

Abstracts

Edward Coghlan – Supervising Attorney – Southern Arizona Legal Aid, Inc. – Nogales, Arizona:

Title of paper: Isolated and Vulnerable: Rural Immigrant Victims of Domestic Violence and the Violence Against Women Act (VAWA)

The immigrant population in rural America is increasing every day. With this increase, we see more clients who are immigrants who suffer from domestic violence or abuse which is often inflicted by U.S. citizens or legal resident spouses or parents. The immigration process is normally controlled by the abuser, which gives them great power to isolate and abuse family members, since they can threaten them with deportation. This means there is a group of clients who urgently need assistance with some of the most basic and highest priority legal needs. Fortunately, the Violence Against Women Act (VAWA) amendments to the immigration laws enable immigrant victims of domestic violence to take control of the immigration process and their lives. We in legal services can handle these cases both by filing VAWA applications and assisting clients with related legal issues. We need to educate both ourselves and other service providers in rural America about how to find and serve potential VAWA clients. To do this most effectively, we should use established resources for VAWA training and to coordinate the education process and service delivery, including the National Battered Immigrant Women's Network of advocates, and agencies and community groups in rural America.

Scott Hartsook – Managing Attorney – Legal Services Corporation of Iowa – Des Moines, Iowa:

Title of paper: Overcoming Challenges To Rural Legal Services Delivery

In addition to the real decline in LSC funding since 1980, Midwestern and other rural programs face declining levels of rural prosperity, LSC funding cuts because of the census and the normal practical difficulties of providing services to far-flung clients in rural areas. The magnitude of these challenges will force a restructuring of programs unparalleled since the early 1980's. This paper describes how the Legal Services Corporation of Iowa (LSCI), when confronted by similar obstacles in the past, has tried to maintain efficient and effective client services by utilizing technology, diversifying funding, providing community legal education, engaging the private bar and implementing specific projects for diverse populations. Whether past solutions will solve current challenges remains to be seen.

Monte Jewell – Managing Attorney – Montana Legal Services Association – Missoula, Montana:

Title of Paper: Notes On Building A Rural Community Economic Development Law Practice

In this brief article, I sketch a practical case for building rural community economic development (CED) capacity in conjunction with Diana Pearce's and Jennifer Brooks's self-sufficiency standard; I review the status of my capacity-building rural CED project in Butte, Montana; and, lastly, I try to place CED work in a larger context of long range planning for Legal Services Corporation funded programs.

David Kozlowski – Assistant General Counsel – Legal Aid Society of Middle Tennessee and the Cumberland – Columbia, Tennessee:

Title of Paper: What are the Responsibilities of Rural Legal Aid Providers?

With consolidation of legal aid providers throughout the country now a reality, the efforts of urban and rural programs are being merged — not always voluntarily. This has generated dialogue and perhaps even a concern that the rural character and needs of the new program will not be met. Rural advocates are now asking what it means to provide legal assistance to the unique needs of this population. But, the question basically remains the same: what are the responsibilities that arise from being a provider of rural legal assistance?

There are three key components to the answer: a commitment to ensure that isolation and geographic factors are not a barrier to access to legal assistance, a staff ability and willingness to work with rural clients and their entire communities, and a knowledge of the unique legal, cultural, and social problems that confront rural communities. With sufficient commitment and staff expertise, rural components of programs that have been joined with their urban colleagues do not have to lose their character and commitment to provide quality legal assistance to low income persons who live in the rural counties.

Kenneth Penokie – Acting Director – Legal Services of Northern Michigan – Escanaba, Michigan:

Title of Paper: A New Dog

Legal services programs will continue to be a victims of an ever shrinking dollar so long as traditional sources of money are relied upon. The current trend toward providing more advice and self help does not work well in rural areas as it saps resources for core services which are necessary to maintain a proper presence in the court systems. It is only through this presence that people in poverty truly receive equal justice. To avoid the ever shrinking dollar, rural programs must be willing to enter new and different areas and to approach solutions in new and different ways. The programs must look around their region to discover

the needs and opportunities. They must look beyond the traditional client population and become engaged with the whole community. By providing for community needs and exploiting community resources rural legal service programs can generate a body of resources necessary to sustain core services to those in poverty.

James Wayne – Executive Director – Capital Area Legal Services Corporation – Baton Rouge, Louisiana:

Title: Serving the Rural Poor Civil Legal Needs

This paper discusses the challenges faced by Capital Area Legal Services in the implementation of a rural delivery system in Louisiana – including commitment, partnerships, and deployment. It discusses the extraordinary commitment necessary to provide meaningful access to services in rural areas. The paper provides a strategic outline for the development of a system of rural delivery that maximizes resources and client access. The outline provides steps toward resource development and inclusion of the judiciary, court clerks, and rural partners.

Herb Whitaker – Managing Attorney – Legal Services of Northern California – Auburn, California:

Title of paper: Rural Delivery: The Mother Lode Pro Per Project

The Legal Services of Northern California provides legal services in 23 counties covering approximately one-third of the state of California. For many years our program grappled with the challenge of providing services to the poverty population scattered over this huge rural area. This paper describes our three year experience operating the Mother Lode Pro Per Project, a new pro per assistance project, designed to bring court access to unrepresented litigants in the most remote and isolated parts of our service area. The project is funded by a grant from the Legal Services Trust Fund Commission of the State Bar of California. The project is a collaborative partnership with five courts and numerous social service agencies. It serves pro per litigants in five counties from nine out reach sites, which conduct weekly clinics. The project has been extremely productive, greatly expanded access to the rural courts, and has resulted in significant consumer and court satisfaction. This pilot project could serve as a model for multi-county or single county projects.

Steve Xanthopoulos – Executive Director – West Tennessee Legal Services, Inc. – Jackson, Tennessee:

Title: Rural Justice - the End of the Rope?

Because of recent developments a number of rural legal services programs will be losing substantial funding which could lead to the closing of offices. The loss of an office in a rural

community usually has a drastic impact on the community and the LSP. But rural programs have potential opportunities for non legislative governmental funding that can maintain the viability of offices. They also have a inherent capacities to be competitive. Several strategies are discussed which have proven successful and can be utilized by rural LSPs to maintain their viability in local communities.

Linda Zazove – Deputy Director – Land of Lincoln Legal Assistance Foundation, Inc. – East St. Louis, Illinois:

Title of paper: The Paradox of Rural Legal Services Delivery: Achieving “Relative Equity of Access” Between Urban and Rural Service Areas with Unequal Access to Resources

Data from the 2000 Census reveals a stark picture of rural poverty. Rural counties with poverty rates above the national average outnumber urban counties almost 5 to 1. The Rural Poverty Research Institute concludes that solutions to rural poverty must increase the capacity of rural communities to build human, social, physical and economic capital. Unfortunately, the resources necessary to increase capacity, such as transportation, jobs, development capital, government and social service infrastructure, are scarce in rural communities. So are resources for legal aid.

The Legal Services Corporation (LSC) has charged state planners to develop statewide delivery systems that provide for “relative equity of access to the civil legal services delivery system throughout the state.” For state planners and individual programs with mixed urban and rural service delivery areas, achieving relative equity of access and investment of resources is a challenge.

Using the experiences of Land of Lincoln Legal Assistance Foundation, Inc., this article illustrates some of the delivery and resource development challenges facing programs with large geographic service areas with a mixed urban, rural composition. The article concludes with a discussion of some of the implications of the resource disparities for federal and state policy setting and planning.