

# Northwest Justice Project

## Advocacy Report Third Quarter, 2008



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# **INTRODUCTION**

## **OVERVIEW OF GENERAL SERVICE DELIVERY**

### **Aberdeen (Grays Harbor, Pacific Counties)**

- NJP's Aberdeen office has three attorneys and a legal assistant and serves Pacific and Grays Harbor counties. The office has been providing representation in a variety of areas of law including family law, housing, consumer and public benefits. The office continues to work on various outreach projects with community focuses, including seniors, homelessness, re-entry programs for ex-offenders, LEP, tribal, housing, etc. These outreach projects continue to provide meaningful information that helps shape the office's advocacy program.

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

- During the third quarter, the NJP Bellingham office, along with its partners in Whatcom, Skagit, Island and San Juan counties, reported on regional civil legal aid planning to the State Access to Justice Board and began carrying the board's guidance for implementing the revised State Plan. Bellingham office advocates also participated in community outreach visits to agricultural workers in Skagit and Whatcom counties, and provided legal information on low-wage employees' rights on a local community radio program. Advocates also successfully represented individual clients to establish family safety in domestic violence situations, to preserve eligibility for rental assistance, and to obtain necessary medical coverage and in-home care

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

### **Contract Attorney Program**

- NJP's Contract Attorney Program (CAP) consists of two part-time attorneys who receive client referrals from CLEAR staff, Columbia Legal Services, Volunteer Lawyer Program staff, and other legal and social services for clients with issues in eleven counties (Asotin, Benton, Clallam, Columbia, Franklin, Garfield, Grays Harbor, Jefferson, Kitsap, Walla Walla, and Whitman). When a referral is received, the CAP advocate contacts the client to confirm eligibility and obtain additional information and documents relevant to the case. For cases having sufficient merit, the advocate will perform a brief service and/or will refer the case to one of the private attorneys with whom there is a contract (in any one year, CAP uses 30 to 40 attorneys). Once a contract attorney agrees to take a case, the staff member provides, as needed, citations to relevant statutes, regulations and cases, and provides ongoing consultation and assistance. The case-type priorities of CAP are similar to those of other legal services offices across the state; i.e., compelling issues which impact a critical need of the client. Priorities include but are not limited to public benefits, consumer law, housing and family law. During the third quarter of 2008, the CAP staff and its contract attorneys provided advice, brief service and/or representation in approximately 100 cases in the eleven counties it serves.

### **Everett (Snohomish, Island Counties)**

- During the third quarter NJP's Everett office continued to do outreach to the Tulalip Tribal community through brief advice given at a civil legal clinic. Assistance was provided in filing petitions and motions in the Tulalip Tribal Court on child custody issues. Out of this clinic, cases have been taken for direct representation at hearings and in trials. The other major outreach effort has been in the area of consumer law including how to identify and address problems like debt collection, credit information, and fraud. These presentations are given to social service providers particularly those providers serving seniors. Training providers has resulted in an increased number of consumer cases. It has also had the benefit of providers educating their clients. The office continues to serve clients with a wide range of civil legal problems in the areas of family law, health care law, housing and public benefits.

### **Farm Worker Unit**

### **Longview**

### **Native American Unit**

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

- The Olympia NJP office is responsible for a three county region, Thurston, Mason, and Lewis Counties. The office is staffed by four attorneys and two part-time support staff. One attorney speaks Spanish which allows the Olympia office to provide greater access to legal services for Spanish speaking clients. The Thurston County Volunteer Legal Services Program is co-located with the Olympia NJP office. During the third quarter of 2008, the Olympia office served clients with civil legal problems dealing with family law, housing, health care, public benefits and consumer problems. The office also provides 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, probate and consumer cases and conducted outreach to the community and to the five Indian Tribes located on the Olympic Peninsula

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

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

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

- NJP's Tacoma office is staffed by ten advocates (eight attorneys and two paralegals) and three support staff who represent Pierce and Kitsap County clients in public benefits, family, housing, consumer, education, youth and elder law, disability and civil rights cases. The advocates also advise and represent a wide range of community groups and special client populations. The office is co-located with Volunteer Legal Services and TeamChild. The office also provides general legal services to indigent Western State Hospital (WSH) residents through a DSHS Health and Rehabilitative Services Administration, Mental Health Division contract. Advocates meet clients at the NJP satellite office at WSH (in Lakewood) two days each week. Kitsap County clients are provided a broad range of legal services by Tacoma-based advocates at the NJP Kitsap office which is co-located with Kitsap Legal Services in Bremerton. NJP Tacoma advocates are expanding outreach efforts in Kitsap County and have also been actively involved in regional planning for the Kitsap County region. The Kitsap satellite office is currently staffed four days per week. Under a contract with the Washington State Developmental Disabilities Council, NJP Tacoma advocates provide free civil legal services to certain developmentally disabled clients of the DSHS Division of Developmental Disabilities (DDD). These legal services are provided primarily by Tacoma and Spokane NJP advocates via a statewide special project called the Community Protection Legal Services (CPLS) Project. The CPLS Project provides free civil legal services to DDD clients who are either currently enrolled in, or are being considered for, the Community Protection Program. Under a contract with Pierce County Human Services, Aging & Long-Term Care (ALTC) Division, the Tacoma NJP office represents Pierce County senior citizens on a wide range of issues including elder abuse and exploitation and long-term care. Under this contract, Pierce County senior clients can be represented even if they exceed LSC income limits. (The Kitsap County NJP office only represents senior clients who meet LSC financial eligibility standards.)

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

- NJP's Vancouver office is staffed by four 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 third quarter, NJP's Walla Walla office was staffed by four attorneys and two legal assistants. The Walla Walla office continues to focus on areas of family law, housing, public benefits, and consumer needs.

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

- NJP's Wenatchee office has five attorneys and three legal assistants and includes a two attorney, one legal assistant 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)**

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

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

#### **Consumer**

- NJP's Everett office is representing a 95-year old woman living on Social Security income. She was being contacted by multiple debt collectors, and sued by others, for credit cards debts. Her recently deceased son who had been managing her affairs had opened these accounts in her name. She did not know about most of them until after his death, when collectors began to call. Because she is judgment-proof, NJP is working with her on asserting her rights under the Fair Debt Collection Practices Act and other laws to restrict the number of calls and letters she receives from collectors and to inform creditors and collectors that her funds are exempt from collection.
- NJP's Everett office is assisting a client who was being sued for the care she received around a hospital emergency room visit. The client had applied for and received Charity Care assistance from the hospital, but the suit involved the attending doctor's clinic, not the hospital. At trial she attempted to claim a Charity Care defense, but was told it did not apply to the clinic debt. After trial, she learned that the clinic had also given her a partial Charity Care discount before the trial date. She then contacted NJP's CLEAR. NJP helped her succeed on a motion for reconsideration to get the judgment reduced to the amount she actually owed at the time of trial. Later, NJP learned that the clinic had informed the collector of the reduction in the debt before trial. Currently, NJP is investigating the possibility of pursuing a Fair Debt Collection Practices Act claim against the collector for misrepresenting the amount of the debt that she owed.
- An attorney from NJP's Seattle office, together with an attorney from CLEAR, successfully represented a client who was seeking a refund of monies garnished from a bank account that contained her and her daughter's exempt SSI funds. The client had no idea she had been garnished until she tried to withdraw the funds from her bank account. In spite of the client's notification to the collection agency that the funds were exempt as well as NJP's subsequent notice to the collection agency's attorney that the funds were exempt, the collection agency refused to return the money to the client. Only on the eve of NJP's filing a motion did the collection agency agree to give the client's money back.
- NJP's Walla Walla office represented a client who had been the victim of used auto fraud. The client purchased a used car in part on representations by the dealer that certain repairs would be made. The dealer then refused to make the repairs until NJP contacted the dealer and reached an agreement to have the repairs done.

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\* For case examples from NJP's Native American Unit and Farm Worker Unit see pages \_\_\_\_\_ and \_\_\_\_\_ respectively. For case examples from the Contract Attorney Program and CLEAR see pages \_\_\_\_\_ and \_\_\_\_\_ respectively.



- NJP's Walla Walla office represented a monolingual Spanish speaking father of five defend against a lawsuit to collect on a medical debt during an emergency room visit. The client was not offered charity care at the time of the medical care. NJP answered the complaint and the client applied for charity care. The client's charity care application was fully accepted by the hospital and the lawsuit was dismissed.
- NJP's Omak office represents a Native American senior who bought a car from a used car dealer. The client paid cash to the dealer, but the dealer never paid the lenders who still held title to the vehicles. The dealer then disappeared and the financier declined to deliver the titles to NJP's client and other similarly situated customers of the used car dealer. The Department of Licensing and NJP contacted the Attorney General. After receiving letters from the Washington AG office, the financiers promptly delivered the titles.
- NJP's Omak office represented a Colville Tribal member whose car was repossessed at 4 a.m. from tribal land in violation of tribal code. Tribal code does not allow anyone to repossess from the reservation without prior permission of the court. The client was not yet late on any payment and had previously scheduled with the dealer to go in person and pay off the balance that day. In addition, the client tendered cash to the dealer on the day of repossession to redeem the car, but the dealer refused to give her a price for redemption. The car was repossessed while packed with salmon and huckleberries for a traditional meal that the client had contracted to provide. Tribal court granted the client a judgment in the amount of the value of the car, the traditional food that was lost, and loss of use damages.
- NJP's Omak office represents two Native American senior siblings in a foreclosure action on tribal land. The clients' sister owned the family's native trust land, an original allotment awarded the family at the time the reservation was formed. The sister mortgaged the land, and died before paying off the mortgage. The creditor did not follow Bureau of Indian Affairs probate procedure in protecting and claiming a security interest in the land, and thus cannot now foreclose against the heirs. The tribal court held in favor of NJP's clients. The creditor has appealed to tribal appellate court.

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

- NJP's Omak office represents a tribal member who was employed as a safety officer by a tribal corporation for 20 years before being laid off. After the client was laid off and the position left empty, a worker died from a workplace accident where the client had previously been a safety officer. The employer did not follow tribal code, its own employment handbook, or federal law regarding Indian Preference when they laid off the client. The corporation-employer has refused to recall the client to any position, even into the general labor pool. The layoff occurred when the client's wife was vocal and active against allowing mining on the reservation and the supervisor who laid off the client is a mining engineer.

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

- NJP's Everett office represented a client terminated from General Assistance. In a psychological report for his medical eligibility review the evaluator indicated an inability to determine an incapacitating mental health condition apart from the symptoms associated with recent substance abuse. The client was about to enter substance abuse treatment, and his primary goal was to retain the medical assistance. NJP determined the key was to file a new application and get a new psychological evaluation for a current period without active substance use. NJP assisted the client in arranging for this and successfully advocated with DSHS to approve the new application.
- NJP's Everett office represented a client terminated from general assistance after a psychological report done by a psychologist who did not have the benefit of any treatment records for the client. The report indicated the client's mental health symptoms were improved on medications and no longer caused incapacity. Because the department prematurely terminated her benefits, she lost all cash and medical assistance for nearly two months. Due to the loss of medication she began suffering seizures and significant mental health symptoms but was unable to access medical care. NJP assisted her in collecting additional medical evidence and a new psychological evaluation by a provider familiar with her history. With this medical evidence, DSHS agreed to restore her benefits.
- NJP's Everett office assisted a young disabled client who had been notified of termination of her SSI. NJP's CLEAR initially served her and made sure she knew how to request reconsideration and continued benefits. NJP then researched the issue and determined that the termination was wrong. The client had recently reported a change in the child support for her minor children residing with her. The Social Security office had erroneously processed this as an increase in the client's income. NJP contacted the local SSA office and regional office staff about the concern, and the client received notice that her benefits were restored. Her check arrived on time.
- NJP's Everett office assisted a Native American elder apply for widow's benefits from the Canadian government. NJP assisted the client in filling out various applications; acting as the liaison between the Canadian governmental representative and the client; and gathering necessary documents required by the Canadian applications.
- NJP's Longview office assisted a severely disabled client who had authorized creditors to automatically withdraw money from her bank account, leaving her without money to pay for basic necessities. NJP worked with a social worker at Southwest Washington Agency on Aging, who helped ensure that the automatic withdrawal order was cancelled. NJP then wrote to the client's creditors to inform them that all of her income was exempt and she would not be able to pay these bills.
- NJP's Seattle office assisted a woman by testing a relatively new section of the Washington Administrative Code. The WAC allows for a person who was excluded from working with children to petition for a termination of the exclusion on the basis that they have been rehabilitated. Years ago the client, before her manic depression was

diagnosed and while she was abusing illegal drugs, was found to have neglected her child. As a result of that finding she is now precluded by state law from any work or volunteer position that includes the supervision of children. In recent years the client has had an exemplary record and she wanted to get the restriction terminated so she could accept a job working with children at Childhaven. Childhaven was well aware of our client's history but offered her a job, and supported her in her attempts to get the restriction terminated, because she has: adequate treatment for her manic depression; been "clean" for several years; obtained her GED; excelled in classes that trained her to work with children; and become a sterling example for other people that want to improve their lives. NJP presented a very compelling case to the Department of Early Learning (DEL); however, the DEL has never before made a finding that someone has been rehabilitated. The DEL appeared to be ready to exercise its absolute discretion and deny the client's application merely because it had never before made a rehabilitation finding and was hesitant about doing so for the first time. Accordingly, NJP negotiated a compromise that was acceptable to the client and which gave the DEL time to get comfortable with the idea that rehabilitation is actually possible. In particular, NJP stipulated with the DEL on an agreed order that has findings supporting the client's great strides toward rehabilitation and, even though it does not include a finding that the client is rehabilitated, it provides that the DEL will welcome a new application from our client in six months. In short, while the DEL was having a hard time saying "yes" to any applicant for the first time, NJP created a situation where the DEL expects to make such a finding for the first time after the client provides another six months of positive behavior.

- NJP's Seattle office successfully represented an elderly disabled woman in her appeal of a COPEs in-home care services termination. When the client contacted NJP, she had been struggling for several months to keep living safely and independently in her own home without any paid services at all, and was suffering greatly. NJP promptly commenced negotiations with DSHS and arranged for a reassessment, which resulted in DSHS reversing its termination decision and more than doubling her hours of in-home care services.
- A gravely disabled man who had come to the United States as a refugee from Vietnam contacted NJP's Seattle office for assistance after the Social Security Administration terminated his SSI based on an old outstanding felony warrant. Although the warrant issue had been resolved months before, he was unable to convince SSA to reinstate his SSI benefits. After NJP wrote a letter accompanying the court documents showing that no outstanding warrant issue remained, SSA reinstated his SSI.
- A Somali refugee contacted NJP's Seattle office for assistance when DSHS denied her request for food assistance. NJP contacted DSHS on her behalf, asserting her eligibility for these benefits and DSHS promptly provided her with food assistance, on-going and retroactive.
- A young man, gravely disabled by gastroparesis, diabetes, and persistent vomiting contacted NJP's Seattle office for assistance with his appeal of the denial of Medicare coverage for the gastric bypass surgery he desperately needed. NJP contacted the appeals

department on his behalf, with the Medicare regulations supporting the coverage request. The denial decision was rescinded and the surgery was approved.

