

CONNECTICUT
LEGAL SERVICES
ANNUAL REPORT
2007

30TH ANNIVERSARY

CLS Helps Disabled People Overcome Barriers to State Benefits

Julia,* a 45-year-old single mother of two, became physically disabled after a car accident. She could no longer work and could not pay the rent and feed her children, so she called the Department of Social Services (DSS) for help. DSS told her that she must apply for state benefits in person and that the agency could make no exceptions to accommodate her disability. Julia found a baby-sitter and navigated her way through public transportation. However, when she arrived at the office, she discovered that the office had been closed suddenly and without notice as part of a DSS cost-cutting measure. She couldn't make the trip to the other office, which was miles away and not accessible by public transportation. Julia called Connecticut Legal Services for help.

CLS, Greater Hartford Legal Aid, and the New Haven Legal Assistance Association collaborated to file a suit against DSS on behalf of Julia and thousands of disabled low-income individuals who have no access to DSS services because their disabilities make complying with DSS regulations impossible.

In settling *Raymond et al. v. Rowland et al.* (2007), the state agreed to provide approximately \$12 million dollars to upgrade state welfare office physical facilities and computer and telephone services, increase staffing, and design policies and procedures to assist low-income individuals who have disabilities seek assistance from DSS. The agency also agreed to improve access for impoverished individuals with disabilities to its cash, medical, and food benefit programs. During the course of the litigation, DSS adopted policies to help ensure that people who have disabilities receive accommodations needed to obtain and maintain subsistence benefits and to enable individuals to challenge any refusals to provide accommodations when needed.

Julia now receives state benefits and no longer wonders whether she will be able to put food on the table for her children.

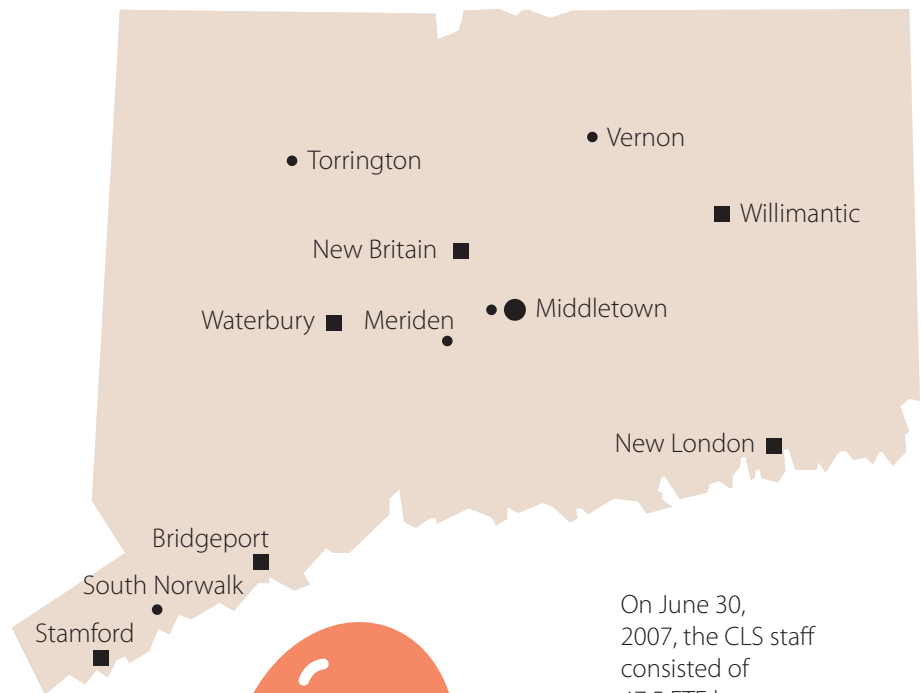
**All client names and identifying facts have been changed to preserve anonymity.*

Service Area, Offices, and Staff

Connecticut Legal Services is a private, non-profit law firm dedicated to providing access to justice as a means of improving the lives of low-income people.

The CLS service area—all of Connecticut except the greater Hartford and New Haven areas—contains 190,000 people financially eligible for our services (2000 census).

