accepted, the acceptance of rent waived any alleged lease violations, and the notice did not comply with federal regulations and the HUD Model Lease.

- NJP's Vancouver office prevented the eviction of a client and her family from public housing. A local housing authority attempted to evict the client for poor housekeeping, but failed to follow federal and state law regarding notices to terminate the tenancy during a lease term that failed to provide an opportunity to cure her alleged breach.
- NJP's Walla Walla office assisted a woman whose apartment unit was condemned by the City of Pasco. NJP filed a complaint in district court against the landlord for damages for breach of the warranty of habitability and other statutory damages. The client received a cash settlement allowing her to move to better housing.
- NJP's Walla Walla office represented a severely disabled woman in an eviction proceeding. The woman was unable to ambulate or breathe without artificial assistance and could not move from her residence when served with eviction papers. NJP attempted to negotiate with the landlord to get the client more time to move. When these negotiations proved fruitless, NJP represented the client in a show cause hearing and obtained a dismissal of the eviction on procedural grounds, thereby giving the client nearly an additional month to relocate.
- NJP's Walla Walla office represented a family of Eastern European refugees who were threatened with eviction by a local public housing authority. The housing authority made allegations of criminal behavior by the family's son, which were proved to be unsubstantiated when NJP reviewed police documents. NJP represented the family at an administrative hearing and won a reversal of the housing authority's decision.
- NJP's Wenatchee office successfully and promptly restored possession of a client's home. The client, a mentally fragile woman who relies on various daily medications to control mental illness, had been illegally locked out of her rented mobile home. The client returned from her six hour shift at work, and found a padlock on her front door. The landlord told the client that she was five days late with her rent, and that she heard a rumor that the client was planning to move out, and therefore, declared that the client had "abandoned" her tenancy. In fact, the client had already sent the landlord the rent, and the client had made no gesture whatsoever that she intended to move out. Though the landlord continued to insist that the lockout was wholly legal, NJP convinced the landlord to restore the client's tenancy.
- NJP's Wenatchee office successfully prevented the eviction of a developmentally disabled senior who was threatened with eviction by her own nephew. The client lived in

the home with her mother, who owned it. The mother is still living, but moved out of the home and into an assisted living arrangement. Though the mother is no longer competent, she previously executed a will leaving the home to the daughter. The client's nephew, through duress and/or fraud, had the mother, after she was no longer competent to do so, convey the home to him. Once he became owner of the home, he sought to evict the client. NJP is continuing to work with Adult Protective Services to investigate allegations of elder abuse of the client.

- NJP's Wenatchee office obtained over \$2,000 in relocation assistance to a family forced out of their rental home pursuant to a condemnation. The father contacted NJP from the hospital where his autistic young son was being treated for an acute illness caused by the family's unhealthy living conditions. The hospital was reluctant to release the child because the home had no heat source. NJP worked with the City of Wenatchee whose code enforcement officer immediately declared the home unsafe to occupy. Within approximately one week after NJP sent a demand letter, the landlord paid the clients over \$2,000 to relocate, as required by the Residential Landlord Tenant Act. The family is now living in a safe, subsidized housing unit. The father reports that his son is happier than he has been his entire life, and that the seizures his son frequently suffered, are suddenly very infrequent.
- NJP's Wenatchee office successfully defended a client and her blind and autistic child from a threatened eviction. The client and child lived in a second story walk up apartment in a subsidized apartment complex and the client believed the threatened eviction was motivated by her repeated requests for repairs and for a ground floor apartment to accommodate her child's special needs. NJP sent a demand letter to the management company and reiterated the client's requests for a reasonable accommodation and repairs to the unit. Shortly thereafter the management company agreed to rescind the tenancy termination notice and to provide the client with the next available ground floor apartment.
- NJP's Wenatchee office successfully protected a client whose electrical service was about to be shut off during one of the coldest months of the year and was able to correct the wrongful administration of the City's electricity rate reduction program. The power provider has a program whereby low income, disabled people are eligible for a reduction in their power bill. The client had repeatedly attempted to apply for the program, but was turned away by clerks who repeatedly told her that as a recipient of "SSI" the client was not eligible. NJP convinced the power provider that not only the client, but many more people were "disabled" and therefore eligible for the rate reduction. The power provider agreed and changed their application form and retroactively reduced the client's power bills. NJP also convinced the provider to make their rate reduction program more widely known by printing it on every bill. The program had been under-publicized, wrongfully administered, and under-utilized.
- NJP's Yakima office represented a disabled, monolingual Spanish speaking senior whose daughter convinced her to quitclaim the home to the daughter or the government would immediately seize her house because she was old. When the client learned that she could keep her house for her whole life, she wanted her daughter to give the home back so that

the house could be sold on the client's death and the proceeds used to pay her funeral expenses with the remainder divided among the children. The daughter refused through her attorney, and explained it was to help her mother with her estate planning. NJP sued the daughter to recover the house, alleging fraud and equitable theories for relief. The daughter relented and a settlement was reached restoring title to the house to the client.

- NJP's Yakima office represented a disabled, single mother whose landlord threw her out of her apartment in the middle of the night. The landlord operated clean and sober housing. The client did not pay her entire rent. The landlord berated the client for two hours, culminating in the landlord throwing the client into the street. NJP sued the landlord for wrongful eviction and won damages for the client and a concession from the landlord that the Residential Landlord Tenant Act applies to clean and sober housing and tenants may not be evicted without due process.