- NJP's Tacoma office represented a client in an administrative hearing with the Department of Early Learning on an issue regarding child care licensing. NJP submitted supporting exhibits, and presented evidence through live testimony of witnesses. The case is currently pending submission of legal briefs and a decision from the Administrative Law Judge.
- NJP's Tacoma office represented a patient at Western State Hospital who had been denied eligibility for services through the Division of Developmental Disabilities. After producing additional evidence and providing it to the Department, DDD approved the client for services. WSH staff believes this will allow the patient to discharge from the hospital and will hopefully increase her chances of success in the community.
- NJP's Tacoma office assisted a disabled Kitsap County woman in seeking judicial review of a DSHS decision to deny her coverage of a prescription drug by her Medicaid benefits. DSHS had denied coverage of the prescription after they misinterpreted a state regulation regarding prescription drug coverage. Previously, NJP had represented the client at an administrative hearing and in an appeal of the decision from that hearing. The judicial review case involved writing briefs and oral argument before a superior court judge. Oral argument was held and a favorable decision was given by the judge. NJP is working with DSHS on implementing the judge's decision.
- NJP's Tacoma office assisted a client who had her TANF benefits reduced because DSHS removed her son from the grant due to the client's failure to provide a Social Security card for her son. Although the client applied for a Social Security card for her son, it was denied because the client did not have proof of citizenship for her son. The client is a US citizen, but her son was born in another country. NJP negotiated with DSHS and DSHS agreed to find that the client had "good cause" for not providing a Social Security card for her son if the client obtained a current letter from the Social Security Administration (SSA) denying the client's request. The client obtained the requested letter from SSA, and DSHS restored her full TANF grant.
- NJP's Tacoma office assisted a client who had applied for cash, food, medical and ADATSA services from DSHS. The client had initially been denied service based on her employment income. However, due to her mental health conditions, the client was no longer working. The initial denial of benefits was correct due to the client's income at the time, but DSHS had failed to process a more recent application when she had no income. The client originally sought ADATSA benefits for drug and alcohol treatment; however, because she had been abstinent from using for well over 90 days, it appeared she would not qualify for ADATSA services. NJP contacted DSHS on the client's behalf and DSHS agreed to consider her eligibility for General Assistance (GA) cash and medical benefits and agreed to pay for a psychological evaluation. After obtaining the psychological evaluation, the client was approved for GA cash and medical benefits.

- NJP’s Vancouver office continued to assist persons whose rights to public assistance had been wrongly denied, terminated, or limited, including a Clark County woman whom the office had successfully represented in two previous hearings. She is unable to work because of constant pain and other disabilities resulting from a back injury in a car accident. NJP pointed out that the termination notice was wrong to cut off benefits based on not submitting timely information when the notice was sent before the deadline DSHS had given the client to submit the information. Once DSHS received the information, the client’s benefits were reapproved..
- NJP’s Walla Walla office assisted a single mother of three reverse a “founded” CPS finding. One of the client’s children suffers from ADHD. The client attempted to restrain the child to keep him from harming himself or causing destruction to their home. While attempting to restrain the child, he received a bruise on his arm. Because the client’s field of work involved the care of vulnerable adults, she was no longer able to work once she received the “founded” finding. NJP represented the client at her administrative hearing. The Administrative Law Judge found that the client used proper restraint and ordered the finding reversed. The client now has the capability of returning to her chosen field of work.
- NJP’s Wenatchee office obtained a back pay award from DSHS for authorized care-giving services on behalf of a senior client who performs these services for his disabled niece. The client was owed retroactive pay due to the Washington Supreme Court recently overturning the “shared living rule” that reduced payments for caregivers who live in the same household with the person they care for. This case was successfully brought by NJP. Even after this decision, DSHS’s initial retroactive payment to the client fell short. Through correspondence with the attorney general’s office and DSHS, NJP was able to secure the full amount of retroactive pay due to the client.
- NJP’s Omak office advised a blind senior regarding who may file taxes for her recently deceased daughter, how to obtain the daughter’s stimulus payment, and the probate of small estates.
- NJP’s Omak office is assisting a senior whose social security is being improperly garnished through an out of state legal action that occurred without her knowledge.
- NJP’s Omak office is negotiating on behalf of an elderly bed-ridden client who had her checking and savings accounts drained by her daughter through the use of a power of attorney signed while the client was heavily medicated.

### **Education**

- NJP’s Everett office advocated for a Native youth who had been suspended from Marysville Middle School at the end of the 2007-2008 school year. NJP assisted the client in applying for re-admission into high school for the start of the new school year. NJP both facilitated and advocated at a re-admission hearing between school administrators, the client and the client’s grandparents. The client was re-admitted and assigned to the high school of his choice.

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

- NJP's Aberdeen office represented a client with medical and mental health issues in the dissolution of her marriage and custody of the couple's children. There was domestic violence in the marriage including various incidents where the husband displayed a firearm, threatened to kill himself and/or the client, and attempted to strangle the client. The husband also had problems with drugs and alcohol. The client filed for dissolution on her own. When the client attempted to serve her husband with a DVPO, the husband took their two children for over a month and attempted to evade service. NJP became involved and had the children returned to the client and successfully had a restraining order entered against the husband after he was arrested for a DUI and having a loaded firearm with the children in his vehicle. When the case was finalized, the client was awarded full placement of the children, an equitable distribution of the parties' property, and child support.
- NJP's Aberdeen office represented a client whose ex-husband had choked their son. Her ex-husband had physically abused both the client and their son on several occasions during their marriage, but there were no restrictions in the parties' parenting plan. NJP assisted the client in modifying the parenting plan to prohibit contact between her ex-husband and their son until certain conditions were met, thereby protecting her son from further abuse.
- NJP's Aberdeen office previously assisted a client in dealing with local law enforcement that had refused to assist the client when his wife absconded to another state with their infant child when he tried to serve her with dissolution papers and a restraining order. After NJP's intervention, law enforcement took a report from the client, filed charges against the wife for custodial interference, and helped retrieve the child. The child had clearly been neglected by the wife and required prompt medical attention. NJP subsequently represented the client in his dissolution case, obtaining full custody of the child for the client, with only the possibility of very minimal supervised visitation by the mother in the future, if she complies with certain requirements.
- The NJP Bellingham office represented a victim of domestic violence whose dissolution and custody case proceeded to trial after the opposing party refused to negotiate acceptable terms for a parenting plan for their son. The client's NJP attorney intended to present the testimony of a psycho-sexual evaluator who had concluded, based on testing that the NJP attorney had insisted on, that the father has a sexual compulsion and would not provide a safe and healthy environment for the child. In the middle of the trial, perhaps to avoid dealing with these issues in open court, the father agreed to settle the case and accept custody and visitation arrangements that were considerably more favorable for the client and their son than had previously been offered.
- The NJP Bellingham office represented a victim of domestic violence who had fled with her children to a confidential shelter. With the support of several community agencies, the client had applied for affordable housing as part of her plan for stabilization for her family, but she was denied due to the fact that she was listed as part owner of two

properties with her abusive husband. The client did not receive any formal written notice about this action and lay advocates from two agencies were unsuccessful in protesting the denial or getting a clear explanation for it. The lay advocates referred the client to NJP. Her NJP representative wrote to the management company handling the housing appealing the denial and informing the company that one property was already being foreclosed on and that her estranged husband had filed for bankruptcy. The letter also sought the information and legal authority the management company had relied on in denying her application and requested an opportunity for a hearing on the decision. In a matter of days, the client and her lay advocates were notified that the management company had reconsidered her application and approved it, and invited her to view an available unit in the complex as soon as possible. Within two weeks, the client and her children had moved into their new, independent housing and were able to continue rebuilding their lives.

- NJP's Everett office represents a domestic violence survivor with three minor children in a dissolution action to end her marriage to her abusive husband of over 10 years. Over the course of the marriage the client survived being shot at in the presence of the children and having law enforcement take no action when 911 was called due to the fact that the client does not speak English. NJP assisted the client with filing for dissolution and obtaining Temporary Orders that order child support, professionally supervised visits, and appoints a GAL.
- NJP's Everett office represents a monolingual Spanish speaking domestic violence survivor with three minor children in a Protection Order action. Once the estranged husband was served at the family home with the Temporary Protection Order paperwork, law enforcement found the home doused with gasoline and a lighter on one of the tables. They also found a loaded fire arm under a seat cushion. NJP successfully obtained a full year Order for Protection for the client and obtained an Ex parte Order that ordered the estranged husband to surrender his remaining fire arms.
- NJP's Everett office continues to represent a monolingual Spanish speaking domestic violence survivor with four minor children in a parentage action and protection order action. The children's father contacted the client in violation of the client's Protection Order and manipulated her into bringing the children to his home. Once he had the children, he refused to give them back. He then brought a motion on the Ex Parte court calendar to dismiss the Protection Order and Temporary Order that provided him with no contact with the children, except for professionally supervised visits. NJP successfully represented client at the Ex Parte hearing and was able to get the father to drop his Ex Parte Motion and return the children to the client within three hours from the commissioner's decision.
- NJP's Everett office continues to represent a mother who in 2006 sent her child to live temporarily with the child's father. The father then refused to send the child back. The father filed a modification action along with an ex parte restraining order when the client tried to pick the child up from school. NJP represented the client at trial and was successful in getting the court to find that the child's father and stepmother engaged in abusive use of conflict which damaged the client's relationship with her daughter, and

that the father has a long term impairment due to substance abuse which requires an evaluation and treatment. NJP was also successful in getting the court to order rigorous reunification counseling in order for the client's bond with the child to quickly be reunified in order for the child to return to the mother for the summer of 2009.

- NJP's Everett office represented a tribal member in Tulalip Tribal Court regarding his payment of child support. The opposing party, represented by an attorney, was seeking sanctions and possible criminal charges against the client for back child support owed. NJP was able to negotiate a payment plan acceptable to the Court and opposing party and to avoid both sanction and criminal charges.
- NJP's Longview office assisted a client with getting a temporary order in a family law case. The father of the client's child had a history of domestic violence and methamphetamine abuse, but wanted regular, unsupervised visits. The father ended up testing positive for drug use the day of the temporary orders hearing. As a result, the court ordered no visitation until the father could show he had been clean for 30 days and was in treatment, after which he would have two hours of visitation, to be supervised by the client's aunt.
- NJP's Longview office helped a monolingual Spanish-speaking domestic violence victim defend against various motions filed by her husband in a dissolution action. The client's husband had recently been released from jail after being convicted of Assault in the Second Degree/Domestic Violence against his wife. The husband wanted liberal visitation supervised by friends of his. NJP succeeded in arguing that visits should be limited to three hours a week, supervised by a person the client had approved. NJP also helped the client defend against a contempt motion based on the client's selling joint personal property in an effort to support her five children.
- NJP Longview obtained a restrictive parenting plan for a Wahkiakum County mother whose children were in danger due to an abusive and drug-addicted father.
- NJP Longview stepped into a case after a mother lost custody of her three youngest children to an ex parte order based on alleged bullying behavior by her two older teenaged-boys against the younger children. The client had obtained a divorce from her children's father after a several year marriage with increasing domestic violence and drug use by him. The father was very skilled at both manipulating the younger children and deceiving the court by giving the appearance of following the court order. When the court became concerned about possible drug usage by the father, it ordered him to take a hair follicle test. Although the client denied any drug usage to the judge, the drug test was positive for methamphetamine. While the court continued the no contact order between the two older and three younger children, it immediately returned custody of the three younger children to the client and allowed for only supervised visits by the father.
- NJP's Olympia office successfully supported the efforts of two families in tribal court to regain custody of their children in dependency type proceedings.



- The Olympia NJP office represented a battered woman whose husband had filed for divorce. He was granted an ex parte custody order over their newborn without notice to the client. He also filed a non-parental custody action over the child who was not his and got a similar emergency order. In his petition, he made many omissions including that he was on probation for committing domestic violence against the client. Before the client was referred to NJP, she had appeared in court and agreed to a 50/50 division of residential time with both children because she was afraid of having little or not contact if the commissioner made the custody decision. NJP was able to vacate both orders. A hair follicle drug test of the client proved that the husband's allegations of drug use were fabricated. The Court awarded custody of the infant to the client with two days per week visitation with the father. The husband, through his attorney, also agreed to withdraw the Petition for Non-Parental Custody. At the settlement conference, the parties were able to agree on a residential schedule, retaining primary physical custody in the mother with statutory limiting factors and visitation for the father.
- NJP's Olympia office represented a monolingual Spanish speaking woman in a parentage case. The client has little education and is employed as a brush picker. The client left the child's father due to domestic violence and has a one year Protection Order against him which allowed for supervised visitation. The father sued the client for primary residential placement. After a GAL report that was somewhat more favorable to the father than to the mother, visitation was increased. The GAL recommended parenting classes and domestic violence treatment for the mother to prevent becoming victimized in the future. No treatment was recommended for the father. The parties, through their respective attorneys, attempted to settle the matter but the father absolutely refused. After a full trial on the matter, the judge found that the father committed domestic violence against the mother. The judge ordered the father to participate in a domestic violence assessment and participate in any recommended treatment. He limited the visitation and stated that visitation could be reduced further if the father failed to comply with treatment. The mother was awarded sole decision making and child support.
- NJP's Olympia office provided legal assistance to a woman who had been punched by her husband while she was driving, causing her car to flip over a cliff. The accident resulted in severe injuries including a broken back and neck. NJP helped the client obtain a one year Protection Order and assisted the client with a response to a divorce case brought by her husband.
- NJP's Olympia office represented a woman in a family law case in which the father of the client's two preschool aged daughters had supervised visitation due to alcoholism, domestic violence and a poor relationship with the girls. In a related Protection Order, the father had been ordered to participate in a domestic violence assessment but had not had an alcohol abuse assessment. Although the father hired a lawyer and insists that he wants visitation rights, he misses at least half of his visits and only exercises 2-4 hours of each 7 hour visit. Additionally, he has not participated in his domestic violence assessment and he continues to drink. After several months, NJP represented the client in a motion to modify visitation and obtained an order that the father participate in an alcohol abuse assessment. The commissioner also ordered the father to enroll in the next available

“TIPS” class (Training in Positive Parenting Skills) at the local college instead of supervised visitation.

- NJP’s Olympia office represented a domestic violence survivor in a family law case regarding residential placement of the children. NJP had previously assisted the client in getting a Protection Order requiring her husband to undergo a domestic violence assessment and a drug abuse assessment. Although the father did participate in the assessments, he did not follow the treatment plans generated by the assessments. At the settlement conference, the parties were able to agree on orders that included a reduction in visitation until such time as the husband starts participating in his treatment plans.
- NJP’s Olympia office represents a woman who had been severely physically, sexually and emotionally abused by her husband for fifteen years. At one point, the husband pushed the client down the stairs, breaking her clavicle. The client faced many obstacles before she came to NJP because the husband was very proficient at using the legal process against the client. After trying unsuccessfully to get a Protection Order, she finally obtained one after he kidnapped the children for the second time; however, the husband immediately obtained a Protection Order against her in a different court. This was eventually dismissed. After the hearing, the husband went to another court and filed for divorce, and obtained an ex parte request for emergency orders. He never mentioned the Protection Order. The Court granted the Order to Show Cause and some restraining orders. At this point the client contacted NJP. NJP has assisted the client with a written response and represented her at the hearing on the restraining orders. The husband did show up at the hearing but promptly told the Court that he was cancelling everything. NJP immediately filed the Response to the Petition so that the case could not be dismissed. The client has temporary orders and a settlement conference is scheduled.
- NJP’s Olympia office provided legal advice to a woman who had received an ex parte notice of an emergency request for visitation with the parties’ infant son. The client was worried because her husband has serious problems with alcohol and domestic violence. NJP advised her in the preparation of her own declaration. At the ex parte hearing, the husband was given limited, daytime visitation. Although she was not represented by NJP, the office provided additional guidance about her court documents, appearing in court and presentation of orders. At hearing, the Court found that the husband had problems with drinking and domestic violence and limited visitation. The Court ordered the husband to participate in appropriate therapies. The husband’s attorney tried to present a temporary order without the Court’s findings. NJP advised the client on the preparation of her own final Parenting Plan and the Court used her documents to issue final orders.
- NJP’s Olympia office represented a woman who needed a modification of her parenting plan and child support order. The client had been sharing residential time with the father equally. The children were spending every other week with each parent. This arrangement worked while the parents lived near each other. After they moved, the father remarried and enrolled the children in school in his community without informing the mother. Over a period of five months the children experienced abusive treatment by the father and his new wife as well as witnessing domestic violence between the father and the step-mother. NJP filed a modification and obtained temporary orders placing the

children primarily with the mother and a visitation schedule for the father. NJP also was able to obtain a significant child support order providing the mother with child support which she had not had for over eight months.

