



PISGAH LEGAL SERVICES

Pursuing Justice, Restoring Hope, Changing Lives

Quarterly Newsletter

Second Quarter 2006 Edition

Child Tragedies in the News... We Can Do Better!

Making Children A Priority

Two heartbreaking situations in the news recently have highlighted the plight of disadvantaged children in our community: a young boy who died in a car because of lack of child care and a toddler who was attacked by a rat in his bedroom. When we hear of such tragedies for children we all wish we could have done something to prevent them.

Pisgah Legal Services makes a difference in the lives of more than 4,000 disadvantaged children each year. We help families with children resolve crises and meet their basic needs for housing, safety, education, food and health care.

With the support of hundreds of donors and volunteers like you, Pisgah Legal Services is making an investment in the future of our children and the future of our community.

- By helping children avoid homelessness, PLS improves their opportunity for success in school.
- By helping children escape domestic violence, PLS reduces the chances that boys and girls will grow up to be perpetrators or victims of abuse.
- By helping children access needed physical and mental health services, we contribute to healthy child development.

Due to limited resources, PLS unfortunately cannot serve all of the 60,000+ people who are eligible for our services. Through the Children's Law Project,



Sienna and Jasmine were living in a mold-infested, dilapidated home and the landlord refused to make essential repairs. PLS helped their family terminate their lease and secure a settlement from the landlord so they can afford to move into decent housing.

we give priority to cases that impact vulnerable children and their families.

PLS is always looking for innovative ways to reach vulnerable children. In 2002, we created the School Partnership Project (SPP) to partner with educators to identify and assist children in crisis. Through SPP, our attorneys train educators and child care providers in six counties to recognize poverty-related issues that have legal remedies. PLS Director Jim Barrett's letter on the back page of this newsletter describes an exciting new program to connect with children when they are experiencing health crises.

Many people do not realize the tremendous, lasting difference that legal services can make in the lives of low-income people.

A poverty law attorney at PLS is often uniquely qualified to help a family avert crisis and increase their stability and self-sufficiency. Our Children's Law Project is an important resource for our communities' most vulnerable children.

Transforming the Way NC Provides Mental Health Care

PLS Attorney Works to Ensure Our Community Has Needed Services



PLS attorney
Curtis Venable

Pisgah Legal Services client Cathy* tried for months to get her daughter access to out-of-home care for mental health problems. PLS staff attorney Curtis Venable stepped in and helped her navigate the bureaucracy to get what her daughter needed. Curtis specializes in benefits law and helps dozens of children and

adults each year to secure benefits that they desperately need. (*Name changed to protect confidentiality.)

For 23 years, Curtis has made an important impact by helping PLS clients case-by-case, but he has made an even greater difference by working to influence the policies and systems that affect the lives of thousands of low-income people in North Carolina. For the past five years, Curtis has monitored mental health reform in our state and has collaborated with state legislators and bureaucrats, county managers, local service providers and consumers to improve services to vulnerable children and adults.

Mental Health Reform: Opportunities & Challenges

In 2001 the N.C. State General Assembly approved a reform plan to improve public services for residents dealing with mental health problems, developmental disabilities and substance abuse. The plan called for significant change in the way services were delivered. Government agencies would no longer provide public mental health services, but would contract with private providers for virtually all services.

Mental health reform came with both opportunities and challenges. The General Assembly hoped that privatization would create competition, consumer choice and higher-quality care. Numerous challenges plagued reform efforts, however, including budget shortfalls, confusion among consumers about how to seek care, and critical gaps in care as new programs formed.

PLS Helps Shape New Mental Health System

Curtis got involved in mental health reform as lawmakers were drafting the legislation in 2001, and he has continued to monitor and influence the process every step of the way. Here are a few of the ways he helped shape reform:

- He carefully combed through state laws and Medicaid regulations to help ensure that language used would translate into essential services for consumers.

- He assisted county managers and service providers to interpret policies and develop local networks of services.
- He advocated for integration of mental health and physical health services, particularly for children.
- He helped create more choices for consumers by promoting the delivery of needed services by private providers.

Where Are We Today?

According to Curtis, the pieces of our new system of mental health care are just now beginning to fall into place. “Five years later, we are beginning to find out how well these systems we’ve put in place will work. I would estimate that the system probably addresses the needs of about 80% of children needing care fairly well.”

Local communities and the State are working on the gaps, including lack of crisis services, access to services in rural areas, and a need for more therapeutic foster care services.

