

***LEGAL SERVICES***  
***HISTORY***  
***AND***  
***ACHIEVEMENTS***  
***IN NORTH CAROLINA***

Compiled by Celia Pistolis, Bill Rowe and Ted Fillette  
April 1, 2008

# LEGAL SERVICES HISTORY AND ACHIEVEMENTS IN NORTH CAROLINA

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This is a compilation of important dates, legislation and reported state and federal appellate cases in the history of the legal services movement. Unavoidably, authors color the reporting of historical events and the past by making conscious selections of what to include or omit. To acknowledge this fact is not to disclaim any errors or omissions, but to state the obvious - history is personal. The events listed unravel the efforts of clients, attorneys and support staff who stood to make a difference - in small ways, in big ways. We are part of this legal services community because we believe in "Justice for All" and not merely for those who can afford to pay for it.

*"If we are to keep our democracy, there must be one commandment:  
Thou shalt not ration justice." Judge Learned Hand.*

- 1962 Legal Aid Society of Forsyth County (Legal Aid Society of Northwest NC) founded.
- 1965 Office of Economic Opportunity (OEO) funded first legal services programs.  
Greensboro Legal Aid Foundation (Central Carolina Legal Services, LANC-Greensboro) formed.
- 1967 Mecklenburg County Bar and Charlotte Area Fund establish Mecklenburg County Legal Aid Society (Legal Services of Southern Piedmont-LSSP) with OEO and local matching funds.
- 1968 Durham Legal Aid Clinic (North Central Legal Assistance Program "NCLAP" now LANC-Durham) was established by the Duke University Center on Law and Poverty, and by 1971 began receiving OEO funding.
- 1969 *Thorpe v. Durham Housing Authority*, 393 U.S. 268 (1969). North Central Legal Assistance Program (LANC-Durham) handled this landmark US Supreme Court case that established due process standards for public housing evictions, including a right to a hearing.
- 1970 *Calder v. Durham Housing Authority*, 433 F. 2d. 988 (4<sup>th</sup> Cir. 1970). North Central Legal Assistance Program handled this case that extended the *Thorpe* holding to other forms of subsidized housing.  
*Gilliard v. Craig*, 331 F. Supp. 587 (WDNC 1971). Legal Services of Southern Piedmont attorneys filed class action challenging administrative policy to reduce total family payments for Aid for Families with Dependent Children benefits because of payments made to and available to only one child. The involuntary inclusion of "non-needy" children in the family unit reduced the AFDC payments to the family. The Court found the agency's actions violated federal law, including equal protection and due process, and enjoined the agency from applying this policy. This ruling was reversed by *Bowen v. Gilliard*, 483 U.S. 587, 107 S. Ct. 3008, 97 L. Ed. 2d 485 (1987) noted below.
- 1973 NC Bar Association obtained a grant to study the feasibility of a statewide legal aid system and formed a blue ribbon committee, Special Committee on Indigent Legal Services Deliver' System.

- 1974 Congress created Legal Services Corporation to promote equal access to justice and to provide high-quality civil legal assistance to low-income Americans. The Legal Services Corporation Act of 1974 was one of the last bills that President Nixon signed into law before his resignation in August 1974.

Wake County Legal Aid (East Central Community Legal Services-ECCLS, LANC-Raleigh) started in Raleigh.

Cherokee Legal Services (Western North Carolina Legal Services, LANC-Sylva) opened in Sylva.

*Alexander v. Hill*, 549 F. Supp 1355 (WDNC 1982), *affirmed* 707 F. 2d 780 (4<sup>th</sup> Cir. 1983). In August 1974, Legal Services of Southern Piedmont represented plaintiffs who sued state welfare agency for not timely processing applications for Medicaid and AFDC programs, so that benefit payments were significantly delayed. Court found that such delays violated state and federal law and ordered timely processing of these applications so that eligible persons received benefits to which they were entitled. The Court entered numerous orders directing the state to timely process the applications and in 1982 ordered the state to pay fines for each application that was processed untimely. The NC Legal Resources Center (The Justice Center) and LSSP provided ongoing representation of the plaintiffs in this case for over 25 years.

- 1975 *Caesar v. Kiser*, 387 F. Supp. 645 (1975). Legal Aid Society of NW NC represented consumer whose motorcycle had been sold without notice by a mechanic. The federal district court found that NCGS §§ 44A-2 - 44A-4 notice and hearing provisions were unconstitutional.

*Turner v. Blackburn*, 389 F. Supp. 1250 (WDNC 1975). Legal Services of Southern Piedmont successfully challenged the failure of the state to require notice and hearing prior to foreclosure as a violation of due process.

- 1976 Congress approved \$92.3 million in funding to LSC.

Legal Services of North Carolina (LSNC), a confederation of the then existing legal services programs, except for LASNWNC, LSSP and NCLAP, was created as the result of a study by the NC Bar Association's Special Committee on Indigent Legal Services Delivery Systems.

LSC awards first grant to LSNC and other programs in NC including New Hanover Legal Services (Legal Services of Lower Cape Fear, LANC-Wilmington), Orange County Legal Services (North State Legal Services, LANC-Pittsboro).

*Taylor v. Hill*, 420 F. Supp. 1020 (WDNC 1976). Legal Services of Southern Piedmont successfully obtained preliminary injunction requiring Dept. of Human Resources to provide AFDC to first time pregnant women, but case was eventually lost. Subsequently, state legislation was enacted that allowed such benefits to pregnant women.

- 1977 *Usher v. Waters*, 438 F. Supp. 1215 (WDNC 1977). Legal Services of Southern Piedmont challenged as a denial of due process, the rent appeal bond and other procedural rules that barred indigent tenants from access to jury trials. The federal district court held these provisions violated the 14<sup>th</sup> Amendment.

*Love v. Pressley*, 34 NC App. 503, 239 S. E. 2d 574 (1977). Legal Services of Southern Piedmont represented a tenant in this case that held self-help evictions were prohibited and found to be unfair trade practices in violation of NCGS § 75-1.1. Treble damages were awarded to the tenant.

Amendments to rent appeal bond requirements (NC Gen. Stat. § 42-34(b)). Legal Services of Southern Piedmont helped rewrite statutes to allow for a summary ejectment process that allowed tenants to appeal magistrate judgments to remain in possession by paying weekly or monthly rent bond.

NC Residential Rental Agreements Act (NC Gen. Stat. §§ 42-38 *el seq.*) Legal Services of Southern Piedmont and other legal services attorneys worked with then Representative Henry Frye to create the implied warranty of habitability for residential tenants.

Statewide Clients Council formed.

**1978** Legal Services attorneys (LSNC, Central Carolina Legal Services-LANC Greensboro, Catawba Valley Legal Services-LANC-Morganton, Legal Services of Lower Cape Fear-LANC-Wilmington) intervened in a rate case pending before the NC Utilities Commission and convinced the Commission to pass rules limiting the ability of electric and gas companies to cut off service during winter months for non-payment of bills by low income, disabled or elderly persons.

NCGS Chapter 50B- East Central Community Legal Services (LANC-Raleigh) and Legal Services of Lower Cape Fear (LANC-Wilmington) represented clients in seeking changes to the law to provide protection to persons subject to spouse abuse.

*Barber v. Kimbrell's Inc.* 577 F. 2d 216 (4<sup>th</sup> Cir. 1978); *cert denied* 439 US 934 (1978). Legal Services of Southern Piedmont successfully litigated class action case involving truth-in-lending claims.

*Montford v. Grohman*, 36 N.C. App. 733, 245 S. E. 2d 219 (1978). NC Court of Appeals reversed lower court order that a finance company cannot repossess debtor's household goods on a general security interest. The Court held that a debtor can waive constitutional exemption in household goods through contract. Legal Services of Lower Cape Fear (LANC-Wilmington) and Legal Services of Southern Piedmont represented the consumer in this case.

NC Farmworker Legal Services opens its offices in Raleigh.

Lumbee River Legal Services (LANC-Pembroke) begins operations in Pembroke.

Pisgah Legal Services (PLS) opens in Asheville.

NC Prisoner Legal Services opens to serve incarcerated persons in NC.

**1979** *Goler Metropolitan Apartments v. Williams*, 43 N.C. App. 648, 260 S.E. 2d 146 (1979). Legal Aid Society of NW NC represented tenant who was wrongfully evicted from subsidized apartment complex. The court held (1) that the tenant's damages for the wrongful eviction were her lost entitlement to the federal subsidy for the period when she was deprived of her right to occupy the premises, extending until entry of partial summary judgment finding that she had been wrongfully dispossessed and (2) that landlords had to strictly comply with all notice procedures to terminate subsidized leases.

Retaliatory Eviction Statute enacted. Legal Services of Southern Piedmont lobbied for passage of legislation that established tenant defenses to retaliatory evictions (for complaints about repairs and other protected activities).

*Swaim v. Califano*, 599 F. 2d 1309 (4<sup>th</sup> Cir.1979). Legal Aid Society NW NC represented a social security client who had been denied benefits due to testimony that he could control his drinking. The Fourth Circuit in dicta stated that the testimony of a true alcoholic standing alone cannot be relied upon as substantial evidence that the alcoholic can control his drinking. The client was eventually successfully in obtaining benefits after the case was remanded.

Additional legal services offices opened: Legal Services of Blue Ridge (LANC-Boone). Legal Services of the Coastal Plains (LANC-Ahoskie), Catawba Valley Legal Services (LANC-Morganton) and. Eastern Carolina Legal Services (LANC-Wilson).

