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We've formed a new, statewide law firm in North Carolina...

On Monday, July 1, 2002, low-income and elderly North Carolinians were able to access a new law firm: **Legal Aid of North Carolina**.

The new, nonprofit organization is the result of a multi-year planning effort by 15 federally funded, legal services programs and multiple supporting and/or affiliate groups in North Carolina. Legal Aid of NC operates from 25 offices and serves all 100 counties in the state.

"Basically, legal services programs across the state, with their rich histories and traditions of service, have consolidated as one, statewide program," announced George R. Hausen, Jr., Legal Aid of NC's executive director. "We have been charged to be available to serve low-income clients in all 100 counties of North Carolina. With *pro bono* help from the private bar and the dedicated commitment of our staff, we feel that we can make strides toward equal justice in our state."

Legal Aid of NC offers free legal representation in civil matters to low-income North Carolinians whose income falls at or below 125% of federally established poverty levels. LANC may also serve others whose income is below 185% of federally

established poverty levels in cases where a public benefit is at issue.

Field offices are supervised by senior managing attorneys.

Advisory boards will help set substantive law priorities on a local and regional basis. The Legal Aid of NC administrative office is centrally located in downtown Raleigh.

The formation of Legal Aid of North Carolina represents the fulfillment of recommendations provided in a 1998 report from the NC Commission on the Delivery of Civil Legal Services, an independent commission appointed by the NC State Bar and NC Bar Association. That commission suggested that legal services in North Carolina be reorganized as a single corporation governed by a central, statewide board of directors and take advantage of reduced costs through centralized administrative services and state-of-the-art technology.

Over the previous 15 months, a transition board had negotiated the consolidation of the legal service programs' resources, bylaws and corporation status for the new, statewide

See **New law firm** (Continued on page 6)



July 1, 2002
United for Equal Justice
www.legalaidnc.org

NC Bar Association welcomes Legal Aid of North Carolina

Noting the strong ties between the NC Bar Association (NCBA) and legal services programs over the decades, **Allan B. Head**, NCBA's executive director, and his staff welcomed Legal Aid of North Carolina employees on their first day of operation, July 1, 2002.

"This day is a historical day," declared Head at the Legal Aid of NC's Administrative Office in Raleigh, "and will serve as a major step forward for low-income people and the legal community in North Carolina. Certainly the NC Bar Association is proud to be a part of the consolidation of

See **NCBA welcomes** (Continued on page 7)



"Chef" Allan Head (r) of the NC Bar Association (NCBA) cuts the welcome cake along with **George Hausen** (middle) of the new Legal Aid of NC, as **Michael Hamden** (l) of NC Prisoner Legal Services looks on. The NCBA sent welcome packages to all new Legal Aid employees on the July 1, 2002, the first day of operation for Legal Aid of NC.

LEGAL AID NEWS is published quarterly by Legal Aid of North Carolina. Please send comments to:

Legal Aid of NC, 224 South Dawson Street, Raleigh, NC 27601
 Editor: Dock Kornegay, 919/856-2564
 Executive Director: George R. Hausen, Jr., Esq.

Legal Aid of North Carolina is a nonprofit, 501(c)3 organization that provides legal services to low-income persons in North Carolina and operates through **25 field offices** and **four statewide projects**:

- Ahoskie Office**, 610 East Church Street; 252-332-5124
Senior Managing Attorney: Reynauld M. Williams, Esq.
- Asheville Office**, 184 East Chesnut; 828-236-1080
Senior Managing Attorney: Angeleigh Dorsey, Esq.
- Boone Office**, 171 Grand Boulevard; 828-264-5640
Senior Managing Attorney: Charlotte Gail Blake, Esq.
- Charlotte Office**, 1431 Elizabeth Avenue; 704-971-2621
Senior Managing Attorney: Theodore Fillette, Esq.
- Concord Office**, 133 Union Street; 704-786-4145
Managing Attorney: Judy Newbold, Esq.
- Durham Office**, 212 North Mangum Street; 919-688-6396
Senior Managing Attorney: Gina Reyman, Esq.
- Fayetteville Office**, 157 Gillespie Street; 910-483-0400
Senior Managing Attorney: Dale G. Deese, Esq.
- Gastonia Office**, 111 East Third Ave, Ste 200; 704-865-2357
Managing Attorney: Lory Bittner, Esq.
- Goldsboro Office**, 102-A South William Street; 919-731-2800
Senior Managing Attorney: Hazel Mack-Hilliard, Esq.
- Greensboro Office**, 122 N. Elm St, Ste 700; 336-272-0148
Senior Managing Director: Ronald B. Halpern, Esq.
- Greenville Office**, 427 W. Evans Street; 252-758-0113
Senior Managing Attorney: Evan Lewis, Esq.
- Hillsborough Office**, 114 West Corbin Street; 919-732-8137
Senior Managing Attorney: Gina Reyman, Esq.
- Lexington Office**, 6-B Fourth Street
Senior Managing Attorney: Ron B. Halpern, Esq.
- Morganton Office**, 211 East Union Street; 828-437-8280
Senior Managing Attorneys: Barbara Degen & Andrew Cogdell
- Monroe Office**, 100 West Jefferson Street
Managing Attorney: Judy Newbold, Esq.
- New Bern Office**, 213 Pollock Street; 252-637-9502
Senior Managing Attorney: Evan Lewis, Esq.
- Pembroke Office**, East Main & 2nd Street; 910-521-2831
Senior Managing Attorney: Dale G. Deese, Esq.
- Raleigh Office**, 219 Fayetteville St. Mall, 1 Exchange Plaza, Ste 810
Senior Managing Attorney: Victor J. Boone, Esq.; 919-828-4647
- Rocky Mount Office**, 148 S. Washington St, Ste 105
Senior Managing Attorney: Hazel Mack-Hilliard, Esq.; 252-442-0635
- Sanford Office**, 133 South Horner Boulevard; 919-774-6241
Senior Managing Attorney: Victor J. Boone, Esq.
- Smithfield Office**, 312 South Third Street; 919-934-5027
Senior Managing Attorney: Victor J. Boone, Esq.
- Sylva Office**, 1286 West Main Street; 828-586-8931
Senior Managing Attorneys: James Holloway & Larry Nestler
- Wilmington Office**, 201 N. Front St, Ste 1002; 910-763-6207
Senior Managing Attorneys: Richard M. Klein & James J. Wall
- Wilson Office**, 409 North Goldsboro Street; 252-291-6851
Senior Managing Attorney: Hazel Mack-Hilliard, Esq.
- Winston-Salem Office**, 216 West Fourth St; 336-725-9166
Managing Attorney: Liza A. Baron, Esq.

