

A nonprofit law firm for Alaska's poor



ACCESS TO JUSTICE
FOR ALL
ALASKANS IN NEED

2008 Annual Report

“That the poor are invisible is one of the most important things about them. They are not simply neglected and forgotten as in old rhetoric of reform; what is much worse, they are not seen.” - Michael Harrington

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Darcie Warden, *assistant to the director*
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Roy Roehl, *web content developer*

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Gregory Peters, *staff attorney*
Jody Davis, *staff attorney*
Goriune Dudukgian, *staff attorney*
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Monique Snipe, *receptionist*
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Anna Drake, *office manager*

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Earlene George, *office manager*

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Dorothy Heim, *supervising attorney*
Diana Lucente, *staff attorney*
Inez Wright, *advanced paralegal*
Angela Aragon, *office manager*

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Holly Handler, *supervising attorney*
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Leona Santiago, *office manager*

Kenai office

Elizabeth Leduc, *staff attorney*

Ketchikan office

Devra Milam, *legal secretary*

Mission Statement

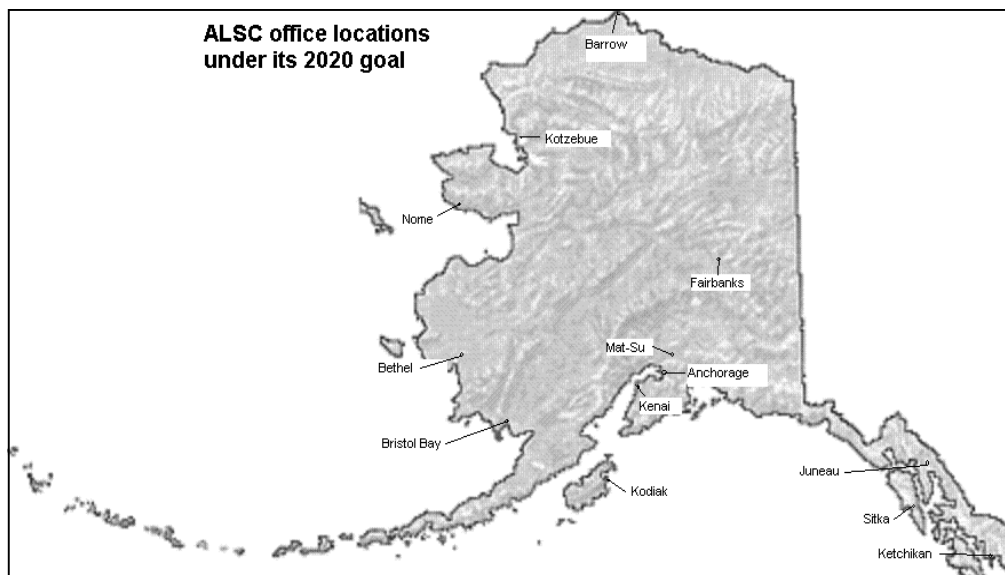
To provide meaningful access to justice in resolving civil legal problems for low-income clients, thus promoting family stability and reducing the legal consequences of poverty.

ALSC Core Values

Empowerment, Innovation, Respect, Compassion, Fairness, Professionalism

Long Term Goal

ALSC shall achieve and sustain financial security providing all clients the vital legal assistance they seek by establishing and maintaining a sustainable office in every region served by a resident superior court.



Client Eligibility—2008 Income Guidelines

Unless served through specific funding to help senior citizens or Native allotment applicants, ALSC clients must meet income and asset eligibility criteria. Income guidelines reflect 125% of the Alaska poverty ceiling:

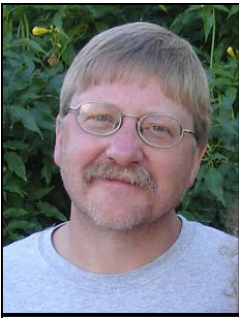
	<u>Income Ceiling</u>	<u>Limit on Non-Exempt Assets</u>
One person	\$16,250/yr	\$5,000
Two people	\$21,875/yr	\$6,000
Three people	\$27,500/yr	\$7,000
Four people	\$33,125/yr	\$8,000
Five people	\$38,750/yr	\$9,000
Six people	\$44,375/yr	\$10,000
Each additional	\$5,625 /yr	\$0

