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R. Yvette Stackhouse, Esq.
Managing Attorney

Providing free legal services in civil (non-criminal) matters to low-income people primarily in Davie, Forsyth, Iredell, Stokes, Surry and Yadkin Counties.



www.legalaidnc.org/WinstonSalem

First since consolidation

A2J Campaign initiated in Winston Salem

Legal Aid of NC's first annual Access to Justice (A2J) Campaign in Winston-Salem ran from December 2009 – May 2010 and has been a great success.

While LANC's A2J campaigns have been around for years in North Carolina, this is the first major A2J Campaign in Winston-Salem since the consolidation of LANC and Legal Aid Society of Northwest NC in July 2008.

Private attorneys, a large law firm and a local foundation have all contributed to the success of the LANC-Winston-Salem Office's 2009-10 A2J Campaign, raising upwards of \$62,000.

The A2J Campaign helps

raise operating funds for Legal Aid of NC.

Winston-Salem attorneys and LANC Board members **Celeste Harris** and **Paul Shepard** have spearheaded the Winston-Salem A2J Campaign.

"We decided to take a 'chain letter' approach in our community," noted Shepard. "We each call five attorneys we know and ask them to donate to this important cause. We also ask that they do the same with five attorneys whom they know. Our goal next year

"Our goal next year is to have 100 attorneys from our area donating to LANC's Access to Justice Campaign."

- Paul C. Shepard, Esq.

is to have 100 attorneys from our area donating to LANC's A2J Campaign."

A Winston-Salem law firm,



Winston-Salem attorneys Celeste M. Harris and Paul C. Shepard have spearheaded the LANC-Winston-Salem Office's 2009-10 Access to Justice (A2J) Campaign.

Womble Carlyle Sandridge & Rice (WCSR), has donated an unprecedented \$50,000 to LANC's statewide A2J Campaign this year.

"Supporting Access to Justice is an obvious way we can give back to society as attorneys," said **Cal Adams**, a partner at WCSR and the statewide co-chair of LANC's Access to Justice

(Continued on page 3)

"Associates' Drives" coming to the Triad

This summer, LANC will initiate the first annual **Triad Associates' Drive**, which will offer the legal community in the

Triad area a chance to create a culture of giving and involvement for younger firm attorneys.

Several Winston-Salem law firms (including Womble Carlyle Sandridge & Rice) are planning to participate in the Triad Associates' Drive, which will run **July 15th – August 31st, 2010**.

Steve Russell, an Associate with Smith Moore Leatherwood, LLP in Greensboro, is coordinating the effort throughout the Triad.

"This campaign is about

cultivating a culture of giving to legal services agencies by younger generation of attorneys," stated Russell. "Our focus is on donors, not dollars. While we greatly appreciate every dollar received this year, a lifetime of giving from new donors will mean much more to the community."

"After all, LANC is our legal counterpart, serving low-income clients in our area. Their work makes our Triad communities better places to live and work."



What are "Associates' Drives"?

Associates' Drives are peer-to-peer communications that provide law firms opportunities to involve their newer attorneys in the work and mission of Legal Aid of NC (LANC).

Typically, a law firm annually appoints a "AD Coordinator," who is charged to personally contact his/her firm's associates over a six-week period.

The AD Coordinator is charged to: 1) raise awareness and money for the work of the local LANC office; and 2) make friends for LANC — friends who will continue to give and/or volunteer throughout their legal careers and lifetime.

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LANC NEWS

is the newsletter of Legal Aid of North Carolina (LANC). Send comments to: *LANC News*, Legal Aid of NC, 224 South Dawson Street, Raleigh, NC 27601. Editor: Dock Kornegay; Executive Director: George R. Hausen, Jr., Esq. Legal Aid of North Carolina is a nonprofit [501(c)3] law firm that provides free legal services to low-income persons in North Carolina through 24 field offices and six statewide projects.

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Update from Yvette...