CLS has six full-service offices, five satellite offices, and one administrative office.

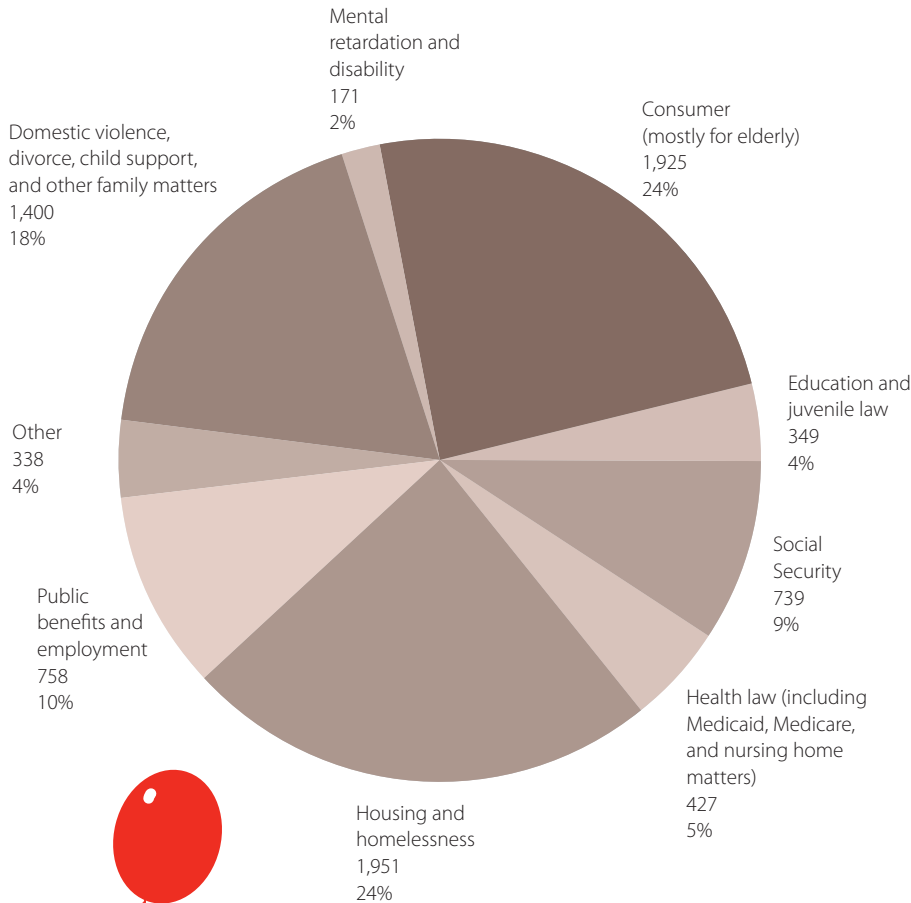


On June 30, 2007, the CLS staff consisted of 47.5 FTE lawyers, 4.0 FTE paralegals, 11.0 support staff, and 7.75 FTE administrative staff.

Distribution of Cases

In 2006–2007, Connecticut Legal Services received approximately 17,962 requests for service and responded by opening 4,922 new cases for legal representation and counseling. CLS referred and/or provided general information and pamphlets to the remaining 13,040. CLS also worked on 3,141 cases opened in previous years. Services in these 8,058 cases benefited approximately 10,613 household members.

Distribution of 8,058 Cases Handled in Fiscal Year 2006–2007



In addition to working on individual cases, CLS conducted 279 community legal education events attended by 12,008 people, provided 143 instances of advice to human services agencies and other professionals serving poor people, and litigated three class action lawsuits seeking solutions to widespread problems.

CLS Wins Help for Mentally Ill Children in DCF Care

Susan is an 18-year-old mentally ill adult who has spent most of her life in the care of the Connecticut Department of Children and Families (DCF). The agency placed Susan in more than 46 different foster homes, hospitals, shelters, and other institutions. She never had the chance to learn how to live in a community, attend a local school, or hold a job. The foster care homes were inadequate to meet her needs, and the institutions were unnecessary and often exacerbated her illness. When she “aged-out”—reached the age of 18—of DCF care, Susan was released to her home community without the ability to care for herself.