Statewide Projects (4):

- ♦ **Advocates for Children's Services**, Raleigh, 919-865-7200
Senior Managing Attorney: Lewis Pitts, Esq.
- ♦ **Domestic Violence Initiative**, Raleigh, 919-865-7200
Project Director: TeAndra Miller, Esq.
- ♦ **Environmental Poverty Law Project**, Hillsborough, 1-800-398-5437
Project Director: Melany Earnhardt, Esq.
- ♦ **Farmworker Unit**, Raleigh, 919-856-2180
Senior Managing Attorney: Mary Lee Hall, Esq.



From the Executive Director...

Welcome to Legal Aid of North Carolina

On Monday, July 1, 2002, we began the operation of Legal Aid of North Carolina. We all need to know the expectations of what will occur during the coming months.

Beyond what is needed to ensure that clients, the bar, and the general public know our new name, most of you will not notice any immediate change in the operation of your office.

Our colleagues in Charlotte, Winston-Salem, and, to some extent, Durham will face somewhat more challenges in the handling of intake and referral, but I think we are prepared to deal with every contingency.



George R. Hausen, Jr.
 Executive Director, Legal Aid of North Carolina

Why we've changed...

A few years ago, our principal funder, the Legal Services Corporation (LSC), issued notice that the independent legal services programs located in North Carolina and funded by LSC should consolidate. Those programs, through the Transition Board, had been engaged in serious negotiations for nearly two years.

Out of that process, Legal Aid of NC has emerged along with unrestricted programs in Charlotte and Winston-Salem and a commitment to provide a full range of services to clients in every county across the state.

Legal Aid of North Carolina now comprise some 220 employees serving all 100 counties through its 25 offices.

We have grouped our offices by regions, as follows: 1.) **Northeast Region:** Ahoskie, Greenville, Goldsboro, New Bern, Rocky Mount and Wilson; 2.) **Southeast Region:** Fayetteville, Pembroke and Wilmington; 3.) **Triangle Region:** Durham, Henderson, Hillsborough, Raleigh, Sanford and Smithfield; 4.) **Triad Region:** Greensboro, Lexington and Winston-Salem; and 5.) **West Region:** Asheville, Boone, Charlotte, Concord, Gastonia, Morganton and Sylva.

As Legal Aid of NC, our size and structure should make us more accessible to clients. The regional structure will permit us to share and deploy resources to a degree that will make the current service boundaries more fluid.

Because we constitute one

organization, there will be much more opportunity for collaboration between offices. Being "out of our service area" will no longer automatically disqualify a client from our services.

Fluid boundaries should mean also that younger attorneys will be able to get more experience in other substantive law areas through co-counseling arrangements with experienced advocates in other offices. Clients will benefit from our increased capacity.

Perhaps the most exciting development of the consolidation process has been the realization of a process wherein clients can be provided a full range of services in a way that has not been possible until now. In the spirit of the 1999 state planning report, "Working Together for the Future," and LSC's Program Letter 2000-7, yet within the confines of the restrictions, Legal Aid of NC intends to work with Legal Aid of Southern Piedmont (Charlotte), Legal Aid Society of Northwest NC (Winston-Salem), the NC Justice & Community Development Center (Raleigh), as well as Pisgah Legal Services (Asheville) to develop an intake and referral protocol that will ensure that 1.) no client is turned away without referral to some sort of service; and 2.) all of our clients receive the service most appropriate to their needs, including referral to unrestricted services in an effortless-for the clients-manner.

Every legal service organization represented on the Planning Council has

See **Welcome** (Continued on page 3)

Welcome (Continued from page 2)

agreed in principal on organizing our work in a way that will maximize effectively our clients' access to the best possible service.

As the largest intake portal for clients in the state, Legal Aid of NC is an essential part of effective access a reality.

Making the change...

No immediate changes are anticipated in staff or management. Other than those changes required in Charlotte and Winston-Salem to effect the consolidation, no changes in staff came as a result of the consolidation. Some offices, including the Administrative Office (Raleigh), will lose staff and delay hiring for those positions. These changes came about for reasons other than consolidation.

Our ability to establish name recognition with the public and the bar is very much contingent upon the consistent use of our "brand" name. Every effort will be made to inform the bar, the judiciary, our legislators and funders about our new name and configuration. Your support also is critical to establishing name recognition.

Information has been sent to each office regarding the standards for letterhead, business cards, signs and other identifying tools that are to be used on all Legal Aid communications to the public and bar. To assist in the establishment of our new name and avoid creating confusion in the public, we have asked all personnel to adhere to all of the logo criteria whenever they answer the telephone, print business cards and correspond with clients and adversaries.

The staff of the Administrative Office worked very hard over the months prior to the consolidation to ensure that the transitions to our new payroll and benefits systems went smoothly. I suppose that only other support staff would fully appreciate the work that has gone on behind the scenes, but I can assure you that there has been much detailed tweaking to ensure that everyone has received appropriate information and guidelines for the transition...including payroll and vendor information.

The staff committees producing personnel policies largely have completed their work. The new Legal Aid of NC Board

of Directors began wrestling with those policies in July with a goal of having final policies in place, including a workable salary scale for all positions, by the end of the year.

Funding....

Simply put, Legal Aid of NC, as one organization, will be funded as one organization. No longer will some programs feast while others famine. We are shedding the old identities for very good reasons. Offices, although still vested with much autonomy, will no longer run in isolation of each other. Raises and other compensation will be calculated and budgeted on a statewide basis.

During this transition period, we will, however, all need to be resourceful, creative and flexible in our approach to our work on behalf of clients. We are in a period in which we are purposely delaying hiring for positions and delaying capital expenses. In this uncertain economy, our major funding sources also have concerns about revenue. Even if we receive additional LSC funds because of population shifts, we can expect a year of belt-tightening throughout 2003.

I am quite confident that we can meet the challenges of potential reduced funding. It must be our objective to increase access and advocacy in spite of declining revenue.

The new consolidation and our funding crisis present us with an opportunity to forsake "the way we've always done it" and to implement reasonable innovations in our service delivery model.

Let's move forward...

We—all of us—now share a piece of each field office's history and have the opportunity to expand our work to help our clients and be united for equal justice across North Carolina.

