

Northwest Justice Project

Advocacy Report Fourth Quarter, 2008



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**NORTHWEST JUSTICE PROJECT
2008 FOURTH QUARTER ADVOCACY REPORT
TABLE OF CONTENTS**

INTRODUCTION

OVERVIEW OF GENERAL SERVICE DELIVERY

CASE EXAMPLES

 NJP Basic Field Office Services

 Consumer

 Economic Stability (Employment)

 Economic Stability (Public Benefits)

 Education

 Family Stability, Safety & Security

 Healthcare, Access & Quality of Care.....

 Preservation of Housing & Habitability Issues.....

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

 Native American Unit - Statewide (NAU)

 Family Stability.....

 Indian Estate Planning

 Preservation of Housing.....

 Farm Worker Unit - Statewide (FWU)

 Consumer

 Economic Security (Employment).....

 Immigration

 Contract Attorney Program (CAP)

 Coordinated Legal Education, Advice and Referral (CLEAR)

CLIENT & COMMUNITY EDUCATION AND CAPACITY BUILDING.....

NETWORKING AND DEVELOPING COMMUNITY CONTACTS
AND RESOURCES

INTRODUCTION

OVERVIEW OF GENERAL SERVICE DELIVERY

Aberdeen (Grays Harbor, Pacific Counties)

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

CLEAR and NJP Web Site

- During the 4th Quarter of 2008, the Washington LawHelp web site experienced over 102,000 visitor sessions and over 540,000 page views. In October, NJP launched a free online divorce program for pro se litigants needing uncontested divorces without children in Washington. The Washington LawHelp website now offers a user-friendly simple divorce interview, designed, somewhat like Turbo Tax, to generate step-by-step instructions and the necessary forms ready to print and file at the courthouse.

Contract Attorney Program

- NJP's Contract Attorney Program (CAP) is staffed by 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, CAP contacts the client to confirm eligibility and obtain additional information and documents relevant to the case. For cases having sufficient merit, CAP will perform a brief service and/or refer the case to one of the private attorneys with whom there is a contract (in any one year, CAP uses 25 to 35 attorneys). Once a contract attorney agrees to take a case, CAP provides, as needed, citations to relevant statutes, regulations and cases, and is available to provide 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 family law, housing, public benefits, and consumer law. During the fourth quarter of 2008, the CAP staff and its contract attorneys provided advice, brief service and/or representation in approximately 75 cases in the eleven counties it serves.

Everett (Snohomish, Island Counties)

- During the fourth 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 includes 4 attorneys and two part-time support staff. One attorney speaks Spanish. The Thurston County Volunteer Legal Services Program is co-located with the Olympia NJP office. During the fourth 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

Seattle (King County)

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

- NJP's Spokane office priorities include family law, housing, consumer issues, public benefits and Indian law. The Spokane office's work is primarily focused in Spokane, Whitman and Lincoln Counties and is staffed with seven attorneys, including a full-time Native American Unit attorney and three legal assistants. The Colville satellite office's priorities include family law, housing, consumer issues, public benefits, and Indian law. The Colville satellite office provides assistance to clients in Ferry, Stevens and Pend Oreille Counties and is staffed by two attorneys and one legal assistant.

Tacoma (Pierce, Kitsap Counties)

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

Walla Walla (Benton/Franklin, Walla Walla)

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

Yakima (Yakima, Kittitas Counties)

CASE EXAMPLES AND OTHER SIGNIFICANT ADVOCACY EFFORTS

NJP FIELD OFFICE SERVICES*

Consumer

- NJP's Bellingham office represented a client who was sued by a collection agency for an alleged debt incurred when the client obtained needed medical care at a Skagit County hospital. Despite state law requirements, the hospital had never informed the client about the availability of charity care, although she was financially eligible for charity care coverage at the time of her care and thereafter. The client learned about charity care when she first talked with NJP, and she promptly applied for that assistance from the hospital. NJP filed an answer to the lawsuit denying the client's liability on the grounds that the hospital failed to comply with state charity care regulations. The hospital then processed the client's charity care application with proof of her income, and found the client eligible for a 90% reduction in her bill, thus resolving the issue in the lawsuit.
- A senior client had sued a mattress store in Small Claims court and won a judgment. When she contacted NJP's Everett office, she had been unable to make any progress in enforcing her judgment against the store or its owner. As a result, she has been unable to replace the faulty mattress over which she sued in the first place. NJP is assisting her with supplemental proceedings to help her collect the money she is owed.
- NJP's Seattle office successfully represented a couple whose family was victimized in a foreclosure rescue scam. The clients lost their generational family home after the defendants committed fraud and tricked them into a deal in which the defendants stole a substantial amount of home equity and then ordered the clients to leave the home, enabling the defendants to flip the house multiple times and realize a profit. NJP sued multiple defendants for fraud (among several other federal and state claims) and after a pre-trial settlement conference, recovered \$40,000 for the clients. NJP then went to trial against the remaining defendants and obtained a judgment of \$164,500 for the clients.
- NJP's Seattle office is representing a senior who was mistakenly billed and sued for thousands of dollars of medical care that should have been covered by charity care.
- NJP's Walla Walla office successfully represented a man who was being sued on a medical debt. After advising the client and filing an answer on his behalf, his charity care application was approved by the hospital and the lawsuit was dismissed.

* 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.

Economic Stability (Employment)

- A Latino client was successfully defended by NJP's Tacoma office in an administrative hearing regarding a nearly \$3,000 fine imposed by the Department of Early Learning based on allegations that the client ran an unlicensed daycare. The issues before the Administrative Law Judge (ALJ) were whether the client was exempt from licensure; whether she could combine exemptions; and whether the Department violated the Administrative Procedures Act when it applied unpublished, internal policies and varying, inconsistent interpretations of the statute. The ALJ concluded that the client's provision of daycare was exempt from licensure under at least four provisions of the statute. The ALJ also concluded that there was nothing in the statute or in the Department's regulations which prohibited a daycare provider from claiming more than one exemption. Finally, the ALJ concluded that the relevant statute was not ambiguous, therefore the Department's interpretations could not sustain the fine imposed.

Economic Stability (Public Benefits)

- An Everett disabled senior who was receiving Medicaid long term care in her home lost her entire monthly income from Social Security. NJP's Everett office investigated and learned the client had been assessed an overpayment. Her entire check was being withheld because she had failed to follow through on a request to waive the overpayment. NJP assisted the client with her waiver request. NJP was successful in getting her benefits restored pending the determination on her waiver. The client now has the funds to pay for her daily necessities and her long term care expenses.
- NJP's Everett office represented a client with significant mental and physical health problems appealing a denial of General Assistance (GA-U). The client had received Medicaid and a TANF grant until her child's age made them ineligible for TANF. Under Medicaid law, her Medicaid should continue until DSHS determines she is not eligible for any other Medicaid category. NJP advocated for DSHS to go through the required assessment for Medicare and ultimately these benefits were granted. NJP also obtained additional medical evidence supporting the client's physical health problems that DSHS had earlier discounted. NJP argued DSHS had misinterpreted the legal requirements for the "duration" (time period) of the conditions. DSHS agreed to award the GAU benefits.
- NJP's Seattle office assisted a mother in successfully challenging a proposed denial of DDD services for her autistic son. NJP assisted her in gathering more detailed medical evidence, which convinced DSHS to reverse the denial and confirm his eligibility.
- NJP's Seattle office assisted a client in obtaining Medicaid coverage for March, 2008. She had been in an automobile accident that month and had amassed tens of thousands of dollars in medical bills. DSHS had denied her request in April 2008, based on its incorrect conclusion that while she and her children were eligible for on-going Medicaid benefits, she had too much income that month to be eligible. Although it was far beyond the appeal period for the denial, NJP assisted the client in obtaining Medicaid coverage by contacting DSHS and pointing out the error. DSHS acknowledged the error and

promptly issued the medical coupon, which the client then used to address the outstanding medical debts that had been plaguing her.

- NJP's Seattle office assisted a client with severe cognitive and physical disabilities who required additional services through the Division of Developmental Disabilities' Basic Plus waiver program. Some of the client's disabilities include mental retardation, encephalitis, and cerebral palsy. The client was coming upon the annual CARE assessment, and NJP advised the client's mother before the assessment. As a result of the advice, the mother was able to maximize the number of in-home care and respite hours her daughter could receive.
- NJP's Seattle office assisted an elderly disabled client who was facing termination of her COPEs benefits. The client resides in an assisted living facility; because of the severity of her disabilities, she is unable to reside in her own home. NJP had previously assisted the client and prevented termination of her COPEs benefits because of a resource issue; however, immediately after the resource issue was resolved, DSHS attempted to terminate the client by alleging that the client was not functionally eligible for COPEs benefits. If the client's COPEs benefits were terminated, she would be homeless, and she would not be able to receive crucial medical services through the assisted living facility. This would not only create severe hardship for the client, but it would place her health and safety at risk. NJP was able to obtain medical information from her medical providers to establish that the client was functionally eligible for COPEs. After two attempts by DSHS to terminate the client's benefits, DSHS agreed that the client was functionally eligible for COPEs and her benefits were not terminated.
- NJP's Seattle office and Northwest Health Law Advocates (NOHLA) are in the process of finalizing settlement terms for a case involving the Basic Health program re-enrollment and appeal procedures. A client received health coverage through the Basic Health program. To maintain her eligibility on the Basic Health program, the client was required to submit re-certification income documents to the Health Care Authority (HCA). The client mailed in the documents well before the deadline; however, HCA alleged that it never received the documents. As a result, the client was disenrolled from Basic Health for a one year period. The client appealed, but according to the regulations, she was not entitled to a full administrative hearing. The HCA upheld the decision to disenrollment. The client filed a Petition for Review to Superior Court. NJP and NOHLA negotiated with the HCA, and the client's health benefits were reinstated. Also, the HCA agreed to make changes in regards to the following issues: 1) to provide advance written notice and confirmation during the re-certification process; 2) to improve the information that is provided in Basic Health notices; and 3) to provide a process by which applicants may resubmit documentation after the deadline to avoid disenrollment, allow recipients to be reenrolled automatically if the documents are timely resubmitted, and to avoid a new preexisting condition waiting period if the documents are timely resubmitted.
- NJP's Seattle-based Refugee and Immigrant Advocacy Project (RIAP) represented a young Russian man being treated for an aggressive cancer who had applied for medical coupons at DSHS over a year and a half ago with a denial which had not been appealed. DSHS agreed that the application had been "withdrawn" and not appealed due to

confusion over the adequate notice and that, had the application been properly processed, the young man's bills (totaling over \$40,000) would have been covered under Medicaid. The case was resolved prior to fair hearing.