"Not Quite Enough"

R. Yvette Stackhouse, Esq.
 Managing Attorney, LANC-WS Office



Last year our office closed over 1,400 client cases. The legal issues involved everything from representing a domestic violence victim to predatory lending, defending foreclosures, fighting to secure government benefits, securing disability and Medicaid benefits, and defending tenants from possible homelessness.

We did quite a bit. But based on the great need, it's not enough.

Our front desk answered more than 57,400 calls last year and processed at least 2200 people through our reception area.

That was no small feat for a support staff of only four, that also screens

applicants, opens and closes files and processes daily work.

Of the more than 2200 people who came to our front desk, many attended the pro se (self-help) clinics we offer to those we do not have the resources to represent or who do not qualify for our services. Those clinics include: the re-entry clinic for ex-offenders, the Medicaid clinic for those persons seeking disability benefits, the Landlord/Tenant clinic for those appealing evictions at summary ejection hearings, and the exemptions clinic for those who have money judgments against them and are trying to protect their real and personal property.

But even with all of the assistance listed above, it's still not enough.

With every case that we accept, it is our obligation to give good legal advice. There are times that the client wants us to do more than give advice. Sometimes the merits of the cases demand we use our limited resources to go to hearings, settlement negotiations to trial, and more. Other times, the evidence isn't strong enough to do more than give advice. But many times, we cannot even consider taking the case, so we have to say 'no' on the front end.

An example of this is custody cases, despite the growing need to represent more and more parents. While we are able to assist clients with children who are in crisis because of safety issues related to domestic violence, we are not able to take other custody cases--no matter how compelling the facts or meritorious the

claims. We just don't have enough staff and resources to do it.

For those whose cases we cannot accept beyond advice, they ask why can't we see "this" issue is more important than "that" issue. Perception is everything to those being served or NOT being served. But objectivity and data, coupled with our mission and available resources, must also weigh in on how we determine our priorities in using those resources.

Legal Aid's main goals are to prevent homelessness, assist clients in receiving income maintenance (that supports having shelter and food to eat) and provide some measure of safety for those with a home. In order to do this we help protect folks by helping them obtain 50B orders; we help folks appeal food stamp denials and Work First terminations; we help folks maintain their housing through defense work with foreclosures and tenancy issues; we represent folks at Employment Security Commission (ESC) hearings; and we protect the little bit of assets and income clients have through judgment collection work and addressing predatory lending issues.

When you add it all up in one year, it equals more than 1,400 client cases closed, six counties covered, hours and hours of legal research and work done and -- we all agree -- it's still not enough.

You may be wondering what can be done. Can you make a difference? The answer is always: Yes you can!! You can volunteer and/or donate to us directly through our **Access to Justice Campaign**.

If you are an attorney, please take a pro bono case.

If you are a college student or maybe a "Citizen Joe/Josephine," please volunteer your time to assist with the many projects we have to support the legal work we do.

And, if you can't volunteer, then maybe you have funds to donate for support of our overall mission: "to provide 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."

Think about it. It'd be great to have more than enough to fight the good fight.



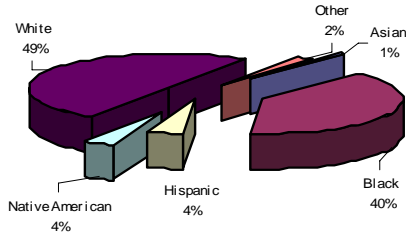
For more information about the Legal Aid of NC-Winston-Salem Office or to volunteer to help, visit our website at:

www.LegalAidNC.org/WinstonSalem

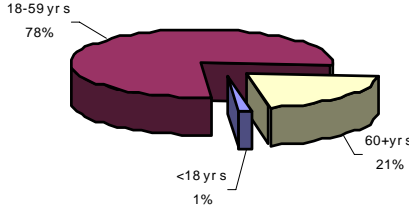
Communities and Cases of Legal Aid of NC

Legal Aid of North Carolina (LANC) provides high-quality legal services and access to justice to help meet the legal needs of approximately 3.5 million financially eligible North Carolinians (over 34% of the state's total population of 9.2 million people) whose household incomes fall below 200% of the federal poverty guidelines. Of that total, almost one million are over the age of 60 and many are disabled and homeowners. The majority of poor households are headed by females. In 2009, the median income of LANC clients was approximately \$11,000, which is significantly less than the living wage of \$25,626 determined by the NC Justice Center.