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

- An NJP Bellingham office attorney presented oral argument in an amicus role at the Division I Court of Appeals in a case involving interpreter rights for non-English-speaking injured workers with the Department of Labor and Industries. NJP argued that state law required provision of interpreters throughout hearings held in worker's compensation appeals, and that absence of translated notices should be an equitable basis for allowing a late appeal.
- NJP's Olympia office helped a 90-year-old man who received a discharge (eviction) notice from the nursing home where he had lived for over 10 years. After the client moved in to the facility, his Alzheimer's advanced to the point that he could no longer live in the independent section. He then switched from paying privately to relying on Medicaid and he began to have behavior issues related to his Alzheimer's. The family was convinced that the facility's discharge was based more on the client's transition to Medicaid rather than on the facility's concerns about its ability to meet the client's increased care needs. NJP negotiated with the facility to withdraw the discharge notice while the facility attempted accommodations and while the family sought alternative placement. With the special accommodations, his behavior issues improved to the point the current facility could accommodate them fairly easily and the facility withdrew its proposed discharge.
- NJP's Olympia office ensured that a young Lewis County woman with developmental disabilities could keep her caregiver of choice. DSHS sent the client notice that she could no longer receive care from her provider of choice because the client's roommate also received paid care from that provider. When a provider is paid to care for two or more unrelated people in the same home, that meets the legal definition of an Adult Family Home, and the provider must go through a lengthy licensing process. The client's roommate found other housing as a temporary solution. However, the client missed her roommate and was scared to be alone. NJP helped the client present information establishing that she and the provider actually are related through marriage of mutual relations. Because of the family relationship, under State rules, the client and her



roommate could live together and receive paid care from the same provider without being considered an Adult Family Home.

- NJP's RIAP assisted an elderly Russian refugee who had experienced delays in adjusting to lawful permanent residence due to the fact that he could not have his fingerprints taken as his hands had been amputated at the wrist in a work related accident in the former Soviet Union. Since he will lose SSI at the end of seven years unless he can become a citizen, RIAP assisted him with obtaining the documentation to show he was eligible for lawful permanent residence.
- NJP Tacoma's office continues to represent a patient at Western State Hospital whose eligibility for services from the Developmental Disabilities Division (DDD) was terminated based on a Sexually Violent Predator (SVP) report which listed behavioral problems not considered at the time of his prior eligibility determination. The client appealed and was re-evaluated by a neuropsychologist who diagnosed him with Alcohol Related Neurodevelopmental Disorder (ARND), improving his chances of qualifying under the "similar to mental retardation" standard of the DDD WAC. The hearing was continued in order for the parties' to retain expert witnesses. An expert was hired on behalf of the client who confirmed the earlier ARND diagnosis through the analysis of a magnetic resonance image (MRI) of the client's brain. The case went to hearing because DDD did not agree that the diagnosis of ARND was a medically recognized disorder and because DDD could not determine that the patient's mental illness did not contribute to his low adaptive functioning results. An ALJ decision is pending.

## **NATIVE AMERICAN UNIT (NAU)**

### **Family Stability**

- NJP's Native American Unit (NAU) represented a woman in a tribal court adoption case. The client had agreed to allow her husband to seek adoption of her child. The child's biological father consented to termination of his parental rights and the step-father's petition for adoption was granted; however, it was to remain temporary for one year. The client's husband had then been diagnosed with post-traumatic stress disorder. Though he had a history of suicide attempts and was controlling toward the client and the children, the client thought his behavior could be managed. Instead, he began exhibiting increasingly volatile and aggressive behavior. Ultimately, he assaulted the client in the presence of their children. She subsequently obtained a protection order in state court and filed a motion to vacate the tribal court adoption decree. The husband opposed the motion to vacate; the client believed this was primarily to maintain control and have contact with her. At an initial hearing, she was advised by the court to obtain counsel and she contacted NJP. NJP moved to compel discovery after the husband refused to produce relevant documents, particularly those relating to compliance with domestic violence batterer's treatment. That motion was granted, but the husband still refused to produce the requested documents. NJP moved for contempt and sanctions, including a default judgment granting the motion to vacate the temporary adoption decree. At the contempt hearing, the husband was questioned by the tribal court judge. He reiterated that he would not make the documents available as they would negatively impact his case. The tribal

court found there was good cause to grant the motion for contempt and entered a default judgment granting the motion to vacate the adoption decree.

- NJP's NAU represented the interests of 18 children in Tribal Court dependencies. The children, ranging in age from infants to closely approaching the age of majority, have a wide range of legal needs. These include the right to services and supports for their parents necessary to help the families successfully reunite, educational services to address learning barriers associated with the problems that have brought the families before the court, mental health services for the children, and safe and appropriate out of home placements.
- NJP's NAU continued its efforts to build capacity within reservation and urban Indian communities by providing training to Court Appointed Special Advocate (CASA) volunteers and board members. The NAU has worked in cooperation with Washington State CASA to develop and present an expanded Indian Child Welfare curriculum for CASA volunteers working around the state in county juvenile courts. The NAU is also working with tribes seeking to establish CASA programs within their tribal court systems.

### **Indian Estate Planning**

- NJP's Everett office continues to provide Indian estate planning services to eligible tribal elders in the Swinomish Indian community and the Tulalip Tribal community. NJP is also working with other tribes to set up similar on reservation estate planning clinics.

### **Preservation of Housing**

- NJP's Omak office is investigating a quiet title action on behalf of a 97 year-old Native American woman. The client wants to convert her parcel, on the Colville Reservation, to trust land so that the tribe will have more control over it after her death, and so that her children will not lose the parcel to tax foreclosure by the County. A cloud on the title arose in the 1970s when a creditor of her deceased husband foreclosed. The client was doing missionary work in Canada at that time. The client's son bought the property back for her at the foreclosure sale, but the deed from the purchase at the sheriff's sale was never recorded.