Restrictions on Types of Cases

By receiving support from the federal Legal Services Corporation, ALSC is generally prohibited from working in the following areas:

Class action litigation	Representing prisoners
Serving illegal immigrants	Redistricting litigation
Lobbying activities	Claiming or collecting attorney fees
Abortion-related litigation	Evictions based on illegal drugs

Message from the President



Vance Sanders
ALSC Board President

2008 was a year of achievements for Alaska Legal Services Corporation (ALSC). Staff attorneys in 9 offices throughout Alaska provided some level of assistance to 1630 families and closed 1509 cases. In addition, the Pro Bono Program placed 68 clients with volunteer Alaska attorneys and closed 85 cases. And the Attorney of the Day event helped 59 people. Our volunteer attorney group donated 1127 hours.

We were pro-active in litigating several suits attacking systemic problems including wrongful denials of public benefits, inadequate housing and illegal evictions, substandard health care and other critical legal matters affecting low-income Alaskans. We successfully reached out to communities we serve through education and self-help clinics dealing with housing, senior's rights, entitlements, consumer law, domestic violence, and health issues.

Our Partners in Justice annual fundraising campaign generated a total of \$133,702 in private attorney donations. Through this campaign we placed \$31,261 in the long term endowment fund providing financial stability and creating opportunities for donors to make substantial gifts to secure the future of equal access to justice for all Alaskans, regardless of their means.

Our Board, struggling as always with budgetary issues, was nonetheless able to make various changes to support our underpaid and overworked staff. The temporary employment period for eligibility for health insurance and other benefits was lowered from six months to three. The absolute cap on salary advances of two per year was changed to allow discretionary exceptions for extraordinary circumstances. Provision was made to allow a special step increase at the end of a new employee's six-month probationary period. The board, following consideration of a salary comparability study, adjusted those portions of ALSC's salary scales most out-of-step with the current market, adopting an approach that may help guide future increases in a way to make them as equitable as possible. ALSC's policies allowing employees to donate leave to each other, and/or to draw on subsequent year's leave hours, for medical conditions, was extended to encompass medical conditions of other family members.

I am inspired to look back at the outstanding efforts of the ALSC staff and board members, the continued generosity of contributors and tireless enthusiasm of the volunteer team. It gives me hope for a bright and prosperous future for ALSC.

Message from the Director



Andy Harrington
Executive Director

I want to express our sincere gratitude, on behalf of the clients ALSC was able to serve during 2008, for the hard work and support by ALSC's staff, by our board members, by our volunteer pro bono attorneys, by the contributors to our Partners in Justice Campaign, and by our bipartisan supporters in the legislature.

Our relations with the Legal Services Corporation remained strong, as we had a training visit from the Office of the Inspector General, and got our written report from a site visit by the Office of Program Performance.

A major accomplishment this year was the re-introduction of ALSC into the State's operating budget, from which we had been absent for several years. Thanks to the initiative of Sen. Joe Thomas of Fairbanks, chairing the Department of Commerce, Community, and Economic Development (DCCED) subcommittee of the Finance Committee, supported by ALSC's bi-partisan allies in both the Senate and the House, and ultimately approved by Gov. Palin, ALSC received an appropriation of \$200,000. ALSC had been one of only five state legal aid agencies nationwide receiving no direct support from its state; getting off that list was a significant step.

Two significant cases from the Alaska Supreme Court vindicated the rights of Alaskan grandparents, in very different contexts. *Starr v. George* upheld the trial court's ruling in our client's favor, that a tribal court adoption decree obtained in violation of due process requirements was not entitled to full faith and credit; and *Jacob v. Office of Children's Services* allowed declaratory relief to grandparents who had been long-term caregivers of their grandchildren but were not given proper notice of a state Child-in-Need case when the grandchildren were removed from the parents' custody. These cases brought ALSC's overall track record in the Alaska Supreme Court to 103-30-11.