Curtis continues to improve this system of critical services. He notes that one of his next steps is to address the lack of information available to consumers about the quality of services by various providers. He wants consumers to have objective information about the quality of care so that they can truly benefit from the choice of providers in our new mental health system.

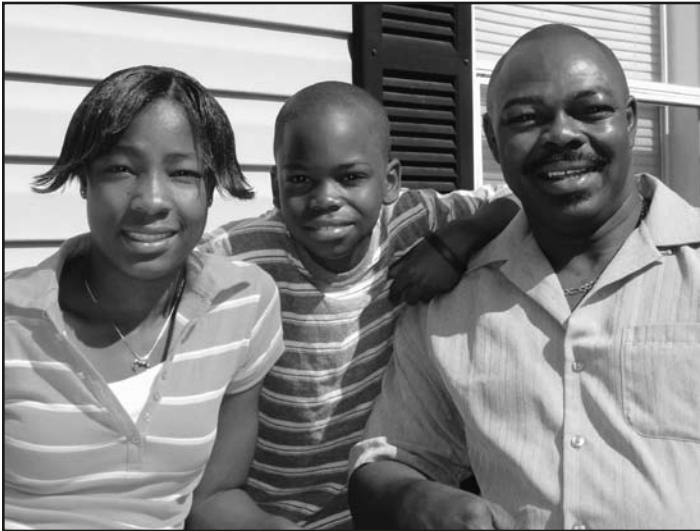
PLS Attorney Recognized as an Effective Advocate

“There are times when the most effective advocacy to address the needs of one person or family requires removing a barrier on a broad system level. This has been the situation many times as we try to navigate mental health reform. Curtis has the unique ability to see one person’s pain and tackle the issue at a level that alleviates the suffering of hundreds or even thousands. His specialized knowledge base is amazing and when his knowledge is coupled with his commitment and compassion, then the right things happen for one person or family, the community, and often the whole state.”

Mandy Stone, Assistant County Manager &
Director of Social Services in Buncombe County

Four Children Lose Dedicated Grandmother/Guardian

PLS Helps Uncle Secure Custody and Connects Family with Support



Russell has agreed to be the guardian of his four teenaged nieces and nephews. PLS attorney Curtis Venable is helping the family make this arrangement permanent and ensure that both the children and their uncle have the services and support they need to make their new family a success.

People who knew her would say that Teresa literally gave her own life caring for her four grandchildren, who were in her custody for years. Teresa went to bat for her teenaged grandchildren over and over again to make sure that they received the care they needed for health issues. PLS attorney Curtis Venable worked with Teresa and “her kids” several times over the past five years when they hit road blocks trying to access services. When Teresa passed away this spring, her son Russell, the children’s uncle, stepped up to take custody of the four teens. It is particularly important that custody be finalized as quickly as possible so that the children maintain continuity in their health care. Curtis brought together the Department of Social Services, the children’s health care providers and Russell to expedite the process and make a plan for the children to have a smooth transition to their new family configuration. In ten days, Curtis helped Russell obtain permission to care for the children and he helped put in place services needed to help the family get through this difficult time of losing Teresa. The family will receive grief counseling and Russell will receive parenting support.

Family with Special Needs Child Avoids Homelessness

Jan* and her children were threatened with eviction by the housing authority due to the alleged “inappropriate behavior” of her son Bobby. Bobby is disabled and diagnosed with ADHD and Behavior Conduct Disorder. When PLS attorney Robin Merrell took the case, she found that Bobby was responding to consistent bullying by a frequent visitor to the apartment complex and that this situation was not being addressed by the property manager. Applying principles from the Fair Housing Act, PLS negotiated with the housing authority to prevent eviction. In addition, because the property manager’s handling of the situation had exacerbated behavioral symptoms of Bobby’s disability, PLS was then able to get the family into the housing subsidy program known as “Section 8,” so they could move out of this unhealthy setting and into a single-family home.

* Names changed to protect confidentiality.

With PLS’ assistance, Bobby and his three siblings avoided homelessness and did not have to move to different schools in the middle of the year.