- NJP's Spokane office was contacted by a client after the Department of Veteran's Affairs sent him notice of a \$16,615.70 overpayment. The VA alleged that the client did not disclose his wife's income for a period of time. Both the client and his wife indicated that they had sent in updated financial information regularly, and had even been asked to refile information that the VA indicated they had lost. The client was unable to pay the requested overpayment because of financial hardship. The client also suffered from leukemia, COPD, asthma, total deafness in one ear, severe emphysema and chronic bronchitis. NJP drafted several overpayment waiver requests to the VA on the client's behalf, and the VA eventually agreed to waive the total amount of the overpayment.
- NJP's Spokane office represented a client whose GAU benefits were terminated after receiving a psychological evaluation that identified malingering/over-reporting. The client has a long history of both GAU and GAX approval, with her main diagnoses related to major depression and possible personality disorder. NJP got copies of the client's past evaluations, and sent the client for another psychological evaluation. The psychologist identified generalized anxiety disorder, major depressive disorder and personality disorder NOS. Based upon this evaluation, the client was approved for benefits prior to hearing.
- NJP's Vancouver office helped a Clark County woman overturn an administrative decision on judicial review in Thurston County Superior Court that upheld DSHS's cutting in half her psychiatrist-prescribed dosage of her medication for attention-deficit hyperactivity disorder. DSHS had imposed a limit for all Medicaid recipients in Washington based on research about dosing in children without considering her individual circumstances, including her doctor's reasons for gradually arriving at that dosage and her weight of 400 pounds. The court agreed with NJP that DSHS's action was inconsistent with both federal law and DSHS's own regulations concerning Medicaid coverage of prescription drugs.
- NJP's Wenatchee office represents a disabled young adult man seeking benefits from the Department of Developmental Disabilities. The client is diagnosed with Alcohol Related Neurodevelopmental Disorder (ARND), a condition related to Fetal Alcohol Syndrome. NJP took the case after the client's father had exhausted the administrative appeal process. NJP petitioned for Superior Court review and then successfully negotiated a stipulated remand allowing NJP time to build a better administrative record for possible future appeals.

Education

- As a result of participating in an Indian education listening session at an Indian Tribe in Clallam County, the NJP Port Angeles office received an emergency referral concerning a Native American youth. The school and the mother of the child had entered into a section 504 agreement making specific agreements as to the student's academic

achievements. Two of the child's teachers did not follow the terms of the agreement with the result that the student was found to be academically ineligible and was not allowed to participate in the high school's basketball team. Playing on the team was essential to the student's self-esteem. The mother contacted NJP and was interviewed the same day. Communication was immediately established with the school and after a day's discussion, the plan was re-affirmed, the teachers agreed to follow the plan and the child was allowed back on the basketball team.

- A couple living on an Indian reservation suffer from mental illness. After many years of Tribal Housing notices, an eviction action was commenced in Tribal Court. NJP's Port Angeles office interviewed the family and prepared a defense. After two hearings in Tribal Court, the eviction was stayed and the Housing Authority was ordered to formulate a compliance plan for the family to remedy the conditions pursuant to a housing contract entered into between the Tribe and the family. The case is now pending.
- For three years a woman had been the sole care provider for her son while the father was in prison. Upon his release the client allowed the father and son to be with each other but subsequently the father filed emergency motions granting him custody of the child. The mother contacted the NJP Port Angeles office and an attorney represented her in Clallam Superior Court. The emergency order was reversed and the child was returned to the mother. Further hearings have been held, child support has been set and a temporary parenting plan has been implemented in which the mother is designated as the residential parent and guardian.
- NJP's Seattle office represented a student with disabilities and his parent in their effort to secure an appropriate special education program for the student. After a long period out of school, the district offered an appropriate placement and the student is back in school.
- NJP's Yakima office helped a 55 year-old man with Downs Syndrome retain his Medicaid coverage and in-home care. The client has a complex income picture where he receives several kinds of Social Security benefits and also works on a limited, part time basis. NJP worked with the client's power of attorney and disability rights specialist to formulate a plan to transfer the client's coverage package to a different Medicaid program without interrupting his coverage or in-home care. NJP then negotiated with DSHS to ensure a seamless transfer of benefits. Without NJP's advocacy, the client would be without medical coverage or in-home care, would not be able to live independently and would have had to quit his job to lower his income to qualify for his previous Medicaid package. With NJP's advocacy, he is able to maintain his job and benefits, which dramatically increases his quality of life.
- NJP's Yakima office assisted a 65 year-old man correct an error in his Social Security benefits which saved his home. Social Security claimed the client had made a mistake in his tax accounting. Because of this mistake, Social Security said that the client received Social Security benefits when he should not have. Social Security was attempting to collect the alleged overpayment by garnishing the client's monthly benefits. If the garnishment went through, the man would not have been able to continue to pay his mortgage and would have lost his home. NJP proved that the client made the tax

accounting mistake based on incorrect advice from the Social Security office. When Social Security causes the error, the client is not responsible for the overpayment. Thus, the client was able to keep his income and his home.

Family Stability, Safety & Security

- NJP's Aberdeen office represented a woman who was the victim of severe domestic violence and rape by her husband that resulted in multiple hospital visits for treatment of severe injuries. NJP assisted the client in obtaining a dissolution from her husband, full placement of all children, and a protection order granting the now ex-husband no contact with the client or any of the children.
- NJP's Bellingham office represented a domestic violence victim referred by the local emergency shelter for assistance in a dissolution filed by her husband and in securing custody of her young child. The client had suffered years of mental and sexual abuse by her husband, including his "diagnoses" that she was mentally ill, his demands that she be heavily medicated, and his insistence on non-consensual sexual activity. The husband had succeeded in isolating the client from her parents when they raised concerns over her progressive mental deterioration and his strange, controlling behaviors. Eventually, the client acquiesced to her husband's demands that she "voluntarily" commit herself for psychiatric evaluation, through which she was informed that she did indeed suffer from depression and PTSD, and that her most appropriate response would be to leave her marriage. The client took their 5-year-old son with her to a confidential shelter, obtained a domestic violence protection order (DVPO), and sought further help from NJP. Soon after, her husband was arrested and convicted of violating the protection order after following her to a local store and making contact with her. Outside of the dissolution action, NJP had to intervene promptly to avoid a foreclosure on their home, to preserve what was their only significant asset. Early in the dissolution proceedings, the client's son revealed that her husband had exposed him to sexual material on the Internet during a visit. NJP obtained a court order that he undergo a sexual deviancy evaluation, which found that he was more compulsive than most known sex offenders. The court then ordered treatment and supervised visitation. Despite these developments, though, both the husband and his attorney adamantly pursued shared custody of the child, rejected all lesser settlement possibilities, and set the case for trial. By the time of trial, they had reduced their demands for visitation and, after they had presented their case, they agreed to settle on a parenting plan with even more favorable terms for the client and for the protection of their son. Since then, the client has returned to school to obtain her nursing degree, her son is in counseling, and her ex-husband is required to be in treatment for one year. The client was recently the guest speaker at a prominent event for the shelter organization, and expressed her appreciation to NJP for helping her stabilize her life.
- NJP's Everett office represented a domestic violence survivor with two minor children in a Paternity action. The client obtained an ex-parte restraining order against her children's father due to domestic violence and the father being under the influence of drugs around the children. The parties were ordered to submit to interviews with Family Court Investigations. Although there was evidence to corroborate the client's allegations of domestic violence and drug use by her children's father, Family Court Investigations

recommended joint decision making and liberal visits. NJP successfully obtained a Temporary Order that gave the mother sole decision making. The order also limited the father supervised visits as well as ordering the father to submit to evaluations for domestic violence, drugs, and alcohol within 30 days and complete any treatment recommended.

- In a previously reported case, NJP's Everett office's continued to represent a woman who had not seen her children since February, 2004. On June 6, 2008, the court ordered that the mother have immediate phone contact with her children but the father refused to provide his phone number. He was held in contempt of court. He provided the phone number and then refused to cooperate with reunification therapy. He was held in contempt of court a second time. When he failed to keep the appointment for his children to start therapy a third motion for contempt was brought. The father finally took the June 6th Court Order seriously. Due to the December storms the visit scheduled at the end of December was postponed to January 5th. On that date the mother was finally able to see two of her three children.
- NJP's Longview office represented a mother of special needs children who sought the return of her children. The children's father, who has a history of heroin and methamphetamine addiction and who had been violent toward the mother during their marriage, took the children without her consent and in violation of a CPS safety plan that did not permit him unsupervised visitation, and denied them any contact with the client. The father was not prepared to care for the children's needs and refused the client's efforts to contact him to give him the children's medication or ensure they attended counseling appointments. NJP was able to obtain an ex parte order returning the children to the mother's custody and later got a temporary order ensuring that the client continued to have custody and providing that the father not have visitation until he could show the court or Family Court that he was in a position to do so safely.
- A client asked NJP's Longview office for help with protecting her children from their father, who was insisting on exercising his visits even though he was actively using methamphetamine and living in an unheated garage. The younger child had special needs, including asthma and severe allergies and was therefore at particular risk from the father's inability to provide proper care. The client had earlier agreed pro se to a divorce and a parenting plan that included full weekend unsupervised visits because she had been trying to escape domestic violence in the relationship and wanted to end the marriage as quickly as possible. NJP assisted the client with filing a petition for modification and getting an emergency order suspending the full weekend visits until a hearing could be held. After the father tested positive for drugs, NJP got a temporary order that limited his visitation to a brief supervised weekly visit.
- A new mother of twins who suffers from a severe learning disability sought a dissolution of marriage from the children's father. The client was concerned that the father would use her disability against her to obtain custody of the children. NJP obtained a parenting plan giving the father limited visits to be supervised by an individual to be sanctioned by the client's mother. With an outpouring of community support and several parenting classes,

the client has become a very skilled and successful mother, committed to putting the children first and ending the relationship with their father.