On behalf of Susan and more than 2,000 Connecticut children like her, Connecticut Legal Services filed suit against DCF. After five long years of litigation and negotiation, *WR et al. vs. Connecticut’s Department of Children and Families et al. (2007)* was settled. DCF must increase services for Connecticut’s mentally ill children by an additional \$10 million over the next three years.

The settlement agreement includes \$3 million to improve Emergency Mobile Psychiatric Services, \$5 million for wrap-around services to keep mentally ill children in their communities, a consultant to oversee the implementation of the settlement, individual service plans for the named plaintiffs, and the completion of 43 new community-based group homes for approximately 173 mentally ill youth.

As part of the settlement, Susan receives assistance with rent, education, and vocational services. She now lives successfully on her own, works part-time, and is looking into taking classes at a community college.



CLS Helps Elderly People Stay in Their Homes

As her ability to care for herself diminished, Emma, an elderly woman, feared she would have to move into a nursing home. However, she was eligible for a

home care program for elders, which pays for services that help elderly individuals remain in their homes. Emma was pleased with the services and very relieved to stay in her home. Because of her many years of service in the military, Emma also received a homebound allowance from the Department of Veterans

Affairs. The Department of Social Services (DSS) incorrectly included this allowance in its eligibility calculations and told Emma she had too much income to qualify for the home care program and would need to move into a nursing home.

Connecticut Legal Services sued DSS on behalf of Emma and all elders who want to stay in their homes. In *Taylor v. Department of Social Services* (1989), CLS ensured that state agencies are required to provide services in the integrated setting most appropriate to an individual. DSS agreed to exempt Emma's homebound allowance so she could remain in the home care program. The state created two state-funded home care programs with higher asset limits and no income caps, in addition to making sure that DSS complied with its obligation to provide appropriate and integrated services.

Emma is doing well in her home, and the CLS efforts ensured that other elders cannot be forced to leave their homes.

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Steven D. Eppler-Epstein
Executive Director (2007),
Deputy Director (2006)
Deborah R. Witkin
Deputy Director (2007),
Director of Development (2006)
Linda C. Spada
Comptroller
Anne Louise Blanchard
Litigation Director
Astrid Lebron
Director of Development
Whit Freer
Information Technology
Administrator

Letter from Executive Director and Board Chair

Dear Friends of Connecticut Legal Services,

It is an exhilarating yet humbling experience to be celebrating the 30th anniversary of Connecticut Legal Services. It's exhilarating because of the importance of our mission—providing access to justice as a means of improving the lives of low-income people—and our enormous success over the last 30 years in helping these clients. It's humbling because so much more needs to be accomplished.

At our annual meeting, we celebrated our extraordinary staff—the heart and soul of CLS. We recognized 13 truly dedicated attorneys and legal support staff who have been with CLS since our doors first opened. For 30 years, they have been identifying and addressing the needs of the most desperately poor and disenfranchised people in our state. They have used the particular tools only a law firm can provide to make a huge difference in the lives of those incredibly needy clients. We also recognized six attorneys who are new to CLS—attorneys who bring talent, passion, and diversity to our work.

We begin our fourth decade with both a solid foundation and a new energy. We are buoyed by voices of support from all across the state. We have the opportunity to improve and increase our services, based on the strength of private donations, government support, and improved IOLTA revenues.

Yet we are ever mindful of how great the need is for our services. Acquiring and then effectively applying finite resources to help the neediest of the 190,000 people eligible for our services is a daunting task. It requires the careful prioritization of cases and the implementation of thoughtful strategies that will make the greatest impact.

Legal services has had its ups and downs over the years—there have been times when we thought CLS might be forced out of existence. Even during the best of times, we must never take for granted our continued existence.

As we move forward, using our skills as lawyers to make the world a better place, we—and our clients—rely on you to support our agency and our staff. Together, voices for justice and opportunity, we can make an incredible difference.

