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Montana Legal Services Association



A statewide law firm providing,
protecting and enhancing access to
justice

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Message from MLSA's New Executive Director Alison Paul

As many of you already know, I am the new Executive Director of the Montana Legal Services Association ("MLSA"). In assuming the position from Klaus Sitte, I have some large wingtips to fill. I am honored to be given the opportunity to continue to work together with MLSA's staff and Board of Trustees and the access to justice community to address the legal needs of Montana's low income residents.

During my 12 years at MLSA, I have often seen firsthand the truth of Justice Hugo Black's statement "There can be no equal justice where the kind of trial a man gets depends on the amount of money he has." I started at MLSA in 1998 as an attorney with the Domestic Violence Unit. Each time a survivor of domestic violence would tell me her story, I felt a pang for the five other survivors that could not get through my door, either because we had not done a good enough job of showing them the way, or because we did not have the resources to let them in the door once they found us. That feeling led me to seek opportunities in management at MLSA, first as the Managing Attorney of the Domestic Violence Unit and then as MLSA's Deputy Director. I believed then, and still do today, that MLSA has an obligation to use the limited resources we have to provide as many people as possible with high quality legal information and assistance.

The mission of MLSA is to protect and enhance the civil legal rights of, and promote systemic change for, Montanans living in poverty. One of the primary ways that MLSA fulfills this mission is providing direct legal services by MLSA attorneys and paralegals. In 2010, MLSA provided direct legal services to 4,809 low income clients. However, with only 15 attorneys available to provide direct representation to clients who may live hundreds of miles apart, we have tried to use our limited resources as efficiently as possible.

Around 2005, MLSA adopted a model of delivering legal services through statewide units specializing in certain types of law. This was a change from the "local office" approach of the past. MLSA was no longer able to afford an office in every community, and did not want to limit services to only those clients who happened to live in a location where MLSA could retain an office. Now, prospective clients can call MLSA's centralized

intake unit (800-666-6899) or complete an online application at www.mtlsa.org, regardless of whether they live in Eureka or Billings, and potentially receive services from staff at any of MLSA's current locations. Using this approach, MLSA has been able to keep the number of clients served across the state steady, even while facing hard financial times and reducing the staff by 10 FTE in 2009.

MLSA has also developed innovative technological ways to provide low income Montanans with the tools they need to enforce their civil legal rights. For example, MLSA launched its legal information website www.MontanaLawHelp.org in 2003, and usage rates have substantially grown each year since then. In recent years, MLSA's LiveHelp operators have provided assistance to website visitors and helped them find the legal information they need using live chat technology. In addition, more than 3,000 completed documents are created each year using automated documents developed by MLSA, which walk the user through a series of questions and then automatically generate forms with the proper blanks filled in. In fact, MLSA's Self-Help Law Unit specializes in helping clients use automated web-based forms to file for dissolution of marriage. Using these and other innovative technologies, MLSA can exponentially increase the number of people MLSA is able to help through means including advice and information, pro se assistance, direct representation by staff and pro bono attorneys, printed materials and web-based information.

MLSA and other organizations work every day to increase access to justice for low-income Montanans. In this respect, MLSA has developed strong working relationships with organizations including the State Bar of Montana, the Montana State Law Library, the Montana Supreme Court Office of the Court Administrator, the Montana Justice Foundation, the Montana Coalition Against Domestic & Sexual Violence, Montana Credit Unions for Community Development, and the Montana Office of Consumer Protection & Victim Services. In addition, and with assistance from the Governor's Office of Community Service, and the Corporation for National and Community Service, MLSA has actively participated in and managed various AmeriCorps programs to support MLSA and other organizations' efforts to address poverty-related issues in Montana.

Despite these efforts, much more remains to be done. In recent years, about 14% of Montanans--well over 100,000 people--have lived at or below the federal poverty level. With the current recession, that number continues to grow, and MLSA turns away far more people than we can serve. For our clients, a lawyer is not a luxury. A tenant who is wrongly evicted may need a lawyer to keep him in safe housing. A woman who learns her legal rights can feel empowered to make the courageous choice to remove herself and her children from an abusive situation. With legal help, a senior may be better able to contest a wrongful reduction in public benefits or unlawful garnishment of his bank account. Given MLSA's limited resources, Montana's low income community needs help from pro bono attorneys and other individuals and organizations willing to serve.

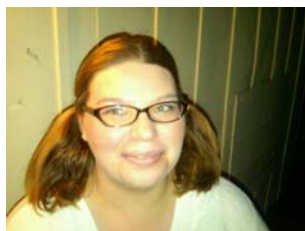
Throughout my years at MLSA, I have and continue to be impressed by MLSA's staff, Board of Trustees, and the Montana access to justice community. In particular, I am impressed by their dedication and innovation in the face of what feels like a continued starvation cycle of funding limitations. As we move forward, I am committed to preserving and building upon the existing aspects of MLSA that best serve our clients, while continually searching for ways we can innovate and improve. I am asking the Montana legal community to share that commitment and support access to justice for all Montanans.

MLSA's DV Unit Hosts Training

In early December the Domestic Violence Unit hosted a two day training, Understanding Expert Evidence in Domestic Violence Child Custody Cases, in Billings. Robert N. Page, Ed.D., LCPC, DABPS, CCJS, was the featured speaker. Dr. Page provided an overview of the custody evaluation process, sexual allegations in child custody cases, memory

functions in children, and parental alienation syndrome. Dr. Page allowed ample time for free flowing discussions amongst the attendees and for questions from the attendees. The training was attended by professionals from several different fields whose day to day work frequently includes assisting domestic violence survivors. The training was well received and all in attendance complimented Dr. Page and the DV Unit on the quality of the training. If anyone is interested in the content of the training, copies of the power point presentation and handouts are available. If interested, please contact the Havre Office at (406) 265-4731 or ylaird@mtlsa.org.