We have a great challenge before us, and I am privileged to share that journey with each of you. As we move ahead, I hope that each of you will feel free to contact me with your suggestion, concerns and/or questions. I can be contacted at georgeh@legalaidnc.org, or reached by telephone at 919-856-2130.

I am very proud to be a part of an organization with such a storied tradition. Thanks for helping to make this happen.

Welcome to Legal Aid of North Carolina!

Upcoming Events Calendar

November 20-21, 2002

- ◆ 2002 Pro Bono Coordinators Institute
NC Bar Center, Cary, NC

November 22, 2002

- ◆ Legal Aid of NC Clients Council Meeting
Holiday Inn, Fayetteville, NC

December 3-6, 2002

- ◆ Legal Services Task Force Meetings
NC Bar Center, Cary, NC

December 13, 2002

- ◆ Legal Aid of NC Board of Directors Meeting
Durham Wyndham Garden Hotel, Durham, NC

January 31, 2003

- ◆ NC Planning Council Meeting
(Site TBA)

February 14, 2003

- ◆ Legal Aid of NC Board of Directors Meeting
Goldsboro, NC

March 7, 2003

- ◆ NC Planning Council Meeting
(Site TBA)

March 10-13, 2003 (tentative dates)

- ◆ Legal Services Task Force Meetings
NC Bar Center, Cary, NC

June 14-18, 2003

- ◆ NC Academy of Trial Lawyers Annual Meeting
Sunset Beach, NC

June 18-22, 2003

- ◆ NC Bar Association Annual Meeting
Asheville, NC

June 20, 2003 (tentative date)

- ◆ Legal Aid of NC Board of Directors Meeting
Asheville, NC

June 20, 2003

- ◆ NC Planning Council Meeting
Asheville, NC

September 8-11, 2003 (tentative date)

- ◆ Legal Services Task Force Meetings
NC Bar Center, Cary, NC

September 12, 2003 (tentative date)

- ◆ Legal Aid of NC Board of Directors Meeting
Lumberton, NC

September 19, 2003

- ◆ NC Planning Council Meeting
Site TBA)

Job Opportunities - Legal Aid of NC

Job opportunities at Legal Aid of NC are listed on the "Jobs and Internships" webpage on the Legal Aid of NC website:

<http://www.legalaidnc.org/>

Legal Aid of NC is an equal opportunity employer. Minorities, women, the elderly and the disabled are encouraged to apply.

Kilpatrick Stockton associate serving with Legal Aid of NC Law Firm provides unique fellowship in Charlotte office

Lisa Flowers, an associate with Kilpatrick Stockton in Charlotte, will serve a six-month fellowship with Legal Aid of North Carolina beginning in October 2002.

"We selected Legal Aid of North Carolina as the partnering organization for this fellowship," noted **Debbie Segal**, *Pro Bono* Counsel for Kilpatrick Stockton, "because of our excellent working relationship with the Charlotte Office in *pro bono* work."

Flowers will provide legal representation to low-income people in the Mecklenburg County area through the Charlotte office of Legal Aid of North Carolina. She will focus on housing litigation

"Obviously this is a tremendous opportunity for me to gain substantial litigation experience," says Flowers, who is in her third year with Kilpatrick Stockton. "When I was approached about the fellowship, I just said 'Why not?', because it will definitely be a win-win-win situation...for me, for Legal Aid and for my law firm."

Flowers is the first recipient of the Ralph Stockton Fellowship in North Carolina. The fellowship is named in honor of Ralph Stockton, who was a founding partner of the law firm.

"We are honored to be the host office for this extraordinary contribution by Kilpatrick Stockton," said **Ted Fillette**, Assistant Executive Director for Legal Aid of NC, "At the present time, no other law firm in North Carolina has established a fellowship such as this."



Lisa Flowers

Fillette also noted that Flowers has a remarkable history of *pro bono* (volunteer) work during her two years as an attorney in the Charlotte area.

In 2001, Flowers contributed 177 *pro bono* hours and was named the recipient of the 2002 YLD (Young Lawyers Division) Pro Bono Award by the North Carolina Bar Association. She also received the Mecklenburg County Bar 2002 VLP (Volunteer Lawyer Program) Award for her outstanding volunteer work, some of which was in partnership with Legal Services of Southern Piedmont in Charlotte.

"I feel that my legal skills have been improved immeasurably through my *pro bono* experiences at Legal Aid," noted Flowers. "Also, as a parent of three

children, I want to instill in my children the importance of helping those less fortunate. I am honored that Kilpatrick Stockton has asked me to represent the firm in such a significant and meaningful manner."

Flowers received her B.A. from the University of Alabama in 1985, and her J.D. from North Carolina Central School of Law, *magna cum laude*, in 2000. While in law school, Ms. Flowers served as Editor-in-Chief of the *North Carolina Central Law Journal*, Secretary of the Trial Advocacy Board, and also was an active member of the Moot Court Board.

In 2001, Kilpatrick Stockton's Charlotte attorneys donated nearly 2,900 hours of *pro bono* work to organizations such as Legal Services of Southern Piedmont. That averages about 60 hours per attorney, a number Fillette calls unprecedented and outpaces the American Bar Association's recommendation of 50 hours per attorney.

Kilpatrick Stockton LLP is a full service international law firm with more than 500 attorneys in offices in Atlanta and Augusta, GA; Charlotte, Raleigh and Winston-Salem, NC; Washington, DC; Miami, Florida; London, England; and Stockholm, Sweden. ■

Annual "Access to Justice" campaign runs December-February Legal Aid programs seek support from private firms, attorneys

Legal Aid offices and programs across North Carolina will be reaching out to their communities for support during the annual "Access to Justices" campaign this winter.

"We run the campaign to enhance our capacity to provide free representation in civil matters to low-income families," said **George Hausen**, Legal Aid of NC's executive director. "The *Access to Justice* donations and pledges help us fill the gaps in our struggle for equal justice and demonstrate the strong support of our legal aid programs by the bar."

During the campaign, legal aid staff and advisory board members approach

law firms, businesses and individuals for support. The requests are made through mailings, telephone calls and presentations.

"All donations made during the annual campaign can be designated," added Hausen. "This means that local donations and pledges can go toward support of legal aid within the local community."

In efforts to encourage donations in the rural, less populated areas of North Carolina, IOLTA is again providing "Rural Incentive Grants." These grants provide additional funds to those offices that achieve specified fundraising goals

during the 2002-03 "Access to Justice" campaign.