Sincerely,



Steven D. Eppler-Epstein
Executive Director



Mitchell Pearlman
Board Chair

CLS Protects Constitutional Rights

José and his wife separated because his wife was unfaithful to him. He did not speak English very well, had not finished high school, and had disabilities. The state took José to court to determine whether he was the father of his wife's child. He could not afford a lawyer and asked the court for legal help. The court refused his request, even though an assistant attorney general represented the child's mother, so Jose represented himself. He took a blood test that confirmed that he was not the child's father. However, he did not know the court's rules of evidence and was unable to introduce the test results to the court. Without this information, the court decided that José was indeed the child's father.

On behalf of indigent paternity defendants like José, Connecticut Legal Services challenged the court's practice of not appointing counsel in such cases or advising the defendants of their rights. In *Lavertue v. Niman* (1985), the Connecticut Supreme Court recognized the importance of correct parental identification and the significant consequences of requiring a man to support a child for 18 years and possibly incarcerating a man who fails to fulfill this obligation. The Court held that indigent defendants in state-supported paternity actions have a state and federal constitutional right to court-appointed counsel at the state's expense. This means that José should have received legal assistance.

Since 1985, every indigent paternity defendant is advised of his rights and receives free counsel, ensuring that what happened to José will not happen to anyone else.

Financial Supporters and Other Income Sources for 2006–2007

Government-Based Grants

Agency on Aging, Senior Resources (Eastern Connecticut)	\$	39,331
Agency on Aging, Southwestern Connecticut Area		46,071
Agency on Aging, Western Connecticut Area		55,856
City of Middletown		10,000
Connecticut Department of Social Services		584,937
Connecticut Office of Protection and Advocacy		90,000
Department of Health and Human Services—Administration on Aging		113,240
Town of Ashford		1,000
Town of Coventry		750
Town of Darien		2,500
Town of Ellington		1,700
Town of Greenwich		1,000
Town of Groton		10,000
Town of Mansfield		5,500
Town of Vernon		1,500
U.S. Department of Justice, Office of Justice Programs		179,653
Total Government-Based Grants	\$	1,143,037

Private Grants

Connecticut Bar Foundation (Interest on Lawyer's Trust Account)	\$	5,620,766
Connecticut Bar Foundation (Judicial Branch Grants-In-Aid)		513,341
Connecticut Health Foundation		78,369
Connecticut Law Firms Fellowship— final year of two-year program funded by two-year grants from Silver Golub & Teitell—\$22,000; Pullman & Comley—\$8,000; Shipman & Goodwin—\$9,000; and Day Pitney LLC—\$26,000		18,417
Estate of Ruth I. Krauss		3,432
Fairfield County Bar Association, Inc.		2,240
SBC SNET Employees Community Services Fund— Central Region		1,000
Seaman Family Foundation		50,000
The Community Foundation of Southeastern Connecticut		14,814
The Impact Fund		4,950

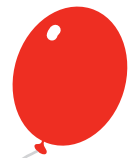
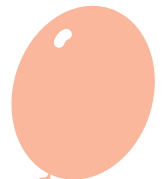
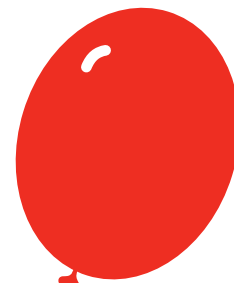
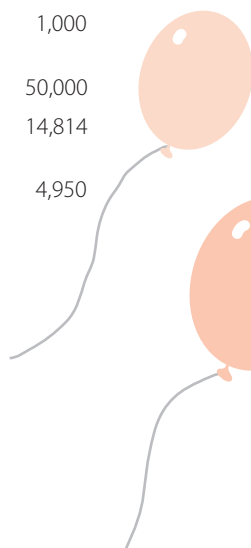
The Inner-City Foundation for Charity & Education, Inc.		5,371
The Melville Charitable Trust		73,570
The Overbrook Foundation		4,763
The Tow Foundation		25,394
United Way, Eastern Fairfield County		31,956
United Way, Greater Waterbury		19,175
United Way, Meriden and Wallingford		15,000
United Way, Northern Fairfield County		23,000
United Way, Northwest Connecticut		5,188
United Way, Norwalk and Wilton		4,383
United Way, Southeastern Connecticut		40,210
United Way, Southington		5,000
United Way, Stamford		17,850
United Way, Capital Area		63,400
United Way, West Central Connecticut		1,800
United Way, Housatonic/Shepaug		2,000
United Way, Middlesex		9,800
Total Private Grants	\$	6,655,190