## **FARM WORKER UNIT - STATEWIDE (FWU)**

### **Consumer**

- NJP's Farm Worker Unit assisted a farm worker couple when a local dealership refused to return their \$4000 deposit on a mobile home. Based on the dealership's promise that needed repairs would be completed and the application to the mobile home park submitted within the month, the couple gave notice at their rental home and prepared to move. When they realized that the dealer had not complied with either promise they asked for their money back, only to be offered partial payment in the form of a post dated check. NJP sent a letter to the dealership demanding the return of the deposit and

outlining the provisions of the Dealer Licensing Act which had been violated. Shortly thereafter the dealer reimbursed the couple, much to their relief. These funds constituted this couple's total savings available to obtain replacement housing.

### **Economic Security (Employment)**

- NJP's Wenatchee FWU represents a farm worker from Mexico who, while picking fruit for his orchard employer under an H2A contract, fell from a ladder and sustained, what appeared at first to be merely bruising. However, the wound did not heal and when the worker sustained a second work-related injury he learned that the earlier injury had developed into a serious infection. Upon the second fall, the client was in a great deal of pain and he informed his supervisor that he needed to go to a medical clinic immediately. The supervisor refused to authorize transportation to a medical facility for two days. The delayed medical call and serious kidney infection left the client unable to work. When the client applied for Worker's Compensation benefits, the employer alleged that the worker's injury was not work-related and challenged his industrial insurance claim. Although the employer took the client to his medical appointments, the worker never received any information about his industrial insurance claim nor his legal rights under his claim. The client remained in the employer's labor camp for three months in order to receive follow up medical care, but he had not received any time loss payments or other financial assistance. NJP was able to obtain and submit to the Department of Labor & Industries medical evidence establishing that the injury from the earlier ladder fall had developed into a serious infection. Upon reviewing the claimant's industrial insurance file and medical information, L&I ordered that provisional time loss be paid to the client pending a final decision.
- NJP's FWU filed an action in the federal district court for the Western District of Washington on behalf of 12 migrant farm workers who had traveled from the Yakima Valley to Lynden on the basis of a promise of employment, only to be told that other workers had been hired in the meantime. The employer failed to comply with the recruitment provisions of the federal Agricultural Worker Protection Act, passed to prevent exactly this hardship from arising. Litigation is pending.

### **Immigration**

- NJP's FWU filed adjustment applications for two farm worker women under the Violence Against Women's Act due to abuse by their legal permanent resident spouses. The first woman had been eligible for adjustment for quite a while, but had been unable to come up with the money needed to file the application because she was unable to work due to health and childcare issues. The second woman became eligible to adjust her immigration status because her husband became a citizen soon after her self-petition was approved moving her to the category of immediate relative of a U.S. citizen and making her eligible for adjustment. Both women are waiting for their applications to be adjudicated and their interviews to become legal permanent residents.

## **NJP'S CONTRACT ATTORNEY PROGRAM (CAP)**

- An NJP Benton County CAP attorney represented a client in a parenting plan modification action. When the parties divorced in 2002, even though during the marriage the husband had committed acts of domestic violence against the client, the husband who was represented by counsel (and the wife was not) obtained custody of their three daughters. The modification is necessary because the father physically abused the 10 year old daughter and the client sought to protect the children from further abuse.
- An NJP Kitsap County CAP attorney represented a client who was denied SSI benefits after receiving GAX and provisional SSI benefits. The client has both physical and mental health disabilities and is unable to work. Even though the client and his doctor have noted no improvement in the client's health and ability to work, SSI denied the client's application for benefits.
- An NJP Whitman County CAP attorney represented a client in a custody matter. The client, her two-year old child, and her child's father were all living together. The client began to suspect that the father was sexually abusing the child and a doctor confirmed her suspicions. The abuse was reported to CPS and CPS made a temporary safety plan that required that the father only have supervised visitation. The client sought assistance from NJP to help her get a parenting plan to protect her child from further sexual abuse.
- An NJP Kitsap County CAP attorney represents a client in a project based subsidized housing termination. The Housing Authority terminated the client's tenancy and subsidy because she was unable to comply with an agreement to obtain counseling services. The client has cognitive disabilities that prevented her from complying with the agreement.
- An NJP Franklin County CAP attorney assisted a victim of domestic violence finalize a divorce and obtain a parenting plan, a property settlement and a restraining order that will protect the client and her child.

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

### **Consumer and Debt**

- NJP's CLEAR\*Sr assisted a disabled woman after her bankruptcy attorney declined to obtain discharge of her student loans. NJP worked with the client and her doctor to complete the Loan Discharge Application form and to send it to the student loan collections agency responsible for her loan. The client met the discharge criteria due to her debilitating disability and the client was granted a preliminary conditional discharge to be finalized by the Department of Education and transformed into a total disability discharge three years after the disabling condition occurred.
- NJP's CLEAR\*Sr assisted a Grant County man whose bank account, which contained solely Social Security benefits, had been garnished to pay his daughter's debt. NJP immediately completed the necessary paperwork to claim the Social Security benefits as exempt from garnishment and served it on the creditor's attorney; however, the creditor's

attorney did not abide by the statutory timeline to have the exempt funds released. After NJP contacted the creditor's attorney the Social Security benefits were released and NJP negotiated a settlement to compensate the client for the time he was without funds.