- A mother of five children who had stayed in an abusive relationship due to religious beliefs, sought post-dissolution relief from an emergency order giving the father custody of the three youngest children. The father routinely disparaged the mother in the presence of the children and had a volatile relationship with the oldest two teenaged sons. He seemingly convinced the younger children that they were in danger of their older brothers. Although the court allowed the father to retain custody of the three youngest children for several months, when he tested positive for methamphetamine, the children were immediately returned to their mother.
- NJP's Olympia office was contacted by a woman who had a one year Domestic Violence Protection Order against her husband. The order gave her temporary custody of their three children and ordered the husband to have no contact with them. NJP helped her file for divorce. Her husband, who resides in Mississippi, also filed for divorce. For months, neither party was able to serve the other. Thurston County Family Court ruled that it did not have personal jurisdiction over the husband and that it would have to consult with the court in Mississippi to determine jurisdiction. Meanwhile, the Court would not enter any orders in the divorce case and the Protection Order was about to expire. NJP helped the client renew the order ex parte. NJP represented the client at a final hearing that lasted two days. The husband's attorney questioned the mother, trying to poke holes in her story and the timeline. The entire judicial process was used to further abuse and humiliate the client. The husband's attorney even filed nude photos of the mother, claiming that they were taken days after the "alleged" abuse and that they proved no abuse had occurred. Within hours of being served with those documents, NJP filed an ex parte motion to seal them and the motion was granted. The Court eventually affirmed the argument that the photographs were not truly offered for probative value but as a method of furthering the abuse. Ultimately, the Court was convinced that client needed a long term protection order and granted a protection order for twenty years and required the husband to participate in a DV assessment and follow recommended treatment.
- NJP's Olympia office assisted a young native mother with enforcement of an Alaska State Court Order of custody. The child was in Washington for a temporary visitation with the grandmother. When the mother attempted to take the child back to Alaska, the child's grandmother and father attempted to gain legal custody of the child through the Washington Courts by filing for emergency orders. After briefing and argument by NJP, the Washington Court found the Alaska Order valid and allowed the mother to take the child back to Alaska.
- NJP's Olympia office represented a young woman in a third party custody modification and dependency action. The client had her child taken from her eight years ago when the child was a baby. The client consented to a third party custody action that placed the child with the client's mother. The client was seventeen years old and had no representation at the time. The baby was brought up by the client's mother. This was the same woman who had her parental rights over the client terminated when the client was in middle school. The client's daughter grew up knowing the client as her "sister." The

client contacted NJP for assistance to modify the third party custody decree because she had concerns about the safety of her daughter. Several months after the client contacted NJP, the grandmother (custodian of the child) drove a car with the child after becoming intoxicated. CPS intervened and filed a dependency against the grandmother. NJP was able to convince CPS to place the child with the client, the biological mother. The grandmother eventually agreed to the dependency and to vacate the third party custody decree placing the child permanently with her biological mother.

- NJP's Omak office assisted a client to obtain custody of her young son after she was forced to flee her marriage and the state. The father of the child was accused of sexually molesting the client's older daughter, who lived in the home but was not the biological daughter of the husband. The court at first allowed some visitation between the father and the young son due to the fact that no charges had been brought against the father at that time. NJP assisted the client by amending these orders to preclude any unsupervised visitation with the father. The client now has full custody and the case is awaiting a trial date for final orders.
- NJP's Omak office assisted a victim of severe domestic violence to resolve an issue with conflicting protective and custody orders. The client obtained protection orders in both Tribal and Superior Court. At the same time the opposing party obtained a conflicting protection order from Tribal Court. When the conflicting orders came to light the child was removed by Children and Family Services and a dependency action was initiated. NJP represented the client in Tribal Court where the dependency was dismissed and a new protective order was entered finding that the father had committed domestic violence and placing the child with the mother. NJP then represented the client in Superior Court where she obtained a 50 year domestic violence protection order.
- NJP's Seattle office represent a deaf women living out of county seeking to retain custody of her two children who she allowed to temporarily reside with her father and stepmother. The grandparents are seeking third party custody. The attorneys maintained a good faith belief that the superior court erred in making a finding of adequate cause for the third party custody action to proceed. A Motion for Discretionary Review was made to the Court of Appeals, Division I. The appellate court commissioner granted discretionary review finding that the trial court likely committed obvious error when it made the adequate cause determination. Briefing is currently underway, and the matter will be reviewed by a full appellate court panel.
- NJP's Seattle office represented a woman in a protection order matter who was forced to flee out of state to escape her abuser. The woman fled from an abuser who utilized a high degree of technological sophistication in tracking her and harassing her, including use of the internet, MySpace pages, and impersonation of a county prosecutor, as well as other means. The woman obtained a Protection Order for herself and her child.
- NJP's Seattle office represented a woman who was a victim of domestic violence in a modification of parenting plan case in which the father of her three young children was attempting to take primary custody of the children. The father had not sought visitation or custody until the woman enforced a criminal no contact order against the father. The

father hired private counsel and filed numerous motions including a petition for modification against the woman. The woman needed to file a petition to modify the existing parenting plan to protect the children but did not have the resources to hire an attorney. NJP represented the woman in responding to the father's petition for modification seeking custody, filing a counter petition for modification seeking restrictions, obtaining an adequate cause finding, and a modified temporary parenting plan. NJP has successfully defended her on subsequent contempt motions filed by the father and the case is set for trial.

- NJP's Seattle office represented a woman who was a victim of domestic violence in a parenting plan case that was scheduled to go to trial in December 2008. The woman had not been able to afford representation and had been representing herself until she was able to consult with NJP a few weeks before trial. The father of her daughter was represented by private counsel and was seeking primary custody of the child, falsely alleging that the woman is mentally unstable and unfit to care for the child. NJP represented the woman in seeking and obtaining an order of continuance of the trial date in order to engage in discovery, obtain a parenting plan evaluation, and adequately prepare her case for trial. NJP will be representing her at trial in an effort to establish a parenting plan with restrictions and protections for herself and the child.
- NJP's Seattle office successfully represented an immigrant woman in a dissolution/custody action from the beginning through a negotiated settlement. The client left the husband after a history of abuse and filed a Petition for an Order for Protection. She appeared *pro se* at the hearing and her petition was denied. By the time she met with NJP, it was too late to file a reconsideration or revision. Instead, NJP focused on assisting her in a dissolution/custody action filed by the husband who sought immediate custody of their two-year-old child. NJP filed a response and successfully obtained temporary orders giving the woman custody of the child, a continuing restraining order, and requiring the husband to pay child support pending trial. NJP then successfully negotiated a settlement to finalize the dissolution/custody action giving the wife full custody and sole decision-making over the child and an order of child support.
- NJP's Seattle office continued to represent an immigrant woman in a dissolution/custody action. The client left the husband after a severe history of abuse, including physical abuse, sexual assaults, and serious threats to kill her. The client obtained an Order for Protection that expired. NJP successfully negotiated an agreement giving the woman a Continuing Restraining Order was entered pending trial. The client also obtained a Temporary Order of Child Support and 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. Trial in this matter was continued to address a parentage action filed by the husband. NJP is currently representing the woman in both matters.
- NJP's Seattle office successfully represented an immigrant woman in a parentage action regarding one of her children. The client left her husband because of a long history of domestic violence. NJP agreed to represent her in the dissolution/custody matter and successfully obtained temporary orders pending trial; however, the woman had a child

with her current partner and it was necessary for parentage of that child to be established in order for her dissolution/custody to proceed to trial. NJP filed a parentage action on the woman's behalf, giving notice to both the alleged and presumed fathers and successfully negotiated an agreement with the alleged father and finalized the action obtaining all necessary orders by default.

- **Seattle DV Project.** The grant for NJP's Seattle-based DV Project has been renewed through 2009. The Project serves domestic violence survivors in the areas of family law and immigration law, providing representation and brief legal services to domestic violence survivors who reside in Seattle or whose last known address is in Seattle. The Project also provides telephone advice and referrals to advocates requesting assistance on behalf of domestic violence survivors.
- NJP's Seattle DV Project represented a limited English proficient client from Honduras who had lost custody of a child to an abusive ex-husband, after a long battle. The ex-husband had manipulated the court system through his counsel, and the client was ordered to domestic violence perpetrator treatment and parenting classes. The ex-husband since then has withheld the child from the client. The client was referred to NJP for representation in a Protection Order action against her current partner, who is also abusive, and with whom she has a child. The client was in fear for her physical safety. Her partner abused her physically, sexually, and emotionally and attempted to choke her on several occasions. He has threatened to kill her and the child as well. A Project attorney represented the client in a highly contested Protection Order action, which was continued several times. After the client was granted a one-year Protection Order, the case was transferred for a risk assessment to determine the visitation schedule and services necessary for the parties. There is also a pending contested Parenting Plan action involving the abusive partner. After the risk assessment report was issued, the Project represented the client in obtaining an Agreed Protection Order that was further extended until the trial date in the Parenting Plan action.
- NJP's Seattle DV Project represents a client who suffers from mental disorders. She escaped from her abuser with her six children to a confidential shelter. The opposing party, who suffers from mental illness, was very emotionally and physically abusive, attempting to kill the client several times. He has also manipulated the court system to exercise control over the client. The client filed and was granted a Domestic Violence Protection Order against her ex-partner. Shortly thereafter, he filed for a Parenting Plan. Child Protective Services has been extensively involved in this case. The Project represents the client in the Parenting Plan action.
- NJP's Seattle DV Project represented a client of Moroccan origin in her dissolution of marriage action. The client had escaped with her child from an abusive husband who had isolated her and assaulted her on several occasions. The client faced significant barriers to access justice due to her religious beliefs and her status as an immigrant. Her ex-husband had also forged her signature on dissolution papers, finalizing the dissolution without her knowledge. After seeking legal help from a private attorney to vacate the dissolution of marriage orders, the client could not afford the attorney fees, and her case lapsed for over a year. During that time, her abuser continued to exercise his pattern of

power and control, using the child and the court system. The Project represented the client in obtaining an Order for Protection and a new case schedule in the dissolution of marriage action. After a lengthy investigation by Family Court Services, the parenting plan evaluation report recommended that the client obtain custody of her child. The Project successfully negotiated a settlement on behalf of the client, where the client was given custody of her child and where the opposing party was required to attend domestic violence perpetrator treatment and parenting classes. With representation from the Project, the client was finally able to obtain the dissolution of her marriage approximately two years after the original filing.