"IOLTA's support for this campaign is greatly appreciated," remarked Hausen, "and is another example of how strongly the legal community in North Carolina supports our work for equal justice."

The seven Legal Aid of NC offices that are eligible for the IOLTA Rural Incentive Grants include: Ahoskie, Boone, New Bern/Greenville, Morganton, Pembroke, Sylva and Wilson.

The annual "Access to Justice" campaigns have raised nearly \$1.8 million statewide over the past 11 years.

See **Access to Justice** (Continued on page 11)

Clifton Everett Community Lawyer Fellowships An opportunity to make a difference...

Clifton W. Everett, Sr. Community Lawyer Fellowships have been offered annually since 1992 as one-year staff attorney positions that serve low-income people who live in rural areas.

Everett Fellows are selected based on their legal abilities and their demonstrated commitment to social justice.

Everett Fellows must be dedicated to making the legal system responsive to those who have been marginalized by both poverty and geography.

Each Everett Fellow must be ready to accept the challenging and rewarding tasks of a full-fledged attorney who serves rural communities.

Each Everett Fellow is responsible for handling a general caseload in the traditional areas of poverty law practice



Jennifer Lee (Columbia Law School, '98) served as a Clifton Everett Fellow in the Farmworkers Unit in 2001-02.

and focusing on clients who live in rural areas. Types of cases usually involve housing, employment, consumer, domestic and/or public benefit issues.

The Everett Fellowship provides an excellent

opportunity for post-graduates to gain litigation experience and provide valuable service to low-income, rural communities.

The Everett Fellowship typically begins in September, after the law student graduate has sat for the NC Bar exam and received his/her results.

Interviews are performed at the office for which the position is available; however, preliminary interviews may take place at remote locations (such as during on-campus interviews).

The Everett Fellowships are funded by the North Carolina IOLTA Board of Trustees in memory of Clifton W. Everett, Sr., a lifetime resident of eastern North Carolina who served as President of the NC State Bar and as Vice-Chairman and member of the Board of Trustees of the IOLTA Program.

Mr. Everett played a principal role in the creation of North Carolina IOLTA as President of the NC State Bar. He dedicated his life to the extension of justice in rural parts of eastern North Carolina. ■



Iris Peoples Green (NCCU Law School, '01) served as an Everett Fellow in the Advocates for Children's Services project unit in 2001-02.

2003-2004 Clifton Everett Community Fellowships

Legal Aid of North Carolina, Inc. is seeking applications to fill two (2) positions for the Clifton W. Everett, Sr. Community Lawyer Fellowship for 2003-04.

The fellowships will be placed in Legal Aid of NC's field offices located in **Morganton** and **New Bern**.

Everett Fellows must be licensed to practice law in North Carolina when the fellowship begins in September 2003.

Applicants will be expected to have a demonstrated commitment to community service and to be able to relate well to low-income people in a rural setting.

Previous experience as a Martin Luther King, Jr. Intern (summer intern) or as an IOLTA-funded summer intern is a plus.

Applicants are encouraged to apply by **November 20, 2002**; however, the positions are open until filled. Send a cover letter (expressing your interest) and your resume, three references and writing samples to:

**Clifton Everett Fellowship
Legal Aid of North Carolina, Inc.
P.O. Box 26087
Raleigh, NC 27611**

Legal Services Corporation 2002 Poverty Guidelines

As the Legal Services Corporation (LSC) funded program in North Carolina, Legal Aid of NC 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	\$ 11,075
2	\$ 14,925
3	\$ 18,775
4	\$ 22,625
5	\$ 26,475
6	\$ 30,325
7	\$ 34,175
8	\$ 38,025

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

Legal Aid of North Carolina provides legal representation and counseling in civil (non-criminal) cases only.

For additional information on Legal Services Corporation's policies and regulations, visit the LSC website: <http://www.lsc.gov>

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

North Carolina's Legal Services offices and projects work together to recruit, train, mentor and coordinate over 3,700 private attorney (*pro bono*) volunteers through local volunteer lawyers programs (VLP's).

Legal Aid of NC receives funding from LSC (50%), the NC General Assembly (12%), 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.

New law firm (Continued from page 1)

nonprofit organization. The transition board also hired Hausen as the first executive director of Legal Aid of NC. Hausen was formerly the interim executive director of Legal Services of NC (LSNC).

New offices have also been opened in Charlotte, Concord, Gastonia, Monroe and Winston-Salem to provide one-on-one legal services as allowed under federal funding. Legal Services of Southern Piedmont (Charlotte) and Legal Aid Society of Northwest NC (Winston-Salem), will no longer receive federal funding through the Legal Services Corporation and will focus their efforts on advocacy using tools or remedies that are unavailable to federally-funded programs.

The Legal Aid of NC board of directors includes geographically elected client representatives and appointed attorneys serving as representatives of legal associations across North Carolina, including: NC Bar Association, NC State Bar, NC Academy of Trial Lawyers, NCBA Hispanic & Latino Lawyers Committee, NC Association of Defense Attorneys, NC Association of Black Lawyers, NC Gay and Lesbian Attorneys and NC Association of Women Attorneys.

"The broad representation on the Board will be an asset to our efforts to provide equal justice across the state and will set appropriate policy for Legal Aid on a statewide basis," notes Hausen.

Each of the Legal Aid of NC offices already been connected to a web-enabled case management system, which will provide for uniform reporting and information sharing. Additionally, the Legal Aid of NC website, <http://www.legalaidnc.org>, provides a webpage for each of the offices.

"Technology will be a key element toward helping our advocates deliver information to our clients," remarks Hausen, "and should help free our attorneys to practice law." ■

Visit the Legal Aid of NC website:

<http://www.legalaidnc.org/>

Board of Directors elects 2002-03 officers; McElroy named chair, Allison is vice-chair

During a preliminary meeting of the board of directors of the newly formed Legal Aid of North Carolina, **Pender R. McElroy** was elected chair of the board of directors.

McElroy, a partner in the law firm of James McElroy & Diehl of Charlotte, NC, had previously served as chair of the Transition Board for Legal Aid, which had developed the corporate structure for the new, statewide legal aid program.

"Today is a historic day for legal aid in our state," declared McElroy following his election on July 26. "We believe that the decisions that we are making today and this year will provide the firm foundation for an efficient and effective legal services that will serve North Carolina for the next 100 years. Much work has been done by many dedicated people to consolidate legal services programs in North Carolina, and much work will be done this next year."