1980 *Sneed v. Greensboro City Board of Education*, 299 N.C. 609, 264 S.E. 2d 106 (1980). Central Carolina Legal Services (LANC-Greensboro) represented low income families that challenged school fee policies that penalized students who did not pay by withholding report cards and diplomas or restricting participation in class. The NC Supreme Court held that such fees were not unconstitutional across the board but that each school board must have a policy for waiver of such fees for low income children. Subsequently, local school board enacted such waiver policies in every school system across the state.

*Jolly v. Wright*, 300 N.C. 83, 265 S.E. 2d 135 (1980). East Central Community Legal Services (LANC- Raleigh) successfully litigated this case in which the NC Supreme Court held that indigent parents accused of contempt have a qualified constitutional right to court appointed counsel in state initiated child support contempt proceedings.

*Jones v. Califano*, 629 F. 2d 334 (4<sup>th</sup> Cir. 1980). North State Legal Services (LANC-Pittsboro) successfully litigated this case in which the Fourth Circuit established the quantum of proof necessary for an illegitimate child to receive Social Security Survivor benefits from the child's deceased father. The "regular and substantial" test has to be viewed in relation to the wage earner's income and the child's needs.

*Willie M. et al v. Hunt*, (WDNC 1980). Carolina Legal Assistance (Disability Rights NC) litigated this class action on behalf of disabled juveniles who were not receiving appropriate services. The case settled and the state must provide such juveniles with services in the least restrictive setting. A review panel was created to oversee the state's compliance.

*Sweezy v. Jones* (4<sup>th</sup> Cir 1980). Carolina Legal Assistance (Disability Rights NC). NC Prisoner Legal Services and East Central Community Legal Services (LANC-Raleigh) litigated this class action on behalf of all inmates who were being forcibly medicated with powerful mind altering psychiatric drugs. The case settled after a remand by the Fourth Circuit and the settlement required the state to adopt a policy of procedural and substantive protections for inmates prior to any forced medication.

*In re Bolden*, 11 N.C. App. 468, 267 S. E. 2d 397 (1981). Legal Services of Southern Piedmont represented an employee who had quit work due to racial discrimination by her employer. The Employment Security Commission denied unemployment benefits on the basis that the employee had "voluntarily quit" her job. The court held that the Commission erred in failing to develop the facts and to make findings on the discriminatory treatment of an employee.

1981 Congress approves \$321.3 million in funding to LSC.

Legal Services of North Carolina begins to work on community economic development in low wealth communities.

*Spinks v. Taylor*, 303 N.C. 256, 278 S.E.2d 501 (1981). Legal Services of Southern Piedmont and Central Carolina Legal Services (LANC-Greensboro) represented tenant to challenge self-help evictions. The NC Supreme Court held that self help evictions are prohibited but only if the tenant protests. Subsequently, Legal Services of Southern Piedmont and Legal Services of Lower Cape Fear (LANC-Wilmington) lobbied and helped pass legislation that prohibited self help evictions whether or not the tenant protested.

NC Gen. Stat. §§1C- 1601 *et seq.* North Carolina Legal Services Resource Center (The Justice Center), Central Carolina Legal Services (LANC-Greensboro), Catawba Valley Legal Services (LANC-Morganton), and Legal Services of Blue Ridge (LANC-Boone) represented low income clients in NC General Assembly regarding proposed changes in exemption law and their efforts led to the dramatic increase of exemptions levels which had remain unchanged since 1866.

*Lassiter v. Durham Department of Social Services*, 452 US 18 (1981). East Central Community Legal Services (LANC-Raleigh); North Central Legal Assistance Program (LANC-Durham) and North State Legal Services (LANC-Pittsboro) represented low income mother who had lost her claim of a right to court appointed counsel in a termination of parental rights case. US Supreme Court found only a qualified right to counsel in such case; however, legislation was enacted that provided for the appointment of counsel in all termination of parental rights cases for all indigent parents in NC.

*Walker v. Harris*, 642 F. 2d 712 (4<sup>th</sup> Cir 1981). Pisgah Legal Services represented a social security claimant who had been unrepresented at the administrative hearing stage. On appeal, the federal court remanded the case after finding that the Administrative Law Judge had failed to scrupulously and conscientiously explore all relevant facts in this case of an unrepresented claimant.

*Romeo et al v. Tony Booker*, (EDNC 1981). Farmworker Legal Services sued a crew leader for minimum wage violations and involuntary servitude. The Justice Department then prosecuted the crew leader for slavery, obtaining a conviction for the first time in NC. *US v. Booker*, 655 F. 2d 562 (4<sup>th</sup> Cir. 1981).

*Canady v. Lumberton City Board of Education*, 454 U.S. 957 (1981). Lumbee River Legal Services represented plaintiffs in litigating a Voting Rights Act case to enjoin participation of two annexed areas in school board election. The district court held that the annexation violated the Voting Rights Act but refused to enjoin the election. The US Supreme Court held that an election must be enjoined once the court found a Voting Rights violation.

1982 In direct response from pressure by President Reagan's Administration, Congress reduced funding to LSC by 25% and appropriated \$241 million for legal services nationally. Also, Congress added restrictions on the use of LSC funds for lobbying and rulemaking, prohibited representation of certain categories of aliens and imposed procedural requirements for handling class actions.

Pamlico Sound Legal Services (LANC-New Bern Office) opened in New Bern. North Carolina Legal Resource Center (North Carolina Justice and Community Development Center, now The Justice Center) founded. NC Association of Black Lawyers founded the Black Land Loss Prevention Project (Land Loss Prevention Project) to curtail epidemic losses of Black owned land in North Carolina.

*Carrington v. Townes*, 306 N.C. 333,293 S.E. 2d 95 (1982). East Central Community Legal Services (LANC-Raleigh) litigated this case, claiming that indigent fathers in state initiated paternity actions had an absolute right to counsel. The NC Court of Appeals agreed, but the NC Supreme Court reversed that finding and held that there was a qualified right to court appointed counsel.

*Simmons v. C.W. Myers Trading Post*, 307 N.C. 122, 296 S.E. 2d 294 (1982). Legal Aid Society NW NC represented a tenant in this rent abatement case in which the court held that a tenant may testify about the value of the premises that s/he occupied in trial for damages against the landlord.

*Smith v. Town of Clarkton*, 682 F. 2d 1055 (4<sup>th</sup> Cir. 1982). Legal Services of Lower Cape Fear (LANC-Wilmington) litigated this case in which the Fourth Circuit established the standards under which Fair Housing claims would be litigated. The Court ordered the town to build a Section 8 project that it had formerly refused solely on the grounds of race discrimination.

*Swann v. Gastonia Housing Authority*, 675 F. 2d 1342 (4<sup>th</sup> Cir. 1982). Legal Services of Southern Piedmont represented a tenant who alleged violations of federal law and due process in how the housing authority terminated section 8 leases and sought declaratory and injunctive relief. The Fourth Circuit ruled that a section 8 landlord cannot refuse to renew a lease without good cause.

Legal Services of North Carolina consolidated its state-level advocacy into a new program, the North Carolina Legal Services Resource Center (The Justice Center), specializing in housing, public assistance and benefits, consumer and community economic development.

1983 LSC began an intensive and intrusive program of monitoring legal services offices for compliance issues that lasted for several years. These monitoring visits required local staff to spend extraordinary amounts of time and resources, meeting with LSC staff, responding to their requests and providing documents. During this time, the relationship between LSC and the local field programs was extremely adversarial.

*Tastee Freeze Cafeteria v. Watson*, 64 N.C. App 562, 307 S.E. 2d 800 (1983). East Central Community Legal Services (LANC-Raleigh) represented employee who had quit job after being subjected to racial discrimination. The ESC awarded him benefits but Superior Court reversed and remanded. NC Court of Appeals ruled that the trial court had erred in remanding a Commission's decision granting unemployment benefits for further findings without first determining whether the Commission's findings supported its decision.

*NC Dept of Corrections v. Gibson*, 308 N.C. 131, 301 S.E. 2d 78 (1983). Lumbee River Legal Services (LANC-Pembroke) represented a prison guard who had been terminated before the NC Personnel Commission. The Commission found that his termination was based on racial discrimination and ordered reinstatement, back pay and attorney fees. The DOC appealed to Superior Court who reversed on the grounds that Title VII does not apply to discrimination actions filed in state court. The NC Court of Appeals upheld the lower court's decision, but the NC Supreme Court reversed, ruling that Title VII does apply to actions in state court and that the employee has the burden of proof to show discrimination.

*Carter v. Morrow*, 562 F. Supp 311 (WDNC 1983). East Central Community Legal Services (LANC-Raleigh) and Legal Services of Southern Piedmont represented non-welfare applicants who sought child support collection by the NC Child Support Enforcement Office. The state was enjoined from denying these services to non-welfare applicants.

NC Gen. Stat. §§ 50-13.9, 15A-344.1(d) (Clerk's Contempt bill). East Central Community Legal Services (LANC-Raleigh) and NC Legal Services Resource Center (The Justice Center) represented clients in the General Assembly to lobby for a law that required the Clerk of Court to schedule contempt hearings in 30 days for nonpayment of child support.

*Leach v. Alford*, 63 N.C. App. 118, 304 S.E. 2d 265 (1983). Lumbee River Legal Services (LANC-Pembroke) represented a client to challenge a paternity order finding him to be the father of a child with sickle cell anemia and that medical condition conclusively eliminated the client as the father. The NC Court of Appeals found that a statutory provision declaring that a paternity order barred relitigation applied only to child support.