Donations and Other Income

Attorney Fees	\$	171,701
Campaign for Justice		167,199
Donated Goods and Services		125,437
United Way Donor Designations		17,601
Interest Earned		60,399
Unrealized Gain/(Loss) on Investments		9,252
Quinnipiac University School of Law (for provision of clinical instructor)		99,980
Miscellaneous		7,205
Total Donations and Other Income	\$	658,774

Total CLS Income

\$ 8,457,001



Statements of Financial Position— June 30, 2007, and June 30, 2006

ASSETS	June 30, 2007	June 30, 2006	LIABILITIES AND NET ASSETS	June 30, 2007	June 30, 2006
Current Assets			Current Liabilities		
Cash and Cash Equivalents	\$ 2,290,224	\$ 1,479,107	Accrued Pension Liability	\$ 2,696,340	\$ 1,524,285
Cash in Escrow-Client Funds	5,333	5,984	Accounts Payable	52,825	50,460
Cash-Insurance Escrow	13,042	25,382	Accrued Expenses	38,832	297,282
Receivables			Refundable Advances	0	0
Grants and Contracts	\$ 103,584	\$ 689,746	Accrued Annual Leave	255,852	250,024
Promises to Give	5,978,643	3,108,435	Client Trust Deposits	5,333	5,984
Other	67,632	19,876	Total Current Liabilities	\$ 3,049,182	\$ 2,128,035
Prepaid Expenses	120,050	115,750	Net Assets		
Total Current Assets	\$ 8,578,508	\$ 5,444,280	Unrestricted		
Fixed Assets			Operations	\$ (573,688)	\$ (98,786)
Property and Equipment	\$ 1,097,162	\$ 1,064,499	Insurance Escrow	13,042	25,382
Leasehold Improvements	414,138	391,532	Fixed Assets	167,121	139,642
Law Library	54,659	54,659	Total Unrestricted	\$ (393,525)	\$ 66,238
Total Fixed Assets Before Depreciation	1,565,960	1,510,690	Temporarily Restricted	6,113,250	3,412,927
Less Accumulated Depreciation	(1,398,838)	(1,371,048)	Total Net Assets	\$ 5,719,725	\$ 3,479,165
Total Fixed Assets	\$ 167,121	\$ 139,642	Total Liabilities and Net Assets	\$ 8,768,907	\$ 5,607,200
Other Assets					
Security Deposits	\$ 23,278	\$ 23,278			
Total Other Assets	23,278	23,278			
Total Assets	\$ 8,768,907	\$ 5,607,200			



CLS Helps Provide Affordable Housing

Since 1987, Connecticut Legal Services has advocated for tenants of Father Panik Village, a federal, low-income housing project in Bridgeport. The Bridgeport Housing Authority (BHA) demolished the 1,063 unit complex and displaced the families who lived in the project. They filed suit against the BHA, and CLS represented the tenants, who were on the public housing waiting list. The BHA promised to replace 818 of the 1,063 units it had demolished and provide 385 Section 8 subsidized apartments. By 2006, 282 units were still unbuilt, and 245 Section 8 subsidized units had yet to be provided.

After two decades of litigation, negotiations, and numerous agreement amendments, CLS finalized a groundbreaking agreement with the BHA, the city of Bridgeport, and the U.S. Department of Housing and Urban Development. The agreement calls for the development of 342 public housing units and 245 Section 8 subsidized units to replace the Father Panik units and 60 of the 256 units lost when the Pequonnock Apartments complex was demolished in 2002. The agreement lays out a time line for building the units and making them available to families eligible for public housing.

The agreement also provides for an innovative and groundbreaking \$4 million trust fund to stabilize public housing residents. CLS will continue to oversee the development of the housing units and the use of the trust to ensure that residents of Bridgeport's public housing are protected—as it has for more than 30 years.