- NJP's CLEAR\*Sr assisted a monolingual Spanish-speaking man whose hospital bill was turned over to a collection agency. The client had received emergency care services from the hospital while visiting his children in Washington. The client was covered under California's Medicaid program but the hospital would not bill the charges to his insurer and instead charged the client the full amount of the bill. By the time the client called NJP, he had moved to Washington and was covered under Medicaid, but Medicaid would not cover the bills in question. The hospital had refused a request that the charges be waived pursuant to Washington's Charity Care laws and insisted that it would not stop the collection agency from collecting the entire balance. After NJP contacted the hospital, it then applied the Charity Care laws and waived the entire balance of the charges.
- NJP's CLEAR\*Sr assisted a 71 year old limited English proficient woman with a used car purchase in Pierce County. A salesman had convinced the client to enter into a contract and fully pay for a used car that she'd never seen. A few days later, when the client went to pick up the car, she was shocked at its poor condition, which was contrary to the salesman's representations. The woman attempted unsuccessfully to negotiate with the car dealership and ultimately refused to accept the car. A few days later the dealership parked the car in her driveway. NJP advised the client about her rights, and wrote a letter to the dealership. The dealership allowed the client to rescind the contract and negotiate for the purchase of a suitable vehicle.
- NJP's CLEAR\*Sr assisted a woman who had purchased a car from a used auto dealer but was unable to obtain the title from the dealer because the dealer sold the car without holding the title. NJP helped the client file a complaint with the Department of Licensing (DOL) and contact the dealer's bond company. The DOL issued several temporary titles to the client, which allowed her to drive the vehicle. After several attempts on the DOL's part to recover the title, they issued the client a new title to her vehicle.

## **Education**

- NJP's CLEAR helped an 18-year-old high school student remain enrolled in school. The client resided with her father until she turned 18, at which time she moved in with a responsible adult family friend because her father was physically abusive to her. The client was expelled by the high school she attended because she was no longer living with her father; the school's rules require that a student reside with a parent or other person authorized by the parent. NJP advised the client to get a Domestic Violence Protection Order and to ask for a hearing with the school administration pursuant to the school's rules. After the client obtained the Order, the school extended the date of expulsion until after the hearing. The client was then able to get additional legal help from a local legal aid provider.

## **Family Stability, Safety and Security**

- NJP's CLEAR assisted a monolingual Spanish-speaking woman after the father of her child filed a Motion for Entry of a Final Parenting Plan by default asking for custody of the child. The woman is the victim of domestic violence and was living in a domestic violence shelter in another county with her child at the time this action was filed. Paternity had been established in Benton County in 2003 and the client was designated the custodial parent at that time. NJP helped the client draft a Motion to Dismiss for Lack of Personal Jurisdiction (the father did not serve the client with a Summons and the client had no opportunity to respond). The court dismissed the father's motion and the client continues to have custody of her child.
- NJP's CLEAR DV assisted a young mother with limited English speaking ability to successfully advocate on her own behalf at a return hearing for a domestic violence protection order. The client and her children had endured a long history of domestic violence, which included being threatened with a knife and other severe physical and emotional abuse. The client's partner used her immigration status to keep her from getting help and from leaving the relationship. NJP counseled the client on documentation to file before the hearing and the hearing process. On the day of the hearing the client called because the partner appeared and the client was ready to drop the case. NJP advised the client on how to present the case to the court and how to avoid her abusive partner. The client was successful in getting a one-year protection order.
- NJP's CLEAR assisted a monolingual Spanish-speaking victim of domestic violence with obtaining temporary custody of her five children, child support and spousal maintenance. Although there was a criminal no-contact order against her husband that prohibited him from contacting the client and her five children, he filed a dissolution and motion for temporary orders requesting visitation with the children. NJP reviewed the husband's motion and assisted the client in preparing her response, including a Parenting Plan and child support worksheets. At the hearing for temporary orders, the husband was ordered to pay child support and spousal maintenance and was denied visitation. NJP then assisted the client to obtain a private attorney who agreed to represent the client in the on-going case.
- NJP's CLEAR assisted a disabled man when the Division of Child Support (DCS) in Yakima fined him \$300 for failure to respond to a subpoena. DCS alleged that the client had not withheld money from an employee's paycheck to pay child support arrears, so the client owed DCS \$6,000. The client receives GA benefits, has not worked for six years and was never the employer of the person who had child support arrears. The DCS worker then put a lien on the client's home and sent a garnishment order to the client's bank and to his girlfriend's place of employment. NJP requested a hearing on the client's behalf to dispute these fines and charges, remove any liens or garnishment orders, and to determine what factual basis DCS had to contact the client in the first place. When the DCS worker continued harassing the client even after the request for hearing was filed, NJP contacted DCS' attorney in Yakima. DCS then withdrew its claim and removed all garnishment orders and liens from the client's property.

## **Health Care, Access and Quality of Care**

- NJP's CLEAR\*Sr assisted a Pierce County man with serious medical conditions after DSHS terminated him from Medicaid's home caregiver and regular medical coverage program. DSHS had informed him that he was ineligible to reapply for 170 days because he had allegedly transferred his home for less than fair market value. In fact, in exchange for the home, the purchaser paid off all of the client's bills, modified the home to accommodate his disability, paid off the entire mortgage and also agreed to allow him to live in the home for his lifetime while paying only \$250 monthly rent. NJP helped the client file an appeal arguing that the client had in fact sold his home for more than fair market value and the law did not support his termination from Medicaid. NJP then counseled the client how to represent himself at the hearing. The client successfully represented himself and the administrative law judge reversed the termination and ordered DSHS to immediately reinstate the client's Medicaid and COPES coverage.