Other significant changes during the year are reflected elsewhere in this report.

As with prior years, I personally feel very honored to have had the opportunity to work along with the dedicated people who have made ALSC the unique institution it is, to help give voice to Alaska's voiceless and move us closer to "justice for all." Thank you!

About Alaska Legal Services Corporation

An elder in southeast had just lost her husband and was sick in the hospital when her family received a letter that Bank of America was foreclosing on her home. She was not in default on her loan, but she could not get a response from the Bank, which would not even return her calls. It took a lawsuit by ALSC to get the Bank's attention and put a stop to the foreclosure.

A resident of south-central had her bank account garnished by a judgment creditor who violated the procedure requiring creditors to give timely notice to the judgment debtor of how to claim exemptions protected by state law. After the court ruled that the creditor had violated the statute, the judgment creditor settled by paying our client \$5000.

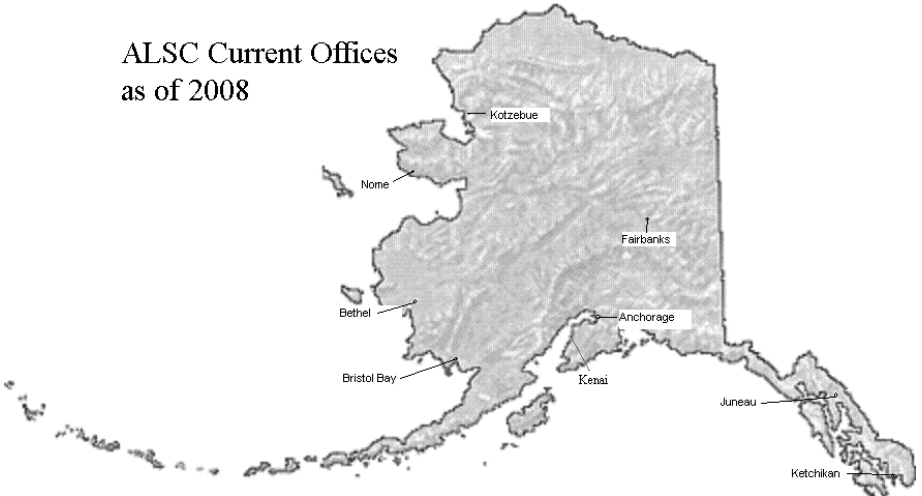
A family in Dillingham was living in an apartment owned by a California landlord who refused to make repairs to remedy the contaminated water, the leaking propane, and the unusable bathroom. ALSC took the case to a jury trial, and the family was awarded a significant amount of compensatory damages along with punitive damages for the landlord's deliberate indifference to the family's needs and the requirements of the law.

A young woman in the Yukon-Kuskokwim area found her name erroneously included on an Office of Children's Services registry, resulting in loss of her employment. ALSC was able to help her establish that her name had been mistakenly included, and she was able to regain her employment.

These are a few of the stories behind the statistics of cases on which ALSC helped low-income Alaskans. There are many parallel stories behind each one of the segments in the chart on this page, reflecting the types of cases on which ALSC was able to help our clients during 2008.

ALSC is a private, non-profit corporation created in

ALSC Current Offices as of 2008



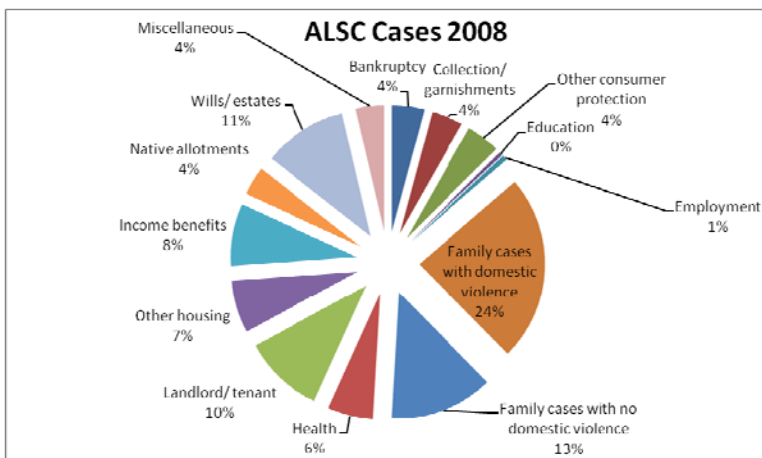
varied terrain, wide range of temperatures, and variegated population. Of the 561 federally recognized tribes in the United States, fully 229 are located in Alaska.