Other officers that were elected included: **Leo L. Allison** (of United Voices of Efland, Efland, NC) as Vice Chair; **James B. Maxwell** (of Maxwell Freeman & Bowman, P.A. in Durham, NC) as Treasurer; and **Reid C. "Cal" Adams** (of Womble Carlyle Sandridge & Rice, PLLC, of Winston-Salem, NC) as Secretary.

Other directors elected to the Legal Aid of NC's executive committee were: **L. Lynnette Fuller-Andrews** of Sara Lee Corporation, Winston-Salem, NC and **Charles R. Ward** of Lake Waccamaw, NC.

The board of directors also approved the establishment of an "Unrestricted Program Committee," which will promote the cooperation with unrestricted legal service deliver programs in North Carolina. **Glenn A. Barfield** of Barnes Braswell & Haithcock, Goldsboro, NC, was appointed as chair of that committee and will also serve as Legal Aid of NC's representative to the Legal Services Planning Council.

Reid C. "Cal" Adams of Womble Carlyle Sandridge & Rice, Winston-Salem, was appointed chair of the personnel committee.

Additional committees are scheduled to be appointed at the October 11, 2002 board of directors meeting in Charlotte.

The Legal Aid of North Carolina board of directors will meet a minimum of four times a year. Meeting locations (cities/towns) are set annually by the Board of Directors. Meeting sites (usually at hotels or other public meeting sites) are determined at least one month prior to the meeting.

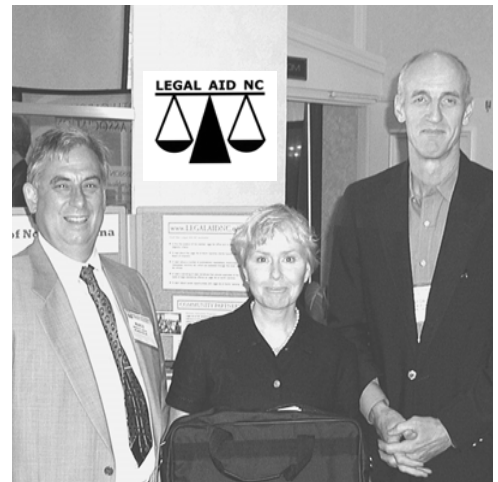
The current schedule of meetings for the next 12 months is as follows:

- December 12, 2002, Durham
- February 14, 2003, Goldsboro
- June 20, 2003, Asheville
- September 12, 2003, Lumberton

Election of officers is scheduled for June of each year. Directors are appointed for three-year terms, with one-third of the board of directors being reappointed each year. ■



Leo L. Allison
Vice-Chair



Sylvia Lamm Locco (above, middle) provided the winning design for the logo (below). Mrs. Locco is the spouse of staff attorney **Marco Locco** (left) of the Wilmington office of Legal Aid of NC. Executive Director George Hausen (right) thanked Mrs. Lamm at the NCBA meeting in Wilmington. More than 60 entries were submitted for consideration.

McElroy receives William L. Thorp *Pro Bono* Award from NC Bar Association

The NC Bar Association (NCBA) presented its 2002 William A. Thorp *Pro Bono* Attorney of the Year Award to Pender R. McElroy at its annual meeting in Wilmington on June 20.

McElroy, an attorney with James McElroy & Diehl in Charlotte, was recognized for service as chairman of the Transition Board for Legal Aid of North Carolina from April 2001-June 2002, as well as an exemplary career of volunteer service to multiple community organizations in North Carolina over the years.

The award was established in 1984 to recognize lawyers who provide exceptional *pro bono* legal assistance to low-income citizens in North Carolina. This year, the award was renamed in memory of "Bill Thorp, a founder of Legal Services of North Carolina.

In presenting the award to McElroy, the NCBA cited the success of the restructuring of North Carolina's delivery system this past year, due in part to the leadership of McElroy as chairman of the Transition Board, which created the structure for the new, statewide program, Legal Aid of North Carolina.

The awards program article reported that McElroy "kept this diverse group on time, on track and by the sheer force of his character, helped them find a consensus....He rolled up his sleeves and performed hundreds of rough hours plowing through myriad, complex and mundane administrative issues with the Transition Board. His efforts will benefit 1.2 million people in North Carolina who are eligible for legal services."

On July 1, 2002, Legal Aid of North Carolina became fully operational and the Transition Board was dissolved. McElroy was then elected as the first chair of the board of directors for the new Legal Aid of North Carolina program.

Congratulations, Mr. McElroy!



Pender R. McElroy

NCBA welcomes (Continued from page 1)
legal aid across our state."

In addition to a cake-cutting, media event in Raleigh at the new Administrative Office of Legal Aid of NC, NCBA staff sent personal congratulations notes to all 25 Legal Aid of NC offices. Included were gifts, such as boxes of "Atomic Fireball" candies with the message "The North Carolina Bar Association thinks you are RED HOT!!!"

"The NC Bar Association has a long tradition of support of legal services programs in our state," remarked **George Hausen**, Legal Aid of NC's executive director, "and serves a vital role in helping us secure volunteer *pro bono* work from the private bar. Our special thanks also goes to Michelle Cofield, who provided administrative support for the Transition Board this past year."

Hausen noted that the NCBA contributed to the founding of many of the legal aid programs in North Carolina (such as Legal Services of North Carolina in 1976). He added that the NC Commission on the Delivery of Civil Legal Services was formed as a joint effort of the NCBA and the NC State Bar during the 1996-98 period. That commission provided recommendations that lead to the formation of Legal Aid of North Carolina.

The NCBA is a voluntary organization with more than 12,500 members, and is the largest organization in the state serving the diverse professional needs of lawyers. Founded in 1899, the NCBA provides programs for attorneys and the general public, including professional support, lobbying on issues of interest to the Bar, continuing legal education programs, legal information materials, the Lawyer Referral Service and support for *pro bono* legal services.

The NCBA also formed the North Carolina Bar Foundation in 1987 to fund worthy projects or activities as well as respond to other legally related needs in the community. Since that foundation has awarded more than \$1.65 million in grants to numerous internal groups and nonprofit organizations (including legal services programs) in North Carolina.

For additional information about the NCBA, visit the NCBA website at:

<http://www.barlinc.org>

Ted Fillette selected for NCBA's "Outstanding Legal Services Attorney" Award for 2002

The NC Bar Association presented its 2002 Outstanding Legal Services Attorney Award to Theodore "Ted" Fillette at its annual meeting in Wilmington on June 20.