- NJP's Port Angeles office is representing a client who endured years of physical abuse but stayed with her child's father in the hope that things would get better. The father sexually abused their six year old son and the client left the home. With the help of the Domestic Violence/Sexual Assault Program of Jefferson County the client obtained a protection order and then was referred to NJP. NJP represented the client in a deposition and subsequent court hearings. Currently the father is granted no visitation and the court is waiting for further sexual assault evaluations and suggested treatment plans for the father.
- After suffering various physical assaults, the mother of an eight year old child moved to Washington and received a no contact restraining order from the Clallam County Superior Court. Six years went by and the father filed for a visitation order despite the fact that he had no contact with his daughter for the whole six years. The client, through a local domestic violence agency, was referred to the NJP Port Angeles office. NJP is representing the client and has negotiated a temporary order that allows the father and daughter to communicate through monitored e-mails. Further, the father was ordered not to discuss custody or the previous domestic violence with his daughter.
- NJP's Seattle office represented a woman who was a victim of domestic violence in a complex dissolution case in which the father was aggressively represented by counsel. NJP represented her through the lengthy trial and obtained the judge's ruling entering a protection order and primary custody for the mother. Entry of final orders is pending.
- NJP's Seattle-based Domestic Violence Community Legal Project (DVCLP) successfully represented an immigrant woman in an action to obtain temporary orders pending final resolution of the dissolution/custody matter. The woman left the husband after a history of abuse and obtained an Order for Protection protecting her and her minor children. The husband was then arrested for violating the Order for Protection. The woman had originally filed the dissolution action with assistance of a non-attorney. The DVCLP agreed to represent the woman in the dissolution action and filed amended pleadings to fix numerous errors in the original documents. The DVCLP then successfully represented the woman at a hearing on a motion for temporary orders. As a result, the woman obtained a Temporary Parenting Plan, a Temporary Order of Child Support, and a Temporary Restraining Order pending final orders. The DVCLP continues to represent the woman in this action.
- NJP's Seattle-based DVCLP successfully represented an immigrant woman in a dissolution/custody action from the beginning of the action through a negotiated settlement shortly before trial. 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 up, assaulted her sexually, threatened her, and controlled what she could and could not do, keeping her isolated at home with the child. The woman tried to leave the husband but he

followed her and threatened to accuse her of kidnapping their young child. She thought he was right and she returned to him; however, during a visit to the hospital because of an illness, she was connected with a social worker who assisted and referred her to a domestic violence advocate. As part of the agreed final orders, the woman obtained absolute custody and sole decision-making over her minor child. The husband was ordered to comply with treatment requirements prior to having phased contact with the child. The woman also obtained a final order of child support and a Continuing Restraining Order that expires when the child turns 18 years old.

- NJP's Seattle-based DVCLP successfully negotiated agreed temporary orders for an immigrant woman in a dissolution/custody action. The wife left the husband after a severe history of abuse, including physical abuse, sexual assaults, and serious threats to kill her. The wife had obtained an Order for Protection that had expired. With the agreement, a Continuing Restraining Order was entered pending trial. The husband had previously been following an administrative Order of Child Support that grossly underestimated his income. With the agreement, a Temporary Order of Child Support was entered that more accurately reflects his income. The wife also obtained a Temporary Parenting Plan that gives her custody and decision-making over the children and that gives the husband limited contact with the children pending trial in the matter.
- NJP's Seattle-based DVCLP successfully represented an immigrant woman in a parentage action regarding one of her children. The woman left her husband because of a long history of domestic violence. The woman is now in a safe relationship and has a child with her current partner; however, parentage of this child had to be established in order for her dissolution/custody to proceed to trial with finality of all issues. The DVCLP successfully negotiated an agreement with the presumed father and with the alleged father and entered all appropriate final orders in the action.
- NJP's Tacoma office represented an elderly woman seeking custody of her great-grandchildren because they were being neglected and physically abused by their mother. The Guardian ad Litem recommended that custody remain with NJP's client. The fathers of the children were defaulted against, and the mother entered an agreement the day of trial granting third-party custody to the great-grandmother. The mother was ordered to have supervised visits.
- NJP's Tacoma office represents a mother who is seeking a parenting plan modification in which she seeks custody of the parties' two children. The father has a history of acts of domestic violence against the mother and at least two prior girlfriends. He also has other significant parenting deficits, but was awarded custody of the children when the parties ended their relationship years ago. The mother commenced the case *pro se* after Child Protective Services removed the two children (as well as five other children) from the father's home due to neglect, substance abuse and domestic violence between the father and a former girlfriend, the mother of some of his other children. A dependency was subsequently filed for the children the father and the former girlfriend have in common, and the children remain in out-of-home placement. In the last quarter the father, who had been representing himself *pro se*, hired an attorney who filed a motion to dismiss the case which had been pending for over a year. The motion was denied and it became clear that

the father's attorney was taking the position that the court could not consider the dependency in determining whether the parenting plan should be modified because the dependency was filed after the parenting plan modification was commenced. As a precaution, NJP filed and prevailed in a motion to amend the petition and the court clarified that the dependency and other events that had taken place while the case was pending could and should be considered in the modification case. The matter is set for trial.

- NJP's Tacoma office represented the mother of an infant child in a family law hearing regarding relocation of the child. The opposing party objected to the client's relocation of the child to Pierce County. Upon submission of supporting documents on behalf of the client (including a memorandum of law) NJP successfully argued that the opposing party failed to object in a way that is permitted by statute, and that the time period for doing so had lapsed. NJP also argued that since the existing parenting plan allowed for the father to have visitation in both the county in which the client and child had previously lived, as well as in Pierce County, there was no need for a new parenting plan, or a modification of the existing one. The opposing party's objection was dismissed.
- NJP's Tacoma office represented the mother of an infant child in a family law parenting plan/residential case. Both parties are developmentally disabled. At a hearing for temporary orders in August, NJP successfully argued for a visitation schedule that allowed the client to remain the primary residential parent. In settlement negotiations with the opposing party and his attorney, NJP argued for provisions that provided the client with flexibility in the parenting plan while keeping it effective and enforceable. The parties entered an agreed final parenting plan.
- NJP's Tacoma office represents a U.S. citizen who is a Canadian Indian in a nonparental custody case. The client is seeking custody of her niece who is also a tribal member. The case presents interesting issues regarding the tribe's participation because the Indian Child Welfare Act (ICWA) does not apply to children of Canadian tribes who are present in the U.S.
- NJP's Vancouver office represented a mother in a modification proceeding and obtained an emergency restraining order protecting the children when the father reappeared after several years of being incarcerated for a variety of crimes. There is a serious history of domestic violence and drug abuse on the part of the father. Representation is ongoing.
- NJP's Vancouver office represented a young mother in obtaining visitation of an infant child who was unlawfully being withheld from her by the opposing party.
- NJP's Vancouver office obtained temporary orders re-establishing contact with the youngest of two children for a LEP client. The child had been taken to a relative's residence and the mother was denied contact with the child after the father was told that the mother was going to leave the household. There is a long history of domestic violence against the mother and alienation of the children by the father. A subsequent attempt to suspend visitation by the father was denied. Representation is ongoing.

- NJP's Walla Walla office completed representation for a client who wanted to relocate because of harassment from her abusive ex-spouse. NJP set the matter for trial and reached a settlement permitting the client to relocate and requiring the ex-spouse to undergo domestic violence treatment and drug abuse treatment.
- NJP's Wenatchee office prevailed at trial on behalf of a victim of domestic violence seeking custody of her children and protection from the father of the children. The client and the children were victims of severe physical and mental abuse for many years by the opposing party. The opposing party many times used guns and knives against the client. At one point, during one of his rages, the opposing party put a gun to the client's oldest child from a different relationship. The opposing party also has a history of drug and alcohol abuse. NJP negotiated a restrictive parenting plan on behalf of the client, allowing for supervised visitation. At the onset of the supervised visitations, however, the opposing party began to disparage the client to the children. NJP then successfully argued to the court that the visitation should be suspended. At trial the judge granted a very restrictive parenting plan that denies the opposing party any visitation. The judge also granted the client a protection order prohibiting the opposing party from contacting the client and the children.
- NJP's Wenatchee office successfully reversed a final order that had awarded custody of the client's children to a domestic violence perpetrator. The opposing party physically and sexually assaulted the client and emotionally abused her. He took the client's money and threatened that if she ever tried to leave him, he would take the children. After the client eventually left the opposing party, the State of Washington brought a parentage action. Because she was unrepresented in that action, the client lost custody of her children. NJP later filed a petition for major modification and obtained a new GAL for the case, who found that the opposing party was a domestic violence perpetrator. While the matter is set for trial, NJP secured liberal visitation for the client.
- NJP's Wenatchee office has secured temporary orders protecting NJP's client and her children pending trial. Using guns and a machete the opposing party threatened to and did physically, mentally and sexually assault the client. He also assaulted the oldest child when the child tried to protect his mother. For years, the client and the children also suffered severe verbal and mental abuse by the opposing party. The opposing party had forced his way into the client's home and threatened to kill the entire family on several occasions. After NJP filed a Petition for Dissolution on behalf of the client, NJP secured temporary orders awarding the client custody of the children until final orders are entered.
- NJP's Wenatchee office represented a victim of domestic violence who was being threatened with losing custody of her child based solely on her status as an undocumented alien. During the initial divorce trial, the client was unrepresented and pregnant with a second child from the marriage. The opposing party alleged that he should have custody of the oldest child because the client is an undocumented alien. The opposing party however has a history of alcohol abuse and domestic violence. The court granted the opposing party custody of the first child and reserved custody of the second unborn child for a post dissolution matter. NJP represented the client in the case

involving the custody of the second child. NJP was successful in negotiating a final parenting plan that gave the client custody of the second child without any restrictions on her ability to travel with the child due to her immigration status.

- NJP's Omak office represented a tribal member in tribal court to obtain a stipulated domestic violence protection order to protect her from a coworker who forcibly raped her.
- NJP's Omak office represents a mother of two children to obtain a protection order, child support, custody, and dissolution. The client has a second grade education and does not speak English. During fifteen years, the opposing party rarely let the client leave the family's home, prevented her from working, attending English classes, or getting a driver's license. He hit the client with a stick, drug her around the home by her hair, and sexually assaulted her with a knife. The client finally left the abusive situation with her two children when the husband encouraged the eldest son to also hit the client. The client now has a driver's license, is employed full time, and is enrolled in English classes and has her two sons living with her.
- NJP's Omak office is representing 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 they separated. When the father was represented and the mother was not represented she lost custody, even after an expert interviewed the daughter about bruising and recommended no unsupervised contact between the daughter and the father. No evidence was ever submitted about domestic violence. In August the father assaulted his most recent girlfriend in public. The children have been residing with their mother for a year since then. The father has pending criminal charges for various violations of orders protecting his most recent ex-girlfriend and the client. One day of trial has been conducted. The trial has been continued until early 2009. Meanwhile the children continue to reside with their mother.
- NJP's Omak office assisted a mother of two teenage children through negotiation with her abusive ex-husband. The children's father was attempting to exercise visitation with the children, his first since the day the parenting plan was entered. The father had not complied with any of the terms of the plan and was attempting to have the children flown out of state to him. The client did not understand her rights and was on the verge of capitulating to the ex-husband's demands despite protests from the children that they would run away before being forced to see their father. NJP negotiated with the father who has since dropped his claim to visitation and is now under investigation for several felonies.
- NJP's Omak office assisted a pro-se mother of two in vacating an order that prevented her from seeing her children. The client's legally trained ex-husband had overwhelmed the client with paperwork causing her to miss a key hearing. As a result a judge awarded the father full custody with a single day of visitation for the mother per year. NJP assisted by drafting a motion to vacate and advising the client on how to get evidence of the father's abuse of one of the children before the court.

- NJP's Omak office is representing a client in a disputed custody case. The client suffered domestic violence at the hands of her husband. She eventually fled the state when she learned that he had been sexually abusing her young daughter. The father has filed for divorce and custody of the couple's three year old son. NJP is representing the mother in attempting to gain full custody of the young boy.
- NJP's Omak office is assisting a primarily Spanish speaking domestic violence victim in responding to a petition for dissolution and custody of her son. The client was threatened by her husband multiple times, once with a gun held to her head. NJP is also assisting the client in filing an injured spouse claim to stop further garnishment of the client's paycheck for her husband's tax malfeasance.

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

- The NJP Bellingham office represented a 25-year old man disabled with mild mental retardation, cerebral palsy, and scoliosis, and who is confined to a wheelchair. The client receives paid in-home care provided by his mother/caregiver through the Medicaid Personal Care program. At his mother's request, the client's NJP representative reviewed the decision of the DSHS Division of Developmental Disabilities (DDD) to award him 81 hours per month of in-home care, and subsequently filed an appeal of that decision on the grounds that this amount was insufficient to meet his actual needs. As a first step in pursuing the appeal, the NJP representative provided the mother/caregiver with a detailed explanation of the CARE assessment questionnaire that DSHS uses to quantify how much care is necessary for any individual. The discussion included explanations of how DSHS separately scores the clinical complexity of the individual's disabilities, his cognitive functioning, mood and behavioral matters, his abilities to self-perform activities of daily living, and the way in which DSHS translates these scores into different levels (and different hours) of assistance. Informed by this discussion, the mother/caregiver reviewed the scores given to the client by DSHS. His NJP representative helped her compile a list of the scores that she would change to more accurately reflect his needs and capabilities, and to back up the proposed revisions with concrete examples from her son's daily care. The NJP representative then advised the mother/caregiver on how to present this information to the DDD staff involved, who promptly accepted all of her proposed changes to the assessment. As a result, the client was rated with a higher level of need for care, and was awarded an additional 57 hours per month of in-home care, for a total of 238 hours. The NJP representative thus both increased the client's current in-home care hours and prepared the mother/caregiver on how to respond to future CARE assessment questionnaires to obtain all of the hours her son is eligible to receive.
- NJP's Olympia office helped a family whose daughter suffers extreme and terminal disabilities. The child's physician and school special education department recommended a special "floor sitter" for the child so she could play more effectively without either lying on the floor (presenting health and safety issues) or being physically propped up by a person. DSHS requested additional information from the doctor. Upon receipt of this information DSHS asked for additional information and then denied the request for the sitter when the doctor did not reply. The client's mother requested a fair hearing, and NJP negotiated briefly with DSHS, pointing out the problems with the denial, and urging



DSHS to contact the child's doctors. DSHS did so, and reversed its decision, approving the sitter prior to the hearing date.