Of ALSC's nine offices, only three (Anchorage, Fairbanks and Kenai) are road-connected; our rural offices are located in Bethel, Juneau, Dillingham, Ketchikan, Nome and Kotzebue (see map on this page). Staffers in these offices regularly visit other rural and isolated communities.

During 2008, it is estimated that there were about 70,000 people below the Alaska poverty ceiling, out of Alaska's 686,000 total population, and about 100,000 below ALSC's eligibility ceilings. On staff in 2008 we had 20 lawyers, 2 paralegals, 1 Pro Bono Coordinator, 6 Administrative staff, and 9 other support staff. For many Alaskans, access to the civil justice system is possible only with the help of a legal services attorney, and yet there is only one ALSC attorney for every 3,500 Alaskans living in poverty.

To decide among the many applications ALSC receives, each local office sets priorities, updated annually based on surveys of client and community needs. Approximately 100 types of legal cases are prioritized, falling within the general areas of Consumer, Education, Employment, Family/Juvenile, Health, Housing, Income Maintenance, and Individual Rights. In Alaska, consumer cases and family law cases, particularly those involving domestic violence, tend to be the areas of highest demand.

ALSC was able to provide some level of assistance to 1630 families during 2008, comprising somewhere around 3500 individuals. But we also had to turn down many others who could have benefitted from our help. During 2008, for every 20 calls we got, we were able to accept applications for full service from eight, and provide partial service to a ninth. Of the eleven we had to turn down, six were applicants we could have helped with more staffing, and five were rejected for reasons (like a conflict of interest or financial ineligibility) independent of our staffing.



1966 to provide free civil legal services to those who cannot afford to hire a private attorney. ALSC's service area is the entire 656,425 square miles of the State of Alaska, with its

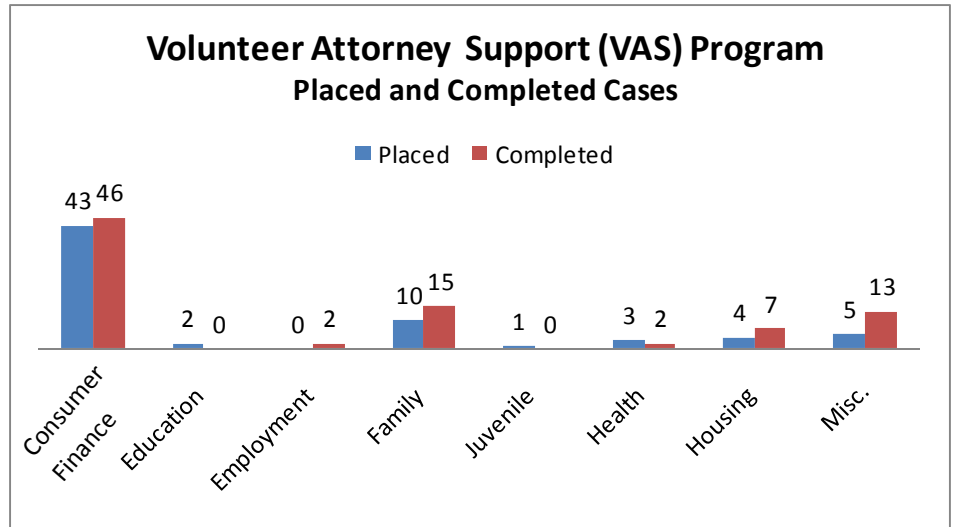
Volunteer Attorney Support Program

ALSC celebrated the 25th anniversary of its pro bono program on April 29, 2008.