MLSA Investigates Tax Relief Firms



On her way to work, MLSA paralegal and Low Income Taxpayer Clinic (LITC) coordinator August Swanson heard a radio advertisement for a tax relief firm and wanted to learn more. Not finding the information she sought online, August submitted an electronic request for information. When a company representative called her, August related a common situation for LITC clients, which was being unemployed and owing back taxes to the IRS. Among other misinformation, the company representative told her that the firm would need to request a hearing in order to get such a person into non-collectible status, no penalties would accrue while the person was in that status, and the person would be paying the tax debt for the rest of his or her life (when the IRS has only 10 years to collect a debt once they initiate collection procedures). Perhaps most disturbingly, the company representative told August that nonprofit organizations do not have time to help with a tax issue and would only provide general information, but his company could help her for \$2,000.

August continued researching and learned that the Texas Attorney General has charged this tax relief firm with multiple violations of the Texas Deceptive Trade Practices Act and Texas Debt Collection Act. She also discovered that the Federal Trade Commission and other state attorney generals are investigating and charging other tax relief firms with various violations of law.

Contrary to the tax relief firm's characterization, MLSA's LITC is designed to help low-income people with tax disputes with the IRS. To apply for help from the LITC, please call MLSA's HelpLine at 1-800-666-6899 or fill out an application on www.mtlsa.org. In addition, the IRS has a Taxpayer Advocate Service (<http://www.taxpayeradvocate.irs.gov/>) that assists people with federal tax disputes.

MLSA's LITC program is always in search of attorneys and accountants willing to provide pro bono services to qualified clients with federal tax disputes. If you are an accountant or attorney with tax expertise who is willing to volunteer with the LITC, please contact August Swanson at (406) 442-9830 x 33 or aswanson@mtlsa.org.

MLSA Thanks All Who Helped With Pepsi Campaign

MLSA thanks everyone who voted for and otherwise supported our campaign to win a \$50,000 Pepsi Refresh grant to replace our telephone system. Unfortunately, we did not place in the top ten in terms of number of votes cast, so we did not receive the money. This year's cycle

of the Pepsi Refresh grant has now ended, and Pepsi has announced that a new cycle will begin in April. MLSA has not yet decided if we will apply again. Of course, we continue to explore viable funding sources to purchase a much-needed new telephone system. While we are disappointed about not winning the grant, we greatly appreciate the public's encouragement and efforts in spreading the word.

MLSA Welcomes Tim Frederick, Joe Hardgrave

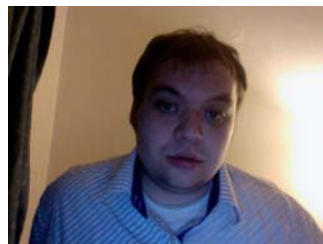


MLSA is happy to announce the hiring of **Tim Frederick** (pictured left), who began work in January as an Information Technology Specialist. Tim is originally from Helena, Montana, and he holds several IT certifications. Before coming to MLSA, Tim worked for 13 years as a network analyst at the Montana Department of Public Health and Human Services. Based in the Helena office, Tim helps MLSA employees statewide with their computers and other technology issues, and also assists the administrative staff in developing a technology plan. When he is not working, Tim enjoys anything he can do in the outdoors.

MLSA is also very pleased to welcome attorney **Joe Hardgrave** (pictured right) back to Montana to work in the Billings office. Originally from Arkansas, Joe graduated from law school at Nova Southeastern University in Florida. He served as an AmeriCorps fellow attorney with MLSA's Native American Unit in 2008 and 2009, focusing on various projects including the drafting of wills for American Indian clients with trust property. Most recently, Joe worked at California Indian Legal Services. In his new role with MLSA's Native American Unit, Joe will handle several types of cases, including the representation of people charged with crimes in the Northern Cheyenne Court.

AmeriCorps-ner: MLSA Welcomes 3 New Members

Three new AmeriCorps members have recently joined MLSA.



Drew Grissom is an AmeriCorps State Justice for Montanans member serving in the Missoula office. Drew is originally from Dexter, Michigan, and received his bachelors degree in Political Economy and Business from The Evergreen State College. Before his current term of service, Drew

was a canvasser at People for Puget Sound. Drew will join other intake specialists at MLSA in processing applications.



Ben Sipple is also an AmeriCorps State Justice for Montanans member who will help process applications. Originally from Kentucky, Ben previously lived in South Korea for one year where he taught English, Math, and Music before starting his term of service with MLSA. Ben received his Bachelor of Arts with a major in Philosophy and a minor in Political Science from Georgetown College and also spent a term at Oxford University. Ben will serve in the Helena office.



Mike Ross originally hails from York, ME; however, he served as a VISTA member in Havre for the past year at the Boys and Girls Club of the Hi-Line. While serving at the Boys & Girls Club, Mike helped expand the endowment fund, acted as volunteer coordinator, and developed a parent organization. Before VISTA, he attended Thomas College where he majored in business finance and business management while captaining the men's basketball and lacrosse teams. Mike is excited to start serving with the MLSA VISTA project in the Helena office and seeing more of the state during his second service year.



MLSA is Montana's statewide law firm providing civil legal services to clients living in poverty in Montana and on Montana's Indian reservations.

MLSA's HelpLine serves as the entry point to information, advice and referral.

MLSA's specialty units include SelfHelp Law, Domestic Violence Law, Consumer Law, Native American Law, Migrant Farmworker Law, Housing Law, Public Benefits and Employment Law. MLSA is committed to making "justice for all" a reality in Montana.

Want to learn more? See our websites at www.mtlsa.org and www.montanalawhelp.org.

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