- NJP's Olympia office helped a Mason County woman who was unable to access critical mental health services after DSHS restricted her medical coupon. DSHS tracks client usage by number of doctors, prescriptions, and ER visits, among other things. When this client lost her primary provider, she had to go to multiple providers and pharmacies to fill her prescriptions, including pain medications. This triggered a DSHS system that placed her on a restricted medical coupon. By the time the client called NJP, she had a new primary provider. The restrictions were not a problem for her with the exception of being limited to one hospital. DSHS had restricted her to her local rural hospital, which does not offer acute/emergency mental health services. NJP negotiated with DSHS to allow an exception to the restrictions whereby the client can use both her local hospital and the hospital in Olympia which does have the acute mental health services the client sometimes needs.
- NJP's Seattle office hired a new staff attorney, who started work on the Medical Legal Partnership for Children (MLPC) in September. The MLPC is a three-year pilot project to benefit low-income patient families by providing legal assistance at Odessa Brown Children's Clinic (OBCC), a community clinic of Seattle Children's, as well as Harborview Children and Teens Clinic (HCTC). Both clinics primarily serve low-income families from the Puget Sound area. Eventually it is hoped the program will be able to reach a greater constituency of low-income children throughout the region. The MLPC is patterned after a legal clinic established in 1993 at Boston Medical Center.

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

- NJP's Aberdeen office assisted a disabled client whose home caught fire in December 2006. The home is owned by the client and the client's daughter, with whom the four grandchildren also resided. The contractor hired to do the repairs cashed the \$40,000 in insurance checks without the mortgage company's endorsement. The contractor underbid the job and when the work could not be completed for the original bid, the contractor walked off the job and kept all of the insurance money, leaving the home uninhabitable. The client continued to pay mortgage on the home during the entire period (close to foreclosure at least once). The family lived in temporary housing for the first year. Thereafter, the family was split up and friends took in some of the grandchildren. The client has been homeless, staying in different places from day-to-day, sometimes in her car. NJP co-counseled the case with a local law firm that provided its services *pro bono*. The parties agreed to arbitrate with the case settling just days before the arbitration. The client recouped \$30,000 and repairs have been recommenced on the home.
- NJP's Aberdeen office assisted a disabled client and her two minor children who were facing an eviction from project-based federal rental assistance housing. NJP's CLEAR had assisted the client in drafting an answer denying the rent was due. NJP's Aberdeen office represented the client at the show cause hearing, in which the matter was set for trial. Prior to trial the parties were able to negotiate a settlement allowing the client time to find other housing.

- NJP's Aberdeen office assisted an elderly couple who owned their manufactured home. The park owner issued notices that failed to comply with the law and threatened to file an unlawful detainer against the clients. Initially, the opposing party was unwilling to negotiate. NJP assisted the clients in filing a Request for Dispute Resolution with the Washington State Attorney General's Office Manufactured Housing Dispute Resolution Program. After this Request was filed, the opposing party allowed the clients adequate time to place their manufactured home on the market. The clients successfully sold their home at fair market value and relocated.
- NJP's Aberdeen office assisted an elderly client who was being threatened with eviction from his tenant-based federal rental assistance housing. The property owner was making the client perform maintenance around the property for free under threat of eviction if the client ceased the work. The client had not minded helping initially, but due to health problems ceased being able to do the work. NJP met with the local housing authority and contacted the management company, both of which worked with the client to assist him in transferring his voucher to a new residence and stayed off the property owner filing an unlawful detainer action which can harm a tenant's rental history, even if the case is resolved in the tenant's favor.
- The NJP Bellingham office represented a 24-year-old woman in appealing the decision by her local housing authority to terminate her from the federal rental assistance voucher program because of a warning notice she received from her landlord. The client was referred by a case manager from a local family services agency that was serving her. The client receives disability benefits due to mental retardation and mental health problems. She has a pre-school-aged son and was very close to giving birth to her second child. Over the prior six months, she had been subjected to domestic violence on several occasions by her former boyfriend and to other unruly and uncooperative behavior by him that had prompted warning notices from her landlord. After the latest incident, the client had called the police, her boyfriend was arrested for domestic assault, and she got a restraining order against him. Her landlord remained sympathetic to her plight and acknowledged that she had not caused or allowed the repetition of any of the individual problems in the notices, and he had no desire to terminate her tenancy. However, the housing authority acted on its own to terminate her rental assistance under its rule that prohibited three alleged lease violations in a year. NJP assisted her at an appeal hearing, with her case manager participating as well. NJP provided information about the cause of the incidents and police records about her former boyfriend's arrest. NJP also provided the hearing officer with legal authority protecting victims of domestic violence from any adverse effects on their housing and housing assistance based on the domestic violence. The hearing officer then issued a written decision in the client's favor, allowing her to keep her tenancy and her rental subsidy.
- The NJP Bellingham office represented a mentally disabled mother of two teen-aged daughters when her local housing authority terminated her rental assistance subsidy because of repeated damage to the rental unit caused by her daughters and for numerous reports of excessive noise and arguing. Upon reviewing the family's situation and with the client's consent, NJP was able to arrange a meeting with the family and a social

worker from the DSHS Children's Administration's Division of Family and Children's Services (DCFS). Subsequently, a voluntary intervention plan was initiated that called for compliance with a referral for family counseling and intensive in-home support services on a twice weekly basis, along with the younger daughter's agreement to maintain regular attendance at school and to take prescribed medication, and the older, developmentally delayed daughter's successful application for her own state General Assistance cash and medical benefits. At the housing authority's appeal hearing, NJP, with the help of the DCFS case manager, was able to convince the hearing officer to reverse the termination and reinstate the family's rental assistance based on the steps they were taking to improve their situation.

- The NJP Bellingham office represented a man with schizophrenia after a court had entered an order evicting him from public housing while he was visiting his parents out of the state. The client had failed to cooperate with paperwork requirements to re-verify his continuing eligibility for public housing because of his mental illness. After getting a notice from the local housing authority that he faced eviction, he left the state because his mother was seriously ill. Upon his return, he found that a judge had recently entered a default order authorizing his eviction. Advocates from CLEAR and NJP's Bellingham office cooperated to obtain a stay of the eviction order. NJP then filed a motion to dismiss the eviction action based on the housing authority's failure to comply with proper state law eviction procedures. NJP also worked with the client's psychiatrist, and extensively with the client, to submit the information needed to show his on-going eligibility. The housing authority then agreed to dismiss the eviction action voluntarily and allowed the client to continue his tenancy.
- The NJP Bellingham office represented a mobile home owner who was threatened with eviction from the mobile home park in which he rented a lot. The client had lived in the park for several years under a series of renewed one-year leases. The park was sold last year and the new owners informed the client that his lot rent would increase 26% even before the current lease expired and that he would have to sign a new lease on new terms. The new owners also told the client and all other tenants that if they did not sign new leases, their tenancies would be unilaterally converted to month-to-month tenancies with the higher monthly rent. These demands were in apparent conflict with state law. The client, in the middle of his one-year lease term, did not agree to the new lease by the deadline imposed by the new owners. The new owners purportedly converted his tenancy to a month-to-month term and immediately increased the client's rent in the middle of the operative lease term. The increase created a substantial financial hardship on the client. The new owners also began charging for notices they gave to the client, which was not provided for in the operative lease. Soon after, the new owners filed an eviction action against the client for non-payment of the increased rent and other charges. However, the new owners failed to serve the client with proper notice prior to filing the eviction action. NJP appeared on his behalf in the lawsuit and successfully negotiated an agreement by which the new owners dismissed the eviction action and the homeowner had to pay only the back rent owed under the existing, operative lease. Under the agreement, the client continues to rent his lot under the terms of the original one-year lease he signed several years ago.

- The NJP Bellingham office represented a client who was being evicted from her tax credit housing, and faced the termination of her federal housing assistance voucher, after the father of her children was arrested in her complex's garage on a charge of marijuana possession. The housing authority and apartment management justified the eviction and termination because of the belief that he had committed a crime on the premises, and that he resided with the client without authorization based on the fact that he listed her address as his residence when the police arrested him. In fact, he was visiting the client from out of state, had arrived in Bellingham a few hours before his arrest, and had bought the marijuana elsewhere in town without the client's knowledge or involvement and had just returned to the complex. NJP assembled evidence that the children's father did not reside with the client, that the client had never had problems with drug use in her household or by her visitors, and that the man would probably not be present in the future as he was being deported because of the arrest. When NJP presented this information, the housing authority agreed to rescind its housing assistance termination, and the apartment management agreed to allow her extended time to move out without facing an eviction action, because she asked to move. The client was able to use her housing assistance voucher to find and move her family into a new apartment.
- The NJP Bellingham office represented a mother whose landlord sought to evict her from the mobile home park in which she has owned a mobile home for more than a decade. The client believed the landlord was hoping to use the eviction to gain ownership of her mobile home, to which she had made significant improvements. The landlord gave her repeated comply-or-vacate notices, alleging that she had violated various park rules, such as failing to provide proof of insurance of her automobile, having objects on her porch, and having a visitor stay more days than allowed. The client had paid her rent late several times in the past, but she was current on rent when she contacted NJP. NJP began negotiations with the landlord's attorney, and the landlord ultimately never filed an eviction lawsuit despite having served the numerous warning notices and making multiple threats to file a court action. When the situation stabilized, NJP advised the client that it would be critical that she avoid late payment of rent in the future, because that would again place her at risk of eviction.
- The local housing authority referred a disabled tenant's case to NJP's Everett office. Due to severe dyslexia, the client had difficulty comprehending written materials. Her landlord gave her a written lease to sign. This lease included the reasonable rent as determined by the housing authority. She was then given a second "copy" of the lease to sign. This second lease was identical to the first except that it included a significantly higher rent, which corresponded to what the landlord had been charging non-subsidized tenants for the housing. The first copy of the lease was sent to the housing authority, and the second remained in the landlord's files. For two years, the client paid the higher rent. The discrepancy was not discovered until the landlord sold the building. The new owner found the second lease while reviewing the books and notified the housing authority. After failing to settle the matter, NJP helped the client sue the landlord for violation of the Fair Housing Act and other claims. The landlord quickly settled and the client was able to recover the money she had overpaid for two years.

- NJP's Everett office represented a client residing in a Medicaid-funded mental health residential treatment facility. The client was given notice to leave the facility based upon three rule violations during his entire residency. The client had no other housing available and continued to need extensive mental health treatment services. After a grievance hearing, the provider agreed to suspend the discharge but continued to threaten termination on 24 hours notice in the event of an incident causing a "911" call. NJP filed an extensive request for accommodation of the client's disability, seeking better treatment and crisis planning and continued services. An appeal of the initial grievance decision to the quasi-governmental "regional support center" level included complaints about the agency's failure to address the needs identified in the reasonable accommodation request. A favorable decision restricted the provider from residency termination and required the agency to improve treatment and crisis planning.
- NJP's Longview office assisted a disabled senior woman who wished to obtain housing in a housing community for older, disabled adults. She had been living with her ex-husband because her disability precluded her from being able to move out on her own. She had a court-ordered eviction because his home had gone through foreclosure and as a result, the senior community denied her tenancy. NJP was able to obtain documentation from the client's chiropractor to support a reasonable accommodation, thereby causing the senior community to 'waive' the eviction from her record and accept her for housing at the complex.
- In partnership, CLEAR and NJP Longview successfully assisted a young woman maintain her subsidized housing. The client called CLEAR complaining that she had been evicted for non-payment of rent, although she was current on her payments. CLEAR found a defect in the summons and drafted a motion to vacate the writ. NJP Longview appeared with the client at the hearing and, because the landlord failed to appear at the hearing, the judge quashed the Writ of Restitution and did not re-issue the Writ. The client's record was cleared and her subsidized housing will not be adversely affected.
- NJP Longview assisted a Castle Rock disabled woman in maintaining her Rural Housing subsidized apartment. The housing authority declined to re-certify her for a subsidy for the next year due to the client allegedly having received four lease violation notices within a one-year period. The client disputed the validity of the notices as one of them falsely alleged that client had allowed an unauthorized tenant to live with her and another was for a complaint that was over a year old. NJP met with the client, her father, and the housing authority and after NJP convinced the housing authority that two of the four notices were defective, the housing authority agreed to re-certify the client for another year.
- NJP Longview assisted a client in maintaining her apartment. The landlord issued a 20-day notice to terminate her tenancy, seemingly ignoring that the client was in the midst of a valid one-year lease. The landlord agreed that the notice was improper and the client was allowed to remain in her home until the lease expired.
- NJP Longview assisted a tenant with maintaining her housing voucher. The client was sued for non-payment of rent. She had intended to move out of state to be closer to

family and vacate her residence by the end of June but because her prospective housing fell through, she was not able to move out as planned. Because she had already committed to a move out date, the housing authority did not pay July's rent and the client was sued for non-payment of rent. NJP negotiated with the landlady to prevent issuance of a writ, thereby allowing the client to maintain her housing voucher.

- NJP's Longview office has been operating a scaled-down version of the Housing Justice Project (HJP) since approximately August, 2008. Currently, all three attorneys take turns covering the weekly unlawful detainer docket. The project is in a six-month trial period and if deemed worthwhile to continue, Cowlitz-Wahkiakum Legal Aid is prepared to assist in obtaining volunteer attorneys to join the rotation. NJP was able to assist an elderly and disabled HJP client in obtaining additional time to move out of his home and find a new residence. The client's landlord only accepted cash as payment for rent and refused to give tenants receipts. Although the client was current on his rent, he could not prove it and was being sued for non-payment of rent. NJP got his case dismissed for lack of subject matter jurisdiction for a defective summons that contained both unlawful and confusing instructions on what his tenant obligations were to defend against the unlawful detainer.
- NJP Longview received numerous complaints from a mobile park home owner that the owner of the manufactured housing community in which he lived was overcrowding the park by adding multiple mobile homes to single mobile home spaces, that both he and other tenants were being over-charged for rent by illegal mid-term lease increases and that the owner was interfering with the tenants' right to assemble. NJP conducted a site inspection at the invitation of their client and while at the manufactured housing community, two attorneys were threatened and harassed by the park owner when he followed them around the park, took their pictures, ordered them off his property and threatened to report them to the bar association. NJP further investigated and learned that the owner was also over-charging tenants on utilities. NJP filed a complaint seeking injunctive relief and obtained an order directing the landlord to not threaten, intimidate, harass or retaliate against any tenant and prohibiting the landlord from enforcing any rental agreement provision that violates the Manufactured/Mobile Home Landlord Tenant Act.
- NJP's Olympia office helped a visually impaired woman when she discovered she was being evicted from her public housing unit. Although she was home, the manager did not try to serve the eviction notice personally, but just taped it to her door, knowing she had visual impairments. The client did not know about the notice until a neighbor told her. The allegations in the notice were completely untrue, and the notice was posted just a day or two after the client caught the manager coming into her apartment at 11:00 p.m. This frightened the client terribly, especially as several things had gone missing from her apartment over the past several months. The manager refused the client's request to allow her to install a chain or sliding lock for use while she was in the apartment. While this was going on, the client was assaulted by her boyfriend, who was put in jail and given a criminal no contact order prohibiting him from contacting the client. Subsequently the landlord filed an unlawful detainer action in court based in part on the client's failure to leave pursuant to the first notice and in part on the incident of domestic violence. NJP

negotiated with the Landlord's attorney to dismiss the court case and allow the client adequate time to move out before her boyfriend was released from prison, which she wanted to do for her own protection.