The Volunteer Attorney Support Program (VAS) addresses community legal needs and ALSC's priorities by involving the expertise and skills of private and public attorneys to assist low-income Alaskans in areas that ALSC does not have the resources to help, or areas of the law that ALSC does not cover. VAS also offers the ability to provide services in geographical areas or regions where ALSC does not have a local office. We maintain the VAS program by maintaining the three most important components of any volunteer program: recruitment, recognition and reten-

tion.

Alaska does not have a mandatory pro bono requirement; members are encouraged to donate 50 hours of pro bono work per year, but this is aspira-



Community Legal Education and Pro Se Assistance

ALSC is committed to achieving the maximum possible impact through community legal education activities. ALSC staff provide presentations to local groups in urban and rural settings on an array of topics including, powers of attorney; wills; estate planning; at-risk youth; veterans; working with domestic violence victims; and tenant rights & responsibilities. Unfortunately, ALSC is not able to provide services to all of the people in the state of Alaska who need them. To overcome this obstacle, ALSC's client-oriented statewide website, AlaskaLawHelp, offers legal education information and self-help materials as part of its effort to overcome the vast, no-road-system distances between rural villages; this on-line tool helps close the geographic gap. ALSC staff also distributed printed legal education material in tribal offices, health fairs, and conference booths throughout the state.



Another legal education component is in our Fairbanks office, the Legal Learning Lab. This community resource does not restrict access based on income or level of need. People who are seeking legal information can use the computer lab and discuss general questions with an attorney if one is available. The lab provided services to approximately 600 people during 2008.

ALSC offered pro se clinics and workshops on topics including bankruptcy, divorce, custody and landlord tenant issues. Self represented litigants learn about opening and closing statements, witnesses, evidence rules, direct and cross examination. ALSC's clinics, which are open to the public, are taught by ALSC attorneys or by pro bono attorney volunteers.

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Timbers Bequest Leaves Lasting Legacy

As 2008 started, ALSC's board learned that we had received the bequest which the late Bryan Timbers of Nome had so generously left to ALSC, from his son and daughter Greg and Kirsten Timbers.

Bryan had served on the ALSC board from May of 1995 up until his death. He helped guide ALSC through some of its most challenging periods. He worked on ALSC's Audit and Budget committee when a series of budget cuts hit ALSC in 1996, forcing a shut-down of most of its rural offices, including Nome, and fought hard to remedy those, succeeding when in 1998 he helped arrange donated space and financial support from Kawerak to enable ALSC's Nome office to re-open. As ALSC's President in 1998, he helped establish the ALSC Endowment, and served as the Board's primary endowment overseer, guiding it through its growth to the point where it is now more than one-third of the way to its initial million-dollar goal. He helped anchor ALSC during the difficult period when Executive Director Robert Hickerson took ill and passed away in 2001.

Some of his most cherished contributions revolved around encouraging pro bono work by private attorneys. When the Alaska Network on Domestic Violence and Sexual Assault started its pro bono program, Bryan was one of the first attorneys in Alaska to take a case. Bryan helped establish the Alaska Pro Bono Program (APBP) Inc. as an independent entity in 2000 so that it could arrange pro bono attorneys for clients who could not be served by ALSC under its Congressional restrictions, and he served as President of the APBP Inc. Board for several years during its creation and early growth. He also served on the Bar Association's Pro Bono Service Committee. The Bar Association named its individual attorney Pro Bono Award in Bryan's honor as a recognition of his leadership in the area.

Bryan, well acquainted with both the scope and the dynamics of ALSC's changing needs, left the bequest to ALSC with no "strings" attached; the board, with both gratitude and respect, put the entire amount into the endowment, as befitting the generosity of this outstanding Alaskan leader.