Fillette was cited for his work as an advocate for the rights of low-income persons in North Carolina for nearly 30 years. At the time that the award was presented, Fillette was deputy director of Legal Services of Southern Piedmont (LSSP) in Charlotte.

The award was established in 1991 to recognize outstanding work of a legal services attorney in North Carolina.

The awards program article reported that Fillette "who has been a strong and effective attorney for the rights of low-income persons in our state on a consistent basis for nearly 30 years.

"In 1977, the Residential Rental Agreements Act, largely written by Ted Fillette, was enacted by the General Assembly. In 1979, Ted worked on the Retaliatory Eviction Defense Act, which was also enacted by the General Assembly.

"In addition, Ted has been an effective advocate in several areas of public housing, preventing displacement of low-income housing residents through urban renewal without adequate alternative housing. He has also developed community education concepts to increase the number of clients that can be served....

"Ted has also handled consumer, unemployment and several other types of cases in his years at LSSP...."

Fillette is currently an assistant executive director for Legal Aid of North Carolina and serves as the senior managing attorney in the Charlotte office.

Congratulations, Mr. Fillette!



Ted Fillette

Letter to newspaper An Update on 'L.T.'

[Editor's note: The following letter appeared in the 'People's Forum' section of The News & Observer on October 6, 2002.]

Assertive advocacy works. At least for "L.T." it did.

On Aug. 4 you ran a front-page article headlined "Violent youth's therapy stalled." Among other things, it gave a brief overview of our (Advocates for Children's Services—ACS) client known as L.T., who waited over five months in a detention center for an appropriate placement. The lack of concern by the state appalled those fighting for treatment for L.T.

State mental health officials knew the sense of urgency of L.T.'s situation and had ample opportunities to work with local agencies but did nothing until after your reporter caught wind of the systemic problem of children being routinely denied entitled services.

More on...

Advocates for Children's Services

A leader in the fight for children's rights in North Carolina, Advocates for Children's Services (ACS) provides a critical service for children, the most vulnerable segment of our society.

Recognizing that children are citizens with rights, ACS provides free legal advice and representation to children across North Carolina who need medical, psychiatric, special education, or foster care/adoption services. ACS represents children and their *expressed* interests – not the interest of adults.

ACS represents children who have been denied services under "Three Big Federal Promises": (1) Medicaid; (2) Individuals with Disabilities Education Act; and (3) the Adoption and Safe Families Act.

Medicaid is the primary source of health care for low income families with children and children in foster care. In North Carolina, this program is called "Health Check." Medicaid is financed jointly by the federal government and the states. Federal guidelines require that Medicaid cover a broad range of medical and mental health services, including early

Public exposure by the article and by L.T.'s advocates made the state give up its "four-corners" slowdown. The state official in charge, Dr. Richard J. Visingardi, finally agreed to authorize payment. He agreed to create a community-based program for L.T. And Dorothea Dix Hospital, a state-owned facility that previously denied admittance to L.T., agreed to accept him in their acute care unit. L.T. is scheduled to step down to a newly created community-based group home in Raleigh by Nov. 1.

This was exciting news for everyone involved, even though it took extreme levels of advocacy to get L.T. this treatment. The state seems to be constrained by the absence of funding. Its one and only witness in our Medicaid appeal for L.T. testified under oath that in her current position it was her job to slow down if not stop out-of state placement for children like L.T. to give the state a

chance to reform the current mental health system.

Nevertheless, what do we do with children in need of services right now? The majority of these children are not equipped with the entourage (two lawyers, court counselors, judges, guardian, county mental health staff) that L.T. had. Does

"This was exciting news for everyone involved, even though it took extreme levels of advocacy to get L.T. this treatment...."

the state really have the funds to create the needed community services, or is that a ruse to deny

appropriate services until forced to give up the ball? In fact, there is already a funding dispute between the state and the group home that might further delay L.T.'s placement there.

Iris Green

Staff Attorney

Advocates for Children's Services

Legal Aid of North Carolina

Raleigh

CONTACT INFORMATION

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placement decisions for them. Enormous caseloads resulting from inadequate funding make it very difficult for social service agencies to act in accordance with these provisions.

ACS is committed to continuing to bring before the courts and the public examples of the sad reality of system failure and broken promises to children. Because the promises of health care, special education, and safe and permanent homes has never been fully funded at the state or national level, and because children are denied lawyers to assert their rights to such services, there are many sad stories...even despite ACS's efforts. ■

Landlords must provide safe, healthy housing

By Nicole Gooding-Ray, Esq.

If you rent an apartment, mobile home or house, North Carolina law requires your landlord to provide you with a “fit and habitable” home.

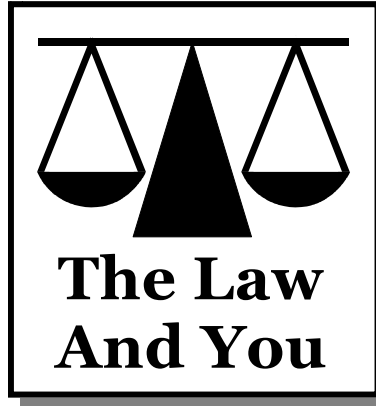
This means that you do not have to put up with water that is contaminated, toilets that do not work, rats, faulty electrical wiring, window and door locks that do not work or other problems that would make the premises an unsuitable place to live.

North Carolina law also requires your landlord to comply with building codes that exist in your city or county. These building codes may put additional requirements on your landlord to keep your home fit and habitable. Local inspection offices enforce building codes, and you should give them a call if you think your landlord is violating the code. The telephone number for your inspection office can typically be found in your local telephone book; sometimes it is listed under the planning department.

If you feel that your dwelling is not “fit and habitable,” let your landlord know, and give him or her the opportunity to make repairs. This is called giving “notice.” It is always better to give the landlord written notice. Write down all of the problems with your home, sign and date the notice, make a copy for yourself and mail it to your landlord. Mail the notice certified mail, return receipt requested and keep a copy of the certified mail receipt and the green return postcard for yourself. This is important in case you have to take legal action to get the repairs done. The court needs proof (the green return postcard signed by the landlord) that your landlord received notice.

North Carolina law also allows

you to call your landlord and let him or her know about the problems – referred to as “oral notice” or “verbal notice” in most circumstances.



However, if you end up taking legal action to get the repairs done, it is difficult to prove that you made a call, which is why it is always better to give written notice. If the needed repair is an emergency, however, call your landlord and do not wait to write the notice.