- NJP's Olympia office helped a mother of two young children when her public housing complex served her with an eviction notice. The eviction was based on an incident in which three children stole items, including a gun, from a home across the street from the complex. The manager claimed the client's nephews, who sometimes visit her, were involved. When the client explained that her nephews most certainly were not involved, and in any case were with their mother in Tacoma at the time of the incident, the manager claimed that the boy at fault was also the client's nephew. Other statements made it clear that the allegation was based on the fact that the client, her nephews, and this other boy are African American. NJP contacted the complex and demanded that the eviction be withdrawn. The manager retained an attorney, and NJP again demanded that the case be withdrawn due to the complete lack of connection between our client and the incident, as well as the likelihood of illegal discrimination. Eventually the complex did withdraw its eviction threat and the action was never filed in court.
- NJP's Olympia office was successful in tribal court in preventing a client's immediate loss of housing and negotiating a six month move out agreement. The issues presented included Indian probate law, jurisdiction over Indian estates under Public Law 280 and tribal housing and property issues in HUD programs.
- NJP's Olympia office represented a disabled man who faced eviction from a mobile home park for three 5 day notices for late rent payments. NJP was able to convince the judge at trial that one of the notices was questionable based on witness testimony that the client was not properly served and that the park manager had refused to take rent. The judge kept the unlawful detainer action open and ruled that if the client pays rent on time through December he is likely to dismiss the case.
- NJP's Olympia office represents a woman who faces eviction due to a fraudulent taking of her home. The client inherited the home free from any mortgages or liens from her mother in 2002. In 2007 the client became delinquent in her property taxes and had little income. She met a man who convinced her that he was an investment genius who could make her money. He induced her to quit claim the house over to him. This con man used the quit claim deed as collateral to obtain a loan from a hard money firm in Portland for \$120,000. In early 2008 the con man defaulted on the loan and it went into foreclosure. The client tried to explain to the lender that the house had been taken from her fraudulently but the trustee sale proceeded and the lender bought the house on a credit bid. The lender now is seeking to evict the client. NJP will file a quiet title action to stay the eviction proceeding and pursue her claims to the house.
- NJP's Olympia office advocated on behalf of a Mason County disabled woman who faced termination of her subsidized housing by the Bremerton Housing Authority. The Housing Authority claimed that the client had not turned in annual certification paperwork. The client argued that she had delivered the paperwork two times to the office in Mason County by putting the paperwork under the door. NJP was able to

negotiate with the Housing Authority to withdraw the termination and keep the client in subsidized housing.

- NJP's Port Angeles office, after conducting an outreach effort to a low income apartment building in Port Townsend, was contacted by a resident who was being evicted for non-payment of rent. NJP responded to the action and at hearing, the parties agreed to allow the tenant to vacate the premises and to thus preserve her federal housing assistance voucher. NJP is representing the tenant's association in the apartment building and is advocating for major changes in the rules and regulations of the landlord.
- NJP's Port Angeles office was contacted by a 72 year old Port Townsend resident, whose only income were SSI payments of \$650 a month, when her application for a federal rental assistance voucher was denied. The client had an extensive criminal history involving drugs and the Housing Authority denied her application based on her previous criminal history. An appeal was filed and at hearing the client stated that her last conviction was six years ago and that she has been drug free since. The hearing officer allowed NJP to file a more detailed criminal history subsequent to the hearing showing that the client's conviction was for possession of drugs and not the manufacture of drugs. Based upon that and pursuant to HUD and agency regulations, the hearing officer determined that the client could apply for the voucher and her appeal was allowed. Currently the client is on a housing voucher waiting list.
- NJP's Seattle office assisted a disabled senior citizen who had fallen on hard times and lost his home at foreclosure. Compounding his problem was the fact that after the foreclosure sale his lender claimed that it had a second lien on his home that allowed it to keep the surplus proceeds that resulted from the foreclosure sale. In the King County Superior Court NJP was able to fight off the lender and eventually was able to get a court order that resulted in the disbursement of \$27,000 to the client.
- NJP's Seattle office assisted clients who came to NJP after losing their home through a "foreclosure scam". NJP evaluated the situation, filed a complaint, conducted depositions, and participated in a court ordered mediation. NJP was able to obtain cash settlements for these clients that totaled over \$30,000.
- In Seattle, the local public housing agency's tenant-selection criteria make public housing units effectively inaccessible to homeless applicants. Seeking to rectify this problem, NJP's Seattle office has represented a series of homeless individuals and families who applied for, but were denied access to, public housing over the past several months. In six cases (handled primarily by a legal intern and NJP's CLEAR mentee and overseen by the King County Housing Unit), NJP secured victories overturning the denials in five cases, with one still pending. Several of these clients have since signed leases and moved into their new homes; the others are expected to do so shortly. Meanwhile, the administrative records in these cases have helped establish precedents undermining the unfair policies that exclude the homeless from Seattle public housing.
- In Seattle, a group of homeless individuals established a temporary encampment at Daybreak Star, a 20-acre campus of park land leased to a local non-profit organization



called the United Indians of All Tribes Foundation. When the City of Seattle (the United Indians' landlord and local government) threatened to "sweep" the encampment, NJP's Seattle office represented three of the (representative) campers in negotiations with the City and the United Indians, and prepared for litigation. Fortunately, the negotiations were successful and the City relented from its threatened sweep. The encampment was thus able to finish out its time at Daybreak Star and move on to its next location.

- A public housing authority was terminating the Housing Choice Voucher of an elderly disabled family because of criminal activity. The grandparents, each of whom had serious physical and mental disabilities, had been raising their teenage grandson and granddaughter from the children's infancy. The only person implicated in the criminal activity was the grandson, whom police claimed had been part of a neighborhood burglary where guns and drugs had been stolen. The grandson had been very well behaved at home, concealing from the grandparents his involvement in criminal matters. When the grandparents realized that his continuing presence was jeopardizing their and their granddaughter's housing, they immediately arranged for the grandson to move in with his godmother who lived in a nearby town. NJP's Seattle office attempted to negotiate the continuation of the voucher on the basis of the removal of the grandson from the household. The PHA refused, stating that the police had brought to their attention a series of encounters with the police about the grandson and that the family was to have their voucher terminated. NJP represented the family in their informal hearing. By this time the grandson had pled guilty to the burglary charges and was in a juvenile facility. The family testified as to their lack of knowledge of the grandson's activities, the nexus between their disabilities and their lack of information about the grandson, and to the impact of the loss of the subsidy on their family, which would be to render them homeless. Unfortunately, the hearing officer failed to follow some of the rules of hearing procedure and allowed in additional information and witnesses that had not been disclosed to our clients beforehand. In addition, the hearing officer refused to deal with the reasonable accommodation request to revise their policy and permit the family to remain without the grandson; then PHA stated that it could not "reasonably accommodate criminal activity," which of course was not what NJP was seeking. When NJP raised its objections to the conduct of the hearing and the misinterpretation of the reasonable accommodation defense, the PHA entered into negotiations with NJP for a settlement agreement that would allow the grandparents to retain their voucher. The grandparents agreed to academic services for the granddaughter, to refuse to allow the grandson to return to the property, to ensure that there be no further criminal activity at the subsidized residence, and to withdraw their claims against the PHA. The family was pleased with the settlement and it allowed them to keep their home.
- NJP's Tacoma office assisted a patient at Western State Hospital in replying to an eviction action initiated by the Seattle Housing Authority's Senior Housing Program. After providing the client with investigation and advice, NJP assisted her in filing a response and referred her to the Legal Action Center in Seattle subsequent to her discharge from the Hospital. With help from the Legal Action Center, the client was able to obtain a favorable decision and retain her placement with the SHA.

- NJP's Tacoma office assisted a Kitsap County woman in a public housing termination case. The woman was given a notice by her landlord, a housing authority, that her lease would be terminated based on alleged criminal activity at her residence. Upon investigation, NJP determined that the alleged misconduct did not constitute criminal activity and there were no grounds for termination on that basis. The termination notice also alleged the client had an unauthorized person living in her unit. The client claimed the person was not living there and was living elsewhere. NJP represented the client at the termination hearing and presented her case to the hearing officers. The client is awaiting a decision on the hearing.
- NJP's Tacoma office continues to litigate a foreclosure rescue scam case that is now scheduled for trial in April 2009. In this case, two disabled, vulnerable and almost completely illiterate homeowners were scammed out of legal title to a home they had owned for nine years, and lost more than \$100,000 in accumulated equity. Tacoma advocates have sued two individual scammers along with two affiliated mortgage brokerage firms who brokered two loans used to complete the scam and who employed the individual scammers as loan officers and mortgage consultants. The suit also names the insurance company that provided the bond to the corporate defendants required by the Consumer Loan Act. Because the individual scammers have received a discharge in the bankruptcy, the lawsuit seeks to hold the two corporate defendants responsible for enabling the scam to occur and for the theft of the clients' home and equity.
- NJP's Tacoma office has filed an appeal in Division II of the Court of Appeals of an adverse decision following trial in an unlawful detainer action in which NJP represented a formerly homeless veteran with mental disabilities who was evicted from his federal rental assistance Moderate Rehabilitation SRO unit based on a three-day nuisance notice alleging that the tenant had threatened other tenants and caused excessive noise. The issues on appeal include whether the court erred by allowing a federally-subsidized landlord to use a three-day nuisance notice that does not comply with the procedural due process requirements of applicable federal law, by concluding that acceptance of rent with knowledge of alleged nuisance behavior was not a waiver and that verbal threats made away from the premises several months previously without physical violence, use of a weapon or accompanied by an arrest, could amount to a nuisance.
- NJP's Walla Walla office reached a settlement in a lawsuit it had filed on behalf of the victim of a malicious foreclosure rescue scam. The settlement awarded title back into the victim's name and gave her a monetary judgment for damages she incurred when a group of people took title to her home and attempted to evict her.
- NJP's Walla Walla office filed an action on behalf of a client who was threatened with eviction in a foreclosure rescue scam. NJP's lawsuit stopped the eviction process and preserved the equity in the client's home pending resolution on the matter.
- NJP's Walla Walla office reached a settlement in a public housing eviction matter, where a disabled, elderly woman was being evicted for failing to keep her unit clean. NJP helped the woman obtain assistance to remove clutter from her unit and reach a settlement that allowed her to continue living in her home, where she had resided for

approximately ten years. We are sad to report that this client has since passed away. However, we are proud to have had the pleasure of assisting her in being able to spend her final days at home.

- NJP's Walla Walla office assisted in preserving a single mother and her newborn's tenancy. The client was served with a notice of termination of tenancy for an incident that occurred while she was untreated for severe personality disorders. NJP represented the client at her formal fair hearing. Since the incident, the client has been properly diagnosed and given the proper medical treatment. The client prevailed and the housing authority overturned their decision to terminate her tenancy.
- NJP's Walla Walla office assisted in preserving tenancy for a single mother and her two children. The client had lost her job in July and was unable to pay rent for the following month. The client was served with an unlawful detainer action in August. NJP was able to negotiate with the landlord's attorney and have the unlawful detainer action dismissed.
- NJP's Walla Walla office assisted a single mother of four children defend against a bill for \$2800 from the Richland Housing Authority for back rent owed due to a mistake in calculating the client's income. The client is a monolingual Spanish speaker and none of the housing documents had ever been given to the client in her native language even though over half of the persons living in the housing complex are Spanish speaking. NJP represented the client at her fair hearing and the client prevailed.
- NJP's Walla Walla office assisted a single mother of two children, one of whom is disabled, in retaining her subsidized housing. The client was threatened with eviction in part, because she has obtained a service dog for her disabled son. NJP negotiated settlement, allowing the client and children to remain in their home and for the client's son to retain his small service dog.
- NJP's Wenatchee office avoided the immediate eviction of a mentally disabled senior woman faced with eviction from her home where her rent was paid with a housing subsidy. Last year the apartment building where she had been living was sold to a new owner, and the new owner was evicting all tenants in preparation for a substantial remodel of the building. Because of the client's disabilities, and the fact that her only income is Supplemental Security Income (SSI), the client had problems finding an affordable place to move. NJP negotiated with the new owner to allow extra time for the client to find alternate affordable housing.
- NJP's Wenatchee office together with private counsel reached a confidential settlement on behalf of more than two dozen Wenatchee-area mobile home park residents. The mobile home park where the client group had lived was closed by the park owners who are selling the land along the banks of the Columbia River in an area slated for redevelopment. In addition to representing the tenants vis-à-vis the park owners and the City of Wenatchee, NJP worked with the Just Housing Coalition, an affordable housing organization made up of area churches and individuals that supported the park's many residents. JHC raised approximately \$120,000 to assist residents who lost their homes

due to the park closure and provided hands-on assistance such as moving trucks, storage facilities and helping families locate new housing.

- NJP's Wenatchee office successfully defended a disabled man from eviction. The landlord had sought a motion for reconsideration of a court order that NJP had earlier secured for the client, quashing a writ of execution and voiding court ordered sale of the man's home. After legal briefing and oral argument on the motion for reconsideration, the judge affirmed the earlier ruling. The client was pleased to have the matter behind him as the opposing party decided not to appeal the court's decision.
- NJP's Wenatchee office successfully defended a developmentally disabled senior from being evicted by her own nephew. The client was living in the family home which she and her mother had lived in for many, many years. The client's mother became unable to care for herself and moved to a nursing home. Before moving, the client's mother executed a will giving the home to the nephew, but preserving a life estate for her disabled daughter. After the nephew's unlawful detainer action proved unsuccessful, he then filed an ejectment action in another attempt to evict the client. After lengthy discovery, the nephew decided to drop the ejectment action against his aunt, quit claim his interest in the family home back to the client's mother, and sign a TEDRA agreement whereby he removes himself as a possible candidate for appointment as Personal Representative and Trustee of a Special Needs Trust for the client under her mother's will. The client will now be able to remain indefinitely in the family home.
- NJP's Omak office represents a disabled woman whose ex-husband had wrongly sold the property on which she lived. In the divorce between the client and her now ex-husband, the husband obtained a judgment allowing him to sell two parcels of land. The husband, however, sold the wrong parcel of land, i.e. the one the client lived on. After selling the client's homestead, the ex-husband stated to the court in writing that he accidentally took title to the wrong parcel, but asked the court to just 'call it even.' The ex-husband wants to exchange deeds so each party has title to the correct land. The client has requested the ex-husband procure a title report to show whether the ex-husband has encumbered the land or in any other way clouded the title.
- NJP's Omak office is assisting a client who is facing eviction along with her three children. The client's landlord recently passed away and creditors are foreclosing on the house where the client lives.

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

- The NJP Bellingham office represented a 30-year old man with a diagnosis of bi-polar disorder and a history of suicidal ideation when he appealed DSHS' denial of retroactive medical coverage to pay for services he received from two psychiatrists in the two months prior to his award of General Assistance (GA) cash and medical benefits. Reviewing the DSHS appeal information, NJP determined that DSHS failed to include relevant medical documents that should have been part of the records sent to DSHS' medical consultant for a decision on retroactive coverage. NJP explained DSHS'

apparent error to the client, and also advised him about his unpaid medical bills, about being judgment-proof, about avoiding the commingling of his limited funds, and about ways to respond to any letters from a collection agency. The client then contacted the two psychiatrists, and secured their agreement to hold off on collection until the resolution of his pending DSHS appeal. NJP then persuaded the DSHS Fair Hearing Coordinator that the client should have been approved for the retroactive coverage as he clearly had become incapacitated years prior to the time of his application, and that the FHC had erred in forwarding incomplete medical information. The FHC promptly sent the complete medical records back to DSHS' medical consultant, who subsequently approved the client for the retroactive coverage he needed. When notified of this result, the medical providers were able to bill DSHS, rather than the client, for payment for the services they provided him. NJP also advised the client on maintaining ongoing eligibility for GA, as well as on how to appeal a recent denial of his application for Supplemental Security Income by the Social Security Administration.

