

# INVEST IN JUSTICE

*The Annual Access to Justice Campaign of  
Legal Aid of North Carolina (LANC)*



LIFE-ALTERING SOLUTIONS TO  
CRITICAL LEGAL ISSUES FOR FAMILIES

*Our communities. Our state. Only with your help.*

 LEGAL AID OF NORTH CAROLINA

[www.legalaidnc.org](http://www.legalaidnc.org)

## LANC Client Stories



### Protecting the Elderly

An elderly widow named Anne Henderson was shocked when she received a loan payment booklet in the mail for a home equity loan that she had not authorized. To make matters worse, she was then served with a Notice of Foreclosure Hearing. Since the death of her husband, emotional issues and an inability to care for herself had caused her to live with her niece. She then suffered a broken hip and was not able to think clearly due to strong pain medication. The niece, who was a professional “house flipper,” came up with a scheme to “trade” houses. She made improvements to Mrs. Henderson’s home with plans of selling it. When she got into serious financial straits, she engineered a home equity loan in her elderly aunt’s name and then paid her own debts with the entire credit limit of the loan (\$68,000). The LANC office in Sylva appealed the foreclosure sale order and filed a Superior Court lawsuit against the niece and the bank. An injunction was awarded to stop the foreclosure process. As a result of the court mediation proceeding, the niece was required to repay the loan proceeds to the bank. Her aunt was allowed to keep her home free of the home equity loan, which was extinguished—while paying the bank a fair amount for the improvements that had been made to her home.

### Protecting the Rights of Workers

Harold had worked full-time as a truck driver before he was terminated, and attorneys in our LANC office in Greensboro had recently won an unemployment benefits case for him. Shortly after that case was won, a rising second-year law student and LANC-Greensboro summer intern took note of the small amount of unemployment benefits Harold had received; he was given 13 weeks of benefits at the rate of \$75 per week, rather than a larger benefit amount for a full 26 weeks. Further investigation revealed that Harold’s former employer had improperly and significantly underreported wages that he had earned as an employee.

A letter with Harold’s W-2 form and paycheck stubs showing average monthly wages was sent to the Employment Security Commission, who then agreed to revise the benefits calculations. His weekly benefit amount has been increased to \$494, which he will receive for 26 weeks. This means that Harold will receive over \$9,000 of additional funds during the initial 26-week period. Moreover, he will be eligible for whatever extensions are available after that period. This case is another example of the many ways in which LANC makes a positive difference in the lives of working people.



---

## Protecting Victims of Abuse

Mary's husband abused her throughout their 10-year marriage. The abuse ranged from beatings to attempted forced intercourse at gunpoint. One night, Mary's husband came home from a night of drinking and demanded sex. She locked herself in the bedroom, but her husband picked the lock with a knife and both assaulted and threatened to kill her. Mary called the police, and her husband fled the scene. She did not press charges but did seek a protective order. After she obtained an ex parte order, her husband returned to the marital home and beat her severely, leaving bruises and handprints on her. Mary attempted to flee with their three children, and her husband tried to back their automobile into their three-year-old son. He was arrested and charged with two violations of the ex parte order, assault on a female, and two counts of attempted murder. We represented Mary at the hearing to obtain a Domestic Violence Protective Order. We were successful in obtaining an order that met all of Mary's desires, including full custody of the children with no visitation for the husband.



---

## Protecting the Rights of Disabled Kids

Johnny is a 12th grade student with multiple disabilities that affect his education. His most debilitating disability is Central Auditory Processing Disorder (CAPD), which interferes with his ability to understand and process both oral and written information. Federal law requires that schools modify and adapt their instruction so that he is able to make educational progress.

While in elementary school, Johnny received the special education services that federal law requires and did well. His teachers referred to him as a “very smart little boy” who “tries hard” and “is a delightful student.” Johnny worked hard, and by the 5th grade, he was reading at a 3rd grade level. Once he began middle school, school officials unilaterally decided to stop Johnny's speech and language therapy and intensive services. He stopped progressing.