- NJP's Spokane office represented a woman in a divorce action. The woman's husband obtained a temporary ex-parte order placing the parties' ten-year-old daughter with him after the client was charged (approximately five months after her arrest) with possessing drugs. The woman denied the charge and had not used drugs of any kind since entering and completing a drug treatment program (drug court) in 2003. The woman tested clean for drugs from shortly after the possession charge was brought against her until the case was resolved. NJP successfully negotiated a parenting plan placing the client's daughter with her on a primary basis, and resolving the other issues in the client's divorce.
- NJP's Spokane office represented a former client in an action to modify a protective order that had been granted to the client in the underlying parenting plan modification action. In this parenting plan modification action, the court did not allow the opposing party (father of the parties' children) to have any contact or visitation with the children, and required him to undergo a psychological evaluation, to complete a Washington certified domestic violence perpetrator program, and to obtain the permission of the court before pursuing any action to modify this parenting plan. After entry of the parenting plan, the opposing party moved to the same county/area where the client and the children were residing, and the client and the children kept running into him. NJP filed a motion to modify the protective order granted to the client, and successfully obtained an order which prohibited the opposing party from continuing to reside (after 30 days) within the school district (where the children went to school) or in adjoining school districts.
- NJP's Spokane office represented a woman in a divorce action in Stevens County in which she sought primary custody of her two children. Custody of the children initially was hotly contested by the opposing party, with allegations by each party that the other party used drugs and was not a suitable custodian for the children. The court entered a temporary parenting plan placing the children with the client and giving the opposing party reasonable visitation with the children. The court also appointed a guardian ad litem. Before the GAL started her investigation, things deescalated and the parties began to get along better. Eventually, the client, with the assistance of NJP, amicably worked out an agreed parenting plan with the opposing party.
- NJP's Spokane office represented a client who was denied a domestic violence protection order at hearing. The court commissioner based her decision upon lack of jurisdiction and no incidents of domestic violence since the issuance of the previous protection order. NJP filed a motion for revision, and argued that no new acts were necessary, venue was proper and the client had a fear of imminent bodily harm based upon a significant history

of abuse. The review judge overturned the commissioner's decision, and granted the client a one-year domestic violence protection order.

- NJP's Spokane office represented a woman who sought to restrain her ex-husband's contact with their children. The children's father had engaged in numerous behaviors that endangered the children's safety and welfare, including drinking and driving with the children in the car, shooting the children with "Airsoft" guns (without padding or a face-mask), physically bullying the children, using drugs, etc. Additionally, in an independent case, the father was seeking non-parental custody of a sixteen-year-old girl (the child of another ex-wife), with whom he was carrying on a sexual relationship. The client was concerned about the effects on her children of seeing their father sexually involved with a girl barely older than they were. NJP obtained a temporary restraining and custody orders limiting the father to supervised contact with the children. Over time, the father became less interested in participating in the case, and ultimately failed to show up for the trial. As a result, NJP was able to obtain a parenting plan and a restraining order that protected the client and her children.
- NJP's Spokane office represented a mother from Montana who had repeatedly been denied visitation with her daughter by her ex-husband. Through a motion for contempt, NJP obtained an order giving the client thirty full days of make-up visits. NJP also represented the client in defending against two motions for contempt for failure to pay child support, which she could not afford due to unemployment. NJP persuaded the court to enter an order on contempt with language allowing the client to purge the contempt finding by making minimal, affordable, monthly installment payments on the back support.
- NJP's Spokane office represented a woman whose husband had fraudulently obtained a child support order limiting his payments to \$14.45 per month, for two children. Both children were primarily in the care of their mother. The younger child had special needs, as he was in treatment for leukemia, which magnified the burden of this low child support. The mother was barely able to survive financially, and was forced to work enormous amounts of overtime to make up for the time she missed at work in order to be at the hospital with the younger child (as the father refused to stay with the child at the hospital, or help with the leukemia-related expenses). NJP assisted the woman in getting the fraudulent child support order vacated, and represented her in a hearing on the father's subsequent motion for a downward modification of the child support. NJP prevailed, obtaining an order for the father to pay \$300 per month in child support, plus back-support at \$400 per month during the period of time when the fraudulent order was in effect.
- NJP's Walla Walla office is representing a client in her dissolution from an abusive spouse. The spouse abducted the client's four year old daughter in August 2008. NJP helped the client contact the police, file a Writ of Habeas Corpus and work with other agencies in locating the child. Finally, in December, the spouse was found at the Mexican border with the child. NJP worked with the child protective officers in California for safe return of the child. The child was reunited with her mother and siblings before Christmas Day.

- NJP's Walla Walla office assisted a local guardian by representing a disabled man at a Vulnerable Adult Protection Order hearing. There were allegations that the man was being abused by his older brother. At the hearing, the judge ordered a protection order for the full five years allowed by statute.
- NJP's Walla Walla office assisted a woman in filing for a modification of a Parenting Plan previously entered in another county which granted an abusive father with equal custody. Since the Parenting Plan was entered in 2004, the father had continued to use extreme abusive use of conflict with the child who is now five. In fact the father, upon receiving notice of the modification filing, made multiple false reports to CPS causing the court to grant him temporary primary care of the child. Since that time, a guardian ad litem was appointed and issued a report in favor of the client and CPS returned unfounded findings on all reports. NJP successfully petitioned the court to amend the temporary orders to provide primary care to the mother until an agreement can be reached or a trial can be held. The child is now in the primary care of her mother and undergoing counseling to help her through the trauma of the abusive use of conflict.
- NJP's Wenatchee office successfully represented a monolingual non-English speaking woman in a trial for custody of two young children. The opposing party had used domestic violence to control the client, and had abandoned the family for several months before returning to the family home. After he returned the violence resumed, and shortly thereafter the client fled the home with her two young children. The opposing party found the client and subsequently obtained temporary custody of the children in court. At trial for final orders NJP was able to prove the opposing party had lied to the court at the hearing on temporary orders, prove the history of domestic violence and abandonment, and obtain an order granting the client custody of the two children and child support payments.
- NJP's Yakima office represented the mother of a two-year-old boy in a paternity action. The client sought to protect the child from risk of harm by restricting his abusive father's visits. The father physically and emotionally abused the child, exposed him to his marijuana use and his violent attacks on his mother which occurred frequently throughout their six-year relationship, including while she was pregnant. He once blackened her eye so badly that when she cried, blood streamed out instead of tears. The father has been convicted twice for assaulting the mother in front of the child. The father often threatened to kill her and told her if she ever called police they wouldn't recognize her by the time they pulled him off her. Her case was finalized and the parenting plan provided for restricted supervised visitation once per week until the father obtained needed treatment.
- NJP's Yakima office represented the mother of a 1-year-old girl in a divorce action. The client sought to restrain the father from having any visitations with the child to protect her from possible sexual abuse. Unbeknownst to the mother, the father had been convicted twice for sexual offenses including rape of a child. The mother was not fully informed of the father's criminal history until after she had their child. She sought a divorce while the father was incarcerated. He was in and out jail often due to failing to comply with probation. His violations include drug use and failing drug tests. The mother

obtained final orders which restrained the father from having any contact with the child until the child's safety was ensured. NJP represented her at trial, and the judge ordered the father to complete treatment programs and further ordered that the father would not be eligible for supervised visitation until a qualified sex offender treatment therapist approved the visits.

Preservation of Housing & Habitability Issues

- NJP's Aberdeen office assisted a disabled client when her public housing and federal housing assistance applications were denied based on an Alford plea criminal conviction from more than ten years prior. NJP represented the client in having her criminal record vacated. In ongoing negotiations and prior to the fair hearings, NJP successfully assisted the client in having both of the housing application denials reversed and the client was retroactively placed on the waiting lists for public housing and federal housing assistance.
- NJP's Aberdeen office assisted a couple who were facing eviction from a manufactured home and RV park where they had resided for the prior two years. During most of their tenancy, the clients had provided in kind services in lieu of paying rent. The landlord filed an unlawful detainer action seeking \$4,000 in back owed rent. NJP represented the clients in the unlawful detainer action and filed a counterclaim for unpaid wages. In negotiations prior to trial, the parties agreed to terms that allowed the clients to vacate the premises without further financial obligations to their landlord.
- A disabled client contacted NJP's Everett office to help her address mold problems in her apartment. However, a bigger issue arose when the housing authority terminated the client's housing voucher after the client missed a single inspection appointment. Her failure to keep the appointment was the result of her disability. NJP presented the housing authority with a reasonable accommodation request to reverse the termination and take steps to prevent a repeat of the problem in the future. Although the housing authority was resistant, a reasonable accommodation was offered so she could keep her voucher and have additional reminders of future inspection appointments.
- NJP's Everett office has represented a severely mentally ill man over the past year and kept him housed. Initially the client received a 20 day notice to vacate, so the focus was on securing more time for the client to move. For a variety of reasons including the client's increased stress, inappropriate behavior and a past eviction the client was not able to move by the new deadline. NJP made a request to the housing authority for reasonable accommodation. The suggested accommodation was to reverse the termination decision, In return the client would engage in mental health services. The housing authority allowed the client to remain in his unit for seven months until new allegations were made against him by his neighbor. The housing authority was moving forward again to evict the client. With the help of a community service provider that works to house mentally ill people, new housing was located and a settlement agreement was reached with the housing authority that allowed the client sufficient time to move.