- The NJP Bellingham office represented a victim of domestic violence in successfully negotiating her dissolution in a settlement conference supervised by a court commissioner. The client is deaf, as is her former spouse, and the negotiation involved arranging for and coordinating the use of two American Sign Language interpreters.
- NJP's Olympia office continues to provide family law services to monolingual Spanish speakers in several family law cases.
- NJP's Olympia office provided services to monolingual Spanish speakers in an insurance case. A fire accidentally started in the tenant/client's rental house. Firefighters concluded that there was no human factor contributing to the fire, although they could not identify the cause of the fire. The landlord's insurance company sent a letter to the clients, demanding approximately \$25,000 for damages to the house. NJP communicated with the insurance company multiple times, by phone, letter and email. The insurance company stopped corresponding with NJP and stopped sending demand letters to the client. The case has been closed, with the understanding that clients may call back if they receive further communications from the insurance company.
- NJP's Port Angeles office is representing a Makah Tribal member in a custody action filed in Clallam County Superior Court. The parties are the parents of a 12 year old girl and for several years the child bounced from parent to parent. The father came to the Port Angeles NJP office. Due to instability and drug usage by the mother, temporary orders were entered that designated the father as temporary residential parent and guardian and limited contact between mother and child. Trial is pending.
- NJP's RIAP represented an elderly Russian refugee whose naturalization case had been waiting for over a year for an appeal. At the hearing information was presented exempting her from the English and civics requirement and she was finally approved for citizenship, enabling her to once again receive SSI.
- NJP's Tacoma office represented a 45-year-old chronically mentally ill Kitsap County resident to appeal the termination of her Social Security Disability benefits. The

termination was reversed in September 2008 by a hearing officer after a reconsideration hearing at which NJP provided evidence from the client's treating medical provider that the client's post-traumatic stress disorder and depression had not improved since the Social Security Administration initially determined her disabled in 2001.

- NJP's Tacoma office represented a 36-year-old mentally retarded Western State Hospital patient in an administrative appeal to seek the return of several thousand dollars that had been taken from his hospital-administered patient savings account by DSHS to pay for the cost of his hospital care. The hospital, in its capacity as protective payee for the monthly Social Security benefits the patient receives, took the patient's funds after providing notice of its intent to do so only to itself, and to the patient, who was known to DSHS to be cognitively impaired and illiterate, and incapable of appealing the notice or otherwise acting to protect his own interests. The case settled, and \$18,000 was returned to the patient's WSH savings account after an administrative hearing at which NJP raised constitutional due process and disability discrimination claims.
- NJP's Tacoma office represented a Western State Hospital patient to reverse a DSHS decision to deny her Medicaid coverage. The client, who needed Medicaid to access mental health care in the community upon discharge, was denied Medicaid based on her status as a Russian immigrant, and DSHS eligibility workers' misunderstanding and misapplication of federal law that prohibits certain immigrants from receiving Supplemental Security Income (SSI) benefits. The denial was reversed after NJP intervened and provided the DSHS worker with proof that the client's immigrant status did not affect her Medicaid eligibility.
- NJP's Tacoma office represents a developmentally disabled and chronically mentally ill prisoner at the state Department of Corrections facility in Monroe in an administrative hearing process to appeal a DSHS Division of Developmental Disabilities' (DDD) decision to terminate the client's DDD eligibility. The client, who has been enrolled with DDD since 1991, is seeking to retain his DDD eligibility in order to access an appropriately structured and supervised DDD-funded placement that will not otherwise be available to him upon his release from prison. The administrative hearing in this case is scheduled for December 2008.
- NJP's Vancouver office assisted a client in securing appointment of counsel in a step-parent adoption case. Despite CLEAR's best efforts to counsel and prepare the client to request appointment of counsel on his own, the court denied the request, despite a clear statutory mandate otherwise. NJP Vancouver appeared in the case and demonstrated to the court the client's indigence and right to counsel.

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

### **Family Stability**

- NJP's Native American Unit together with NJP's Vancouver office represented a member of the Ho-Chunk Nation who was defending a nonparental custody action in Skamania County. The client had allowed her two-year-old daughter to stay with her

father temporarily after she lost her job, became homeless and didn't have a stable home for the child. The child's father then left her with his sister, avoiding the client's phone calls and attempts to see the child. After the client was served with the custody papers, she called NJP for assistance. NJP contacted the Ho-Chunk Nation and confirmed that the child was eligible for membership with the tribe, advised the client that the Indian Child Welfare Act applied to her case and informed opposing counsel of the child's Indian status. Shortly thereafter, the opposing party agreed to return the child to her mother and dismiss the nonparental custody action.

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

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

- NJP's FWU currently represents two women who were fired from a nursery after they engaged in concerted activity to improve working conditions. NJP has filed a charge with the National Labor Relations Board on behalf of the clients and the charge is currently under investigation.
- NJP's FWU filed a lien on behalf of a client to secure his rights to over \$4,000 in unpaid wages. The client worked for the employer driving potato trucks and never received a single paycheck.
- NJP's FWU currently represents five women who were fired from a Yakima area fruit packing warehouse after raising health and safety concerns. NJP filed claims with the Department of Labor and Industries for health and safety related discrimination and with the National Labor Relations Board for interference with protected collective activity. The claims are being investigated and mediation is scheduled to explore the possibility of an early resolution to the case.
- NJP's FWU filed a safety and health discrimination complaint with the Department of Labor and Industries on behalf of two farm workers. The prior year there had been a health and safety investigation at the workplace. The two farm workers assisted with the investigation of the health and safety complaint. The clients were not rehired the following season despite being long term employees of the company because of their perceived cooperation with the safety and health investigation.

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

- NJP's Farm Worker Unit (FWU) aided two H2-A workers (workers from other countries in Washington State working in the orchards under temporary work visas) to file Charity Care applications when they had medical emergencies while working here in the U.S. Both applications were granted, saving the clients thousands of dollars in medical bills.
- NJP's FWU continues to represent several H-2A workers who have been injured on the job while working in Washington agriculture, with the goal of assisting these workers to navigate the workers compensation system. By law, these workers are entitled to receive the same medical and wage loss benefits as are other workers resident in Washington

State, and which they need in order to overcome their injuries and support themselves and their families in the meantime. These farm workers face many barriers in this effort, including a lack of transportation to seek medical attention, lack of the ability to receive mail at their housing, and the difficulty of finding doctors once they return to their homes in Mexico who are willing to sign up with the Washington State industrial insurance system and submit the needed paperwork to support the workers' claims.

### **Preservation of Housing**

- NJP's FWU filed a complaint in state court on behalf of a farm worker widower with two children, alleging misrepresentation and fraud in the sale of a home. The farm worker purchased the home, which was advertised as "like new", and moved in with his family. The home was later condemned by the local government as inhabitable. The client had to move out of the home and lost it to foreclosure, since he couldn't make payments on both a new home and this condemned home. The allegations include that the defendant failed to fully disclose the state of the home to the buyer, fraud and violations of the Consumer Protection Act.

### **Targeted Populations**

- NJP's FWU assisted a farm worker in filing for adjustment of status after she was granted a self-petition under the Violence Against Women's Act. NJP then represented her in her adjustment of status interview. Unfortunately, by the time USCIS scheduled her adjustment of status interview the preference category had reverted backwards, and no visa was available. The client still succeeded in receiving her permanent residency status, pending the availability of a visa. A visa should be available within the next couple of months.

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

### **Economic Security (Public Benefits)**

- A disabled man is being represented by an NJP CAP attorney in Kitsap County. The client's Supplemental Security Income (SSI) benefits were wrongfully terminated. Without SSI income, the client would be unable to meet his basic living expenses.

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

- A Franklin County monolingual Spanish-speaking woman is being represented by an NJP CAP attorney to obtain a parenting plan. The father of the children was very abusive.
- NJP's Walla Walla office transferred a case to CAP to assist a client in Franklin County with a custody modification issue. The father of the child was abusive toward the client and the child and the client was afraid to allow the father to have unsupervised visitation. A CAP attorney is representing the mother.
- In Kitsap County, an NJP CAP attorney is representing a woman in a family law matter, to petition for dissolution and establish a parenting plan with supervised visitation. The



father has harmed the children and the client in the past, and the client is very concerned for their safety.

### **Preservation of Housing**

- An NJP CAP attorney is representing a woman in an eviction proceeding in Kitsap County. The client made a complaint to the police and obtained protective orders because the landlord sexually molested the client's daughter. Shortly thereafter, the landlord tried to evict the client and her daughter from their apartment.

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

### **Consumer and Debi**

- NJP's CLEAR assisted a client who was sued for a medical debt incurred five years before. CLEAR drafted an Answer to the lawsuit. The advocate also contacted the hospital after it refused to accept the client's Charity Care application. The hospital is currently reviewing the client's application for charity care and the collection agency has not taken any further action on the lawsuit.
- NJP's CLEAR helped a woman modify a \$6,000 bill from an alcohol treatment center where she had been a patient. When the client went into an inpatient treatment program, the program had told her that public assistance would cover any expense not covered by her private insurance company. The program did not inform the client of the cost of the services she was receiving prior to treatment, a requirement under Washington law. CLEAR assisted the client by contacting the treatment program and its attorney to point out that the program had failed to follow the relevant law and provide the client with an executed payment agreement. As a result, the treatment program agreed to reduce the amount owed and accepted a settlement amount of \$2,500.
- NJP's CLEAR helped an 85-year-old client on a limited income negotiate a payment plan for hearing aids. The client had purchased hearing aids with "interest-free" financing offered by the seller. The client made several payments over the 18-month period of no interest, but was not able to pay the entire amount in that time. After the 18-month period expired, the seller charged interest and finance charges for the entire 18-month period in the amount of \$1,053. The client did not realize that interest would be charged for that period and was not prepared for the significantly increased cost of her loan. CLEAR wrote a letter to the lender explaining the situation and the client's confusion. The lender forgave the entire amount of past finance and interest charges.
- NJP's CLEAR helped a disabled couple who were the recipients of harassing phone calls from a debt collection agency, including calls in the middle of the night. CLEAR notified the collection agency that the phone calls were a violation of the Fair Debt Collection Practices Act and requested that the agency stop all communication with the client and contact CLEAR instead. When the harassing phone calls to the client continued, CLEAR wrote the collection agency another letter, noting that the violations had been compounded by their continued contact with the client when the agency knew that the

client was represented by an attorney. When the harassing phone calls still continued, CLEAR referred the client to a private attorney who brought a lawsuit on the client's behalf. The United States District Court for the Eastern District of Washington entered a \$157,900 judgment on behalf of the client and his wife against the collection agency.

- NJP's CLEAR\*Sr helped a woman who had been going without electricity for over a week. The client was also behind on her mortgage because she had been ill and was unable to work. The client was going without necessary breathing treatments because she did not have power, and her doctor was very concerned. CLEAR\*Sr asked the power company to turn on the client's power based on a medical emergency and negotiated about the terms of repayment. The client's power was turned back on that day. CLEAR\*Sr also referred the client to a HUD-approved counseling agency to discuss budgeting and housing options and to an NJP office to review the loan documents for predatory lending.
- A senior citizen on a fixed income was visited by a door-to-door salesperson and purchased a vacuum cleaner and air purifier for \$1,947.60. The client signed a bill of sale for the purchase. She could not pay the balance in full, and understood that she could make payments. The sales person wrote in by hand "1 year no interest" on the bill of sale. A few weeks later, the client learned that a credit card account had been opened in her name and \$1,947.60 was owing. Finance charges were accruing at the rate of 21.98%. Unless the bill was paid in full by April of 2009, approximately \$1,200 in finance charges would be added to the amount owed on that date. This was not what she had bargained for, and she could not afford it. The salesperson never mentioned the credit card or the financing terms. The client contacted the companies involved and became more confused with their explanations. CLEAR\*Sr wrote a demand letter to the companies. The client returned the merchandise and the debt was completely erased.

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

- NJP's CLEAR helped a 17 year-old high school student obtain payment for work he performed over the summer. A construction company had promised to pay the client \$9 per hour. He worked over 100 hours for the company and received only one cash payment of \$300. CLEAR assisted the client by writing a letter to the construction company requesting the wages owed. Within a few days after CLEAR sent the letter to the construction company, the client received the money owed to him.
- CLEAR helped a client who had been terminated from a position by the Department of Early Learning based on an erroneous background check. The client was working for an in-home child care service in April of 2008 when a background check indicated that the client's nursing license had been suspended. The Department of Early Learning apparently believed the suspension had been due to a finding of abuse or neglect. In fact, the client's nursing license had been temporarily suspended due to a theft allegation based on an incident in which the client removed a television from a care facility and later returned the television. CLEAR obtained a copy of the letter confirming that the client's nursing license had been reinstated and secured a clearance letter from the

Department of Early Learning certifying that the client was eligible to work with children.

### **Family Safety and Security**

- NJP's CLEAR helped a woman who was barred from picking up her daughter by the girl's father, who claimed that he had temporary orders although the client had not been served with any legal papers. The daughter had never lived with the father and visited him only sporadically. CLEAR advised the client how to proceed and made arrangements for the client to immediately meet with the Family Law Facilitator on a Friday and with the Spokane Volunteer Lawyer Program on the following Monday. That Monday, an attorney met with the client and proceeded on the client's behalf.
- A woman who fled Gambia due to domestic abuse sought advice on how to bring her daughters to the U.S. to protect them from abuse and the genital mutilation their father had forced the client to undergo. The client only spoke Mandinka and, after several unsuccessful attempts to schedule appointments using the language line, CLEAR worked with the client to find an interpreter. CLEAR advised the client and referred her to a legal services agency in her county.
- CLEAR assisted a client in responding to a Petition to Establish Paternity. The child at issue had a presumed father who was the only father the child had ever known for her 4½ years, even though RCW 26.26.530 states that there is a two year time limit to pursue such a case and a finding of paternity would not be in the best interests of the child. The opposing party was also stalking and harassing the client and convinced a judge to sign a temporary order granting him visitation with results from an over the counter pregnancy test, and even though the client was not properly served nor was the presumed father who is on active duty in Iraq. CLEAR drafted a Response, Declaration and Request to Dismiss, which were used by attorneys at the YWCA in Pierce County to get all orders dismissed.
- CLEAR helped a man retain his driver's license to facilitate a job search so he could meet other obligations. The client is a 61 year old male with an 8th grade education and living in a rural part of the state, who has significant unpaid back child support. DCS was on the verge of revoking his driver's license. The client had paid child support when employed as a caregiver but his charge had died and after 8 months he was unable to find new employment. CLEAR persuaded a supervisor at DCS that in light of the client's attempts to find work and his limited options given his age, education and circumstances, DCS should at least temporarily allow the client to keep his license to facilitate his employment search. The client was also referred for help with a child support modification.

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

- CLEAR\*Sr helped a senior obtain Medicaid coverage for nursing home expenses. An agent under a Durable Power of Attorney (DPOA) contacted CLEAR\*Sr because DSHS denied Medicaid coverage for a senior residing in a nursing home. The senior had been a

victim of financial abuse, but had recently received a back award from the Department of Labor and Industries, putting her assets above the limit for Medicaid. However, the senior owed a substantial bill to the nursing home and DSHS failed to reduce the senior's excess resources by the amount of medical expenses she'd incurred, as required by the relevant regulation. CLEAR\*Sr wrote a letter to the DSHS case worker and supervisor and DSHS promptly approved the client for Medicaid.

- CLEAR helped a daughter obtain Medicaid coverage for nursing home care for her 102 year-old father. The man had dementia and was separated from his wife, who was in a nursing home in California. The State of Washington refused to provide Medicaid coverage for the man in the absence of information about his wife's income and assets, which she refused to provide. CLEAR provided the man's daughter with legal authority to give to DSHS to argue that the state should provide coverage since the wife's assets were practically unavailable to the man. CLEAR also drafted a declaration for the surrogate to provide to DSHS, which assigned the man's rights to his wife's assets to the state, as another way of meeting the state's requirements for eligibility.