## **Preservation of Housing & Habitability**

- NJP's CLEAR\*Sr assisted a disabled veteran living with his disabled spouse in public housing after he was served with a thirty day eviction notice alleging lease violations including disruptive behavior at tenant meetings, abusive conduct toward management staff and a neighbor complaint of aggressive behavior toward him. During their long term tenancy the couple has been actively involved in advocating for the rights of public housing tenants. Though required by federal regulation, the Housing Authority denied the client use of the grievance process. Through NJP's involvement, the Housing Authority agreed to schedule a hearing but the decision imposed conditions and authorized the Housing Authority to obtain a court order for physical eviction if a breach of the conditions occurred. NJP advised the client as he sought to reach a resolution on these conditions. When no agreement was reached, the Housing Authority reviewed the case and decided to drop the eviction and allow the client to stay.
- NJP's CLEAR helped a disabled woman recover money fraudulently retained by a rental company. The client, who relies on a federal housing subsidy in order to pay her rent, was forced to leave her apartment when the property owner decided to convert the building to condominiums. In her search for a new apartment, she was shown a unit that she liked and that was within her budget. The representative for the property management company helped the client fill out an application to rent and convinced her to write a refundable deposit of \$350. When the client called to follow up she was told that the unit had been rented to someone else and that her \$350 would not be refunded. After NJP contacted the property management company's corporate office, the company gave the client a full refund of her deposit.
- NJP's CLEAR helped restore water service for a tenant whose water was turned off because the landlord had not paid the bill. The client also had a variety of repair issues with the landlord, who did not respond. After NJP informed the landlord that he had an obligation to provide the water, and that the failure to do so could be treated as an intentional utility termination, triggering potential \$100 per day penalties and liability for

any damages, the landlord paid the bill that afternoon, and the water was restored by the end of the day. The client is pursuing other repair issues, as advised by NJP.

- NJP's CLEAR helped a woman move to safety after she was physically assaulted by her boyfriend with whom she shared an apartment and a lease. NJP advised the client that she could break the lease because of the domestic violence and helped the client give the landlord proper notice. The landlord refused to release the client from the lease. NJP wrote the landlord advising her of the domestic violence provisions of the Residential Landlord Tenant Act. The landlord immediately agreed that the client was no longer obligated under the lease.
- NJP's CLEAR assisted a disabled tenant after she 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 set too high. NJP sent the housing authority a reasonable accommodation request. The housing authority reevaluated their rent reasonableness calculation and determined that it was able to pay the increased rent after all and the client was able to remain in her apartment.

### **Targeted Populations**

- NJP's CLEAR helped an elderly man with mental health disabilities avoid a civil fine imposed by the Transportation Security Administration after he accidentally entered a restricted area in an airport. The man had limited income and was extremely anxious about the fine. NJP helped the man draft a letter requesting that the fine be waived due to financial hardship.

## **CLIENT & COMMUNITY EDUCATION AND CAPACITY BUILDING**

### **BELLINGHAM**

- An NJP Bellingham office attorney worked with a Whidbey Island domestic violence services agency to develop and present a training to court staff, clerks and law enforcement in Island County covering all aspects of protection orders for victims of domestic and sexual abuse and other vulnerable adults.
- As part of outreach to Native American communities, NJP's Bellingham office is offering a monthly in-person legal clinic at the Swinomish Reservation near La Conner.
- An NJP Bellingham advocate talked to an Administrative Law class for paralegals at Whatcom Community College, explaining various types of legal aid cases and the ways in which NJP assists its clients who are physically and/or mentally disabled, limited English speaking, victims of domestic violence, or facing other barriers seeking benefits that will meet their basic needs.



- An NJP Bellingham advocate participated in a mini-summit sponsored by the Skagit County Community Action Agency to address community planning to increase affordable housing in that county.

### **CLEAR**

- An NJP CLEAR attorney presented on “Basics of Immigration Law” at the New Advocate’s Training on October 4, 2007.
- An NJP CLEAR attorney presented on “Basics of Family-Based Immigration” at “Immigration Law and its Unintended Consequences” CLE on December 18, 2007, sponsored by the Skagit County Volunteer Lawyer Program.

### **EVERETT**

- An NJP Everett attorney made two consumer law presentations to senior service providers on issues that impact seniors and legal protection against abuses. The goal is to enable providers to spot consumer law issues to help with referral to NJP.
- An NJP Everett attorney gave a seminar about incapacity planning for seniors and senior service providers including information about powers of attorney, guardianships, living wills, and related issues.
- NJP’s Everett office participated with other advocacy programs in revising materials about Medicaid eligibility categories and other medical assistance programs for inclusion in the Washington Practice Manual specifically addressing the medical programs serving seniors and low income people with disabilities.

### **FARM WORKER UNIT (FWU)**

- NJP’s Wenatchee FWU made a presentation to approximately 20 parents at the Bridgeport EPIC Parent Group concerning employment rights, field sanitation, workers’ compensation and wage law. Most of those in attendance were employed in area orchards and packing sheds.
- NJP’s FWU continues working on its sexual harassment project on behalf of farm worker women and continues to do outreach and build a coalition of advocates to better address this issue.
- NJP’s Yakima FWU has joined other local service providers and financial institutions in forming a Yakima County Asset Building Coalition, with the mission of advocating for financial literacy and the development of personal assets for working families and individuals living in Yakima County.

## **NATIVE AMERICAN UNIT (NAU)**

- NJP's Native American Task Force and the Family Law Task Force along with the CLEAR DV and Seattle field office are collaborating to form a steering committee to address Domestic Violence in Indian Country. This committee was formed after Amnesty International USA released a groundbreaking report, showing a high incidence of sexual assault and domestic violence against Native American and Alaska Native women in Indian Country; and consistent with the Amnesty Report, NJP's 2007 Native American Legal Needs Assessment Survey throughout Washington Indian Country with over 672 surveys completed, revealed Domestic Violence as the most important substantive area under Family Law.