*Harris v. Hall*, 572 F. Supp. 1054 (EDNC 1983). Lumbee River Legal Services (LANC-Pembroke) represented plaintiff to challenge the constitutionality of state law and local school board policies requiring that she be the parent of a minor relative or have custody before the Cumberland County School Board would allow her to enroll the child who was living with her temporarily. The federal district court found that the law and policies were facially constitutional and denied the child's enrollment.

*Patrick v. Cone Mills Corp.*, 64 N.C. App. 722, 308 S. E. 2d 476 (1983). Central Carolina Legal Services (LANC-Greensboro) represented a client who had been denied unemployment benefits for misconduct due to fighting on the job. NC Court of Appeals reversed the disqualification and found that the employer's submission of employee statements (hearsay) about the "fight" was not competent evidence.

- 1984** LSC enacted Regulation 1614 that required federally funded programs to expend 12.5% of their annualized LSC basic funding on private attorney involvement activities.

North Carolina becomes the fifteenth state to implement an IOLTA program after the NC Supreme Court had approved changes in Code of Professional Responsibility allowing IOLTA accounts in 1983.

*Bunn v. NC State University*, 70 N.C. App. 699, 321 S. E. 2d 32 (1984); disc. rev. denied 313 N.C. 173, 326 S.E. 2d 31 (1985). East Central Community Legal Services (LANC-Raleigh) successfully obtained unemployment benefits for an employee who had voluntarily quit her job after being told that her work was "pitiful."

*Eason v. Gould*, 66 N.C. App. 260, 311 S.E. 2d 372 (1984). East Central Community Legal Services (LANC-Raleigh) represented a claimant who had been disqualified for unemployment benefits for voluntarily leaving her job. The NC Court of Appeals found that claimant who had quit her job nine days before her layoff date was not eligible for unemployment benefits for those nine days but was eligible for unemployment benefits after her layoff date.

*Wright v. Bus Terminal Restaurant*, 71 N.C. App. 395, 322 S.E. 2d 201 (1984). Eastern Carolina Legal Services (LANC-Wilson) represented claimant who had applied for unemployment benefits after her employer had suspended her and failed to allow her to return to work for several weeks. The NC Court of Appeals vacated the lower court's order that she had left her job voluntarily without good cause attributable to employer and was disqualified from receiving unemployment compensation benefits.

*Morris v. Morrow*, 601 F. Supp. 1184 (WDNC 1984); reversed 783 F. 2d 454 (4<sup>th</sup> Cir. 1985). Legal Services of Southern Piedmont and the NC Legal Services Resource Center (The Justice Center) filed a class action on behalf of an elderly nursing home patient who lost Medicaid coverage because she owned the home where elderly and disabled daughter lived. The federal district court found that the agency rule contradicted a 1972 statute and enjoined the state from enforcing its rule. The Fourth Circuit Court reversed the district court's ruling.

*Geitner by First National Bank v. Townsend and Geitner*, 67 N.C. App. 159, 312 S.E. 2d 236 (1984). Carolina Legal Assistance (Disability Rights NC) and Legal Services of the Blue Ridge (LANC-Boone) litigated this case that challenged the validity of a marriage for a disabled person. The NC Court of Appeals found that a prior adjudication of incompetency is not the determining factor as to the validity of a marriage where the parties knew and understood the nature of the marriage vows and the parties were allowed to remain married.

*Slaken v. Porter*, 737 F. 2d 368 (4<sup>th</sup> Cir. 1984). NC Prisoner Legal Services represented an inmate who had been brutally beaten by a guard and was awarded \$30,000 in punitive damages. \$2500 compensatory damages and \$60,000+ in attorney fees to NCPLS. The Fourth Circuit upheld the jury verdict in this case.

*Green v. City of Rocky Mount*, (EDNC 1984). Eastern Carolina Legal Services (LANC-Wilson) brought this Voting Acts Rights action on behalf of Naomi Green who had unsuccessfully run for city council in Rocky Mount, a small eastern NC town. The case resulted in the abolition of the at-large method of election and led to the election of minorities to the city council.

*Wildcatt v. Smith*, 69 N.C. App. 1, 316 S.E. 2d 870 (1984). Western North Carolina Legal Services (LANC-Sylva) handled this landmark NC Court of Appeals case that established jurisdictional rights of residents of the Qualla Boundary to use the Cherokee Tribal Court System. The appellate court held that the tribal court had the exclusive jurisdiction over any matter in which it decided to exercise jurisdiction.

*Dobbins v. Paul*, 71 N.C. App. 113, 308 S.E. 2d 476 (1984). Legal Aid Society of NW NC represented a tenant who brought claims for damages under the then newly enacted Chapter 42 for wrongful eviction, breach of quiet enjoyment and her security deposit. The NC Court of Appeals reversed the trial court's directed verdict for the landlords and remanded for trial. The Court found that treble and punitive damages were not allowed under the Act. This decision was subsequently overruled in the 1995 case of *Stanley v. Moore*, 339 N.C. 717, 454 S.E. 2d 225 (1995) noted below.

1985 LSNC receives one of the first grants awarded by IOLTA.

Legal Services of North Carolina and local bar associations begin various volunteer lawyer projects across the state.

*McLean v. Maxion Housing Authority*, 313 NC 277, 328 S.E. 2d 290 (1985). Lumbee River Legal Services (LANC-Pembroke) and East Central Community Legal Services (LANC-Raleigh) represented a public housing tenant to avoid eviction from public housing. The NC Supreme Court ruled that the tenant must be personally at fault in breaching a lease provision in order for a breach to be grounds for eviction. This holding was partially negated by subsequent legislation.

*Glenn v. Wagner*, 313 N.C. 450, 329 S.E. 2d 326(1985). Legal Aid Society of NW NC successfully represented a tenant after a landlord attempted a self help eviction. The tenant recovered more than \$11,000 in compensatory and punitive damages. The NC Supreme Court addressed the "piercing of the corporate veil" by making a strong restatement and expansion of the instrumentality rule of corporate liability.

*Parks Chevrolet v. Watkins*, 14 N.C. App. 719, 329 S.E. 2d 728 (1985). Legal Aid Society of NW NC represented a consumer who claimed his repossessed car had been sold in a commercial!}' unreasonable manner so as to expose him to an artificially high deficiency judgment. The trial court

dismissed the case on summary judgment but the consumer appealed and the NC Court of Appeals remanded the case to allow the consumer to present facts about the unreasonable sale.

*Parks Chevrolet v. Willis*, 760 F.2d 265 (1985). Legal Aid Society of NW NC represented a consumer whose repossessed car was sold by a creditor after notification that the consumer was filing bankruptcy. The Fourth Circuit upheld the lower district and bankruptcy court order finding the creditor in contempt and awarding substantial damages and attorney fees.

*Roanoke Chowan Regional Housing Authority v. Vaughan*, 81 N.C. App. 354, 344 S.E. 2d 578 (1986). Legal Services of the Coastal Plain (LANC-Ahoskie) sought to dismiss an eviction against a public housing tenant who was being evicted even though her lease termination letter omitted information about her right to a grievance hearing. The Court found that the tenant had notice of the right to a grievance hearing because the notice was in the lease and the housing project's office was required to have it posted. The court upheld the eviction and found no error when the tenants had had a full jury trial in state court.

*In re: Locklear*, 314 N.C. 412, 334 S.E. 2d 46 (1985). Lumbee River Legal Services (LANC-Pembroke) represented a father who sought to legitimize his child despite the fact that the mother was married to another man at the time of the child's birth. The NC Supreme Court allowed the father to proceed with his efforts.

*Lee v. Lee*, 78 N.C. App. 632, 337 S.E. 2d 690 (1985) and *McMiller v. McMiller*, 11 N.C. App. 808, 336 S.E. 2d 134 (1985). Central Carolina Legal Services (LANC-Greensboro) litigated these companion cases on the issue of whether clients on work release and disability have the present ability to pay child support. The NC Court of Appeals remanded the cases for the trial courts to determine whether the parents had the present ability to pay and possessed money with which to pay child support.

## **1986** ABA promulgated Standards for Providers of Civil Legal Services to the Poor.

Carolina Legal Assistance was founded by Debbie Greenblatt to represent children and adults with disabilities and improve access to appropriate services and treatment.

*Thomas S. v. Morrow*, 781 F.2d 367 (4<sup>th</sup> Cir. 1986). Carolina Legal Assistance (Disability Rights NC) and Legal Services of Southern Piedmont represented a mentally disabled man who had been institutionalized and denied appropriate treatment. The Fourth Circuit affirmed the district court's ruling that he had a right to appropriate treatment and in the least restrictive setting possible.

*Humana Hospital Corp. v. North Carolina Dept. of Human Resources, Div. of Facility Services*. 81 N.C. App. 628, 345 S.E. 2d 235 (1986), East Central Community Legal Services (LANC-Raleigh), Legal Services of Lower Cape Fear (LANC-Wilmington) and NC Legal Resources Center (The Justice Center) represented low income intervenors who had opposed the petitioner's Certificate of Need to build a new hospital in Wake County. The NC Court of Appeals affirmed the department's decision denying the certificate of need.

*Hyatt v. Heckler*, 807 F.2d 376 (4<sup>th</sup> Cir. 1986). Legal Services of Southern Piedmont and the firm of Robinson Bradshaw filed a class action lawsuit on behalf of several individual plaintiffs against the Social Security Administration (SSA) in October of 1983. The suit challenged SSA's practice of "non-acquiescing" that is, ignoring the precedent decisions of the United States Court of Appeals for the Fourth Circuit, when adjudicating claims of individuals receiving or applying for disability

benefits. This case has been appealed to the Fourth Circuit Court of Appeals multiple times and to the US Supreme Court. LSSP enforced this order for 20 years.