### **Preservation of Housing**

- NJP's CLEAR helped a single mother of three children retain her subsidized housing. She received several complaints from her landlord about noise issues and other issues that the Housing Authority determined to be baseless. After the client's disabled son pushed another child at the complex after getting teased, the client received a 3-day nuisance notice, eviction paperwork, and was told that her federal housing assistance voucher was in danger. CLEAR prepared an Answer for the client that asserted the client's defenses including the defense that the landlord had waived its right to pursue an eviction because it had accepted rent. The case was referred to a Contract Attorney Program attorney. The landlord chose not to pursue the eviction after determining that the landlord had waived its right to proceed. The outcome of the housing assistance hearing is still pending.
- NJP's CLEAR helped a woman preserve her subsidized housing after her landlord claimed she owed rent, late fees, parking fees and a utility bill. The client contacted CLEAR after mediation with her landlord had failed. She was at risk of losing her housing voucher as well as her current apartment. CLEAR reviewed the client's lease and informed the client of her rights. With CLEAR's advice, the client was able to assert her rights to the landlord, who then accepted the only money the client truly owed for utilities and did not take any further action.
- NJP's CLEAR helped a client with a federal housing assistance voucher resolve a dispute with her landlord. The manager of her residence claimed that the client had an unauthorized guest living with her and owed a \$200 fine. The client had received two 10-day notices to comply with her lease. The client tried multiple times to provide proof that her ex-husband was not living with her; however, the management company would not accept anything other than a copy of a letter from a landlord or two utility bills. CLEAR wrote a letter to the management company, stating that the client was in compliance with her lease and did not owe the \$200 fine. The management company determined that the

client had provided the necessary documentation regarding the unauthorized guest and did not owe a fine of \$200.

- NJP's CLEAR helped preserve a subsidized tenancy for a low-income woman. The client received a federal housing assistance voucher from the Pierce County Housing Authority. With the voucher, the client moved into a new apartment and signed a lease agreement. At the time that the client signed her lease agreement she paid a portion of what was owed for her security deposit, but she did not pay anything towards the rent as she did not know what her rent would be until the Housing Authority calculated her portion of the rent. Shortly after signing the lease agreement, the client was in a very serious car accident and was hospitalized for over a week due to her injuries. During the time that the client was hospitalized, she received notice from the Housing Authority as to what her portion of the rent would be per month. The client's rent was already late due to the late notice from the Housing Authority. The client's adult son informed the client while she was hospitalized about the correspondence from the Housing Authority and the amount of her portion of the rent. The client had a friend contact the property manager to make the rent payment on the client's behalf, but the property manager never returned the friend's calls. Also, while the client was hospitalized the property manager for the apartment complex posted a 3-day pay or vacate notice on the client's door for the non-payment of rent and also for the remaining amounts owed for the security deposit and for late fees. CLEAR wrote a reasonable accommodation letter on behalf of the client regarding the car accident which led to the client not being able to timely pay the rent that was due. CLEAR also argued that any amounts owed for the security deposit were not a valid legal basis for a 3-day pay or vacate notice and as such, the client could not be evicted on that basis. CLEAR also requested that the late fees be waived since the client did not know how much the rent would be due to the delay from the Housing Authority and because the client did have a friend leave messages on the client's behalf to try to resolve this matter before the 3-day pay or vacate notice was posted and mailed. The property manager agreed that no other fees besides the alleged delinquent rent should have been included in the 3-day pay or vacate notice. In order to avoid having to re-issue a new 3-day pay or vacate notice, the property manager agreed to accept the client's rent and to waive the late fee that was assessed. Also, the property manager agreed to a deadline by which the client would have to pay the remaining amounts owed for the security deposit.
- NJP's CLEAR helped preserve a subsidized housing tenancy for a woman who was on the brink of eviction. The client received a federal housing assistance voucher through the Longview Housing Authority. When the client contacted CLEAR she had already received a Writ of Restitution to physically evict her in one week. The client was also at risk of losing her voucher due to the Writ of Restitution. The client had been properly served with an Unlawful Detainer action and Order to Show Cause. The client did not respond to the Unlawful Detainer action, nor did she appear at the Show Cause hearing. The basis of the unlawful detainer case was non-payment of rent. Although the client did not timely pay the rent, the rent was accepted by the landlord before the Unlawful Detainer action was filed. The landlord later returned the rent that was paid. After reviewing the client's pleadings, CLEAR also determined that the landlord did not have subject-matter jurisdiction because the Unlawful Detainer Summons was not in

substantial compliance with the relevant statute. CLEAR drafted a Motion and Declaration to Dismiss, Vacate Judgment and Stay Writ of Restitution on behalf of the client. CLEAR advised the client regarding how to go forward on the ex parte calendar to get a date for the Order to Show Cause Hearing and how to serve the landlord with the documents. NJP's Longview office appeared with the client at the Order to Show Cause hearing. Due to the landlord not appearing at the Order to Show Cause hearing, the Writ was quashed and the client avoided having an eviction on her record. NJP informed the Housing Authority that the writ had been quashed so that the client would not lose her voucher.

- CLEAR helped a mentally disabled, limited English proficient individual pay only the required amount of rent after the landlord demanded twice as much. The Housing Authority had told the client his rent should be \$15 a month but the client was paying the \$30 demanded by the landlord due to fear of being evicted. The client also identified a serious mold problem in his apartment, which he felt no one was taking seriously. CLEAR interceded with the Housing Authority, which was going to assure the landlord only charged the lower amount, was going to assure the client was credited for the overpaid rent and was willing to reinspect the apartment if requested for another mold inspection.
- CLEAR helped a client who was seeking to enforce a "Cash for Keys" contract. The client was a tenant renting a house that had been foreclosed on by the lender. Ten days after the foreclosure sale, in early July, a real estate agent representing IndyMac, the bank that purchased the house at the foreclosure sale, began negotiating an agreement with the client on a move-out date and a payment to the client to assist with moving expenses in exchange for the client leaving the house in good condition. After several days of negotiation, the client and the real estate agent agreed on a payment to the client of \$2,700 and a move out date of July 30, 2008. On July 11, 2008, IndyMac was placed into a conservatorship by the FDIC. The real estate agent that had been negotiating with the client became difficult to reach and the client was not able to schedule an inspection and was never presented with the payment. Instead, in early August the client was served with a Summons and Complaint for an Unlawful Detainer action.
- CLEAR assisted a disabled client with preserving her federal rental assistance voucher. The client was given notice to terminate her tenancy, but because of the client's disabilities, she was not able to move out by the time given in the landlord's notice. The landlord served the client with an eviction summons and complaint. CLEAR drafted an answer to the eviction complaint for the client and spoke with the landlord's attorney, who agreed to make a reasonable accommodation for the client and give her additional time to move.
- A man with mental illness contacted CLEAR after being denied admission to federally subsidized housing. The Housing Authority informed the man verbally that they were denying him housing on the basis of a 12 year-old debt for damages to another housing authority. CLEAR contacted the Housing Authority and requested that they provide the man with a written decision so that the man could formally appeal it. CLEAR also provided legal authority to the housing authority to support the argument that an

individual could not be denied admission for such an old debt, which was barred by the applicable statute of limitations. The Housing Authority issued a written denial and CLEAR referred the case to the Yakima NJP office for additional assistance.

- NJP's CLEAR helped a woman who was caring for six minor children avoid homelessness. The client had received an improper notice terminating her tenancy. CLEAR contacted the landlord to let her know that that the notice was unenforceable under the Washington State Residential Landlord-Tenant Act and as such, the client's tenancy could not be terminated by the date given in the landlord's notice. Based on the letter from CLEAR, the landlord agreed that she could not terminate the client's tenancy. With the client's permission, CLEAR was able to negotiate a more favorable time for the client to move out of the home, so that the client did not risk homelessness.
- NJP's CLEAR helped a man avoid homelessness. The man called the day before a Writ of Restitution was to be carried out. The client had mental health issues and various physical problems and was scheduled to undergo a medical procedure the next day to evaluate the spread of cancer. CLEAR submitted a request for reasonable accommodation for the client's disability and the landlord agreed to give the client an extension of time to move out.
- NJP's CLEAR helped a man avoid homelessness when the landlord started an eviction process even after cashing a rent check provided by DSHS on the client's behalf in exchange for a promise not to evict the client. The client had disputed owing rent because he had done significant amounts of work for the landlord in lieu of rent. The client also had habitability claims, and procedural defenses. Because time was short, CLEAR could not refer the case out for representation. CLEAR helped the client file an Answer to the lawsuit and made several calls to the landlord's attorney to negotiate. The attorney delayed proceeding with the matter, which gave CLEAR time to refer the matter for further assistance.
- NJP's CLEAR helped a client recover damages to compensate her for losses after the kitchen in her rental was destroyed due to a problem with the electrical wiring. The client was forced to move out for five days and, upon her return, to live with an inoperative kitchen for another month. In addition, there was limited electricity for some of the time. The client lost all of her kitchen staples. CLEAR submitted a claim to the landlord on the client's behalf, and the landlord agreed to pay the client \$462, which the client found to be of great assistance in covering her losses.
- A blind woman contacted CLEAR because her landlord had asked her to pay over \$1,500 in utility payments retroactive to the date of her move-in two years earlier. The lease contained confusing terms regarding who had the obligation to pay the utilities. The client understood that the landlord was to pay them, and the fact that the utilities were in the landlord's name and that she received no bills for two years supported her understanding. She was surprised and dismayed to receive a huge bill after such a long delay. CLEAR contacted the landlord, but the landlord could not be swayed. After investigation and consultation with experts at NJP, CLEAR referred the case for representation because the confusing language in the lease should be construed in favor

of the tenant, and there seems to be a strong argument for waiver given the landlord's delay in advising the client about this payment obligation.

- A domestic violence program referred a woman who is considered a vulnerable adult as she is disabled as a result of serious health issues to the point of requiring a full-time caregiver and a service dog for assistance. The client lives in a mobile home and the manager of the mobile home park sexually harassed and assaulted the client. The same day the client reported the abuse to the police, the manager served a 3-day notice to vacate for failure to pay rent. Soon thereafter the manager filed an Unlawful Detainer action against the client. The client had paid the rent and the manager's action seemed to be retaliatory. A CLEAR DV attorney helped the client prepare an Answer. At the hearing two days later, the manager's Writ was denied and a return hearing was scheduled on the issue of alleged property damage and the issue of restitution to the client. The case has been referred to the local NJP field office for additional assistance. Immediately before the hearing, the manager turned off the client's power, cable, and telephone. The manager entered the client's home and physically disabled the telephone so that when it was eventually turned on, she could not use it. The client has a life-alert system and this too was disabled. The client reported the incident to the police and a criminal case is pending with the prosecutor's office.
- NJP's CLEAR helped a woman avoid homelessness when her landlord issued a 20-day notice terminating the tenancy after the client contacted the county Health Department about the premises. CLEAR wrote a letter to the client's landlord requesting that the landlord rescind the 20 day no-cause termination notice. The landlord did not proceed with an eviction after the 20-day period expired. Further, the landlord agreed to give the tenant a free month of rent so that the tenant would voluntarily agree to move out to a more habitable apartment.
- NJP's CLEAR helped a woman represent herself at an eviction hearing. The tenant was on a federal housing assistance voucher and she likely would have lost her voucher if evicted. CLEAR drafted an Amended Answer to the client's eviction lawsuit. The tenant represented herself at the Show Cause hearing and was able to get the case set for trial because of the question of fact relating to whether or not she owed rent. The client then voluntarily moved out to avoid the risk of an eviction and potential loss of her voucher. The extra time between the hearing and trial was enough time for her to move out and find new housing.
- A monolingual Spanish-speaking man contacted CLEAR when his landlord started charging him late fees for payment of rent after the 5th of the month. The client had made a verbal agreement with the prior management company that he could pay rent on the 8th of the month when he and his wife received their paychecks. When a new management company took over management of the apartment building, it did not initially charge the client late fees but then started charging for late payment. CLEAR assisted the client by telling the management company that requesting a late charge at this time appeared to be a change in policy and required notice to the client. The management company contacted CLEAR and agreed to eliminate all prior late fees requested and make this a prospective policy only.



- CLEAR helped a victim of domestic violence assert her rights under the Residential Landlord-Tenant Act to vacate her apartment due to domestic violence mid-lease without having to pay an early departure penalty. The client had vacated her apartment to protect her safety. The lease contained a clause with a substantial penalty for early termination of the lease. The landlord demanded compensation through a collection agency, which vigorously pursued the client for payment of the early termination penalty. CLEAR intervened and had the demand dropped pursuant to the client's rights as a domestic violence victim to terminate a tenancy for self-protection, without any penalty.
- CLEAR negotiated an agreement for a disabled client who was having serious health deterioration caused by mold in the apartment. While the landlord identified the client as "crazy," the landlord agreed to a mutual recession of the lease and return of the deposit for moving expenses upon exchange of keys and a signed agreement.
- CLEAR helped a client restore utility services disconnected by her landlord. The client called CLEAR after her landlord disconnected her water and electrical service. CLEAR called the landlord and wrote a letter demanding the reconnection of utility service. The following day, the landlord complied and service was restored to the client's rental unit.
- CLEAR made an emergency callback late one afternoon to a client whose answer to an eviction complaint was due the following day. CLEAR spoke with the client's mother because the client had had a seizure 30 minutes prior to the call and had been taken to the hospital. The client was later diagnosed with a brain tumor that required surgery. CLEAR called the landlord's attorney, who agreed to give the client and her family additional time to move out to accommodate her emergency circumstances.
- CLEAR helped a disabled client get more time to move out of his apartment. The client was a month-to-month tenant in a seniors-only building and received a valid 20-day notice to terminate his tenancy by the end of October, 2008. Due to the client and his wife's disabilities, they would have been unable to move out in time and so risked being evicted from the unit. CLEAR contacted the property manager, who referred him to the management company. After discussing the case with CLEAR, the management company agreed to allow the client an extra month to move out of the apartment. CLEAR drafted a move-out letter, which protected the client's rights and was signed by all parties.
- A Tacoma woman contacted NJP's CLEAR regarding a problem she was having with her landlord. The client, a single mother of three who worked full time to support her family, had received an eviction notice. In spite of the fact that the client had lived in the rental apartment for over a year and consistently paid her rent on time, the landlord claimed that she owed a bill for damage to the property. The damages claimed by the landlord had been caused when the fire-sprinkler in the client's unit had unexpectedly discharged. The client had a report from the fire department that stated that the sprinkler system had gone off for no apparent reason. CLEAR advised the client that she had no obligation to pay for damages that she did not cause and that the basis for the eviction notice was therefore improper. CLEAR then wrote a letter to the property management company explaining

that they had no grounds to evict the client and that further, they were likely liable for the damage caused to the client's personal belongings by their building's sprinkler system. This apparently resolved the matter as the client has not reported any further action being taken against her.

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

### **ABERDEEN**

- NJP's Aberdeen office continues its outreach efforts and during this quarter made presentations regarding NJP's services to the following: DSHS Development Disability (DDD); DHS CSO employees; Oakville Senior Center (OAAA meal site visit); Elma Senior Center (OAAA meal site visit); Aberdeen Timberland Library; Elma Timberland Library; and the Hoquiam Timberland Library.

### **BELLINGHAM**

- NJP's Bellingham office distributed information on mobile home tenants' rights at a large mobile home park in Skagit County that serves primarily low-income farm workers and immigrants.
- An attorney from the NJP Bellingham office provided a training segment at a Whatcom Law Advocates CLE on the topic of tenants rights and defense of tenants in evictions. The CLE was offered to lawyers who will volunteer at a Law Advocates pro bono project to provide legal help for tenants in eviction actions at the Whatcom County court house.
- An attorney from the NJP Bellingham office appeared on a local Skagit county radio show to present information and answer questions on employment rights of victims of domestic violence and sexual harassment in the workplace.
- Attorneys and advocates from the NJP Bellingham office joined colleagues from the Yakima CLS and NJP offices in conducting outreach visits to hundreds of agricultural workers in Skagit and Whatcom counties.