Pisgah Legal Services programs are funded in part by:

United Way of Asheville/Buncombe County
United Way of Henderson County
United Way of Transylvania County
United Way of Rutherford County
United Way of Madison County



Pisgah Legal Services has a new website address ~

www.pisgahlegal.org

Visit our website to:

Learn more about our programs and results

Sign up to volunteer

Make a secure donation



Pisgah Legal Services Honors Employee for 25 Years of Service

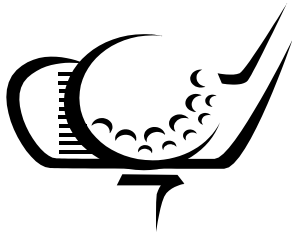
For years, Donna Miquel was an enthusiastic and hospitable greeter for new staff as they joined in the mission of Pisgah Legal Services. Each day she came to work with an unparalleled devotion to helping people in need. She gave so much of herself to help others. She once said, “After all these years, I still look forward to coming to work each day. I love my job, and the work we do.”

Twenty five years ago this summer, after working eight years as a elementary school teacher, Donna joined Pisgah Legal Services in the Buncombe County Courthouse, its original location. Donna recalls the agency’s relocation to the Gudger House in November 1981: “I can remember there was no heat (at the Gudger House) and we had to use kerosene heaters and build fires in the

fireplaces.” She also observed that over the years, the problems clients brought to PLS stayed remarkably the same: “People are still struggling. People are still trying to take advantage of other people.”

Donna’s work at PLS changed over the years; Donna’s latest position was as the administrative assistant to PLS Director Jim Barrett. Donna was responsible for tracking and reporting case outcomes for PLS, which is vital work to sustain funding for the agency. Donna reluctantly left PLS in the fall of 2005 due to serious health concerns. PLS honors Donna for her dedication and service to the people of Western North Carolina. Donna’s spirit for her work and her sincerity towards her co-workers will never be forgotten. Without Donna, PLS would not be where it is today: maintaining the funds to serve thousands of people in desperate need. For that, Donna, we are eternally grateful.

Tee Up to Help Disadvantaged Children!



**2nd Annual Children’s Law Project
Charity Golf Tournament**
*Hosted by the Young Lawyers Division of
the Buncombe County Bar*

Friday, September 22 - 12:30pm to 5pm
High Vista Country Club in Arden

Registration is \$60.00 per player. The registration fee includes greens fees, cart fees and lunch.

Contact Pisgah Legal Services at 253-0406 or sharon@pisgahlegal.org to register.

Pisgah Legal Services Board Of Directors

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Pisgah Legal Services Has Six Programs to Improve the Lives of Low-Income People

- **Children’s Law Project:** Helps disadvantaged children avoid abuse and meet basic needs.
- **Disability Assistance Project:** Helps individuals with disabilities access health care and secure subsistence income.
- **Elder Law Project:** Helps low-income seniors remain independent and avoid abuse and harassment.
- **Homelessness Prevention Project:** Helps families & individuals avoid homelessness and secure decent, affordable housing.
- **Justice For All Project:** Helps low-income immigrants increase self-sufficiency.
- **Mountain Violence Prevention Project:** Helps families escape domestic violence and rebuild their lives.

THANK YOU TO OUR DONORS & VOLUNTEERS



Melissa Woody shared her courageous story of leaving an abusive marriage with legal assistance from PLS. Three of Melissa's five children are pictured above.

Genesis Alliance Partners with PLS to Reduce Abuse in the Home \$30,000 Raised to Help Families In Crisis

Special thanks to the Genesis Alliance, a local nonprofit with a mission to support the work of organizations in this community that assist women and children who have been victims of domestic violence. The Genesis Alliance raises funds at its annual Mother's Day luncheon. This year Pisgah Legal Services was highlighted at the luncheon and was the beneficiary of \$30,000 in event proceeds. This funding will support PLS' Mountain Violence Prevention Project and Children's Law Project. With these funds, PLS will provide legal assistance to children and families to escape violence in the home and rebuild their lives. Thank you to all of the many volunteers, including Terry Van Duyn, Jennifer Wilhelm, Lynn Kieffer, Leigh Ruhl, Terry Davis, Tish Szurek and Suzanne Hageman, who put together a wonderful event. Key event sponsors were: The Suzanne Marcus Collins Foundation, Sydney Powell and the Gay and Erskine Love Foundation.

Volunteers Help Stretch Limited Resources & Serve More People

Pisgah Legal Services depends on a network of approximately 300 volunteer attorneys to help low-income people meet their most basic needs. Through the Mountain Area Volunteer Lawyers Program, PLS recruits, trains and coordinates volunteer attorneys.