Contributors to Connecticut Legal Services 2007 Campaign for Justice

Alphabetical List

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CLS Helps Disabled Widows Keep Benefits

Sally was widowed after 30 years of marriage. She and her late husband had never had much money, and after his death, Sally struggled to make ends meet. She couldn't work because of multiple disabilities—partial blindness, respiratory and orthopedic disease, and high blood pressure—that prevented her from prolonged sitting, standing, bending, or lifting. A friend thought Sally might qualify for disability benefits, so she applied. However, Sally was told that she was not eligible because her disabilities were not on the standard Social Security disabilities list. Connecticut Legal Services filed a lawsuit on Sally's behalf, challenging the denial.

In *Kier v. Sullivan* (1989), CLS convinced the Court of Appeals that the standard used to evaluate a widow's eligibility for disability benefits was too strict and conflicted with the federal statute. The court agreed that Sally was not able to perform gainful work and met the criteria for benefits. The court also agreed that the Social Security list of disabilities merely establishes a level of severity, rather than "comprises the entire universe of available claims." Since 1989, the Court of Appeals for the First and Ninth Circuits and several federal district courts have followed the reasoning in *Kier*. In light of Sally's and similar cases, Congress considered amending the widow's disability statute to conform to the less-stringent standard used for wage earners.

Sally and many widows in Sally's situation can now collect disability benefits and no longer have to struggle to eat.

CLS Protects Section 8 Subsidies

Kevin and Tamia lived in an apartment with their children. They received rent assistance from the federal Section 8 program, which pays a portion of the rent—the tenant pays the remainder. During a weekend visit, Tamia's brother asked her for a ride to a store. After they arrived, Tamia's brother sold drugs to two men in the parking lot. Because Tamia had driven her brother to the store, she was arrested, even though she did not know what was happening. The prosecutor subsequently decided not to prosecute her. Because of her arrest, however, the Housing Authority terminated the family's participation in the Section 8 program, leaving the family unable to pay the rent and facing homelessness.

In *Edgecomb v. the Housing Authority of the Town of Vernon (1993)*, Connecticut Legal Services challenged the termination of the family's Section 8 subsidy because the termination process used violated the family's due process rights. The court established that Section 8 participants threatened with termination of Section 8 assistance have due process rights that must be considered in the termination process. The court also set out the rules for the types of pre-termination notices, hearing procedures, and contents of the hearing decision that the law requires. This case marked the first time a U.S. court considered the issue of tenants' due process rights related to a Section 8 subsidy. It is one of the cases legal services attorneys representing clients threatened with the loss of federal housing assistance cite most frequently. The case also has served as the basis for dozens of similar suits in other states.

Because the court found that Kevin and Tamia's Section 8 termination was null and void, future Section 8 participants threatened with termination are protected against violations of their rights.

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CLS Keeps the Heat On

Leslie lives with her three children in an apartment for which she pays utilities. Because of rising energy costs, Leslie cannot always pay the bills and tries to conserve as much as she can. She keeps the heat low and turns on the lights in only one or two rooms at a time. When her children are sick, Leslie uses an electric blanket to keep them warm because the electricity that heats the blanket is cheaper than the oil that provides heat. However, Leslie has fallen behind in her utility payments and fears a threatened shutoff.

Within the last few years, Connecticut Legal Services advocates have worked with the legislature and utility companies to make paying utility bills easier for low-income families like Leslie's. All low-income utility consumers now have