- NJP's Everett office represented a homeless client over age 70, who needed to get special additional funding from the mental health division so she could live in the only appropriate and acceptable placement. A request for funding was denied. NJP worked with the Mental Health Ombudsman program to initiate a mental health grievance and participated in a new assessment of the client's personal care needs under the COPEs program to better document her condition and care needs. The mental health agency then granted the needed funds. By then, however, the fragile client had been hospitalized for her health problems. The hospital sought to discharge the client before the specialized care facility could admit her even though the client believed she was not well enough to be discharged. Because she was homeless, the hospital discharge plan was to send her by taxi to a motel with a voucher to pay for a night or two. She would not have been able to arrange help with her personal care needs at that location. NJP advised the client of her right under Medicare to appeal her discharge if she believed she was not medically ready to go. The client appealed, and the process delayed the discharge. This allowed arrangements for a safe transfer from the hospital to the care facility. As a result the client was housed and receiving care when the extreme December weather began.
- NJP's Olympia office prevented the eviction of a disabled monolingual Vietnamese speaking senior and her eight grandchildren, ranging in age from six to fourteen. In the eleven months NJP represented this family, the landlord served them with multiple eviction notices and filed two unlawful detainer actions in court. The evictions were based on several factors, from alleged damages caused by the family to unauthorized tenants to, most significantly, alleged misbehavior and/or criminal activity of the grandchildren. This last factor, the most serious threat to defending the family's housing and subsidy, involved two of the grandchildren. In the first eviction action, the landlord alleged that the oldest grandchild (who is 14) was generally misbehaving, including threats and fights with other tenants. Although he did have concerning behavior several months prior to the complaint, at the time it was filed the young man was receiving intensive services from school and had displayed exemplary behavior at school and home for several months. NJP obtained documentation of the services and improvement in the young man's behavior, including "student of the month" awards from three teachers, a letter of support from the Vice Principal of the school and statements from other tenants about the improved behavior of the kids who had been problems. After months of negotiation and a probationary period, the landlord dismissed the unlawful detainer. However, two months later the landlord filed another unlawful detainer, this time alleging criminal activity on the part of two other grandchildren, as well as renewing all the former complaints. NJP demanded a settlement meeting with the landlord, which resulted in the landlord agreeing to drop all the grounds for eviction except the criminal charges. Days before an evidentiary hearing the prosecutor's office dropped charges against one of the grandchildren. The landlord again agreed to enter a stipulated order of dismissal. The children and the grandmother have retained their apartment and their housing subsidy. They continue to receive outside services to support them.
- NJP's Seattle-based Medical Legal Partnership (MLPC) represented a client receiving a federal housing assistance voucher in a dispute with her landlord and the housing authority. The client and her 2 year-old daughter lived in substandard housing conditions, including intermittent lack of heat and problems with mold. Medical providers referred

the client to NJP because the daughter experienced chronic respiratory distress that they attributed to the housing conditions. NJP represented the woman in negotiations with the landlord which resulted in restoration of the heat. When it became apparent that the condition of the housing would continue to make repairs an issue, NJP negotiated a resolution permitting the client to break her lease and move with her voucher to better housing.

- NJP's Seattle office assisted a disabled man who was facing eviction from his subsidized apartment due to allegations of poor housekeeping and failure to cooperate with building management on both paperwork requirements and unit inspections. NJP was able to help the tenant complete his paperwork requirements and resolve the inspection problems before an eviction lawsuit was filed, thereby enabling him not only to preserve his housing in the short-term, but also in the long-term by fostering an improved relationship with the management.
- A woman contacted NJP's Seattle office after being denied on multiple housing applications. Due to certain mental illnesses, the woman had struggled to pay her rent on time in the past. Because of the late payments, one of her past landlords filed three separate eviction lawsuits against her. One of the cases was filed in '01 and the others were in '03. All three of the cases were dismissed. After the third case, the woman's daughter began helping manage her finances, as a result of which her rent has been consistently paid on time throughout the last 5+ years. Nevertheless, the eviction case filings continued to prevent the woman from gaining access to rental housing due to widespread tenant-selection policies precluding applicants with records of having been sued for eviction from being accepted as tenants. NJP helped this woman gain access to a rental dwelling by writing a letter to a landlord explaining the connection between the woman's disability and the eviction lawsuits, and requesting the landlord to disregard the lawsuits as a reasonable accommodation for her disability. The landlord agreed and the woman was admitted to her new apartment.
- NJP's Seattle office successfully represented a client at her federal housing assistance termination hearing. The housing authority alleged that the client had failed to report her increased income, though the client had ample proof that in fact she had reported the change and had reported it multiple times. The hearing officer ruled in favor of the client, which meant that, in addition to maintaining her housing assistance, the client did not owe back rent.
- A client contacted NJP's Seattle office because her landlord had not complied with the Housing Authority's demands that the landlord make repairs to the client's rental unit. When the Housing Authority stopped paying rent to the landlord due to his failure to make the repairs the landlord served the client with an eviction action. NJP assisted the client by drafting a response to the eviction explaining that the landlord cannot evict the client for the Housing Authority's failure to pay the rent. The landlord's attorney contacted the client and withdrew the eviction paperwork.
- A client contacted NJP's Seattle office after the Housing Authority placed a hold on the client's federal housing assistance voucher after she vacated a unit and the landlord

claimed the client owed \$9000 in damages. The landlord claimed that the client owed this amount because she broke her lease; however, the client moved out only after learning that the home was in foreclosure and the landlord sent the client written notice that she must vacate the unit. After NJP contacted the Housing Authority the Housing Authority agreed to reinstate the client's housing assistance voucher.

- NJP's Spokane office represented a woman whose landlord sought to evict her due to false allegations by another tenant. NJP stopped the attempt to evict the client, which also preserved the client's federal rental housing assistance voucher. Despite the landlord's agreement not to pursue the eviction, the landlord sent the client several bills for hundreds of dollars in attorney's fees. NJP worked with the landlord's attorney to persuade them to stop sending the bills. The landlord also attempted, mid-lease-term, to add an improper \$20 "garbage fee." NJP objected to this fee, and prevented the landlord from attempting to collect it and from following through on their threat to evict the client for failing to pay it. NJP was ultimately successful in persuading the landlord to stop harassing the client with any unlawful financial demands.
- NJP's Tacoma office assisted a disabled client who had been denied General Assistance (GA) cash and medical benefits by DSHS. The client was a small business owner who had lost everything due to his illness, forcing him to move into his ex-wife's house with their two minor children to avoid becoming homeless. Although the client and his ex-wife had been divorced for over 11 years, DSHS determined that the client was financially ineligible for GA benefits due to his ex-wife's income. NJP's Tacoma office contacted DSHS on the client's behalf and DSHS agreed that the client was financially eligible for benefits and approved both a physical and psychological evaluation to determine the client's incapacity. The client was approved for GA benefits based on these evaluations.
- NJP's Vancouver office prevented an eviction of a disabled client from a subsidized housing unit. The landlord attempted to evict the client for alleged breaches of his lease that were due solely to the client's disabilities. The client has serious mental health issues that caused him to frequently disrupt the peaceful enjoyment of other tenants. The client had several substantive and procedural defenses, (i.e., cured the breaches within the notice period; the notice to terminate the client's tenancy was invalid because it was vague; the client was improperly served with the notice) that allowed NJP to obtain a dismissal of the Unlawful Detainer action prior to hearing.
- NJP's Vancouver office prevented the eviction of a client from federally subsidized rental assistance New Construction housing. The landlord (housing authority) attempted to evict the client for failure to make payments under a payment agreement for repairs to her unit. The client was unable to make the payments because the landlord had more than quadrupled the amount of the client's monthly repayment obligation. NJP represented the client in the informal grievance process and obtained a rescission of the termination notice and a reinstatement of the client's original payment obligations.
- NJP's Wenatchee office negotiated a settlement agreement and dismissal of lawsuit on behalf of a client who had purchased a mobile home on contract from her employer. The

real estate deal included a lifetime lease on a piece of land owned by the employer, along with the right to buy the new manufactured home for affordable monthly payments over 30 years. When the client quit her job due to feeling sexually harassed at work, the employer tried to remove her from the home through harassment which culminated in him rejecting her monthly payments and filing a lawsuit against her claiming default on the contract for the land and home. As part of the settlement, the client received a \$10,000 payment from the other party who then sold the property and the contract, to a third party.

- NJP's Yakima office represented a disabled man who faced eviction from his assisted living facility. The client's siblings had chosen the facility as the best level of care for their sibling, and had spent their inheritances paying the private rate to keep their brother in safe housing. When the siblings exhausted their resources, the client's guardian applied for medical coupons to cover the cost of his care. The facility sought to evict the client for converting to Medicaid, despite a lease agreement that allowed conversions, and despite a 2008 statute prohibiting evictions based on Medicaid conversion. NJP prevailed at the unlawful detainer show cause hearing and the eviction was dismissed because of the facility's unfamiliarity with the technical requirements of the unlawful detainer act. The assisted living facility immediately started a second eviction. Ultimately, the family chose to move their sibling to another, comparable assisted living facility that accepted Medicaid, rather than bear the risk of further litigating their brother's right to remain. The case illustrated the plight of vulnerable adults who run out of private funding. There were numerous newspaper articles about the case, and KING 5 News featured the client and his family in an investigative report about the problem.
- NJP's Yakima office represented a grandmother caring for her three small grandchildren. The client quit her job because the parents were unable to care for these children. The family income was only a small amount of TANF. The grandmother slowly fell more and more behind on paying her bills. She owned her own home and it was paid for, so she was able to get by on a relatively small amount of income; however, she neglected to pay the property taxes, often choosing to pay for medical expenses and food first. Unfortunately, the client failed to understand the seriousness of failing to pay one's property taxes and her home was about to be sold by the County Treasurer at a tax distraint sale. NJP was prepared to file a bankruptcy for this client in order to save her home, but at the last moment NJP was able to negotiate with Catholic Family Services, DSHS, and other family service agencies to help the client so she could pay the \$492 she owed, just hours before the deadline. As a result, the client and her 3 grandchildren are able to remain in affordable, stable housing. In addition, the client is applying to be a foster parent so that she may receive some income for providing services to these young children in need and will be able to better provide for their needs as a result of increased income. Hopefully, this income will allow the client to maintain her housing as well.