*Smith v. Spence & Spence*, 80 N.C. App. 636, 343 S.E. 2d 256 (1986). East Central Community Legal Services (LANC-Raleigh) represented a legal secretary who had been terminated by a local law firm for personal financial mismanagement, which detrimentally affected her employer's relationship with clients who were the secretary's creditors. The NC Court of Appeals affirmed the ESC decision finding that she was partially disqualified from receiving unemployment benefits due to substantial fault on her part.

*Williams v. Burlington Industries, Inc.*, 318 N.C. 441, 349 S.E. 2d 842 (1986). East Central Community Legal Services (LANC-Raleigh) represented the claimant who had been denied unemployment benefits due to misconduct arising from leaving work without permission and falsifying his time sheets. The claimant appealed and the matter was remanded by the Deputy Commissioner to the appeals referee. The NC Court of Appeals reversed, finding that such a remand was an abuse of discretion as there were sufficient facts upon which to make a decision. The employer and commission appealed and the NC Supreme Court ruled that the NC Court of Appeals erred in reversing the decision and that claimant was disqualified from receiving benefits.

*Thome v. North Carolina Dep'l of Human Resources*, 82 N.C. App. 548, 347 S.E. 2d 88 (1986). Eastern Carolina Legal Services (LANC-Wilson) represented petitioner mother who sought Medicaid for her injured son. The agency treated her tax refunds as income so that she had a "spend-down" before her son would qualify for Medicaid. The NC Court of Appeals reversed and found that treating an income tax refund as a **resource** in determining AFDC eligibility while treating an income tax refund as **income** in determining AFDC-medically needy eligibility violated the "same methodology" requirement of the Federal Medicaid statute.

1987 *Bowen v. GiUiard*, 483 U.S. 587, 107 S. Ct. 3008, 97 L. Ed. 2d 485 (1987). East Central Community Legal Services (LANC-Raleigh) and private attorneys represented a class of welfare recipients to challenge the constitutionality of federal law that required the income of all family members, including child support of children not in need of welfare benefits be taken into account in determining a family's eligibility'. The District Court in *GiUiard v. Kirk* 633 F. Supp. 1529 (WDNC 1986) ruled that the "deeming" of the support payments from absent fathers to be income available to all the dependent children in the household was an unlawful taking and violated due process. The agency appealed to the US Supreme Court which reversed and found that the federal law was constitutional, served a rational governmental purpose of insuring that limited resources went to the most needy and was not a taking because no right to receive welfare nor a right to receive a specific amount of child support.

*Cotton v. Stanley*, 86 N.C. App. 534, 358 S.E. 2d 692 (1987); cert. denied 362 S.E. 2d 779 (1987). East Central Community Legal Services (LANC- Raleigh) represented the plaintiff tenants in a class action seeking rent abatement and unfair trade practice claims. The Court remanded the case for the trial court to determine damages based on the value of the property' as is and the property in a habitable condition.

*Stanley v. Harvey*, 90 N.C. App. 535, 369 S.E. 2d 382 (1987). East Central Community' Legal Services (LANC-Raleigh) defended the tenant in this summary ejection appeal in which the Court of Appeals found "when termination of a lease depends upon notice, the notice must be given in strict compliance with the contract as to both time and contents."

*State of NC ex rel Crews v. Parker*, 319 N.C. 354, 354 S.E. 2d 501 (1987). Pisgah Legal Services, Legal Services of Lower Cape Fear (LANC-Wilmington) and NC Legal Resources Center (The Justice Center) represented a grandmother who assigned to the state her right to reimbursement for the support money provided through AFDC and sought to intervene in a child support enforcement action against father. The NC Supreme Court reversed the trial court's decision denying her motion to intervene and found that she still retained her interest in the father's child support obligation incurred prior to her obtaining public assistance.

*Britt v. North Carolina State Bd. of Education*, 86 N.C. App. 282, 357 S.E. 2d 432 (1987); rev. denied 320 N.C. 790, 361 S.E. 2d 71 (1987). Lumbee River Legal Services (LANC-Pembroke) represented students who claimed that they were denied their fundamental right to equal educational opportunity guaranteed them by N.C. Const. Art. I, §15 and Art. DC, § 2(1) by the legislature's method of financing the operation of state public schools and by operation of five separate administrative school units in a particular county. The appellate courts affirmed the dismissal of the claims of unequal public education as state constitution neither envisioned nor required absolute uniformity of educational opportunities across the state and thus the court lacked jurisdiction to consider the claim.

*Baugh v. Woodard*, 808 F. 2d 333 (4<sup>th</sup> Cir. 1987). Carolina Legal Assistance (Disability Rights NC), NC Prisoner Legal Services and East Central Community Legal Services (LANC-Raleigh) filed a class action challenging Department of Correction's procedures for an inmate's involuntary transfer to an inpatient prison mental health facility as unconstitutional. The District Court granted summary judgment for the class and the state appealed. The Fourth Circuit found that the State was not required to conduct a hearing concerning the propriety of an inmate's involuntary mental health transfer prior to the inmate's physical transfer from the unit at which he was currently housed.

*Atlantic Ins. & Realty Co. v. Davidson*, 320 N.C. 159, 357 S.E. 2d 668 (1987). Central Carolina Legal Services (LANC-Greensboro) represented an elderly client who owned her own home and whose *in forma pauperis* petition to appeal a magistrate's order had been denied. The NC Supreme Court ruled that she had the right to petition *in forma pauperis* from a small claims action under N.C. Gen. Stat. § 7A-305 and that the existence of her unencumbered real property was insufficient to deny the petition given her age, health, income, living expenses, inability to work or borrow, indebtedness, and unreasonableness of selling her house.

*Baxter v. Bowman Gray School of Medicine*, 87 N.C. App. 409, 361 S.E. 2d 109 (1987). Legal Aid Society of NW NC represented a claimant who had been denied unemployment benefits because she failed to record on her time card that she lay down for forty-five minutes while on duty because of a dizzy spell. The NC Court of Appeals reversed the disqualification for substantial fault, finding that the employer had previously allowed this practice and the time card rule did not apply to employees who remained at work and available for service.

1988 Julian Pierce, former Executive Director of Lumbee River Legal Services, who had resigned to run for a new judgeship, is murdered.

*Chapel Hill Spa v. Goodman*, 90 N.C. App. 198, 368 S.E. 2d 60 (1988). Legal Services of Lower Cape Fear (LANC-Wilmington) appealed district court judgment that found defendant had breached retail installment contract for spa services by not paying membership. When defendant had entered into contract, spa employee had orally promised him a discount on the renewal fee for each prospective customer he brought to spa. The Court of Appeals found the contract void as an illegal referral sale under NC Gen. Stat. § 25A-37.

*Jaffe v. Vasilakos*, 90 N.C. App. 662, 369 S.E. 2d 640 (1988). East Central Community Legal Services (LANC-Raleigh) represented defendant after a NY creditor attempted to enforce a NY judgment against her after she moved to NC. The trial court dismissed the dismissed plaintiffs' default judgment against defendant on the ground that it was invalid as a matter of law because defendant was not properly served with process or otherwise notified of the proceeding under "New York law. Plaintiffs appealed but the NC Court of Appeals affirmed.

*First Union National Bank v. Rolfe*, 90 N.C. App. 85, 367 S.E. 2d 367 (1988). Western North Carolina Legal Services (LANC-Sylva) represented a judgment defendant debtor who had moved to Ireland and had no plans to return to NC with her efforts to claim personal property exemptions. The NC Court of Appeals affirmed the trial court's order that debtor was not a resident of the state entitled to any property exemptions and that execution was allowed.

**1989** North Carolina Association of Community Development Corporations (NCACDC) was created in 1989 with eleven charter members, as a statewide membership organization designed to provide technical assistance and help build the capacity of community development corporations. Legal Services of North Carolina is credited with founding the community economic development movement in NC.

*Cotton v. Stanley*, 94 N.C. App. 367, 380 S.E. 2d 419 (1989). East Central Community Legal Services (LANC-Raleigh) represented the plaintiff tenants in a class action in which the court found unfair trade practices but did not award adequate attorney fees. The appellate court reversed and remanded the case for a new determination of reasonable attorneys' fees.

*Housing Authority of Raleigh v. McCleain*, 93 N.C. App. 735, 379 S.E. 2d 104 (1989). East Central Community' Legal Services (LANC-Raleigh) represented the defendant tenant in her efforts to maintain occupancy of the public housing apartment she had shared with her mother prior to her death. The NC Court of Appeals affirmed the trial court's ruling that the defendant as an occupant did not have a tenancy interest in the public housing unit rented by her mother; therefore, she was not entitled to the benefit of the tenant grievance procedure prior to eviction.

**1990** *Smith v. Kinder Care Learning Centers*, 326 N.C. 362, 389 S.E. 2d 30 (1990). East Central Community Legal Services (LANC-Raleigh) represented a pregnant claimant who had been denied unemployment benefits due to misconduct after she struck a child under her care who had hit her in the stomach. The ESC decision had been affirmed at all administrative and appellate levels until the NC Supreme Court reversed the denial of benefits on the basis that her actions were reflexive and not intentional so as to rise to the level of misconduct.

*Bishop v. NC Dept Human Services*, 100 N.C. App. 175, 394 S.E. 2d 702 (1990). Eastern Carolina Legal Services successfully represented a former state employee whom the state had terminated without providing appropriate due process pre-termination notice. The NC Court of Appeals affirmed the lower court's ruling that the employee was entitled to back pay and attorney fees but was not entitled to reinstatement.