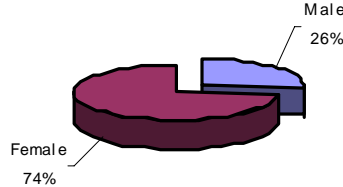
Ethnicity of Clients Served



Age of Clients Served



Gender of Clients Served



Access to Justice (Continued from page 1)
 Campaign. "Who knows the value of legal services more than we do? I am proud to say that I support the Campaign both as an individual and through the significant contributions of our firm."

LANC staff and volunteers will soon be gearing up to start the 2010-11 Statewide A2J Campaign, which will kick off in


December and work towards a fundraising goal of \$1.5 million across the state over three years.

For more information on the LANC Access to Justice Campaign, go to the LANC website's A2J webpages at:

www.legalaidnc.org/public/give/access_to_justice



About Legal Aid of NC

As the only Legal Services Corporation (LSC)-funded program in North Carolina,  Legal Aid of North Carolina (LANC) provides free, community-based, civil legal services in all 100 counties of North Carolina to those whose income falls below 125% of the federal poverty guidelines:

Size of Family Unit	Maximum Income Level*
1	\$ 13,538
2	\$ 15,613
3	\$ 22,888
4	\$ 27,563
5	\$ 32,328
6	\$ 36,913
7	\$ 41,588
8	\$ 46,263

* [The figures in this table represent 125% of the poverty guidelines by family size as determined in 2009 by the US Department of Health & Human Services.]

LANC provides legal representation and counseling in civil (non-criminal) cases only.

Because of limited resources, LANC's cases are generally limited to those that impact clients' basic needs, including housing, access to medical care, protection from domestic violence, consumer protection and subsistence income.

LANC of NC receives funding from LSC (50%), the NC General Assembly (25%), and IOLTA (Interest On Lawyers' Trust Accounts; 12%). The remaining funds come from Title II funds for Older Americans, United Way, local governments, individual attorneys, foundations and other grants.

Legal Aid of North Carolina offices also recruit and coordinate private attorney (*pro bono*) volunteers through local volunteer lawyers programs (VLP's).

For additional information on Legal Aid of North Carolina (LANC) and its offices, visit the LANC website, www.legalaidnc.org.

Thanks to those from Winston-Salem who have given to the 2009-10 A2J Campaign:

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LEGAL AID NC



**Frequently
Asked
Questions**

The Foreclosure Process

What to Expect and Ways to Avoid It

[Note: If you are facing foreclosure, contact a housing counseling agency and/or an attorney *immediately*. Programs and resources are available to assist you in these difficult times. You may be able to save your home!]

Question: What is the “foreclosure process” in North Carolina?

“Foreclosure” is a legal process where a lender seeks to take ownership of property when the homeowner/borrower is in “default” (or behind in making payments). The lender may actually take ownership of the property and usually sells it to pay off the debt. In a foreclosure, the homeowner (borrower) loses whatever rights she/he had in the property. The “deed of trust” is the loan document that gives the lender authority to sell the property if the homeowner/borrower defaults or stops making payments. These are called “non-judicial foreclosures” since they do not require a court lawsuit or a court order. In North Carolina, the foreclosure process goes through the court if there are title problems. In these cases, a lawsuit is filed to obtain a court-ordered foreclosure.

Question: How long does the foreclosure process take?

Typically, the foreclosure process takes three to four months.