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

- Advocates from NJP's Bellingham office regularly participate in outreach to seasonal agricultural workers in Skagit County, providing residents with information about their

employment rights and access to DSHS medical, cash and food assistance benefits. For several years, NJP has included a Mixteco-speaking interpreter on these visits because increasing numbers of farm worker families in the region rely on this indigenous language from one region of Mexico as their primary language, rather than Spanish. On the most recent outreach visits, several Mixteco-speaking families requested assistance dealing with DSHS about food assistance benefits. One Mixteco-speaking parent asked for legal help when the family was terminated from food assistance and did not know why, because they could not read the Spanish-language notices from DSHS. NJP learned that the family was terminated because it failed to complete review forms sent to them in Spanish, a language the parents cannot read. Because they did not receive a lawful, effective notice of the termination, NJP was able to negotiate successfully for the reinstatement of the family's food assistance for a five-month period. NJP then helped the client document their lowered income due to the end of the seasonal farm work, and was able to get their food assistance benefit raised from \$43 to \$167. NJP continues to represent another Mixteco-speaking client to promote the local DSHS office's use of Mixteco-speaking interpreters, a practice it has previously never utilized in serving this client population.

- NJP's RIAP is working with the International Office of Migration to bring the two daughters of a client from Africa to join their mother. She is a victim of trafficking who was brought to the United States to work as an indentured servant, not paid for her time and not allowed to leave the house where she was forced to work seven days a week. RIAP previously obtained a T visa for the client and derivative T visas for her daughters and helped negotiate her back wages with the Department of Labor as part of the prosecution of her trafficker. RIAP expects the family to be reunited shortly.
- Severely physically disabled and cognitively impaired people living in a small area of Pierce County are being denied transportation which accommodates their disabilities. NJP's Tacoma office believes that the transit agency's policy violates the Americans with Disabilities Act (ADA) and has agreed, on behalf of two clients, to negotiate with the transit agency and is exploring other legal options in the event an agreement is not achieved.
- A chronically mentally ill and developmentally-disabled Western State Hospital (WSH) patient was recently discharged from the state hospital to a supervised, long-term, community-based placement funded by the state Division of Developmental Disabilities ("DDD"). The client's release was made possible as a result of an administrative appeal and subsequent litigation initiated by NJP's Tacoma office in 2006 to restore the client's DDD eligibility. This is a long-delayed and hard fought, positive outcome for the client, who has spent more than three-fourths of his life in state-run institutions.

NATIVE AMERICAN UNIT (NAU)

Education

- NJP's NAU was contacted by a Blackfeet tribal member who was the custodian of her 8 year old grandson. She sought help in keeping her grandchild at the elementary school he

was currently attending. The school district had informed her that he would be reassigned to another school due to class size. The school failed to provide any written notice about the basis for the transfer or the expected date that the child would have to attend a new school. The child's home and schooling had been disrupted for several years due to his parents' instability, resulting in previous school transfers. In addition, the client anticipated that he would have to change schools in the near future because they would be moving to another home upon approval from the federal housing assistance program. NJP negotiated with the school district to allow the child to remain at his current school until the family moved, avoiding an additional transfer.

Indian Trust Land

- NJP's Native American Unit (NAU) represents the daughter of a Yakama Nation member who died in 2004. The mother's trust property is being probated by the Department of the Interior's Office of Hearings and Appeals. The mother owned interests in land on another tribe's reservation. The Administrative Law Judge applied that Tribe's newly enacted inheritance code in determining the descent and distribution of those trust property interests. He determined that the client and her brother were only eligible to inherit a life estate in the property and that the remainder interest would escheat to the Tribe. NJP has petitioned for review of that decision, challenging the ALJ's order for applying a tribal ordinance that was not in effect at the time of the mother's death and resulting in an unlawful taking of her property without just compensation

Native American Listening Sessions

- NJP's Native American Advocacy Coordinator assisted the Washington State Governor's Office on Indian Affairs and Dr. Michael Pavel, Associate Professor, Educational Leadership & Counseling Psychology at Washington State University, with coordinating "Listening Sessions" throughout Tribal and Urban Indian communities. The sessions were part of a four-phase plan to analyze the factors contributing to an educational "achievement gap" for Native American students. The purpose of the sessions was to listen to the concerns of the people in order to formulate implications, conclusions and recommendations for the report of the study. The Listening Sessions included presentations by NJP attorneys occurring at various communities including the King County Urban Indians, and the Muckleshoot, Kalispel, Spokane, Lower Elwha Klallam and Yakama Tribes. The study revealed a persistent barrier to Native American students is discrimination, a need to integrate cultural continuity, a need for parental involvement, a need to deal with truancy issues and a need for equitable education for Native American students with or without disabilities. Consequently, the Advocacy Coordinator formed an ad hoc Native American Achievement Gap Legal Initiatives Committee including Dr. Michael Pavel, Rose Spidell of the ACLU and NJP attorneys.

FARM WORKER UNIT - STATEWIDE (FWU)

Economic Security (Employment)

- NJP's Farm Worker Unit (FWU) filed a complaint in superior court in collaboration with Columbia Legal Services. The FWU represents two farm workers and CLS represents one. All three clients were terminated soon after a health and safety investigation was conducted at the workplace and they complained about working conditions. These clients were not rehired the following season despite being long term employees of the company because of their assistance in the investigation of the health and safety complaint and the fact that they raised concerns about safety and other workplace problems. The complaint alleges discrimination under RCW 49.17.160, interference with the clients' right to engage in concerted activity to improve working conditions in violation of RCW 49.32.020, and violations of the Migrant and Seasonal Agricultural Worker Protection Act ("AWPA"), 29 U.S.C. §§ 1801-1872, including failure to pay wages when due, violating the terms of the working arrangement and unlawful retaliation. The case was removed to the Eastern District of Washington by the defendants.
- NJP's FWU assisted a farm worker in filing a complaint with the Washington Human Rights Commission for disability discrimination and assisted in reaching a settlement on his behalf. The client injured his right thumb and then his left hand and shoulder. He had severe pain and swelling and sought medical attention. His medical provider gave him a note saying that he was unable to work. Despite the note and the client's severe swelling and pain, the employer insisted that he continue working. The client tried working and when he found that he could not, the employer insisted that he find someone to replace him. The client found someone to replace him and then was told by the employer that he no longer had a job. Part of the settlement includes training for the employer on disability discrimination law.
- NJP's FWU continues to represent five packinghouse workers who were fired after raising health and safety complaints. The Department of Labor and Industries investigated the claim of health and safety retaliation and the National Labor Relations Board investigated a claim of retaliation for concerted activity. The employer has paid all five of the women their lost wages, removed all mention of their termination from their personnel records and offered them their jobs back in a settlement agreement with the NLRB. A mediation with the employer did not result in a settlement of the women's other claims against the employer, so the FWU is working with these clients in preparation for possible litigation.

Preservation of Housing

- NJP's FWU filed suit on behalf of a young woman and her father who fell victim to unscrupulous realtors. The father, a retired farm worker, had received a one time \$28,000 disability payment, but otherwise relies completely on his social security check for income. His 19 year old daughter worked at a fast food restaurant for minimum wages. When neither of them qualified for a home loan from a bank, the realtor proposed that the young woman sign a real estate contract by which she paid the \$28,000 as a down

payment, and would owe the balance of the \$135,000 purchase price within 18 months. Not surprisingly given their very limited income, after 18 months this family still did not qualify for bank financing, and they ended up in default, thereby losing the entire \$27,800 down payment and the home.

NJP'S CONTRACT ATTORNEY PROGRAM (CAP)

Economic Security (Public Benefits)

- A Kitsap County CAP attorney assisted a physically disabled and cognitively impaired client who wanted to develop work skills and find work, but was unable to get the assistance he needed from the Department of Vocational Rehabilitation (DVR). When DVR terminated his services, CAP represented the client in administrative court. The case settled through negotiation with DVR reinstating appropriate services to the client.

Family Stability, Safety and Security

- A Whitman County CAP attorney assisted a woman with a 17-month-old child who was living in a DV shelter after she was physically battered and sexually assaulted by the child's father. The CAP attorney helped her to obtain a restraining order, child support, and a parenting plan with supervised visitation for the father, pending his compliance with an anger evaluation and treatment recommendations.
- A Benton County CAP attorney assisted a woman with a child whose husband was convicted of felonious assault against her and then petitioned for dissolution. CAP represented the client in the dissolution where the court ordered the husband to pay her medical bills from the assault, established a parenting plan with no visitation for the husband, and a 10-year restraining order.
- A Kitsap County CAP attorney assisted a client with a mental health disability who was abused and sexually assaulted by her husband, and needed to respond in a dissolution action. CAP helped her work through the issues to make decisions regarding the dissolution. The parties were able to settle the case. The client was awarded several months of maintenance and a modest lump sum payment. CAP also assisted the client in preparing a claim for SSDI.

Preservation of Housing

- A Kitsap County CAP attorney assisted a disabled woman living in federally subsidized housing who was told she owed \$2,700 in back rent because the landlord made a mistake in the amount of rent she should pay. The landlord proposed a repayment amount that was impossible for the client to pay. CAP is helping the client to negotiate a reasonable payment plan and to include deductions for her medical expenses which the landlord never included.