*Barnes v. Singer Co. & Employment Sec. Comm.*, 324 N.C. 213, 376 S.E. 2d 756 (1989). Legal Services of the Blue Ridge (LANC-Boone) represented a claimant who had been denied unemployment benefits after the employer moved operations 11 miles away and claimant who had no driver's license or vehicle was unable to find transportation to the new location. The NC Supreme Court found that claimant had not voluntarily left work because the employer's actions had caused the termination and that she was entitled to benefits.

*Edwards v. Johnston County Health Dep't*, 885 F. 2d 1215 (4<sup>th</sup> Cir. 1989). Farmworker Legal Services of North Carolina (LANC-Farmworker Unit) represented a class of black migrant workers who sued an agency under the Fair Housing Act for issuing permits for the establishment of substandard migrant housing facilities, and claiming such practice violated their due process rights under federal law. The Fourth Circuit affirmed the lower court's dismissal of the FHA claims for failure to state a claim for which relief could be granted.

*Allen v. Simmons*, 99 N.C. App. 636, 394 S.E. 2d 478 (1990). Legal Aid Society of NW NC represented tenant on appeal after trial court entered a directed verdict. The NC Court of Appeals reversed and found the Residential Rental Agreements Act did not preclude the tenant from recovering damages for breach of the covenant of habitability where she has withheld rent; however, damages for rent abatement could only include those amounts actually paid for substandard housing. The Court found that those damages would be calculated as the difference between the fair rental value of the premises if as warranted; i.e., in full compliance with N.C. Gen. Stat. § 42-42(a). and the fair rental value of the premises in their unfit condition for any period of the tenant's occupancy plus any special or consequential damages.

*Surratt v. Newton*, 99 N.C. App. 396, 393 S.E. 2d 554 (1990). Legal Aid Society of NW NC represented plaintiff tenant seeking rent abatement and other damages arising from her tenancy in an unfit residence. The plaintiff won at trial but was not awarded attorney fees and all parties appealed. The NC Court of Appeals dismissed the appeals and found (1) that a rental agent cannot limit rent abatement and damages to how much he was actually paid for his services in managing the rental property and (2) oral notice of defects will suffice if defects would render dwelling unfit or violated local housing code.

1991 *Provident Finance Co. v. Rowe*, 101 N.C. App. 367, 399 S.E. 2d 368 (1991). East Central Community Legal Services (LANC-Raleigh) represented defendant and his wife who had been sued by finance company for failing to repay a loan. The trial court had ruled in favor of the finance and dismissed the defendant's counterclaims for unfair trade practice. The NC Court of Appeals reversed and remanded after concluding as a matter of law, that a finding that a company had not committed any unfair or deceptive acts was inadequate to support a conclusion that the company was entitled to have the borrowers' counterclaims dismissed.

*Ward v. Columbus County*, 782 F. Supp. 1097 (E.D.N.C. 1991). Legal Services of Lower Cape Fear (LANC-Wilmington) and private counsel represented a certified class of black voters who challenged the at large method of voting in the county. The federal court found that the at large election method violated the Voting Rights Act.

*Hujfstetler v. North Carolina Dep't of Human Resources*, 103 N.C. App. 284, 404 S.E. 2d 880 (1991). Catawba Valley Legal Services (LANC-Morganton) represented petitioner who appealed denial of AFDC benefits by agency that found her husband's health impairments did not substantially impair his ability to care for the children. The NC Court of Appeals reversed finding that petitioner was qualified to receive benefits because husband's health had not improved so that he could become employed.

*Baker v. Rushing*, 104 N.C. App. 240, 409 S.E. 2d 108 (1991). Legal Services of Southern Piedmont represented tenant plaintiffs who had been wrongfully evicted. The trial court had entered summary judgment in favor of the defendants who claimed that plaintiffs were not "residential tenants" as defined by Chapter 42. The NC Court of Appeals reversed and remanded the case finding that landlord's characterization of the premises as a "hotel" did not determine whether Chapter 42 applied and that there was sufficient evidence to show that plaintiffs were "residential tenants."

*Lindsey v. Ouallex, Inc.*, 103 N.C. App. 585, 406 S.E. 2d 609 (1991). Legal Services of Southern Piedmont represented claimant who had been partially disqualified from receiving unemployment benefits due to "substantial fault." She had been terminated for failing to maintain minimum point standards required by the employer's no-fault attendance policy. The NC Court of Appeals affirmed the disqualification for substantial fault by ruling that the employer policy was reasonable and that claimant had "reasonable control" over complying with the policy.

**1992** The Justice Center's Education and Law Project was established to improve the public education system in North Carolina so that it better serves low-income and minority children.

*Doyle v. Southeastern Glass Laminates, Inc.*, 331 N.C. 748, 417 S.E. 2d 236 (1992). Legal Services of Southern Piedmont represented claimant who had been terminated for taking excessive absences which the supervisor had approved. The Commission and the lower courts found that claimant had engaged in substantial fault leading to his termination. The NC Supreme Court reversed that ruling and found that the employer's violation of its rules could not be a basis for disqualifying claimant from receiving benefits.

*Medley v. NC Dept of Correction*, 330 N.C. 837, 412 S.E. 2d 654 (1992). NC Prisoner Legal Services represented prisoner in need of medical treatment. The NC Supreme Court found that the state's duty to provide adequate medical care for prisoners cannot be delegated.

**1993** The Justice Center's North Carolina Health Access Coalition was founded to educate the public and policymakers about health care reform options and enable consumers to become active participants in developing health policy for the state's residents.

*Household Finance Corp. v. Ellis*, 107 N.C. App. 262, 419 S.E. 2d 592 (1992); affirmed 333 N.C. 785, 429 S.E. 2d 716 (1993). Legal Aid Society of NW NC represented defendant debtor after he had failed to timely file a notice to claim exempt property. The Appellate courts ruled that N.C. Gen. Stat. § 1C-1603(a)(4) required that no execution be issued until a notice to designate exemptions was served and any waiver applied only to the particular execution issued. The court determined that the legislature did not intend to require a debtor to forever waive its rights for failure to respond to a single notice. The court determined that constitutional exemptions could be claimed until the moment the money from the sale was applied to the debt to be paid and therefore the provisions of N. C. Gen. Stat. § 1C-1601 and § 1C-1603 were unconstitutional because they limited the claiming of constitutional exemptions to 20 days after notice to designate was served.

*English v. Shalala*, 10 F. 3d 1080 (4th Cir. 1993). Legal Services of Lower Cape Fear (LANC-Wilmington) represented a claimant who had been denied Social Security benefits. The Fourth Circuit affirmed the agency's decision finding that claimant had a residual functioning capacity because it was supported by substantial evidence. The evaluation of whether any appropriate jobs exist was reversed and remanded for reconsideration using the current resource materials.

*McBride v. McBride*, 334 N.C. 124, 431 S.E. 2d 14 (1993). Central Carolina Legal Services (LANC-Greensboro) represented defendant father who had failed to comply with paying a child support and was found in contempt and jailed. Upon defendant's appeal, the NC Supreme Court overruled its decision in *Jolly v. Wright* and found that due process required counsel be appointed to an indigent who may be incarcerated for failure to pay child support.

*Carpenter v. North Carolina Dep't of Human Resources*, 107 N.C. App. 278, 419 S.E. 2d 582 (1992); affirmed 333 N.C. 533, 427 S.E. 2d 874 (1993). Central Carolina Legal Services (LANC-

Greensboro) represented plaintiff who had been denied food stamps because agency had included her section 8 housing utility allowance as income. The trial court ruled such payments should be excluded as income to determine food stamp eligibility and the agency appealed. The appellate courts affirmed the trial court's ruling in favor of plaintiff.

*Gilliam v. Employment Sec. Comm'n*, 110 N.C. App. 796, 431 S.E. 2d 772 (1993). Legal Services of Southern Piedmont represented claimant who filed a motion to hold the ESC in contempt for its failure to make a decision on her claim and attorney fees. The NC Court of Appeals found that there may have been grounds for the contempt, there were no grounds for Rule 11 sanctions against the ESC.

*Farmer v. Employment Sec. Comm'n*, 4 F. 3d 1274 (4<sup>th</sup> Cir. 2001). Farmworker Legal Services of North Carolina (LANC-Farmworker Unit) filed a class action on behalf of all women and families accompanied by minor children who seek or are discouraged from seeking employment with housing and claimed defendants had violated the Fair Housing Act. The Fourth Circuit affirmed the district court's decision that participating H-2A farmers must provide family housing to temporary agricultural laborers, whether foreign or domestic, only when such is the prevailing practice in the area and dismissed the case.

- 1994** *Hill v. Bechtel*, 336 N.C. 526, 444 S.E. 2d 186 (1994). Central Carolina Legal Services (LANC-Greensboro) filed a class action to challenge the social services agency's practice of not notifying applicants that they were not eligible for expedited food stamps. The NC Court of Appeals found that the agency must provide *written notice* to the applicants but the NC Supreme Court modified that ruling by finding that oral notice was sufficient.

*Ledwell v. North Carolina Dep't of Human Resources*, 114 N.C. App. 626, 442 S.E. 2d 367 (1994); cert denied 340 N.C. 103, 455 S.E. 2d 159 (1995). Central Carolina Legal Services (LANC-Greensboro) challenged the application of state manual provision requiring "parental control" for minor children when determining who is in food stamp household. When the trial court held the provision to conflict with federal law and that it was invalid, the department appealed. The NC Court of Appeals affirmed.

- 1995** LSC required all of its grantees (LSNC, NCLAP, LSSP and LASNWNC) to work with non-LSC funded providers, such as bar associations, state access to justice commissions, law schools and other stakeholders to develop an integrated and comprehensive statewide legal services deliver}' system.