Question: What are the steps that lead to foreclosure?

1. Payments are “delinquent”

You are required to make your mortgage payments by the due date. If payment is not made within the grace period it is considered delinquent.

2. Notice of delinquency

A late fee is charged if the payment is late. When this happens, the homeowner/borrower may start getting phone calls demanding payment. The lender sends a “notice of delinquency.”

3. Second Notice of Delinquency

If the loan continues in default after 30 days, the lender may send a second notice of delinquency or default. This notice may show up in your credit report and the account will be consid-

ered delinquent.

4. Demand letter

The lender or service agency may send a demand letter (a letter that demands the total amount due with late fees and interest) for all the missed monthly payments together with all fees and interest that have built up.

5. Acceleration

When a loan is 60 days or more past due, the lender *may* initiate the “acceleration process.” Acceleration of the loan means that the lender does not accept partial payments or even all of what is past due. The lender will then require that the *entire amount of the loan is due in full*, and the lender will not take anything less.

6. Foreclosure process

Once the loan is accelerated, the service agent or lender refers the loan to the foreclosure department. An attorney or law firm becomes involved. This is significant because when this happens, attorney fees become part of the fees due. The average fee that will be added to the total amount due is \$2,000. *At this point, the foreclosure process starts.*

Question: What is the legal process of foreclosure?

a. The homeowner/borrower receives a Notice of Foreclosure Hearing

Before the foreclosure sale can take place, a hearing is held in front of the county clerk of court. At least 10 days before the hearing, the lender must send a notice of hearing to the homeowner/borrower. The lender may also post a notice on the homeowner/borrower's door, but must give 20 days notice. The notice provides the homeowner/borrower with information about the total amount owed plus expenses. It also lists the date and place of the hearing and the date and place of the sale, if a sale is to occur.

b. Foreclosure hearing in front of the Clerk of Superior Court

The clerk determines whether a sale will take place. The lender has to present evidence to the clerk that 1) there is a

debt; 2) that the homeowner/borrower is in default; 3) that the deed of trust provides for a non-judicial power of sale; and 4) that proper notice has been given to the parties who are entitled to receive notice of foreclosure.

c. The Clerk orders the sale of the property and issues a “Notice of Foreclosure Sale”

If the answer is “yes” to all four questions listed above, then the Clerk signs an order of foreclosure and issues a notice of the foreclosure sale. The Notice of Foreclosure Sale must be posted in a public place in the courthouse in the county where the property is located at least 20 days before the sale. The notice of same is also published in a local newspaper once a week for two weeks, and the last publication cannot be more than 10 days before the sale. *You may appeal the Clerk's decision* to Superior Court if you disagree with his/her decision based upon the four questions discussed above. You must appeal within 10 days of the date the foreclosure order is signed. An appeal bond, generally 1% of the principal balance of your loan, is required to appeal. However, the Clerk has the discretion to require a lesser amount under certain circumstances.

d. The property is sold at a “Foreclosure Sale”

After all the notice requirements are met, the sale is conducted at the courthouse. The property is sold to the highest bidder. If the sale is postponed, a new notice is posted in the court house with the new date.

Question: When is the sale?

Your deed of trust contains information about the place of the sale and the process that must be followed. Generally, you will have at least 20 days after the hearing before sale is to occur. A notice of sale must be mailed to the last known address of the homeowner/borrower and posted in a public place at the county courthouse at 20 days before the sale date.

(Continued on page 5)

**Frequently
Asked
Questions**

The Foreclosure Process

What to Expect and Ways to Avoid It

(Continued from page 4)

Question: What happens after the sale?

After the sale, there is a 10-day "upset bid" period that permits others to outbid the previous highest bidder. During this period, the homeowner can "redeem" by paying the full amount due to the lender, plus costs and fees.

Question: When do I have to move out?