ALSC Introduces "Rural Legal" Training

An exciting initiative we were able to launch in 2008 was the initiation of our program to make paralegal courses available to our office managers. Working with the Paralegal Studies program of the Tanana Valley

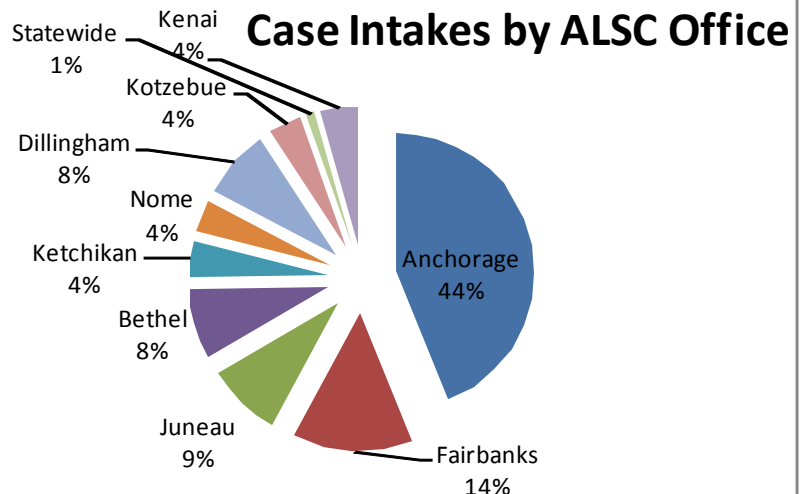


Campus of the University of Alaska in Fairbanks, we paid for the tuition and text books for enrollees Doreen Brandt (Nome), Earlene George (Dillingham), Devra Milam (Ketchikan), Tillie Nashookpuk (Kotzebue), and Angie Aragon (Fairbanks) to take the fall 2008 introductory paralegal course by videoconference.

Videoconference time counts as live contact time, which is important because the American Bar Association's certification standards for paralegal programs mandate that a certain portion of the required credits be earned through live classroom contact time. Self-paced classes taught without videoconferencing, although perhaps more convenient for the students, don't meet that criterion.

We hope that continuing this program will increase and enhance the quality of our services as well as opening prospects of opening smaller paralegal-staffed offices in different parts of the state.

ALSC would like to thank Ed Husted from the Tanana Valley Campus in Fairbanks for working with us to make this program possible.



Mark Regan

Dedication and Commitment

Sadly, 2008 marked Mark Regan's last day with ALSC, at least for now. ALSC has been a family tradition for the Regans. Mark's father Dickerson Regan opened ALSC's Juneau office in August 1967 as its first Supervising Attorney, and remained in that position until December 1970, when he left to take a sabbatical at the University of California. Returning to Alaska, he took over as Supervising Attorney of ALSC's Fairbanks office, from September 1971 until resigning in July 1972.

Mark, after finishing his clerkship for former Chief Justice Rabinowitz, came to work for ALSC, initially working in its Barrow office from September 1984 to February 1987, then working for a short period for ALSC's allotment unit in Anchorage, then going to ALSC's Juneau office in January of 1987. He left ALSC in 1991 to work for the National Health Law Program until May of 1996. He then came back to ALSC, working as staff attorney and then supervising attorney in Juneau, tried to leave, was talked into tak-

ing over ALSC's Bethel office, and did so until May 2008. Mark tried to leave again, and was talked into taking one last turn in Juneau so that Holly Handler could go on parental leave.



Mark Regan presenting in Bethel

Ultimately, after going way beyond the call of duty, Mark put in his last last day with ALSC in September of 2008 – although graciously agreeing to take along a case to handle pro bono! He took a position with the Disability Law Center, where he continues to advocate on behalf of those who need his skills most.

Mark's career has truly reflected his passion for equal access to justice. Without giving up hope that Mark may at some point return to ALSC as he did before, we are grateful for the many victories he won putting his considerable skills and talents to work for Alaska's indigent, and equally glad that he chose to remain in Alaska to apply those skills for the equally deserving clientele of the Disability Law Center.