## **OLYMPIA**

- NJP's Olympia office has posted outreach flyers, in Spanish and English, at the courts and other community buildings, informing domestic violence survivors about services. The office has provided information to a wide array of key professionals regarding legal assistance to domestic violence survivors in Thurston, Mason and Lewis Counties.
- NJP's Olympia office created a detailed directory of the Guardians Ad Litem that serve the Thurston County, Mason County and Lewis County family law courts, including each provider's credentials where made available.
- NJP's Olympia office created dissolution, parentage and parenting plan questionnaires for clients, so as to reduce the time attorneys must spend on each case, thereby allowing for an increased workload.

## **PORT ANGELES**

- NJP's Port Angeles office has conducted a number of outreach projects to the western part of the Olympic Peninsula, including meeting with City of Forks elected officials, the district court judge and the local newspaper editor to publicize the opening of the Port Angeles NJP office, and meeting with the Olympic Community Action Program, which has begun referring clients from the program. An attorney also attended the Wellness Fair in Forks where several hundred people had access to free diabetes screening and healthy food samples and information about NJP and CLEAR was distributed.
- An NJP Port Angeles attorney has begun working with local court officials and individual social service providers in Clallam and Jefferson counties in establishing a network to overcome barriers for Limited English Proficiency communities.

## **SEATTLE/KING COUNTY**

### **Basic Field**

- An NJP Seattle office attorney has worked to expand NJP access for veterans. In addition to staffing an NJP booth at a veteran's benefit fair, the attorney met with local agencies that work with veterans identifying veterans' legal needs.

- An NJP Seattle office attorney gave a Spanish presentation on family law topics to bilingual advocates from Domestic Abuse Women's Network (DAWN).
- An NJP Seattle office attorney presented a full day training for Domestic Violence Advocates in November.
- An NJP Seattle office attorney prepared materials and made presentations in connection with a number of legal education programs including: deposition training for new advocates; a WSBA sponsored seminar that covered legal ethics and other issues; a program on consumer and debtor issues to screeners at the Better Business Bureau; and a training to Thurston County volunteer lawyers on consumer and debtor issues.
- An NJP Seattle attorney was a guest lecturer on short term, high cost loans at Seattle University Law School's Poverty Law Class.
- Two NJP Seattle office attorneys together with attorneys from the King County Bar Association and the CENTS financial education program have produced an advocate's guide to consumer issues. The guide consists of a National Consumer Law Center book, Surviving Debt, with a supplement containing Washington-specific information. The book and supplement will be distributed to service-providers throughout the state.
- NJP's Seattle office participated in a DSHS Fair Hearing Coordinator Training, and gave a presentation to fair hearing coordinators on how advocates and DSHS representatives can collaborate to resolve cases during the fair hearing process.
- NJP's Seattle DV Project attorneys have given presentations to the King County Coalition Against Domestic Violence (KCCADV), the East Cherry YWCA, the lead Domestic Violence Prosecuting Attorney in King County, and the King County Protection Order Program advocates. They have also sent Seattle DV Project informational material to various domestic violence agencies, including Broadview, Chinese Information Services Center, CHAYA, Abused Deaf Women's Advocacy Services, DAWN, Jewish Family Services, Salvation Army, New Beginnings, Solid Ground, and YWCA and have also attended the KCCADV Awards ceremony, the New Beginnings Fall Festival, the Domestic Violence Rally at City Hall, and the CHAYA Peaceful Families event.

### **Refugee and Immigrant Advocacy Project (RIAP)**

- NJP's RIAP Director presented a three hour training which included a basic overview of immigration status and immigrant eligibility for benefits (including public housing) to approximately 75 participants from King County immigrant service agencies.
- NJP's RIAP Director gave a presentation in November on assisting immigrants with HIV/AIDS in accessing benefits and health care at the Department of Health sponsored Washington State 5<sup>th</sup> HIV/AIDS CARE event in Tacoma, Washington.

- NJP's RIAP Director also presented as part of a panel on immigrants for the National League of Women Voters in November. She provided information and answered questions on immigrant eligibility for benefits, barriers and demographic data to a group of approximately 100 members who were seeking information on the impact of immigrants in Washington State.

### **TACOMA/PIERCE COUNTY**

- An NJP Tacoma office advocate participated in a resource fair at the DSHS Division of Child & Family Services (DCFS) office in Kitsap County. The advocate educated DCFS staff about NJP, and written materials were distributed.
- An NJP Tacoma office attorney gave a presentation in Bremerton on fair housing and reasonable accommodation at a Fair Housing Workshop sponsored by the Pacific Northwest Regional Council of the National Association of Housing and Redevelopment Officials (NAHRO) and the Bremerton Housing Authority.
- An NJP Tacoma office attorney was a presenter on accessing civil legal services for the poor at a resource fair for Pierce County social service providers in October 2007.
- Two NJP Tacoma office attorneys presented on collateral consequences of criminal convictions at a November 2007 CLE attended by approximately 60 Pierce County public defenders and private criminal defense attorneys.
- NJP Tacoma and Spokane office advocates presented on tenants' rights, Social Security appeals, and sealing and vacating criminal records at a December 2007 training attended by approximately 75 staff of a statewide agency that provides case management and supported living services for persons with developmental disabilities.
- An NJP Tacoma office attorney gave a presentation at a CLE in Bremerton on defending mobile home park evictions and subsidized housing evictions. The purpose of the CLE, sponsored by Kitsap Legal Services (KLS), was to recruit and train volunteer attorneys to defend unlawful detainer actions on behalf of low-income tenants in Kitsap County.