If you do not move out voluntarily, then the new owner may issue a 10-day notice to you to vacate or move out of the property and surrender possession. At the end of the 10-day period if you have not moved out, the new owner can file a Writ of Possession to have the sheriff padlock you out of the property within about a week after posting notice of padlocking.

Question: Are there options available other than a foreclosure?

Yes; some common alternatives include:

a. Sell your house before the foreclosure date. This is usually hard to do.

b. Deed in lieu of foreclosure

An owner/borrower can offer to give the lender a deed to the property instead of having the lender foreclose. This approach is generally advisable when the owner has no equity and cannot refinance or sell the property. If the bank/lender accepts the deed, the house will not be foreclosed upon and the lender will not report a foreclosure on your credit report. This option also allows the homeowner/borrower to avoid a deficiency judgment.

c. A short sale

A "short sale" is when the lender accepts less than the full amount due on the loan to avoid a possible foreclosure. For example, an owner/borrower who is facing foreclosure has an existing loan of \$300,000. The lender accepts an offer of \$250,000 as full payment of the loan. You should also request that the lender not report a foreclosure on your credit report. This option also avoids a deficiency judgment.

d. Chapter 13 Bankruptcy Petition

A bankruptcy petition may be filed as late as within 10 days after the sale of your home. However, you must have enough steady income to pay your monthly mortgage payments, your mortgage payments in arrears, and any other debt you include in your plan within a 60-month period, including administrative fees associated with the filing.

Question: What is a deficiency judgment?

A "deficiency judgment" is a court judgment for the balance on the loan remaining after the sale has occurred. When the lender sells the property, those proceeds are applied to the balance of the loan. If the sale brings less money than what is owed to the lender, then the borrower owes the difference. For example, if you owe \$100,000 on the home, and the lender sells it for \$75,000, you still owe the lender \$25,000. This amount is the "deficiency." The lender may sue the owner/borrower for the deficiency, if any.

Question: After the sale, could there be money left over for the homeowner/borrower?

Yes, it is possible, though unlikely. If there are proceeds left after paying the balance of the loan, expenses of sale, attorney fees, and any other liens on the property, then the homeowner/borrower has the right to claim them. To find out if there is a balance left after the sale, the homeowner/borrower should review the trustee's report filed with the clerk of court.

This article is a compilation of pamphlets and articles by Legal Aid of North Carolina advocates. For additional information regarding foreclosure issues, contact your local Legal Aid of North Carolina office.



Comments about foreclosure

This FAQ list takes you through the foreclosure process. However, don't wait until you are in foreclosure to seek help. Act as soon as you miss a payment. The further behind you are in payments, the more difficult it will be to get caught up.

You should contact the lender immediately and try to work out a repayment agreement. Many lenders have a loss mitigation department, which will assign a counselor to speak with you regarding your financial situation. The counselor may be able to work out a payment arrangement or even modify the terms of your mortgage loan. Always keep a record of whom you spoke with as well as the date of your conversation. Also, be sure to open and save all mail you receive from the lender. This will help you determine whether the lender followed the correct legal process. You may also find that the letters contain information about your options to avoid foreclosure.

An increasing number of home-owners are finding themselves unable to make their mortgage payments for a number of reasons. However, there are resources available to help. There are United States Department of Housing and Urban Development (HUD)- approved counselors available to help you. HUD funds free or low-cost housing counselors to assist homeowners/borrowers who find themselves facing foreclosure.

North Carolina also has home protection resources available. If you are in danger of losing your home because of a job loss, the North Carolina Housing Finance Agency administers a Home Protection Program that may be able to help you avoid foreclosure. If you qualify you can receive a zero-interest loan to help you bring your mortgage current and continue to make payments on your loan while you participate in an approved retraining program.

For more information about the Home Protection Program contact the Home Protection Program Counseling Agency in your area. To find what agency is in your area, go to <http://www.nchfa.com> or call 919-877-5690.