ALSC Office Opens in Kenai

ALSC has been urged to consider opening a Kenai office for quite a while. Looking for some historical data in ALSC's archival board minutes the other day, I didn't find what I was looking for, but did find a board debate over a possible Kenai office, in the minutes from June 1971.

In 2004, ALSC's board, as part of its strategic planning process, adopted this long-term goal: "ALSC will achieve and sustain financial security providing all clients the vital legal assistance they seek by establishing and maintaining a sustainable office in every region served by a resident superior court." That meant we would have to maintain our eight existing offices (Anchorage, Bethel, Dillingham, Fairbanks, Juneau, Ketchikan, Kotzebue, Nome), and three former ALSC offices would have to be re-established (Barrow, Kodiak, and Sitka), and two offices would need to be established where no ALSC office had gone before (Kenai and Mat-Su). Recognizing the ambition of this goal, the board

dubbed this its "2020 vision," to be achieved by that year.

In 2008, ALSC applied for and received a series of regional grants from a newly-established program administered by the Office of Faith-Based and Community Initiatives (OFBCI) within the Department of Health and Social Services. Called the "Essential Human Services to Alaskans" program, this made funding available, originally for a three-month test period in April-June of 2008, and subsequently for the FY 2009 state fiscal year.

Taking something of a leap of faith ourselves, we hired an attorney to open an office in Kenai for us. We are trying a new model here, on a pilot basis: a lone attorney with no support staff. Our hope is that today's technology (with which several solo practitioners run their offices without support staff) may make this model viable, and perhaps enable us to emulate this elsewhere as we work towards our long term goal.

In Memoriam

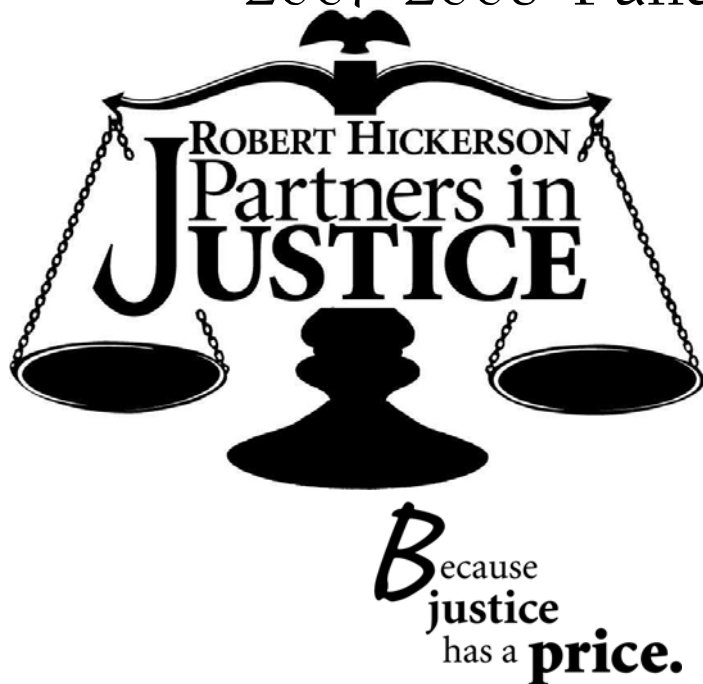
Two ALSC alumni, both of whom signed on with ALSC in 1971, passed away during 2008: former Alaska Supreme Court Justice Allen Compton on October 11, and former ALSC executive director Jim Grandjean on June 30.

Justice Compton had moved to Alaska from Colorado to supervise ALSC's Juneau office from February 1971 to July 1973. He later was appointed to the Superior Court bench in 1976 and then to the Alaska Supreme Court in 1981, where he worked until 1998, including a term as Chief Justice from 1994 to 1997.

Justice Compton dedicated his career to applying the principles of justice equally to all members of society. He was a mentor to generations of lawyers, known for his passion, common sense and razor-sharp wit. A curious and committed student of life, he was an endless source of information and wisdom. He was also an avid outdoorsman and never stopped appreciating the many natural wonders of Alaska. Through the generosity of his family and friends, ALSC was designated as a recipient of donations being made in his honor.