If your landlord does not respond to your request, seek help. One possible way to get help is by calling your local housing inspection office inspect your home. If the inspector finds any problems, the housing inspection office will send a letter to your landlord and require him or her to make repairs to the premises.

Another way to get help is by hiring an attorney. An attorney can advise you regarding the legal steps you might take in order to ensure that your home in “fit and habitable” condition. An attorney may also be able to help you get back some of the rent you paid while your home was in a bad condition.

If you meet income and asset guidelines (similar to qualifying for food stamps or Medicaid), you may

be able to get free legal assistance by calling Legal Aid of North Carolina. You can find your local Legal Aid of North Carolina office by looking in your phone book or on the Legal Aid website (www.legalaidnc.org), or by calling 919-856-2564.

If you don't qualify for free legal aid, you may need to get a private attorney to help. The North Carolina Bar Association operates a lawyer referral service that can help you find an attorney. The toll-free telephone number for the lawyer referral service is 800-662-7660.

If your landlord does not repair your problem in an emergency situation, you may be able to hire someone to make the necessary repairs and then ask your landlord to pay you back. Do this only after you have notified your landlord of the emergency situation and waited for him or her to respond. Be sure to carefully document every repair that you have made and obtain receipts. If your landlord refuses to pay you back, seek legal help.

Remember that by North Carolina law, renters have the right to a decent, “fit and habitable” place to live. First, demand that your landlord make any needed repairs. If he or she refuses, don't be afraid to ask for help. The law is on your side!

[Nicole Gooding-Ray is an attorney with Legal Aid of North Carolina and serves on the Legal Aid Housing Task Force.



Nicole Gooding-Ray

on the Legal Aid Housing Task Force. “The Law and You” is a syndicated column that is published by Legal Aid of NC and is distributed at no charge to newspapers in North Carolina.]

Urgent request:

Donations requested for operation costs for Allen Johnson!!!

Friends of Allen Johnson across the Triangle Area of North Carolina have joined in a effort to raise funds to help Allen Johnson obtain a liver transplant.

“Much of the transplant costs, including the surgery, will be covered by Medicare,” notes **Gina Reyman**, senior managing attorney of **Legal of NC’s Durham office**. “However, the drugs necessary to keep the body from rejecting the new liver are not covered by insurance. Allen, like most of us, does not have the financial resources to pay the roughly \$50,000+ that will be needed.”

Johnson will receive his liver transplant at Duke University Medical Center as soon as the required funds are available. He must raise \$18,000 by December 31, 2002 in order to stay on schedule for the transplant.

Donations are being accepted through the National Foundation for Transplants (NFT), a nonprofit organization that helps transplant candidates who do not have the insurance coverage or personal savings to pay for their transplant. All donations

made through NFT are tax-deductible.

“All donations, large or small, will be greatly appreciated, and will help to provide the support that is needed now,” noted Reyman. “Every dollar will be used to pay for Allen’s transplant and related expenses.”

Checks should be payable to “National

Foundation for Transplants,” with the added notation that it is for the Allen Johnson Fund. Donations may also be made by credit card (see details on donor slip below) or directly on line through the NFT website, **www.transplants.org** by looking for Allen’s picture on the website featuring North Carolina transplant patients. ■

Friends of Allen Johnson Campaign

Yes, I will help Allen with a donation of \$25 or more. Please send my tax receipt to:

Name _____

Street Address _____

City _____ State _____ Zip _____

I have enclosed a **check** for \$ _____ (Payable to: “National Transplant Foundation”)

Please charge my **credit card** for a donation of \$ _____ to help Allen Johnson

(Circle One): VISA MasterCard American Express

Card # _____ Signature _____

Mail to: **Friends of Allen Johnson, P.O. Box 1032, Oxford NC 27565**

[Or you may make a donation with your credit card on the **National Transplant Foundation** secure website, www.transplants.org. Be sure to indicate that your donation is for **Allen Johnson**.]

Thank you for your generous donation.!

Meet Allen Johnson

Allen Johnson was born fifty years ago in Nash County, North Carolina. He earned a degree in Economics from NC Wesleyan College in 1978 and a Masters Degree in Public Administration in 1982.

The on December 26, 1982, he married Cheryl Bridges of Granville County, NC

Allen's personal commitment to changing the lives of his neighbors for the better dictated the direction of his career. He has worked with municipalities, public and private agencies to provide services for all citizens in the communities in which he and Cheryl have lived.

On November 13, 1996, Allen and Cheryl had their first child, Gabrielle Denise Johnson. Their son, Allen Seth Johnson, III, was born on August 9, 1998.

Allen’s life changed when he was diagnosed with chronic liver disease in 1997. He endured 18 months of treatment designed to slow or possibly reverse his condition. Those efforts failed, and Allen was placed on the National Transplant List in September of 2000. Since that time, he has been receiving regular outpatient treatment at the Duke University Liver Clinic.



Gabrielle, Cheryl, Allen and Seth Johnson

Allen has been disabled since October 1999, and the only income in the household has been Allen's small disability income. Cheryl recently returned to work to help the family address financial concerns.

Though his health has continued to decline in recent years, Allen has endeavored to remain as active as his condition will allow. While living in the tidewater area of Portsmouth, Virginia, he was involved in a variety of efforts designed to strengthen literacy and voter education, as well as conducting population assessments to determine how local governments could best address the needs of that population.

After moving to Oxford, North Carolina in December 2000, he was appointed to the Board of Directors of the **North**

Central Legal Assistance Program representing low-income residents of Granville County as a client representative.

In 2001-02 Allen served as a statewide client representative on the Transition Board, which developed the structure for the new, statewide Legal Aid of North Carolina. He presently serves on the board of directors for **Legal Aid of NC** and as Chair of the Legal Aid of NC Clients Council. He has worked tirelessly to ensure that legal services for the poor of North Carolina will continue to be provided at a level that mirrors the need for such services.

Allen has also worked closely with the Oxford Housing Authority in an effort to provide safe and decent housing free from crime and drugs where families can raise their children. Among other projects, he has worked with the housing authority to establish a Boy Scout troop and he worked with the public schools to establish a mentor program at Wilton Elementary School.