### **VANCOUVER**

- An NJP Vancouver office attorney conducted community education and outreach to federally subsidized tenants in Clark County.
- An NJP Vancouver office attorney and a representative of the Clark County Volunteer Lawyer Program spoke with an audience of transitional housing residents about advance directives and about landlord-tenant law.
- An NJP Vancouver office attorney conducted outreach to seasonal and migrant farm workers in South Central Washington in conjunction with advocates from the Migrant Farm Worker Unit based in Yakima.

### **WALLA WALLA**

- NJP Walla Walla staff were invited by a Pasco community agency to give a monthly tenant education workshop to participants in the agency's tenant-based rental assistance program. NJP is scheduled to begin giving regular presentations in February 2008.

### **WENATCHEE**

- NJP's Wenatchee office made another of its regular appearances 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. The topic for November 2007 was again the Mobile Home Landlord-Tenant Act. There are a number of "seniors-only" mobile home parks in the Wenatchee area.
- NJP's Omak office presented information to the Economic Alliance about the volunteer tax preparation sites and the amount of money diverted back to the community by the refunds obtained. NJP explained the nature of refund anticipation loans, and plans by Community Action and Tribal TANF to offer individual development accounts, where taxpayers could deposit their tax refunds electronically.

### **YAKIMA**

- NJP's Yakima office did a show on Radio KDNA on domestic violence and sexual assault protection orders and other legal remedies for victims of domestic violence.
- NJP's Yakima office teamed with NJP's Pasco office for a Prosser community education night on the Mobile Home Landlord Tenant Act and the new dispute resolution process through the Attorney General's office. Approximately 30 people attended, speaking both English and Spanish.

### **NETWORKING AND DEVELOPING COMMUNITY CONTACTS AND RESOURCES**

- An NJP Bellingham advocate serves on the Advisory Board for the Whatcom County Turning Point Program providing training, counseling and other services promoting employability and entry into the workforce for displaced homemakers.
- Two NJP NAU attorneys sit on an Urban Indian Legal Clinic steering committee to form an Urban Indian Legal Clinic based at the new Chief Seattle Club in Seattle. The clinic will provide brief services, referrals and self help for Native American residents in the Greater King County area. NJP co-hosted along with the Northwest Indian Bar Association, the Washington State Bar Indian Law Section and private law firms a Free CLE training on "Representing Native Americans in Washington State: An Indian and Tribal Law Primer," to attract pro bono attorneys to volunteer at the clinic. The Urban Indian Legal Clinic is scheduled to open in March, 2008.

- Four NJP attorneys serve on the WSBA Indian Law Section Executive Committee. The Indian Law Section is planning two mini CLEs and a one-day CLE training on Tribal Court Practices. The one-day CLE will be held at the United Indians of All Foundations facility located at Daybreak Star in Seattle in May 2008.
- An NJP Olympia office attorney serves on the board of the Lewis-Mason-Thurston Long Term Care Ombudsman Advisory Council, which generates referrals and consultations from volunteer ombudsmen regarding the rights of residents in long term care facilities.
- An NJP Olympia office attorney serves as president of the Lewis County Bar Legal Aid Board. LCBLA is an Alliance for Equal Justice partner serving low income Lewis County residents through a pro bono program, legal clinic, facilitator services and more.
- NJP's Olympia office participates in both the Thurston County Domestic Violence Task Force and the Mason County Domestic Violence Task Force. NJP provided support for the Thurston County Task Force of a county grant for \$2 million to develop a one-stop family justice center.
- NJP's Omak office worked together with the Clerk of the Okanogan County District Court, the court interpreter, the bailiff and administrator of the Okanogan County Superior Court, the Court facilitator, the Support Center, Community Action Council, and others to assist the Courts to prepare a language Assistance Plan and two grant applications to fund language access to the courts for hearing impaired and limited English proficient court house users. The first grant application was approved, nearly doubling the hourly rate paid for certified court interpreters in Okanogan County.
- The opening of the NJP Port Angeles office allowed for a unique opportunity to co-locate with the Clallam County Pro Bono Lawyers. Through active cooperation, the Clallam County program agreed to include Jefferson County in its service reach and renamed the program Clallam-Jefferson County Pro Bono Lawyers. With the support of NJP, the program was successful in obtaining continuing funding for the program. Two Port Angeles lawyers sit on the program's pro bono subcommittee.
- NJP's Port Angeles office lawyers have done outreach to various domestic violence programs in both Port Angeles and Port Townsend, participate in the Clallam County Housing Resource Center's meetings and have established ties to the Olympic Area Agency on Aging. An NJP Port Angeles attorney will present a community education training on the Vulnerable Adults Act to a regional meeting of OAAA and the office participated in a Saturday radio call in show directed to area seniors.
- In conjunction with the NJP Native American Unit, NJP's Port Angeles has conducted outreach to the Makah and Jamestown S'Klallam Tribes, and Lower Elwha Klallam Tribe.
- NJP's Seattle attorneys continue to work with advocates and agency staff from around the state to improve legal services to victims of trafficking in Washington State. She is a member of the Washington Advisory Committee on Trafficking (WASHACT) and the

Rescue and Restore campaign to work on both coordination of legal resources and community education and outreach.