Also signing as with ALSC in 1971, as a law clerk, was Jim Grandjean, for the princely annual salary of \$11,000. He went on to become a staff attorney after being admitted to the Alaska Bar in 1972, then ALSC's chief counsel in 1975, then ALSC's executive director in 1977. After leaving ALSC he went on to become a staff attorney with the Alaska legislature working on several important oil and gas issues. He then moved to Arizona where he continued to work with the public defender and in private practice until his death in June 2008.

2007-2008 Fundraising Campaign



The 2007—2008 campaign brought in a total of \$133,702. The staff and board of Alaska Legal Services Corporation extend our sincere thanks to the individuals, firms, corporate sponsors, and friends of legal services who contributed to the Robert Hickerson Partners in Justice Campaign. We are especially grateful to Feldman Orlansky & Sanders and Heller Ehrman for their challenge and to our 2007-2008 campaign co-chairs.

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Financial Summary

Fiscal Year Ending December 31, 2008

Statement of Activities	Statement of Financial Position		
<p><u>Support and Revenue</u></p> <p style="padding-left: 40px;">Grants and Contracts \$2,690,990</p> <p style="padding-left: 40px;">Investment Income (loss) \$(107,977)</p> <p style="padding-left: 40px;">Donated Services \$138,210</p> <p style="padding-left: 40px;">Contributions \$231,506</p> <p>Total support and revenue \$2,952,729</p> <p><u>Expenses</u></p> <p style="padding-left: 40px;">Salaries \$1,652,841</p> <p style="padding-left: 40px;">Fringe \$505,969</p> <p style="padding-left: 40px;">Travel \$86,198</p> <p style="padding-left: 40px;">Office Expense \$364,964</p> <p style="padding-left: 40px;">Supplies \$37,625</p> <p style="padding-left: 40px;">Equipment \$28,683</p> <p style="padding-left: 40px;">Other \$263,905</p> <p style="padding-left: 40px;">Administrative Costs \$ -</p> <p style="padding-left: 40px;">Depreciation \$8,872</p> <p style="padding-left: 20px;">Increase (Decrease) in Net Assets \$3,672</p> <p style="padding-left: 20px;">Transfer from (to) other funds \$ -</p> <p style="padding-left: 20px;">Net assets, beginning of year \$525,402</p> <p style="padding-left: 20px;">Net assets, end of year \$529,074</p>	<p><u>Assets</u></p> <p style="padding-left: 20px;">Cash and Equivalents \$172,860</p> <p style="padding-left: 20px;">Cash in Trust Clients \$51,654</p> <p style="padding-left: 20px;">Grant Receivables \$276,586</p> <p style="padding-left: 20px;">Other Receivables \$5,879</p> <p style="padding-left: 20px;">Prepaid Expenses \$87,115</p> <p>Total Current Assets \$594,094</p> <p style="padding-left: 20px;">Investments \$189,312</p> <p style="padding-left: 20px;">Equipment, net \$5,168</p> <p style="padding-left: 20px;">Other Assets \$17,279</p> <p>Total Assets \$805,853</p> <p><u>Liabilities and Net Assets</u></p> <p style="padding-left: 20px;">Accounts Payable \$14,878</p> <p style="padding-left: 20px;">Payroll Related Liabilities \$78,812</p> <p style="padding-left: 20px;">Deferred Revenue \$131,435</p> <p style="padding-left: 20px;">Client Payables \$51,654</p> <p style="padding-left: 20px;">Total Current Liabilities \$276,779</p> <p style="padding-left: 20px;">Net Assets:</p> <p style="padding-left: 40px;">Unrestricted Net Assets \$458,859</p> <p style="padding-left: 40px;">Temporarily Restricted Net Assets \$70,215</p> <p style="padding-left: 40px;">Total Net Assets \$529,074</p> <p>Total Liabilities and Net Assets \$805,853</p>	<p><u>2008</u></p>	<p><u>2007</u></p>

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