COORDINATED LEGAL EDUCATION, ADVICE AND REFERRAL (CLEAR)

Consumer and Debt

- NJP's CLEAR convinced a landlord to restore water service to a young mother after it was terminated due to the landlord's failure to pay the utility bill.

Economic Stability (Employment)

- NJP's CLEAR helped a limited English proficient client obtain the commercial driver's license necessary for his employment after the license was improperly denied based on out-of-state infractions that were not disqualifying.

Economic Stability (Public Benefits)

- NJP's CLEAR helped a disabled, monolingual Laotian-speaking senior obtain waiver of an SSI overpayment and reimbursement of previously withheld funds.

Family Safety and Security

- NJP's CLEAR helped a domestic violence client prepare temporary orders in a dissolution filed by the husband after his attorney delayed preparation of orders following the judge's ruling. The client was then able to note a hearing for entry of the temporary orders prepared by CLEAR.

Health Care, Access and Quality of Care

- NJP's CLEAR helped a senior obtain in-home care and food stamps after her husband, who had been her caregiver, had to move to a care facility, leaving her without care or adequate income.
- NJP's CLEAR worked with the insurer and a client's physician to obtain Medicare Part D coverage of five essential medications originally declined by the prescription drug plan.

Preservation of Housing

- NJP's CLEAR helped a disabled monolingual Spanish-speaking woman rescind a lease due to conditions in the apartment, which allowed the client to move to healthier new premises and maintain her rental subsidy.
- NJP's CLEAR helped a developmentally disabled mother of two children avoid eviction, maintain her rental subsidy, secure reimbursement of overpaid rent and start the process of obtaining approval of pets as service animals for her two disabled children.

- NJP's CLEAR helped a man who lived in federally subsidized rural housing have a rent increase reversed and obtain a refund of monies that the landlord had improperly collected.
- NJP's CLEAR helped a single, low-income working mother of two obtain a rebate of rent paid for a period when the family could not inhabit its rental home due to a fire resulting from faulty electrical wiring and also obtain reimbursement for items lost in the fire.

CLIENT & COMMUNITY EDUCATION AND CAPACITY BUILDING

ABERDEEN

- In anticipation of tax season, NJP's Aberdeen office has been providing regular educational half hour presentations on the Earned Income Tax Credit to local service providers, Grays Harbor College classes and WorkSource client meetings.
- NJP's Aberdeen office staffed a table at the 1st annual Bi-National Health Fair serving the Hispanic community, attended by 45 adults, 50 children and 45 providers.
- NJP's Aberdeen office made a presentation at the Quinault Indian Nations' monthly Elders' Dinner on estate planning issues.
- NJP's Aberdeen office staffed a table at the Homeless Health & Resources Expo attended by over 140 homeless people who were provided showers, food, backpacks, sleeping bags, tetanus & flu shots, pet food, etc.
- NJP's Aberdeen office provided an educational presentation to a Kinship Care support group about non-parental custody issues.
- An NJP Aberdeen staff attorney joined the board for the ARC of Grays Harbor, which provides services to individuals with developmental disabilities.
- An NJP Aberdeen staff attorney joined the board for Beyond Survival, which provides services to victims of sexual assault.
- NJP's Aberdeen office provided an educational presentation to the Long Term Ombudsman's Volunteer Ombudsman training on living wills, powers and durable powers of attorneys.
- NJP's Aberdeen office provided educational presentations at the day long OAAA Fall Prevention Workshop on living wills, powers and durable powers of attorneys.
- NJP's Aberdeen office presented at NLADA conference in Washington, D.C. on outreach and advocacy strategies when opening offices in rural communities.

BELLINGHAM

- An NJP Bellingham attorney Bellingham made a “webinar” presentation to service providers in the statewide domestic violence coalition on issues facing lay DV advocates in relation to protections afforded by GR 24(b)(6) when their advocacy would otherwise constitute the practice of law.
- An NJP Bellingham attorney and a CLEAR*DV attorney met with the local DV program in Island County and presented information on the array of NJP services available to their clients.
- An NJP Bellingham attorney presented a training on consumer law issues to DSHS WorkFirst staff in Skagit County.

EVERETT

- LTC Ombudsman program training. An NJP Everett attorney provided training to new volunteers in the Long Term Care Ombudsman program. The training addressed legal issues involved in substituted health care decision-making, including powers of attorney and guardianship.
- The Snohomish County Indian Child Welfare Act committee asked NJP’s Everett office to provide information on non-parental custody cases in Superior Court. This committee reviews and makes recommendations on the placement of Indian children. Most of the cases the committee reviews are youth in need of care cases in tribal court. However, some Indian children become the subject of state court non-parental custody cases and the committee wanted to understand the legal process and legal requirements of these cases.

FARM WORKER UNIT (FWU)

- This quarter NJP’s FWU participated actively in the efforts of the Yakima Asset Building Coalition to publicize and expand access of low income clients to the Earned Income Tax Credit and local free tax preparation services.

LONGVIEW

- Two NJP Longview attorneys gave a community education presentation on fair housing laws, reasonable accommodations and service animals at the Westgate, an apartment complex for people with disabilities.

NATIVE AMERICAN UNIT (NAU)

- **Tribal Court Outreach.** Yakama Nation Tribal Court maintains a list of attorneys licensed to practice in tribal court. The Tribal court posts the list and distributes it to litigants seeking representation. The list had not been updated in several years as evidenced by the court listing available attorneys at Evergreen Legal Services, which has

not existed since the end of 1995. An NJP Yakima attorney recently updated the list as a service for the tribal court and to build relationships with the court personnel. The list now includes areas of law attorneys practice in and current contact information. This service made the court more receptive when the Yakima NJP attorney gave tribal court pamphlets describing the Native American Unit at NJP and the CLEAR line access specific for Native clients.

OLYMPIA

- An NJP Olympia attorney provided brochures and information to community providers who serve senior citizens. The attorney provided a presentation on mobile home law and gave information about NJP's services.
- In the last quarter of 2008, the Olympia NJP office conducted clinics for seniors who had not applied for the tax stimulus monies. NJP in collaboration with Columbia Legal Services held clinics at Thurston, Mason and Lewis counties and completed four in-facility visits for home-bound seniors. The purpose was to help seniors who would not normally file a tax return due to low income complete and file their return to get a tax stimulus. Feedback suggests the clinics were well received, and the clinics helped approximately 35 seniors on site.
- An NJP Olympia attorney participated in a forum for flood victims in Lewis County, providing on site legal advice and information to people still suffering from the December 2007 floods.

PORT ANGELES

- NJP's Port Angeles office continues its outreach efforts to the Olympic Indian Tribes. NJP did an outreach trip to the Hoh Tribe, saw five clients, met Tribal officials and passed out information about CLEAR, NAU and NJP. An NJP attorney participated in a listening session about education issues at the Lower Elwha Klallam Tribe. An NJP attorney was recently admitted to the Lower Elwha Klallam and Quileute Tribal Courts.

SEATTLE/KING COUNTY

Basic Field

- An NJP Seattle attorney attended a meeting of the Washington State Court Interpreter Advisory Commission in Pasco. The attorney is a member of the Interpreter Commission and in that capacity continues to advocate for language access in the courts statewide.
- An NJP Seattle attorney attended a meeting of the Unified Family Court Language Committee at King County Superior Court. The attorney continues to participate on the UFC Language Committee which focuses on providing language access to litigants in King County Superior Court.

- NJP’s Seattle-based Medical Legal Partnership (MLPC) gave a series of trainings to medical providers at Odessa Brown Children’s Clinic and Harborview Children and Teens Clinic about how to access legal referrals for their patients. MLPC presented to Harborview’s Occupational and Environmental Health Department on how to write effective repair request letters to landlords. MLPC also presented to the Odessa Brown Children’s Mental Health group about obtaining accommodations in housing for people with disabilities.
- In collaboration with a nationally recognized domestic violence expert and the King County Coalition Against Domestic Violence an NJP Seattle attorney assisted in the development of a training for attorneys on best practices in Psychological Evaluations when domestic violence is a factor. The training focused on the latest research on domestic violence, information about the best practices regarding screening and assessment of domestic violence in parenting evaluations, and how to use parenting evaluations in legal cases. The Seattle attorney co-led the training which was attended by approximately 65 attorneys.
- Several NJP Seattle office attorneys participate in the King County Coalition Against Domestic Violence Family Law Workgroup. This group was formed in response to a report describing the experiences survivors of domestic violence (DV) have with the family law system in King County, Washington (“I Just Wanted to Be Safe: Battered Women’s Experiences with the Family Law System in King County” available at <http://kccadv.org>). The report was funded by the City of Seattle, whose Domestic Violence Prevention Council (DVPC) was interested in understanding more about problems survivors face in the civil legal arena, and whether or not they can be addressed via policy or advocacy efforts. KCCADV convened a “Family Law Work Group” (FLWG) to develop recommendations and identify steps for action and ongoing work to implement those steps. The group includes representatives from community and criminal justice based victim advocacy programs, King County Superior Court, City of Seattle and King County DV policy coordinators, family law attorneys serving DV survivors, a model supervised visitation program, and a batterers’ intervention program.
- Several NJP Seattle attorneys participate in a Child Support Advocacy Project involving collaboration between NJP, the King County Bar Association, and Seattle University in an effort to provide much needed services to clients in an area of unmet need, specifically clients with legal matters involving child support.
- Two attorneys from NJP’s Seattle office conducted a consumer training for 211 hotline workers.
- NJP’s Seattle office developed a community education publication for people who hold durable power of attorney and are employed by a home care agency to provide in-home personal care services. NJP was alerted that DSHS was about to implement the prohibition (in State law) against a person employed by a home care agency holding a durable power of attorney for the vulnerable adult s/he cares for. Since DSHS informed NJP that it would not be providing any notice to affected clients, NJP developed the

publication, which was distributed state-wide to Area Agency on Aging staff and to the public on www.Washingtonlawhelp.org.