Legal Services of North Carolina initiated an internal strategic planning process in response to the pending LSC restrictions on legal services. This process expanded to include other providers and the community agreed to a number of significant changes in order to insure that a full range of legal services remained available to clients. Those changes included the creation of non-LSC funded entities: the Justice Center, Carolina Legal Assistance and NC Prisoner Legal Services.

The Budget and Tax Center, the state's leading source for information on how fiscal and economic policies shape the opportunities available to working families was established as part of the The Justice Center.

*Stanley v. Moore*, 339 N.C. 717, 454 S.E. 2d 225 (1995). Catawba Valley Legal Services (LANC-Morganton) represented a tenant who sued his landlord for wrongful eviction. The trial court found damages but denied recovery and attorney fees for the tenant's claim of unfair trade practice. The NC Supreme Court held that the Chapter 42 prohibition against punitive and treble damages did not

preclude recover)' of treble damages and attorney's fees for a Chapter 75 unfair trade practice claim. This case overruled the 1984 case of *Dobbins v. Paul*, 71 N.C. App. 113, 308 S.E. 2d 476 (1984).

*Lavelle v. Guilford Area Mental Illness, Mental Retardation, & Substance Abuse Auth.*, 340 N.C. 250, 456 S.E. 2d 827 (1995). Central Carolina Legal Services (LANC-Greensboro) and NC Legal Services Resource Center (The Justice Center) challenged the mental health agency's refusal to turn over patient's confidential medical records to her attorney pursuant to the patient's written release and authorization to do so. The NC Supreme Court reversed the lower court ruling and found that the mental health agency must provide the records to the attorney.

*Williams v. Williams*, 339 N.C. 608, 453 S.E. 2d 165 (1995). Central Carolina Community Legal Services (LANC-Greensboro) challenged the clerk's refusal to order the use of a private process server after the sheriff had failed child support papers on defendant. The NC Supreme Court found that applicable rules required a finding that the sheriff had neglected his duties and not merely failed to serve the defendant before ordering the use of a process server.

*Charlotte Housing Authority v. Patterson*, 120 N.C. App. 552, 464 S.E. 2d 68 (1995). Legal Services of Southern Piedmont successfully prevented defendant-tenant's eviction after public housing authority tried to evict her for criminal activity, a shooting that occurred at the premises involving the tenant's son. The housing authority appealed the dismissal and the NC Court of Appeals ruled that good cause for eviction did not exist when a public housing tenant was not personally at fault for a breach of the criminal activity termination provision of the lease by a member of the tenant's household.

1996 Congress cut LSC funding by 30% from \$400 million in 1995 to \$278 million in 1996 and limited the legal work that LSC funded programs could take on behalf of clients. These "restrictions" included prohibitions against participating in class actions, advocating for welfare reform, engaging in lobbying and rulemaking activities and requesting attorney fees. These funding cuts led to the loss of 900 attorneys nationwide and the closing of 300 local program offices.

Study of the Deliver)' of Civil Legal Services to the Poor in the State of NC conducted by Altman Weil Pensa, Management Consultants, for the NC Bar Association and funded by an IOLTA grant. This study resulted from LSC directive for LSC funded grantees to engage in statewide planning. Some of the recommendations included continued existence of the organizational structure then in effect, improved technology and for all legal services attorneys to become members of the NCBA.

North Carolina Justice and Community Development Center (The Justice Center) is established and begins the Immigrant Legal Assistance Project.

*Haynes v. NC. Dep't of Human Res.*, 121 N.C. App. 513, 470 S.E. 2d 56 (1996). Central Carolina Legal Services (LANC-Greensboro) represented an elderly nursing home client who had been denied Medicaid because the agency counted his dilapidated home as a resource. On appeal, the NC Court of Appeals reversed the agency's denial of Medicaid, ruling that the house was not actually available to the applicant and therefore its equity value could not be counted toward the \$1500 resource limits.

*Charlotte Housing. Authority v. Fleming*, 123 N.C. App. 511, 473 S.E. 2d 373 (1996). Legal Services of Southern Piedmont appealed the eviction of a tenant for criminal activity committed by a guest, her son. The NC Court of Appeals reversed the eviction concluding that the landlord had presented no evidence showing son was her "guest" as defined by the dictionary.

*Molina et al. v. Showell Farms, Pacas et al v. Showell Farms*, 83 F. 3d 415 ( 4<sup>th</sup> Cir. 1996) North State Legal Services (LANC-Pittsboro) and private attorney, Robert Willis, filed these class actions involving state and federal wage and hour claims against a chicken processing plant in Siler City. After the LSC restrictions against class actions were enacted, North State withdrew. The case challenged the use of the "master clock" system for time keeping. This case was settled favorably for the plaintiffs and the class, and defendants paid back wages and attorneys fees.

- 1997 Legal Services of North Carolina received initial funding for Project Esperanza (LANC-Battered Immigrant Project) to provide legal representation to victims of domestic violence seeking to legalize their immigration status.

*Marlow v. NC Employment Security Comm.*, 127 N. C, App. 734, 493 S.E. 2d 302 (1997). Catawba Valley Legal Services (LANC-Morganton) represented a claimant who had been denied unemployment benefits after she left her job because of employer's sexual harassment. The NC Court of Appeals reversed, ruling that the claimant's mere failure to report sexual harassment pursuant to her employer's grievance policy did not, in itself, disqualify her receiving benefits.

*Wilkes Nat'l Bank v. Halvorsen*, 126 N.C. App. 179, 484 S.E. 2d 582 (1997). Legal Services of the Blue Ridge (LANC-Boone) represented debtor on a unfair debt collection claim arising from the bank's failure to include required language in two debt collection letters. The NC Court of Appeals affirmed the summary judgment for the bank and found no debt collection violations.

*Thomas v. North Carolina Dep't of Human Resources*, 124 N.C. App. 698, 478 S.E. 2d 816 (1996); affirmed 346 N.C. 268, 485 S.E. 2d 295 (1997) This case was a class action that was originally filed by Central Carolina Legal Services (LANC-Greensboro), involving failure of NC HHS to follow court rulings in food stamp cases. Injunctive relief was sought requiring NC HHS to reopen cases and issue food stamps for class members improperly disqualified. After a favorable ruling at the NC Court of Appeals the NC Justice and Community Development Center and Womble, Carlyle, Sandridge and Rice, were substituted as plaintiffs' counsel as a result of the restriction on Legal Services' programs from participating in class actions. Favorable rulings by the NC Court of Appeals and the North Carolina Supreme resulted in 2,442 individuals each receiving \$200.00 in food stamp reimbursement for a total of \$488,400. All attorneys' fees and costs, totaling \$72,116.48, were recovered with Womble, Carlyle, Sandridge & Rice donating its portion of the award (\$30,633.50) to the NC Justice & Community Development Center, Legal Services of Southern Piedmont, and Central Carolina Legal Services.

- 1998 The NC Commission on the Delivery of Civil Legal Services was created by the NC Bar Association and the NC State Bar in response to the 1996 Altman Weil Pensa Report This commission included representatives from the bar, state government, business, industry, law schools, foundations and the courts but did not include clients or legal services providers/staff. A controversial recommendation was that the structure of Legal Services of North Carolina (at that time a confederation) be changed into a single corporate entity modeled on the state university system and that the three independent programs (North Central Legal Assistance Program, Legal Services of Southern Piedmont and Legal Aid Society of NW NC) be consolidated into LSNC after the restructuring is positively evaluated.

*Legal Aid Society v. Legal Services Corp.*, 961 F. Supp. 1402 (D. Haw. 1997); affirmed in part and vacated in part 145 F.3d 1017 (9th Cir. Haw. 1998). The federal District Court held that LSC statutory restrictions were constitutional but the regulatory scheme restricting non-LSC funds violated the First Amendment. In response, LSC revised its regulations and imposed "program integrity" requirements that required strict legal, financial and physical separation between LSC funded

programs and programs that engaged in restricted work and the federal circuit court approved of the revisions and held that the restrictions were constitutional.

Legal Services of North Carolina reorganized as a single corporation, upon the recommendation of the North Carolina Commission on the Delivery of Civil Legal Services. Local offices retained their names, continued to set own priorities and developed own budgets.

Legal Services of North Carolina obtained VAWA funding to establish Domestic Violence Prevention Project (LANC- Domestic Violence Prevention Initiative).

*Hinkle v. Hartsell*, 131 N.C. App. 833, 509 S.E. 2d 455 (1998). Central Carolina Legal Services (LANC-Greensboro) represented defendant father whose visitation with his minor child was severely restricted after the court took judicial notice that he lived in a high crime area. The NC Court of Appeals reversed finding that the trial court had abused its discretion and that there were insufficient findings to support supervised visitation.

*Potter v. Potter*, 131 N.C. App. 1, 505 S.E. 2d 147 (1998). Legal Services of the Blue Ridge (LANC-Boone) appealed an order dismissing defendant mother's motion to dismiss a custody case for lack of subject matter jurisdiction when Tennessee had proper jurisdiction. The trial court then awarded primary custody to plaintiff father. The NC Court of Appeals reversed and vacated the judgment for custody.

**1999** Legal Services of North Carolina Clients Council (LANC Clients Council) reformed.

Environmental Poverty Law Project is funded and housed in the office of North State Legal Services, Hillsborough, NC.

NC Legal Services Planning Council (NC Equal Justice Alliance) comprised of representatives of legal services providers in NC was formed and assumed responsibility for the planning process required by LSC.