- NJP's Seattle attorneys 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. The group is presently working on expanding language access including the following issues: developing policies for deaf and hearing impaired clients, including training on how to work with American Sign Language (ASL) and CDI (Certified Deaf Interpreters) to serve clients who do not know ASL, working with community colleges, interpreters and translators, and staff from the Washington Administrative Office of the Courts, Washington Department of Corrections, Washington Department of Social and Health Services, and other agencies to develop a statewide interpreter and translator directory to insure that agencies and courts around the state have access to trained and qualified interpreters and translators.
- NJP Seattle attorneys continue to work with a collaborative group including the Pro Bono Coordinator at Davis Wright Tremaine and with staff of Children's Hospital, Odessa Brown Clinic and Harborview Hospital to develop a Medical Legal Partnership Project that would provide assistance to doctors and social workers to improve family's access to legal services to improve child health status, housing, education, immigration, and public benefits. The group is seeking funding for full time staff and developing materials that could be used by medical personnel.
- NJP's RIAP Director sits on the Seattle University Law School Community Advisory Board for the Access to Justice Institute.
- NJP's RIAP Director continued to serve on the Immigrant Families Advocacy Project (IFAP) Advisory Board. IFAP is a University of Washington Law School organization, supervised by an attorney at the Northwest Immigrant Rights Project, which pairs students with pro-bono attorneys to help battered immigrants file self petitions under the Violence Against Women Act (VAWA).
- An NJP Seattle office attorney is a member of the Washington State Court Interpreter Advisory Commission.
- An NJP Seattle office attorney is a member of the Unified Family Court Language Committee at King County Superior Court to improve language access to litigants in King County Superior Court.
- At the request of Governor Gregoire, an NJP Seattle office attorney is an active member on the Governor's Task Force for Homeowner Security. In December, the Task Force submitted to the Governor an 87 page report. The recommendations included in the report include a list of best practices for lenders, suggested borrower protections for mortgage products, and legislation to reduce mortgage rescue scams.
- An NJP Seattle office attorney is working with a group of attorneys and legal advocates from the King County Bar Association, the King County Prosecutor's Office Protection

Order Advocacy Program, and the private bar to re-establish a Revision Squad designed to assist low income clients in obtaining necessary reconsiderations and revisions of commissioner's rulings in protection order cases, especially when a necessary protection order is denied improperly. As part of the process the group organized and presented a continuing legal education program in 2007 and will again in 2008, for the general legal public and 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 attorney who coordinates the volunteer program and the volunteer attorneys of the panel.

- An NJP Seattle office attorney serves on the Pro Bono and Legal Aid Committee of the Washington State Bar Association.
- An NJP Seattle office attorney serves on the Civil Rights Committee of the Washington State Bar Association.
- Two NJP Seattle attorneys participate in the Seattle-King County Asset Building Coalition. The attorneys are participating on a subcommittee that is focused on client populations that are un-banked, as well as on a Coalition pilot project.
- An NJP's Seattle attorney participates in the Washington State Bar Foundation's Loan Repayment Assistance Program Advisory Committee, which has developed an LRAP program for public interest attorneys across the state.
- An NJP Seattle attorney continues to serve on the DSHS Standing Committee on Administrative Hearings with the aim of improving client access to justice in the DSHS administrative hearing process.
- NJP's Seattle office participated in the Title 19 Medicaid Assistance Advisory Committee (MAAC), which is a committee that includes members from the advocacy community, individuals who receive public benefits, medical providers and other health professionals, and representatives from the Health and Recovery Services Administration (HRSA), to discuss health and medical care service issues for Medicaid recipients. NJP also participated in the Utilizing Health Care Services subcommittee, to review publication and brochures to help Medicaid clients navigate and access medical and health care services.
- NJP Spokane attorneys continue to work with community agencies to assure they have adequate information about clients' rights when dealing with housing issues and to develop community education presentations to help landlords and client eligible tenants form more successful working relationships with the goal of reducing the number of evictions. One attorney presents a seminar on tenant's rights and responsibilities each quarter to a class of adult students with developmental disabilities at one of the local community colleges.
- NJP's Spokane office has two attorneys who serve on the Whitman County Legal Services Advisory Board, helping to assure that coordination and cooperation between this community agency and Washington's staffed legal services programs results in



meaningful and effective access to the justice system for the low-income residents of the southeastern counties in Washington served by these programs.

- NJP's Spokane office has one attorney who serves on the Spokane County Bar Association Board of Trustees, and also on the Volunteer Lawyer's Program Board of Directors.
- An NJP Tacoma office attorney serves as a board member of a Pierce County not-for-profit social service agency that operates five group homes, a day program, and a farm and garden work program for developmentally disabled adults.
- An NJP Tacoma office attorney serves on a Statewide Websites Working Committee for sites that contain Washington legal services' on-line repositories for client educational material and advocate resources on the World-Wide Web.
- An NJP Tacoma office attorney serves as an elected member of the WSBA Family Law Executive Committee, the leadership committee of the state Bar's Family Law Section.
- An NJP Vancouver office attorney completed her term as Treasurer of the Board of Directors of the Clark County Volunteer Lawyers Program (CCVLP). Another NJP Vancouver office attorney has replaced her as a board member.
- The Clark County Superior Court requested assistance from the NJP Vancouver office in promulgating fair guidelines in determining how and when to grant In Forma Pauperis applications.
- An NJP Vancouver office attorney serves as a member of the statewide Domestic Relations Pattern Forms Sub-committee.
- An NJP Vancouver office attorney participates as the legal aid representative in a DSHS workgroup that is reviewing and revising the agency's application for benefits form.
- 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 Section 8 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's Bellingham and Vancouver office attorneys participate in a workgroup with DSHS Mental Health Division implementing Children's Mental Health Services legislation (H.B. 1088) consistently with the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) requirements of federal Medicaid law.
- NJP's Wenatchee and Omak office staff serve on a number of boards in their communities, including the United Way, the Wenatchee Community Center, the Chelan-Douglas County Volunteer Attorney Services, the Grant-Adams county pro bono program, the Okanogan County pro bono program, and the Community Foundation of North Central Washington.