- An NJP Seattle attorney gave a presentation on how to avoid evictions to residents of the Seattle Housing Authority.

Refugee and Immigrant Advocacy Project (RIAP)

- NJP's Seattle office Senior Attorney/RIAP attorney and the King County Project Facilitator continue to meet with the King County Regional Planning Group and are working on creating services for child support modification and improved access to transportation. They also conducted priority setting for the Seattle office which resulted in a .9 FTE reduction in family law resources and a corresponding .4 FTE increase in housing law and a .5 increase in consumer law.
- NJP's RIAP attorney gave a presentation to over 60 people including immigration attorneys, citizenship providers and DSHS and SSA staff on the new "SSI Extension for Elderly and Disabled Refugees" which allows refugees and asylees who have lost their SSI due to having had their immigration status for over 7 years to receive up to three additional years of SSI if they are in the process of becoming a citizen. The attorney prepared materials for the training and is working with a national group to ensure that refugees and asylees get their SSI reinstated correctly under the new law.
- NJP's RIAP attorney attended a Clinical Law Writer's workshop at NYU and presented a draft of her article "Working with Refugees Diagnosed with PTSD and Other Mental Illness: Developing a Client Centered, Culturally Competent Approach." She continues to work on getting this article ready for publication.
- NJP's RIAP attorney attended the National Language Access Advocates Network (NLAAN) pre-conference on LEP issues prior to the NLADA conference in Washington D.C. and presented as part of a panel entitled "Government Agency Best Practices." She described her work with the Department of Social and Health Services to improve language access and with the Washington State Coalition for Language Access in working with government agencies throughout Washington State.
- NJP's RIAP attorney continues to work with the newly hired Medical Legal Partnership for Children (MLPC) attorney to implement the project. Funded by a grant from the Robert Wood Johnson Foundation in a collaboration of Seattle's Children's Hospital, Odessa Brown Clinic and Harborview Hospital and the Northwest Justice Project, the partnership provides assistance to doctors and social workers to improve children's access to legal services in order to increase access to health care, housing, education, immigration, and public benefits. The RIAP attorney continues to help with the development of intake and evaluation procedures for the project.

WALLA WALLA

- NJP's Walla Walla office provided outreach to local community agencies and organizations. The outreach included a presentation about who NJP is and what NJP does. The presentation was directed to local service providers including Benton Franklin Community Action Committee and Goodwill.

YAKIMA

- NJP's Yakima office produced an in forma pauperis self-help packet for Yakima County for parties to request that the \$50 fee needed to register for a court-required parenting class be reduced to \$20. Previously, the reduced fee was only available to parties who could provide a copy of a signed IFP order waiving the court's filing fee. Parties without a signed IFP order were required to pay the entire \$50 fee. The new self-help packet will make it easier for either parent to petition the court for a reduced fee for a required parenting class.

NETWORKING AND DEVELOPING COMMUNITY CONTACTS AND RESOURCES

- An Olympia NJP attorney consulted with and worked in collaboration with domestic violence advocates in the delivery of legal services. This includes coordinating work during court hearings, where the use of an advocate is complimentary to the assistance of an attorney, discussing courthouse trends and practices and referrals of clients.
- An NJP Olympia attorney serves on the board of the Lewis-Mason-Thurston Long Term Care Ombudsman Advisory Council, which generates referrals and consultations from volunteer ombudsmen regarding the rights of residents in long term care facilities.
- An NJP Olympia attorney serves as president of the Lewis County Bar Legal Aid Board. LCBLA is an Equal Access to Justice partner serving low income Lewis County residents through a pro bono program, legal clinic, facilitator services and more.
- An NJP Olympia attorney completed her service on the statewide Provider One Client Advisory Group, which reviewed and amended client education and notice materials related to the new Medicaid Service Card clients will receive in the coming months.
- An NJP Olympia attorney participated in a conference to address civil rights in Indian Country as an initial conference organizer and speaker.
- A Port Angeles NJP attorney was recently elected to be the president of the Clallam/Jefferson County Pro Bono Lawyers Board. The office regularly participates in dissolution clinics and also meets with individual Pro Bono clients.

- An NJP Seattle attorney was recognized by the Alliance for Equal Justice at the 2008 Legal Aid Day in King County for her work on behalf of low income and vulnerable people in need.
- An NJP Seattle attorney attended a meeting of the King County Bar Association's Judicial Screening Committee. The attorney was invited to participate in another three-year-term and as a result will continue to be a member of the King County Bar Association's Judicial Screening Committee and to participate in their proceedings.
- NJP's Seattle-based Medical Legal Partnership (MLPC) appeared on a panel at Harborview Medical Center's Pediatric Window Falls conference to discuss what other communities around the state are doing with respect to enforcement of municipal housing ordinances.
- The Executive Director of the Poverty and Race Research Action Council (PRRAC) invited the Seattle-based MLPC to a meeting to discuss grant funding that PRRAC is distributing to advocates and academics in King County.
- NJP's Seattle DV attorneys continue to work with advocates and attorneys from around King County to improve legal services provided to survivors of domestic violence. They participate in the King County Coalition Against Domestic Violence (KCCADV), the Family Law Task Force, the Native American Task Force, the Immigrant Rights Task Force, and the Washington State Bar Association Family Law Section.
- NJP's Seattle DV attorneys continue to be present at the King County Courthouse in Seattle, on Mondays and Thursdays, providing legal services to domestic violence survivors. They collaborate with the King County Prosecuting Attorney's Protection Order Advocates to provide advice, assistance, and representation to domestic violence survivors who are Seattle residents.
- **Cross Cultural Family Law Clinic:** NJP's Seattle office continues to host the Cross Cultural Family Law Clinic through which clients with family law legal matters involving child custody and who have experienced domestic violence and who experience cultural or legal barriers meet with volunteer attorneys for advice, consultation and brief service. NJP provides the space for the clinic to occur and the administrative support and attorney oversight of the project which is run in collaboration with the King County Bar Association's Neighborhood Legal Clinic Program. The clinic assisted approximately 27 Clients in the fourth quarter of 2008.
- An attorney from NJP's Seattle office is on 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 from 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 the Seattle office participates as an advisory board member for Columbia Legal Services' Economic Justice Project, which is focusing on auto-related fraud as its first project.
- Two attorneys in the Seattle office and an NJP Advocacy Coordinator are working with the King County Bar Association and area housing counselors to put in place a referral panel of pro bono attorneys to which housing counselors would refer clients with possible predatory lending cases. NJP will receive LSC-eligible referrals from the housing counselors and will assist with the training of pro bono attorneys.
- 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.
- 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 in NJP's Seattle office who specializes in public benefits collaborated with an attorney from NJP's Seattle housing unit in submitting a formal response to the King County Housing Authority's proposed policies regarding disabled tenants and their live-in care providers. KCHA proposed policies that would have required that disabled tenants include the income of the live-in care provider. Specifically, the attorneys addressed how KCHA's proposed additional policies that would create hardship and unnecessary barriers for disabled individuals who reside with their care providers, and recommended that the KCHA not adopt these policies.
- An attorney from NJP's Seattle office attended the National Health Law Program (N-HELP) conference in Washington D.C. The attorney attended sessions and trainings on Medicaid law and advocacy, networked with health law advocates from across the nation, and discussed pending trends and legal issues in Medicaid law with legal aid advocates from different states.
- An attorney from NJP's Seattle office participated in the Title 19 Medicaid Assistance Advisory Committee (MAAC), which includes members from the advocacy community,

individuals who receive public benefits, medical providers and other health professionals, along with representatives from the Health and Recovery Services Administration (HRSA), to discuss health and medical care service issues for Medicaid recipients.

- 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 to improve services to clients receiving public assistance.
- 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. She is a member of the Washington Advisory Committee on Trafficking (WASHACT) and the Rescue and Restore campaign to work on both coordination of legal resources and community education and outreach.
- NJP’s RIAP attorney 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 attorney continued to work with one of the family law attorneys to coordinate the Washington State Coalition for Language Access (WASCLA). The group continued to work on its website, a statewide interpreter translator directory, and Limited English Proficient (LEP) policies and training around the state. The group organized a two day conference held in Wenatchee on October 24 and 25. The conference theme “Building for the Future” focused on interpreting in the schools, interpreter training programs and how law students can help to improve language access. Seattle University Law School Dean Kellye Testy gave the keynote address and Honorable Justice Susan Owens from the Washington State Supreme Court chaired a panel on access for LEP litigants in courts. The conference also included discussion of interpreting in such varied settings as medical and psychological interviews, law enforcement and emergency service responses, and in large agency environments such as schools and government services. The documentary “Childhood in Translation” by Robert Winn was shown to widespread acclaim. Other topics included technology, glossaries, working with the deaf and hard of hearing, and interpreter secondary trauma. Over 200 people attended and panelists came from as far away as Minnesota and California. The conference was a great success and participants commented on how much the work of coalition had helped to improve access across the state. Plans are underway for the development of an interagency LEP work group in Washington State and the development of a formal structure and funding for the organization.
- NJP’s Spokane office continues to work with community agencies to assure they have adequate information about clients’ rights when dealing with housing issues and to develop community education presentations to help landlords and client eligible tenants

form more successful working relationships with the goal of reducing the number of evictions. One attorney is working with Spokane's Center for Justice to begin planning regular outreach programs to the city's various neighborhood community centers, modeled after the area's successful "Street Law" program.

- NJP's Spokane office has two attorneys who serve on the Whitman County Legal Services Advisory Board, helping to assure that coordination and cooperation between this community agency and Washington's staffed legal services programs results in meaningful and effective access to the justice system for the low-income residents of the southeastern county in Washington served by these programs. These two NJP attorneys have also been involved in regional planning for this region.
- NJP's Spokane office has one attorney who serves on the Volunteer Lawyer's Program Standing Advisory Committee, which helps enhance the coordination between the private bar and the access to justice partners providing legal services to low-income residents in Spokane County.