### **CLEAR**

- A CLEAR advocate revised and made additions to the publication "What to Do about A License Suspension Notice from Child Support Enforcement."

### **EVERETT**

- NJP's Everett office continued its outreach with a pair of well-attended community events. The first event was a presentation given for Long Term Care residents in conjunction with Partners in Progress. It focused on scams and pitfalls facing seniors, including debts and debt collection, Internet marketing and telemarketing, identity theft and payday loans. Attendees were able to share their experiences, which provided for

excellent concrete examples of the kinds of issues people encounter and discuss methods people can use to avoid falling into the traps laid for them by the unscrupulous.

- NJP's Everett office gave a presentation involving consumer law as it applies to seniors to advocates and caregivers at the conference "Making the Case for Justice: Crimes against Elders and Vulnerable Adults." It focused on consumer law issues that affect seniors and on the laws that can protect them. It was intended to provide an introduction to consumer laws for advocates and to give them some tools to spot issues that might come up in their conversations with clients. Among the materials given to participants was a "Consumer Law Checklist" meant to provide a quick reference for common consumer problems.

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

- NJP FWU advocates in Wenatchee and Omak provided a presentation to parents of the Bridgeport EPIC migrant daycare. Approximately fifty parents participated in the event in which NJP co-presented with a NWIRP attorney. NJP's portion of the presentation was focused on H2A and local workers' rights. NJP distributed *El Faro Legal*, food bank information and wage booklets. Parents raised questions about why H2A workers are being brought in and why they are being paid more than local workers.
- NJP's FWU community workers found new labor camps for cherry workers as they scouted in North Central Washington to prepare for labor camp outreach. They were able to map out labor camps for future outreach to migrant farm workers based on information gathered in the community, including labor camps which were not licensed by the Department of Health or where the housing license had lapsed. The unlicensed camps were not in good condition.
- NJP's FWU community workers and summer interns were successful in their efforts to visit cherry harvest workers and apple thinners throughout Chelan, Douglas, Okanogan, Skagit, and Whatcom Counties, the Columbia Basin and Tri-Cities area.
- NJP's FWU advocates along with Alliance partners and legal interns also made an extensive effort to visit H-2A workers throughout Eastern Washington to advise them of their rights and the availability of services. They were well received, and workers expressed appreciation for the information. This year at a particular camp where the H2A workers had been afraid to talk to legal services in the past, workers opened up and asked a multitude of questions, particularly about what to do in the case of on the job injuries. In one case this was because the workers had a co-worker who had been injured. Others knew H2A workers or had a relative who had been injured in other states and nothing was done by the employer. One said that his friend was told the company would take care of him as long as he returned to Mexico, but once he returned no one helped him.
- At another labor camp for H-2A farm workers, workers were told that they were not allowed to have visitors. A priest and a local clinic were turned away and told they needed preapproval from the office before being allowed to enter the camp. NJP FWU advocates made a return visit to this camp and reassured the workers of their right to have

visitors at their housing. Workers asked many questions and seemed comfortable speaking to the outreach visitors. It was great to see this because of how quiet the workers were on the first visit.

- The NJP FWU conducted a community training on pesticide safety and laws for a group of farm workers in Sunnyside. The participants were interested in the topic and asked good questions.

### **LONGVIEW**

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

- NJP's Native American Advocacy Coordinator and an NAU staff attorney gave a presentation to the American Indian Health Commission for Washington State (AIHC). AIHC is a consortium of delegates from the federally recognized tribes in Washington State, urban Indian health programs, and Indian organizations. The organization provides a forum for addressing Native Americans' health issues. NJP provided information about our services and case priorities, particularly in the area of health care and benefits.

### **OLYMPIA**

- An NJP Olympia attorney visited several senior nutrition meal sites in Lewis County to provide information about decision-making issues and the availability of free legal services for seniors. At one visit, an Olympia assistant and notary came along for a "Power of Attorney" clinic, where several seniors executed new or updated powers of attorney.
- An NJP Olympia advocate participated in a conference on Indian Civil Rights and presented information on civil rights litigation in tribal courts.
- Two Olympia NJP attorneys participated in three informational sessions to help seniors in Lewis, Thurston and Mason Counties apply for tax stimulus funds. After determining that thousands of qualified individuals had not applied for the stimulus funds, NJP collaborated with Columbia Legal Services and Thurston County Volunteer Legal Services in the planning and implementation of these sessions. Over fifty people attended the three sessions and received assistance.

### **PORT ANGELES**

- The NJP Port Angeles office has conducted targeted outreach to the West End of the Olympic Peninsula and as a result of that outreach participated in a recent domestic violence education effort in Forks. The Silent Witness program chronicles the havoc created by domestic violence and the death toll that it takes on Washington citizens. At the outreach, NJP and various social service providers met with residents and explained the various services available on the West End.

- As a result of regional planning and the input of Clallam County court personnel, a coordinating committee has been created led by Clallam/Jefferson County Pro Bono Lawyers and the NJP Port Angeles office. At a meeting fifteen social services workers from various agencies in the Clallam and Jefferson county area, participated in a lunch seminar to discuss parenting plan questions and solutions. An NJP attorney led the group, answered their questions and explained the substantive law that applies to drafting parenting plans. This committee will meet every other month to discuss legal issues that their clients face.

### **SEATTLE/KING COUNTY**

#### **Basic Field**

- A Seattle-based DVCLP attorney presented “Domestic Violence and International Child Abduction: Anatomy of a Hague Case” at the Washington State Legal Services Conference, attended by an estimated 60 legal services advocates.

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

- NJP’s RIAP attorney and the King County Project Facilitator continue to meet with the King County Regional Planning Group and have assisted in implementation of coordinated referral in King County with the use of 211 and a limited CLEAR hotline for King County cases. They continue to work with King County civil legal aid providers on training screeners, developing a referral process and monitoring for problems in implementation.
- NJP’s RIAP attorney presented a two hour training including a basic overview of immigrant eligibility for benefits to approximately 50 staff of King County and the City of Seattle. The RIAP attorney provided information to the trafficking network about how legal services providers can assist victims of human trafficking.

### **TACOMA/PIERCE COUNTY**

#### **VANCOUVER**

#### **WALLA WALLA**

- NJP’s Walla Walla office continued to give its tenant education seminar, in conjunction with Benton Franklin Community Action Committee. NJP gave two presentations over the third quarter to groups of tenants about their rights and responsibilities in residential tenancies.

- NJP’s Walla Walla office gave a presentation at the Washington State Coalition Against Domestic Violence’s statewide conference in Leavenworth. The attorneys gave a presentation on how legal advocates can obtain effective domestic violence protection orders for their clients, and how they can be enforced.

### **WENATCHEE**

- An NJP Wenatchee attorney is making 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. In the third quarter of 2008, the NJP attorney appeared on the show four times. He did a show in July about reverse mortgages, a show in August about foreclosure rescue scams, a show in September about affordable housing issues related to seniors, and another show in September profiling a local community group dedicated to working on affordable housing issues.
- NJP’s Wenatchee office made a community education presentation to residents of a mobile home park in Brewster after the residents contacted NJP to inquire as to their rights regarding a recent doubling of their monthly space rentals. NJP provided the residents with information about their rights and responsibilities under the Mobile/Manufactured Home Landlord Tenant Act.

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

- An attorney from the NJP Bellingham office and two NJP colleagues met with staff from the Washington State Department of Labor and Industries (L & I) to begin discussions on how L & I can improve the language services it provides to non-English-speaking injured workers. The meeting also included representatives from a labor union and the workers’ compensation attorney bar. Federal and state anti-discrimination laws require adequate interpretation and translation services, and many state agencies have made significant progress providing such services in recent years. NJP staff plan to continue working with L & I staff to ensure that the agency follows other agencies in improving the availability and quality of interpreters and translated materials for its clients.
- An NJP Everett attorney did a presentation about the TANF program to the case managers for a local housing program. This program has emergency and transitional shelters so it was an opportunity to educate providers working with clients many of whom do not even have phones. There were about 25 staff members who NJP was able to connect with to help address public assistance issues for their homeless families.
- An attorney in NJP’s Port Angeles office is working with the Clallam County Superior Court and District Courts to draft and implement a Language Assistance Program. All courts in Washington are now required to have such a plan and the language Assistance Plan will ensure that all deaf, hard-of-hearing and Limited English Proficiency clients have equal access to the courts.

- A NJP Pt. Angeles attorney continues to participate in the Clallam/Jefferson County Pro Bono Lawyers executive board and two NJP Port Angeles lawyers regularly participate in meeting with pro bono clients at clinics.
- NJP's RIAP attorney continues to participate with advocates at Solid Ground, Columbia Legal Services, the Social Security Advocacy Project, Northwest Health Law Advocates and the Welfare Rights Organizing Coalition in a King County Benefits Advocates project to advocate with the Region IV DSHS Administrator.
- NJP's RIAP attorney continues to work with advocates and agency staff from around the state to improve legal services to victims of trafficking in Washington State and 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 RIAP attorney continues to work with the Seattle University Law School Community Advisory Board for the Access to Justice Institute to improve student involvement in providing legal services to the poor.
- NJP's RIAP 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).
- NJP's RIAP continued to work with the Domestic Violence Community Legal Project to coordinate the Washington State Coalition for Language Access (WASCLA). The group continued to work on its website, a statewide interpreter translator directory, and LEP policies and training around the state. The group organized a two day conference in Wenatchee in October.
- NJP's RIAP, along with NJP attorneys from Bellingham and Wenatchee, a private attorney working on worker's compensation cases, and staff from the Washington State Labor Council, met with staff from the Department of Labor and Industries to discuss ways to improve services to Limited English Proficient individuals.
- NJP's RIAP continues to work with the Pro Bono Coordinator at Davis Wright Tremaine and with staff of Children's Hospital, Odessa Brown Clinic and Harborview Hospital to develop a Children's Legal Medical Project that would provide assistance to doctors and social workers to improve children's access to legal services to improve access to health care, housing, education, immigration, and public benefits. The RIAP attorney continues to serve as supervisor of the attorney hired by the grant to staff the project.
- An NJP Seattle attorney helped organize and then spoke at two different weekend programs for homeowners who are confronting problems associated with their home loans. The programs were

sponsored by the King County Asset Building Coalition. Also speaking at the programs were mortgage counselors from Solid Ground and the Urban League.

- An NJP Seattle attorney spoke at a national convention of Attorney Generals on foreclosure rescue scams.
- An NJP Seattle attorney participated in the “Collection Agency Think Tank” organized by the Washington Attorney General.
- An NJP Seattle attorney conducted a training in Wenatchee on bankruptcy related issues that confront legal services attorneys.
- At the written request of State Senators, State Representatives, the Department of Licensing, the Department of Financial Institutions, and the Attorney General, an NJP Seattle attorney answered questions and participated in working groups that addressed issues about HB 2791 that went into effect in June of 2008. The bill is designed to protect homeowners from fraud frequently associated with distressed home conveyances. However, immediately after the passage of the bill, individuals and groups associated with the real estate industry began extensive lobbying to correct what they perceived to be problems with the bill. As result of these efforts there will be no changes to the bill that will dilute its protections for consumers and the concerns raised by the real estate industry have been resolved.
- An attorney from NJP’s Seattle office participated in a CLE on predatory lending hosted by Seattle University. The part of the training the attorney conducted was on short-term, high-cost loans.
- An attorney from NJP’s Seattle office joined the board of Washington Attorneys Assisting Community Organizations (WAACO), a nonprofit formed in 2003 to connect nonprofits with small budgets with pro bono lawyers who can assist them with their business or transactional needs.
- Two attorneys in NJP’s Seattle office participate in the Seattle-King County Assetbuilding Coalition. The attorneys are participating on a subcommittee that is focused on client populations that are unbanked, as well as on a Coalition pilot project.
- An attorney in NJP’s Seattle office participates as an advisory board member for Columbia Legal Services’ new Economic Justice Project, which is focusing on auto-related fraud as its first project.
- An attorney in NJP’s Seattle office and an NJP Advocacy Coordinator continue to participate in an auto fraud workgroup coordinated by the Inclusionist, a D.C.-based think tank that is interested in developing policy solutions to problems faced by low-income people.
- An attorney in NJP’s Seattle office participates in the Washington State Bar Foundation’s Loan Repayment Assistance Program (LRAP) Advisory Committee which has developed an LRAP program for public interest attorneys across the state.
- Two attorneys in NJP’s Seattle office continue to participate in the statewide Consumer Law Task Force, which is working on combating problems related to short/term high-cost loans, illegal debt collection, medical debt, foreclosure rescue scams, auto fraud, and bankruptcy.
- An attorney from NJP’s Seattle office participated in a youth law panel at Sleeping Lady entitled “Multi-System Advocacy for Children with Disabilities.”



- An attorney from NJP's Seattle office participates in the Youthlaw Task Force, which is comprised of attorneys from NJP, Columbia Legal Services, TeamChild, the ACLU, Seattle University Law School and the University of Washington Law School.
- An attorney from NJP's Seattle office continues to join other public benefit advocates in King County in meeting with the Regional Administrator for the Department of Social and Health Services' Economic Services Division. The purpose of the meetings is to alert the administrator to common problems experienced by benefit recipients and to collaborate on improving DSHS's services.
- An attorney from NJP's Seattle office 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.
- A Seattle-based DVCLP attorney is a member of the Washington State Court Interpreter Advisory Commission and in that capacity continues to advocate for language access in the courts statewide.
- A Seattle-based DVCLP attorney continues to participate on the Unified Family Court Language Committee at King County Superior Court. The UFC Language Committee seeks to provide language access to litigants in King County Superior Court.
- A Seattle-based DVCLP attorney is a member of the Washington State Coalition for Language Access and in that capacity continues to advocate for coordination of language access statewide.
- A Seattle-based DVCLP attorney continues to be a member of the King County Bar Association's Judicial Screening Committee and to participate in their proceedings.
- An NJP Tacoma attorney continues outreach to Indian tribes and attended training on Indian Child Welfare sponsored by the Suquamish Tribe. The advocate made contact with the Chief Judge of the Suquamish Tribal Court and several other court personnel to explain NJP services.
- An NJP Tacoma attorney participated in a roundtable discussion of a group of community organizations helping the Hispanic population in Kitsap County. Contacts were made with several community resources and information about NJP was distributed.
- A Tacoma NJP staff 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.
- The Tacoma NJP office was one of over 80 agencies who participated in the City of Tacoma's Annual Senior Citizen Awareness Day (SCAD) in August, 2008. This is a very popular and successful event the City of Tacoma sponsors each year to recognize contributions of seniors living in the City of Tacoma and Pierce County. Persons of all

ages attended this event. Each agency who participated in SCAD was assigned its own booth. NJP had printed pamphlets and brochures on a variety of subject matters available for persons who visited the NJP booth, as well as having information available about NJP's CLEAR advice and referral system and the coordinated state resource website, [www.washingtonlawhelp.org](http://www.washingtonlawhelp.org).

- An NJP Vancouver attorney regularly attends Klickitat and Skamania County inter-agency social services consortium meetings.
- An NJP Vancouver attorney attended the NW Minority Job fair in Seattle to interview prospective candidates.
- An NJP Vancouver attorney serves as a director on the board of the Clark County Volunteer Lawyers Program.
- An NJP Vancouver attorney serves as a member of the statewide Domestic Relations Pattern Forms Sub-committee.
- NJP's Vancouver office continues advocacy efforts on behalf of its housing client population by participating as a member of a local housing authority's MTW advisory committee. As a result of the work on this committee, NJP Vancouver anticipates that within the coming months, ten to twelve new MTW self-sufficiency vouchers will be available to low-income families in Clark County.