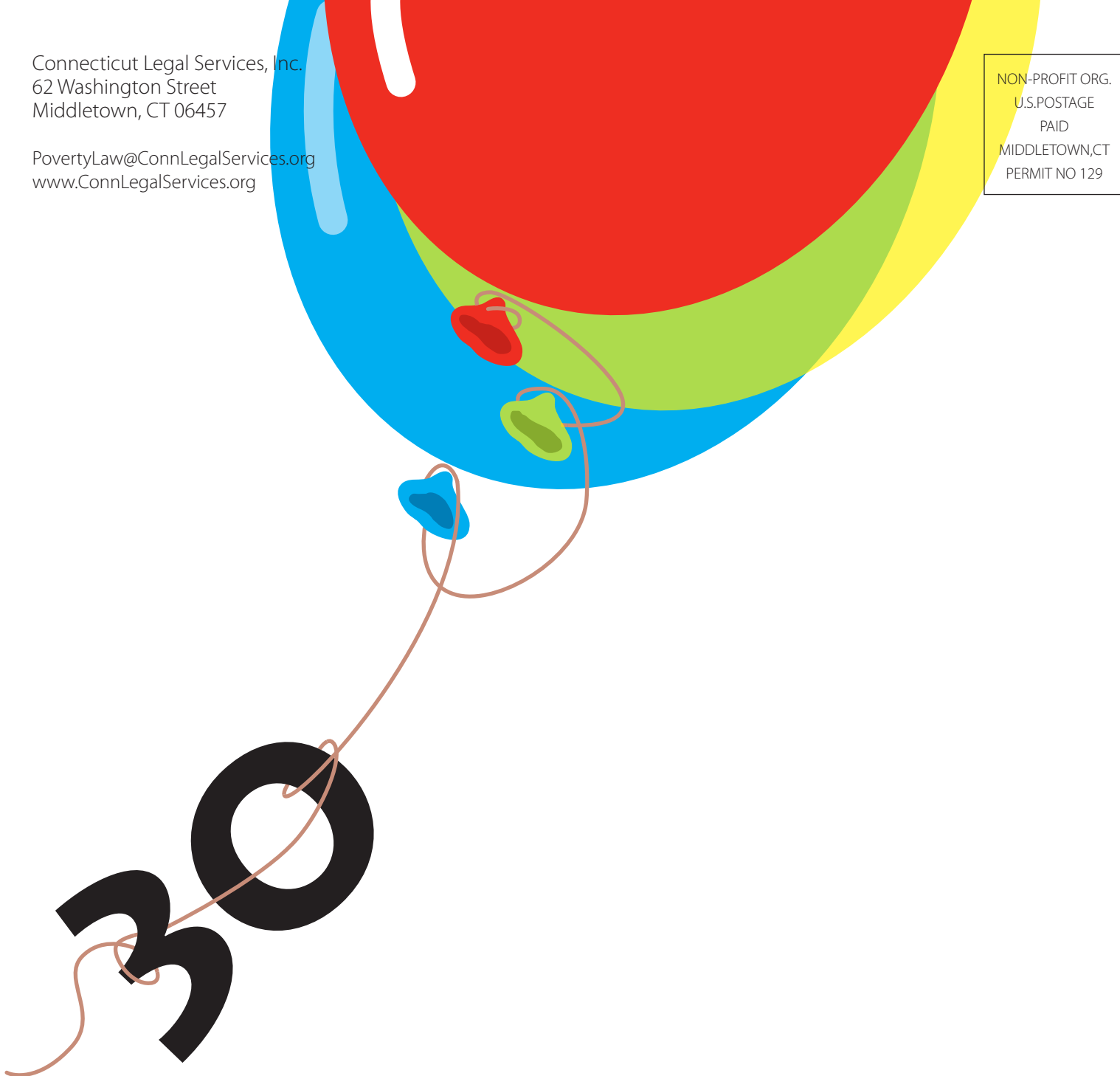
- a right to a reasonable payment agreement to resolve a utility shutoff;
- protection against shutoffs for low-income households or those with a seriously ill member ("hardship" cases) between November 1 and May 1;
- year-round protection from service termination as a collection tactic if a loss of utility service would be life-threatening for a member of the family;
- mandatory gas and electric utility arrearage forgiveness programs for low-income households that heat with gas or electricity and receive energy assistance paid to utility companies;
- the Low Income Energy Advisory Board, which advises the legislature and state agencies on the energy issues of low-income people;
- the Connecticut Energy Efficiency Fund to provide conservation assistance to utility customers; and
- the Fuel Oil Conservation Fund to provide conservation assistance to fuel oil customers.

Leslie receives energy assistance for her heat and has a reasonable payment plan that will help her avoid a future utility shutoff.

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