Fast-forward to high school: Johnny had not received speech-language services in years, and his CAPD still affected his ability to understand and process information. Yet instead of providing the individualized instruction that he needed, Johnny's teachers gave him binders full of worksheets to complete by himself. As an 11th grader, Johnny was still struggling to read at a 3rd grade level—the same level he had achieved back in 5th grade. Yet when he expressed interest in appropriate educational books, teachers took them away from him. He was required to read a mature book titled *Monster*, in which the main character—a young black male like Johnny—deals with overwhelmingly complex issues of abuse, violence, race, and prejudice. In this environment, Johnny's grades and self-esteem plummeted.

LANC's Advocates for Children's Services (ACS) became involved when Johnny's mom called to ask for help in getting him the services he needed. We investigated and found the school wasn't even following the individualized education plan they had created for Johnny. They had disregarded recommendations given by their own psychologists and other independent specialists. The environment was toxic for Johnny, and his motivation was almost totally destroyed.

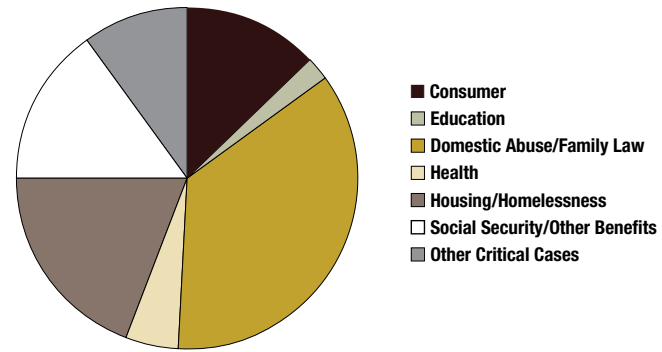
We filed a petition on behalf of Johnny, citing violations of federal law. We negotiated with the school district to have him transferred to a new school for a fresh start for his senior year. Johnny received individualized tutoring and speech-language services over the summer to help catch him up. He will continue the tutoring at a private program during the school year, and his individualized education program will be revised to reflect his needs and appropriate special education services.



## Our Mission

Legal Aid of North Carolina is a statewide, nonprofit law firm that provides free legal services in civil matters to low-income people in order to ensure equal access to justice and to remove legal barriers to economic opportunity.

## Legal Aid of North Carolina Case Types—2008



Total Number of Cases Closed in 2008: 23,264

## How You Can Invest in Justice

To make a contribution, please visit [www.legalaidnc.org](http://www.legalaidnc.org). For more information about volunteering your pro bono services, please call 919.856.2564 or visit [www.probono.net/nc](http://www.probono.net/nc).

Legal Aid of North Carolina, Inc.  
224 South Dawson Street  
PO Box 26087  
Raleigh, NC 27601

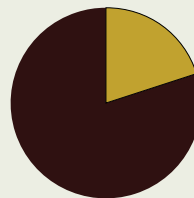
Phone 919.856.2564  
Fax 919.856.2120



## Why Legal Aid Matters

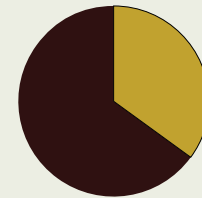
All North Carolinians deserve justice...regardless of income. But thousands cannot afford to pay an attorney. Legal aid attorneys help people with civil (non-criminal) legal matters when they have no other place to turn. These attorneys are a critical part of the safety net of the community. But, there is only one legal aid attorney for every 15,500 low-income people. In contrast, there is one private attorney for every 442 North Carolinians. Nationally, 80% of the civil legal aid needs of the poor go unmet.

Ability of Low-Income North Carolinians to Secure Representation in Civil Legal Matters



- 20% successfully secure representation
- 80% are unable to secure representation

North Carolinians Qualifying for Assistance from Legal Aid Agencies



- 35% qualify (3.1 million)
- 65% do not qualify (5.7 million)

Source: North Carolina Equal Access to Justice Commission

LANC Sponsors