*Price v. Price*, 133 N.C. App. 440, 514 S.E. 2d 553 (1999). Central Carolina Legal Services (LANC-Greensboro) represented defendant wife in a 50B action brought against her by plaintiff husband who had obtained a protective order against her after complaining that she had spilled pasta and spices on the floor. The defendant wife appealed and the NC Court of Appeals reversed finding that there were insufficient facts to find domestic violence as defined in Chapter 50B.

Under a contract with the NC Division of Community Assistance, Legal Services of North Carolina provided over \$2M of recover)' legal assistance to victims devastated by Hurricane Floyd in 39 counties over a three year period. Legal Services of North Carolina staff supported the recovery by legal work in the field and through policy work in the development of recovery assistance protocols.

**2000** Advocates for Children's Services (formerly the "Mental Health Unit" of LSNC, now LANC-Advocates for Children's Services) began to represent only children who are in need of medical, psychiatric, special education and foster care/adoption services to which they are entitled under state and federal law.

**2001** *LSC v. Velazquez*, 531 U.S. 533, 121 S. Ct. 1043, 149 L. Ed. 2d 63 (2001). Case challenged a LSC provision that prohibited legal services attorneys from challenging welfare reform laws when representing individual clients seeking relief from welfare agencies. The US Supreme Court found

that such restrictions violated the First Amendment. In response to the court ruling, LSC eliminated this provision.

*Beltran Benitez et al v. Sea Safari Ltd.*, 180 F. Supp. 2d 772 ( EDNC 2001) The Justice Center and private attorney Robert Willis filed this action in federal district court for the Eastern District of North Carolina on behalf of a class of migrant crab processing workers for violations of minimum wage and overtime laws and illegal paycheck deductions. The court approved a settlement agreement under which class members received back-pay and reimbursement for expenses.

*Graham v. Mock*, 143 N.C. App. 315, 545 S.E. 2d 263 (2001). Central Carolina Legal Services (LANC-Greensboro) challenged the School Board's refusal to enroll the plaintiff minor in Davidson County school because she was not domiciled there and she did not meet the requirements for non-domiciled students. Upon her appeal, the NC Carolina Court of Appeals affirmed the lower court's decision affirming the School Board.

*Souther v. New River Area Mental Health Developmental Disabilities & Substance Abuse Program*, 142 N.C. App. 1, 541 S.E. 2d 750 (2001); affirmed 354 N.C. 209 (2001). Legal Services of the Blue Ridge (LANC-Boone) represented former employee who had been terminated after she refused to work in a home where she was subject to sexual harassment. The NC Court of Appeals found that employer lacked just cause to terminate the plaintiff employee.

*Arrowood v. State Health & Human Servs.*, 353 N.C. 351, 543 S.E. 2d 481 (2001). Pisgah Legal Services challenged the termination of Work First benefits for the plaintiff, claiming that its enactment violated the Administrative Procedures Act. The lower courts had agreed with plaintiff but the NC Supreme Court reversed.

*Smith v. Smith*, 145 N.C. App. 434, 549 S.E. 2d 912 (2001). East Central Community Legal Services (LANC-Raleigh) and Legal Services of North Carolina represented minor child who had been awarded a protective order against her father. The defendant father appealed and the NC Court of Appeals reversed finding that there was insufficient evidence to support a conclusion that the father had placed his daughter "in fear of serious imminent bodily injury."

Financial Protection Law Center was founded to address lending abuses (predatory home loans, loan servicing and pay day loans) committed against NC consumers.

2002 Legal Aid of North Carolina (LANC) began operations as a single corporation receiving LSC funding and serving all 100 counties in North Carolina.

*Anirican v. NC DHHS (now styled McCree v. Odom)*, 290 F. 3d 178 (4<sup>th</sup> Cir. 2002); *cert, denied*, 537 U.S. 973 (2002). The Justice Center, along with the National Health Law Program and the firm of Womble Carlyle Sandridge and Rice filed a statewide class action lawsuit against North Carolina State Medicaid officials, alleging that the Medicaid program was not adequately addressing the dental needs of North Carolina's poor children. The problem, which affects 670,000 children across the state, had reached crisis proportions, with less than fifteen percent of eligible children able to find a dentist willing to treat them under the program. The federal court for the Eastern District of North Carolina refused to dismiss the lawsuit, ruling that Medicaid beneficiaries have a private right of action to bring claims under federal law. The Fourth Circuit court of appeals agreed. The state agreed to settle the case by raising the dental reimbursement rate for the 39 procedures used most frequently by children. The state increased the annual budget by 21 million dollars to effectuate this increase. The state also agreed to provide assistance to Medicaid beneficiaries in obtaining a dentist by providing them written information and availability of a toll-free telephone hotline, to form a

Dental Advisory Committee to meet on a regular basis with high-ranking state officials, to recruit dentists into the program, and to issue policy briefs to dentists to increase access to dental care.

*Mohr v. Mohr*, 155 N.C. App. 421, 573 S.E. 2d 729 (2002). East Central Community Legal Services (LANC-Raleigh) represented a domestic violence victim in a custody action in which husband appealed trial court's order denying his motion seeking costs pursuant to North Carolina Rule of Civil Procedure 68. The NC Court of Appeals affirmed trial court finding the settlement process triggered by a Rule 68 offer of judgment is not consistent with the court's authority to determine and modify custody.

*Augur v. Augur*, 356 N.C. 582, 573 S.E. 2d 125 (2002). Pisgah Legal Services represented plaintiff wife, whose 50B complaint was dismissed. Defendant husband sought a declarator}' judgment regarding the constitutionality of the Domestic Violence Act (DVA) and the trial court dismissed his counterclaim. The NC Court of Appeals reversed and the plaintiff wife appealed. The NC Supreme Court ruled that the trial court had properly declined to rule on the declarator}' relief as husband was not subject to the DVA nor had he shown that he might be threatened with further litigation.

**2003** The NC Legal Services Planning Council (NC Equal Justice Alliance) publishes the NC Statewide Client Legal Needs Assessment.

**2004** *Anson Count)' Citizens Against Chem. Toxins in Underground Storage v. N.C. Dep'l of Env't & Natural Res.*, 167 N.C. App. 341, 606 S.E. 2d 350 (2004). Legal Aid of North Carolina co-counseled with private counsel to appeal a decision affirming the state agency's issuance of waste pennit. The NC Court of Appeals affirmed the agency's decision.

*Chatfieldv. Wilmington Housing Fin. & Dev., Inc.*, 166 N.C. App. 703, 603 S.E. 2d 837 (2004); rev. denied 359 N.C. 280, 609 S.E. 2d 393 (2005). LANC-Wilmington brought an action on behalf of two clients who sought access to meetings and records of the housing authority, pursuant to the Open Meetings Law and the Public Records Law and the trial court granted summary judgment in favor of the housing authority. The NC Court of Appeals affirmed finding that the housing authority was not a governmental entity subject to these statutory provisions.

*Davis v. Britax Child Safety, Inc.*, 163 N.C. App. 277, 593 S.E. 2d 97 (2004). Legal Aid of North Carolina and Legal Services of Southern Piedmont represented claimant who had been terminated for abusing employer's point-based attendance policy and received a partial disqualification of unemployment benefits for substantial fault. The NC Court of Appeals reversed because the company's general points-based policy may not form the basis of a finding of fault where employee never accumulated the twenty-four points necessary to warrant discharge under the policy, and the company did not follow this policy when it her for absenteeism.

**2005** The Equal Access to Justice Commission was established in November 2005 by a North Carolina Supreme Court Order. The Commission was established in recognition of the need to expand civil legal representation for people of low income and modest means in North Carolina.

LSC published *Documenting the Justice Gap in America*, a report that concluded that 80% of the civil legal needs of low income persons are not being met.

*D.B. v. Blue Ridge Ctr.*, 173 N.C. App. 401, 619 S.E. 2d 418 (2005). Legal Services of Southern Piedmont and National Health Law Program represented petitioner in her efforts to overturn agency's decision not to accept administrative law judge's decision to provide her with appropriate crisis intervention. The NC Court of Appeals reversed and remanded the case to Superior Court to remand

to the agency for specific findings why the agency did not adopt the administrative law judge's recommended decision.

*Smith v. Barnhari*, 395 F. Supp. 2d 298 (EDNC 2005). LANC-Wilmington represented a social security claimant who had been denied benefits by an administrative law judge. The federal court remanded the case upon finding error by the administrative law judge who had failed to use every reasonable effort to assist the claimant in obtaining medical opinion information as part of her case record.

*Boylard v. Southern Structures, Inc.*, 172 N.C. App. 108, 615 S.E. 2d 919 (2005). LANC-Greensboro represented claimant who had been partially disqualified for substantial fault and petitioned for judicial review. The Superior Court reversed and remanded for additional findings and another hearing was held where he was again partially disqualified. The claimant appealed and the Superior Court again ruled that there were insufficient findings to support the substantial fault disqualification and ESC appealed. The NC Court of Appeals affirmed the Superior Court's ruling.

*De Luna-Guerrero v. North Carolina Growers Association*, 370 F. Supp. 2d 386 (E.D.N.C. 2005). The Justice Center, along with private attorney Robert Willis, filed this bilateral class action on behalf of more than 15,000 H2A farmworkers in North Carolina. The court issued a decision stating that the defendant growers' failure to reimburse workers' transportation and visa costs in the first workweek violated the Fair Labor Standards Act to the extent failure to reimburse brought workers' first week wages below the minimum wage. The Judge further held that defendants must pay liquidated damages to the plaintiffs and all persons who consented to participate in the federal class. The judge ruled for defendants on the issue of defendants' willfulness.