Family Law Unit Update

Valene K. Franco, Managing Attorney



The Family Law Unit is pleased to highlight the addition of Staff Attorney, **Kristin R. Kelly**.



Kristin R. Kelly, Esq.

Kelly is a 2008 graduate of NC Central University (NCCU) School of Law and a 2004 graduate of the UNC-Chapel Hill. While at NCCU, she was a member of Phi Delta Phi Legal Fraternity and the Women's Caucus. She also participated in a yearlong family law clinic at Central where she represented low-income clients in absolute divorces, child custody actions and separation agreements. While at the clinic, she also worked in conjunction with family law attorneys in the LANC-Durham Office.

While in law school, she studied comparative family law in Florence, Italy, through a study-abroad program offered by the Pennsylvania State University - Dickinson School of Law. She also served as a Legislative Intern at the Office of the

Governor in Raleigh, NC, where she provided research and analysis for Mike Easley.

Although her parents may quip about the fact that in fourth grade Kristin said she wanted to be a divorce court judge, Ms. Kelly truly has an unwavering commitment to family law practice. Growing up in Wilmington, NC, to a dentist father and devoted homemaker, Kelly's parents were very active and volunteered for many charitable and community organizations. This fostered a charitable spirit in Kelly and her two sisters. She chose to pursue law as a way help the economically disadvantaged and vulnerable members of her community.

Kelly is a patient, caring, and thorough advocate that has a tireless work ethic. Currently, she handles family law cases in Forsyth and Stokes counties. She also conducts divorce and custody clinics in Iredell County. In addition, she is quickly developing a specialty in education access/school enrollment cases which often require an analysis of the custody issues involving the parties and the minor child.

We are pleased to have Kelly as part of our team.

In other news, experienced Family Law Unit Staff Attorney **Stephanie Goldsborough** was featured in the February 2010 edition of the NC Advocates for



Stephanie Goldsborough, Esq.

Justice *Trial Briefs* publication. Goldsborough successfully advocated for a client in a mortgage insurance dispute with CUNA Mutual Insurance Society. The client had lost her job as a city bus driver due to chronic disabling health conditions. CUNA had discontinued the client's benefits and persisted in denying her benefits even after she began receiving disability payments from the government. Goldsborough's astute advocacy resulted in CUNA making a \$9,687.85 lump sum payment to her mortgage company and reinstatement of mortgage insurance payments in the amount of \$838 per month.

As a result of an ever-increasing demand, Goldsborough, like all other family law attorneys in our unit, is handling mortgage foreclosure cases in conjunction with LANC's Mortgage Foreclosure Defense Project.



Want to volunteer ?

The LANC-Winston-Salem Office is looking for volunteers for the following opportunities:

- ▶ Pro bono Attorneys
- ▶ Justice for All Volunteers
- ▶ Court Observation Volunteers
- ▶ Student Interns

Volunteers receive orientation and training by our experienced staff. Volunteers may send resume or interest letter to:

Legal Aid of North Carolina
102 West Third Street, Suite 460
Winston-Salem, NC 27101



For more information,

visit our Internet website for the "LANC-Winston-Salem Office":

www.LegalAidNC.org/WinstonSalem

and click on the hyperlink for:
"Volunteer/Pro Bono Options"

Benefits Unit Update

Lisa Brace, Staff Attorney



The Benefits Unit has been kept extremely busy over this past year. Our unit consists of three advocates (two attorneys and a paralegal) and a legal assistant. We help clients with Social Security, Medicaid, Medicare, Food Stamp, and Work First issues. In 2009 we helped approximately 250 people and won benefit awards totaling \$1,885,061 for our clients.

In addition, our unit also handles drafting advanced directives (wills, living wills, powers of attorney, and health care powers of attorney). We started drafting advanced directives in 2008. Since that time, the program has nearly doubled the amount of documents prepared annually.