Now Allen needs your help to raise the dollars necessary to pay for medical costs not covered by Medicare. The liver transplant is the last resort treatment for the liver disease that threatens Allen’s life. ■

“When you work to develop pro bono programs—in law schools and in the bar;

When you work to push your respective institutions toward an ideal of equal justice;

When you implement technological advances to make the delivery of legal services more efficient and accessible;

When you raise money to support legal services offices;

When you create and expand loan forgiveness programs;

When you step out and lead the way in the private bar; and most of all,

When you keep your faith in the work of representing the excluded when all around you are losing theirs;

You move at the forefront of this profession—acting to make real the promises we so often ignore.”

-Gene Nichols,
Dean & Burton Craige Professor,
UNC School of Law

[From Dean Nichols keynote address to the NLADA/ABA Equal Justice Conference, April 18, 2002.]

Access to Justice (Continued from page 4)

“The success of our Access to Justice campaign will be critical to our capacity to provide legal services this year,” says **Chris Marks**, Legal Aid of NC’s assistant director of finance & administration. “Inflationary costs continue to impact us, even at a time when we are making technological advances to increase our capacity.”

Although contributions are requested all across the state, the *Access to Justice* campaign primarily targets attorneys and private law firms, both for financial donations and commitments for *pro bono* work during the coming year. Expectations are high for support from the legal community.

In the Preamble to the Revised Rules of Professional Conduct that guide attorneys in North Carolina, there is the provision [Rule 0.1(9)] that states: “Basic responsibility for providing legal services to those unable to pay ultimately rests upon individual lawyers...Every lawyer should support all proper efforts to meet this need for legal services.”

“Many law firms here in North Carolina respond well,” said Hausen. “Some firms ask their attorneys to donate the equivalent of one billable hour per month to help our programs fill the gap for equal justice in our communities. Some firms are also willing to provide financial as well as *pro bono* support.”

Hausen also noted that for the poor and disadvantaged, access to the legal system can often be the single most important factor in determining the course of their lives.

To make a contribution and/or pledge to the *Access to Justice* campaign, call the local Legal Aid of NC office [Note: A list of the Legal Aid of NC offices is on page two of this edition.]. Or simply complete the form below and return it with a check (made payable to “Legal Aid of North Carolina”) to:

“The success of our Access to Justice campaign will be critical to our capacity to provide legal services this year...”

Chris Marks,
Assistant Director, Legal Aid of NC.

Access to Justice Campaign
Legal Aid of North Carolina
P.O. Box 26087
Raleigh, NC 27611



Support Legal Aid of North Carolina...Make a Commitment Today!!!

Legal Aid of NC is a nonprofit, 501(c)3 organization with a mission to provide *free* legal representation in civil matters to low-income persons. Legal Aid’s presence in our North Carolina communities is vital for assuring that all persons have equal access to justice. Broad-based support is critical to Legal Aid of NC’s efforts. Please be among our **Friends of Legal Aid**, volunteer your time, and/or tell others about Legal Aid of NC. Complete the form below and send it to us. We will be sure to put you on our mailing list for future newsletters. **Please make a commitment today.**

Yes, I want to be a “Friend of Legal Aid”. Attached is my **check*** for:

\$25 \$50 \$100 \$250 \$500 \$1,000 \$2,500 \$5,000 Other: \$ _____

Please apply my donation to legal aid work in _____
(City or Town)

Yes, I want to volunteer time to support Legal Aid of NC’s efforts. Please contact me regarding:

- Service as a *pro bono* attorney (free services)
- Service as a client representative (committees, boards)
- Other service (please specify): _____

Name: _____

Organization/Firm (optional): _____

Mailing Address: _____

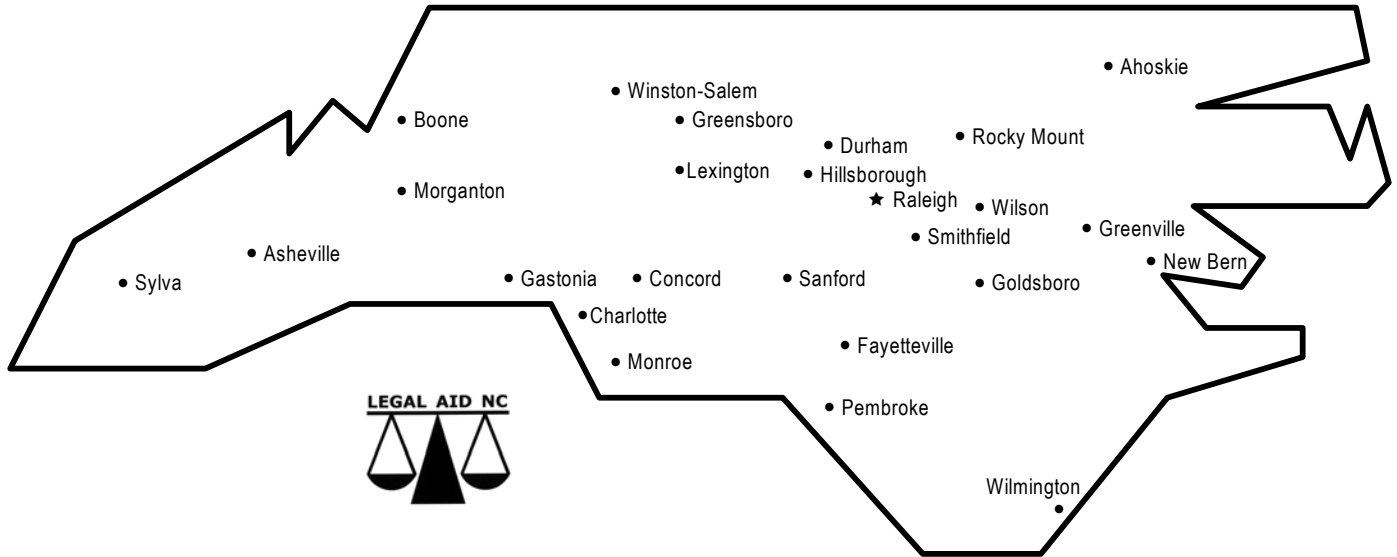
Telephone Number: _____ E-mail Address: _____

Please mail to: *Friends of Legal Aid*, Legal Aid of NC, P.O. Box 26087, Raleigh, NC 27611

***(make checks payable to “Legal Aid of North Carolina”)**

Financial information about this organization and a copy of its license are available from the State Solicitation Licensing Section at 1-888-830-4989. The license is not an endorsement by the State of North Carolina. Legal Aid of North Carolina is a nonprofit, 501(c)3 organization. Donations are tax-deductible as allowed by law.

Legal Aid of North Carolina serves all 100 counties in North Carolina



Legal Aid of North Carolina, Inc.



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