*Dean v. Hill*, 171 N.C. App. 479, 615 S.E. 2d 699 (2005). LANC-Gastonia defended a tenant in a summary ejectment case and counterclaimed for rent abatement and unfair trade practices. The appellate court dismissed the summary ejectment as moot and remanded for judgment and damages in favor of the tenant.

2006 ABA adopts newly revised *Standards for the Provision of Civil Legal Aid*.

*Brooklyn Legal Services et al v. LSC*, 462 F. 3d 219 (2<sup>nd</sup> Cir. 2006). LSC funded program sought injunctive relief against LSC's application of program integrity rule in part because the administrative and financial costs imposed an undue burden on plaintiffs' right under the First Amendment to use non-federal funds to engage in constitutionally protected activity. The federal circuit court vacated the injunction imposed by the district court and ruled that the parties lacked standing to challenge the program integrity regulation.

*In re TotslandPreschool*, 180 N.C. App. 160, 636 S.E. 2d 292 (2006). LANC-Greenville represented non profit pre-school that sought property tax exemption for its new building based on its non-profit status. The County Commissioners denied the exemption and the pre-school appealed to the Property Tax Commission who reversed. The County then appealed to the NC Court of Appeals who affirmed.

*Lincoln Terrace v. Kelly*, 179 N.C. App. 621, 635 S.E. 2d 434 (2006). LANC-Gastonia defended tenant in summary ejectment action where the trial court ordered the eviction and the tenant appealed. The NC Court of Appeals reversed because landlord had not shown that the termination notice strictly complied with the terms of the lease.

*Patronelli v. Patronelli* 360 N.C. 628, 636 S.E. 2d 559 (2006); rehearing denied 361 N.C. 227 (2007) Pro Bono firm, Manning, Fulton & Skinner, successfully represented LANC client in a domestic case

and requested fees pursuant to NC Gen. Stat. § 50-16.4, but the trial court denied the fee request solely because wife was represented by pro bono attorney and was not responsible for his fees. The wife appealed and the NC Supreme Court affirmed, finding the trial court did not have the authority under this statute to award fees to her as she was not responsible for paying attorney fees since her attorney provided the services on a pro bono basis.

- 2007** The Eastern Carolina Immigrants' Rights Project, a joint effort of Legal Services of "North Carolina and the North Carolina Justice Center, was created to serve immigrants in eastern NC who are not eligible for federally-funded legal assistance.

Disability Rights NC (formerly Carolina Legal Assistance) is now North Carolina's Protection and Advocacy agency, responsible for protecting and advocating for the rights of people with disabilities and the authority to pursue legal, administrative, and other appropriate remedies or approaches when the rights of such individuals within the state may have been violated.

Legal Aid Society of Northwest North Carolina ceased representing clients. LANC-Winston Salem hired its staff and absorbed its funding to provide services to domestic violence victims.

*Carter v. Hill*, \_\_\_ NC App. \_\_\_\_, 650 S.E. 2d 843 (2007). LANC-Winston Salem who had not represented defendant tenants during the summary ejection trial in district court appealed the court's order that they pay \$2,480 to the landlords and that they would be held in civil contempt until they did so. When the defendants failed to pay the judgment immediately, they were jailed until payment was made. The NC Court of Appeals reversed and remanded, finding the trial court had committed numerous errors. Note that the NC Judicial Standards Commission reprimanded District Court Judge Roemer for her actions in wrongfully jailing the defendants.

*In the Matter of: J.G.*, \_ NC App. \_\_\_\_\_ , 652 S.E.2d 266 (2007). LANC-Advocates for Children's Services served as an attorney advocate for the minor, JG, in this appeal by Guilford County Social Services of an order requiring the payment of the minor's mortgage and to make repairs on a Habitat for Humanity home that the minor had inherited. The NC Court of Appeals affirmed the ruling that required the agency to use the minor's social security benefits to make nominal monthly mortgage payment and not use the benefits to reimburse itself for foster care expenses.

The N.C. Supreme Court issued an order to the State Bar on Oct. 11 to implement a comprehensive (mandatory) IOLTA program for lawyers in North Carolina, effective Jan. 1, 2008.

- 2008** *Applewhite v. Alliance One Int'l, Inc.*, 654 S.E. 2d 764 (N.C. Ct. App. 2008) LANC-Wilson appealed an ESC decision finding claimant was substantially at fault in causing her termination. Claimant had been terminated after she was late returning to work from a bathroom break because she had been sick. The NC Court of Appeals reversed the ESC substantial fault decision because claimant did not exercise reasonable control over becoming ill.

*Ohera-Morales v. International Labor Management Corporation*, 2008 WL 506090 (M.D.N.C.) (2008) The North Carolina Justice Center began serving as local counsel for the plaintiff in this class action lawsuit which alleges that the employer associations discriminate against women by offering them only lower-paying positions as H2B (non-agricultural) workers with no benefits rather than higher-paying H2A (agricultural) jobs with benefits such as workers compensation coverage and free housing. The federal district court issued a decision establishing the right of a guestworker to bring a Title VII claim when work is performed in the United States.

## **Policy and Legislative Advocacy**

Legal services advocates and clients have consistently sought to impact legislation and policy affecting them. Prior to 1996, LSC funded programs effectively represented client interests at the NC General Assembly to lobby for or against legislation affecting low wealth communities across the state. Individual legal services attorneys teamed with others to draft and push for the enactment of laws that would improve the lives of the poor. With the creation of the NC Legal Services Resource Center in 1992, the community organized these efforts behind this small cadre of attorneys and advocates. After Congress imposed lobbying and other restrictions on legal services work, the The Justice Center was established and its mission is to reduce and eliminate poverty in North Carolina by helping to ensure that every North Carolina household gains access to the resources, services and fair treatment that it needs in order to enjoy economic security. The results of these collective efforts are listed below.

- Led efforts in the health advocacy community at both the state and federal level to provide health insurance coverage for 100,000 uninsured children of the working poor through the establishment, expansion, and improvement of North Carolina's Health Choice program.
- Led efforts to improve dental care for children and adults on NC's Medicaid program. This effort, accompanied by a class action lawsuit filed by the Justice Center and other groups, has resulted in a high profile discussion among the public and policymakers of the lack of dental care for low-income North Carolinians. New funding and reforms to the NC Medicaid program are a likely result.
- Opposed efforts by NC Blue Cross/Blue Shield to convert to a for-profit company without first transferring their assets to a health care trust which would fund programs and services for disadvantaged persons. Has continued to monitor Blue Cross's actions as they move towards conversion and educate and involve advocates to prepare for this year's expected conversion process.
- Led consumer health advocates in calling for establishment of a health trust fund with a substantial portion of North Carolina's national tobacco settlement money. This successful effort resulted in a projected \$1 billion health trust (over 25 years) to improve the health of North Carolinians.
- Led efforts to protect low-income families in the debate over welfare reform and successfully made numerous amendments to the new welfare reform law to protect the interests of low-income persons needing public assistance.
- Stopped passage of legislation that would have allowed garnishment of worker's wages to collect debts.
- Supported passage of legislation increasing the state's minimum wage to the federal minimum wage level thereby increasing wages for over 30,000 workers. Also, supported passage of legislation that expands eligibility for unemployment benefit payments to thousands of workers who lose their jobs.
- Played key role in the effort to stop predatory lending practices and defeated legislation that would have allowed small loan companies to raise interest rates on consumer loans.
- Obtained a series of improvements for tenants in the state landlord/tenant law, including protections for victims of domestic violence, how late fees are calculated, no eviction for failure to pay water bills, fairer execution of judgments for possession.

- Led successful efforts to provide more funds for alternative schools so that more students can remain in the public education system and prevented passage of legislation to amend the school discipline laws that would have resulted in more students being excluded from the public schools.
- Secured significant appropriations for the "Disadvantaged Student Supplement Fund."
- Passed legislation which requires special identification and services for at-risk students in the public schools and improved legislation that would retain large numbers of students in their current grade due to results on a single test.
- Led the successful effort to appropriate new funds for local schools to offer education programs for students whose native language is not English.
- Played a key leadership role in protecting low-income consumers in the debates surrounding the proposed restructuring of the electric and telecommuting industries.
- Obtained record appropriations for the Housing Trust Fund for affordable low-income housing and passed a state housing tax credit to promote the construction of affordable housing.
- Played a key role in the effort to eliminate the state sales tax on food and in seeking legislation that requires companies receiving tax credits to provide health insurance to their employees and to have a clean environmental and worker safety record.
- Created the Home Protection Pilot Program to provide resources to stop foreclosures for unemployed workers.
- Lobbied successfully for increased appropriations of public funds to the state Legal Aid community.
- Led coalition that successfully achieved an increase in NC's minimum wage.
- Led coalition that successfully achieved the enactment of a state Earned Income Tax Credit.
- Obtained reforms and consumer protections in the sale of manufactured homes, including escrow accounts for deposits, broader representation on Manufactured Housing Board, rights to cancel sales agreements.
- Obtained change to when manufactured homes can be treated as "real property" to allow opportunity for better financing.
- Played a key role in adoption of reforms to Migrant Housing law and increased funding for more inspectors.
- Increased notice period for termination of leases for manufactured home lot leases for no cause and for conversion of park to another use.
- Played key role in passing a number of consumer friendly bills related to the foreclosure process and the rights of tenants in foreclosed properties.
- Played key role in passing legislation that reversed two NC Supreme Court decisions that made it harder for borrowers to sue for illegal lending practices.

- Played key role in securing worker protection reforms after the Hamlet tragedy, including adoption of REDA and more OSHA inspectors.
- Obtained simplified process for legal services clients and recipients of public assistance to be designated as "indigent" and have filing fees waived.