Our unit works diligently to make sure our clients get all the benefits that they deserve. One such case involved a law school clinic student from Wake Forest

University. The law student, under the supervision of an attorney, represented a client in a Medicaid hearing. Unfortunately, the hearing officer did not find in favor of our client. However, the student persevered and appealed that decision, only to be denied again. At that point in time, an attorney took over the case and appealed the case yet again, taking the case to Superior Court. The case was remanded. At the upcoming remanded hearing we will once again fight to allow the client to get the benefits she deserves.

Another case that highlights our unit's zealous advocacy for our clients involved an 81-year-old Cuban immigrant who had permanent resident status. The client had been receiving SSI benefits for several years under refugee status through the Immigration and Nationality Act (INA). Under the INA, a person must become a citizen or of the US within a seven-year time span in order to keep receiving SSI benefits. The client had applied for

citizenship during the seven-year window, but because of the severe backlog the application did not make it through the process before the deadline. In addition, during that time the client became incompetent because of severe dementia. The Social Security Administration terminated her benefits because she was not able to become a citizen within the time limitation. We were able to obtain a volunteer pro bono attorney to help the client receive a guardian. In addition, we filed for expedited processing for the client's citizenship. The volunteer attorney also helped the client through the citizenship interview and the client became a US citizen. Our office then assisted the client in obtaining the SSI back payments that had been denied to her and her future benefits were reinstated.

All of us in the unit enjoy the work that we do and are rewarded by seeing the life-changing benefits that we can obtain for our clients.



HEEC Unit Update

Housing, Education, Employment, Consumer Unit
Liza Baron, Managing Attorney



Last year, I wrote in this column that the HEEC (housing, employment, education and consumer) unit of the Winston-Salem office of LANC had become inundated with foreclosure cases. Sadly, foreclosure cases are still coming through our doors in waves, as our economy is still in dire straits.

Last spring, our regional managing attorney **Hazel Mack** helped us secure a one-year grant for the National Mortgage Foreclosure Counseling (NFMC) program, through which LANC hired three full-time staff attorneys (**Craig Burch, Keith Clayton, and John Lawson**) to work solely on loan modification efforts for clients who had difficulties with their mortgage payments. These three attorneys have been working out of the LANC-Winston-Salem Office, handling loan modification cases for clients across the entire state.

However, as that grant year is coming to an end, those three attorneys are no longer accepting new cases. This means that all of the new mortgage cases are again coming to the local LANC staff. Since the HEEC unit cannot handle the volume of foreclosure cases alone, we are still relying on the help of other attorneys in the office from the Benefits and Family Law units. We would also love to receive more help from private pro bono attorneys with prevention of our clients' impending foreclosures.

In addition to pro bono assistance with our cases from private attorneys, this past year our unit began a new **pro bono co-counseling program** in which our staff attorneys partner up with private attorneys to

jointly handle litigation. This is especially valuable to our newer advocates, who benefit from working with experienced private counsel, and it also helps us greatly with cases involving areas of the law outside our realms of expertise. This past year, we had six co-counseling partnerships, in cases ranging from unfit living conditions to mortgage servicing and foreclosure, to Section 8 voucher terminations. Our thanks to those attorneys who gave of their time and expertise in this way.

Another exciting development for the HEEC Unit was the recent legislative change permitting LANC attorneys to pursue **attorney fees**. Since 1996 recipients of Legal Services Corporation (LSC) funding nationwide were prohibited from pursuing these fees as a condition to receipt of their federal funding. Happily, that restriction has now been lifted, and we have already begun requesting these fees, where permitted by law, in housing and consumer cases. While our clients do not actually incur attorneys fees, pursuing them can be a valuable litigation tool that heretofore our clients' opposing parties had access to but our clients did not. And, of course, recovery of attorney fees can help to fund our efforts on behalf of our clients.

From September 2009 to March 2010, our unit had the excellent and generous help of **pro bono attorney John Bumgarner**, a new Vanderbilt University School of Law graduate who worked with us full-time and on a pro bono basis for five months while waiting for his position with Dechert LLP in Charlotte to begin. John handled primarily unemployment compensation cases for us, and quickly became quite proficient in that area. We greatly appreciate John's many

contributions to our work and to the lives of our clients. We were extremely fortunate to have him with us, and his absence is sorely missed! To help us keep on top of the tide, **Charlie Hall** of the benefits unit is now assisting us with handling unemployment compensation cases. Thank you, Charlie!

John's and Charlie's help is especially timely, since our unemployment compensation cases have greatly increased in number over the past year, due to the weak economy. To help meet this ongoing need in our office, our HEEC paralegals have also begun representing unemployment compensation clients in their appeals hearings with attorney supervision. This is an exciting new opportunity for them and allows them to gain new advocacy skills and familiarity with new legal issues.

HEEC **Supervising Attorney Emma Clark**, formerly of the LANC-Morganton Office, joined us last May to take over Alicia Edwards' position after Alicia relocated to the LANC-Greensboro Office.



Our unit remains understaffed, as a position vacated in October 2008 remains unfilled due to budget constraints. Our staff attorneys (**Susan Gottsegen, Jeanna McCullers, Kenneth Love, and Marcella Farmer**) and our paralegals (**Samantha Davis, Romany Hines, and Tracy Nicholson**) have a tough job trying to meet the huge volume of our clients' legal needs.

I am grateful for their teamwork, their commitment, and their diligent efforts on behalf of our clients. Thank you also, readers, for your support of our efforts on behalf of our clients.



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Thank You Volunteer Attorneys!!!

On Thursday, March 25, 2010, the LANC-Winston-Salem Office held its third annual *pro bono* celebration to **recognize and celebrate the *pro bono* efforts of our local attorneys.** Gene R. Nichol of the UNC School of Law spoke about his rewarding experiences doing *pro bono* work, and encouraged the private bar members in attendance to get their colleagues involved in *pro bono* work for LANC. Awards were given to **Paul C. Shepard** (Volunteer Attorney of the Year); **Susan Brotherton** (Family Law Volunteer Attorney of the Year, Rural Counties); **Lorraine Mortis** (Family Law Volunteer Attorney of the Year, Forsyth County); **Alton L. Absher, III** (Consumer/Housing Volunteer Attorney of the Year); **Monique Hannam** (Volunteer Law Clerk); and **Womble, Carlyle, Sandridge, & Rice, PLLC, Winston-Salem office** as our *pro bono* law firm of the year. LANC recognized the following *pro bono* attorneys who took one or more cases in 2009:



Paul C. Shepard
"Volunteer Attorney
of the Year"

Katherine Bosken	Adam Drye	Hada Haulsee	Stephen C. Minnich	Robin J. Stinson
Susan Brotherton	Chad Freeman	Greg Higgins	Lorraine M. Mortis	John P. Van Zandt, III
Colleen Byers	Bryan Gates, Jr.	Andrea Kurtz	Kevin Morton	Steve Virgil
Emily Cato	Denise Gold	Frank Leak	Michael L. Robinson	William Walker
Reginald F. Combs	Tripp Greason	Bailey Liipfert	Susan J. Ryan	Michael Wells, Jr.
Lisa Costner	Monica Guy	Scott Lowry	Russell J. Schonekas	
Richard Crouse	Chad Hansen	David P. Mast, Jr.	Paul Shepard	
J. Calvin Cunningham, III	Celeste Harris	Steven A. McCloskey	David Smith	

Also recognized were the following attorneys who **co-counseled** with the LANC-Winston-Salem staff in 2009:

Reginald Combs Ellis B. Drew, III Laura C. Miller Steve D. Moore Michael T. Morlock Cynthia B. Rothschild

For more on the Pro Bono Celebration, visit our website:

www.legalaidnc.org/public/learn/locations/Offices/WinstonSalem/LANCWSCelebratesProbonoEfforts_Mar25_10.aspx

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