In 2005, volunteer attorneys donated more than 2,130 professional hours to help PLS clients, a service modestly valued at \$319,500. Volunteer attorneys help PLS stretch limited resources and make the most of each dollar donated.

This year we are pleased that some of our most dedicated volunteers, the attorneys at Stone & Christy, P.A., won a statewide award, recognizing their

outstanding pro bono services to PLS clients. Attorneys at Stone & Christy, have donated approximately 700 professional hours to help low-income people.

PLS and the 28th Judicial District (Buncombe) Bar also recognized Susan Chitwood Barton, Jacob Ehrmann, Cindy Rice and Allan Root for their committed volunteer service to low-income people in our community.

With only 13 staff attorneys and more than 7,100 requests for services each year, PLS depends on generous volunteer attorneys to serve as many people as possible. Even with this dedicated volunteer network, PLS cannot fully serve all the people who request our services. Many thanks to our volunteers!

Your Gift Changes Lives! Campaign for Pisgah Legal Services

PLS greatly appreciates all of the individuals and groups that have contributed to our 2006 Annual Campaign. Since November 1, 2005, we have received more than \$176,400 in community support. **THANK YOU!**

Our goal for the campaign is \$230,000. If you haven't made your donation yet this year, or if you would like to make an additional gift, you can contribute by mail (PO Box 2276, Asheville, NC 28802) or on the internet (www.pisgahlegal.org). For more information, contact Beth Maczka at 210-3430 or bethm@pisgahlegal.org.

The Z. Smith Reynolds Foundation continues to support PLS' Justice for All Project and is challenging our community to assist in this effort. Every new or increased donation designated for the Justice For All Project will be matched, dollar for dollar up to \$10,000. Please help us sustain the important work of our immigration attorney and bilingual staff and **support this challenge today!**





Pisgah Legal Services

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www.pisgahlegal.org

INSIDE... PLS is Making a Difference in the Lives of 1000's of Disadvantaged Children.

Medical-Legal Partnership to Meet Needs of Women & Children Pisgah Legal Services Develops New Project with Mission and MAHEC

When Susan* secured a restraining order against her abusive husband Mark, the judge also ordered that Mark allow her to use the family's most reliable car so that she could make the hour-long trip to Mission Hospitals each week for her seven-year-old daughter Maggie's cancer treatments. When Mark violated this order and refused to let Susan have the car, she could not get Maggie to Mission for weeks. Eventually, Susan contacted Pisgah Legal Services (PLS) for help and our attorney was able to enforce the order and get the good car back from Mark so that Maggie would not miss any more critical medical treatment. Had one of Maggie's doctors or nurses known about PLS, they could have referred Susan upon her first missed appointment and we could have intervened much earlier.

Often potential clients (and donors) do not realize that complex problems may have legal solutions. To get the word out to low-income women and children during their health-related crises, PLS is developing a new project, the Health Education and Legal Support Project (HEALS), in partnership with Mission Hospitals and the Mountain Area Health Education Center. Through HEALS, PLS' poverty law staff will be located on-site at Mission to work with patients. HEALS will integrate legal assistance into health care for low-income patients to address the non-medical barriers to improved health.

HEALS is based on a national model of medical-legal partnership in which health care professionals and poverty law experts join together to improve the health and well being of their most vulnerable patients/clients. HEALS is now partially funded and, in June 2006, PLS senior attorney Mae Creadick began developing the project. PLS is working to raise sufficient funds to place a second attorney and a bilingual legal assistant at Mission. HEALS is generously supported by the Women For Women Fund of the Community Foundation of WNC, the Mission Hospitals Foundation and the NC Interest on Lawyers' Trust Accounts.

PLS and its partners are convinced that HEALS will improve the overall health and well being of women and children, and will ultimately reduce the costs of indigent health care in our area. The more I learn about this model, the more I think we should have done this many years ago. If you would like to know more about this exciting initiative, please contact me at 210-3408 or jim@pisgahlegal.org. With your support, even more lives will be changed for the better.

Jim Barrett, Executive Director

* Names changed to protect confidentiality.

PLS: One of three WNC nonprofits to receive a Women for Women grant

A generous two-year grant from the Women For Women Fund of the Community Foundation of WNC will help launch this exciting new project. Pisgah Legal Services was one of three organizations that received a grant in this first year of grantmaking from the Fund. Almost 80% of PLS' cases closed in 2005 were for women. Thank you to all of the compassionate women donors whose gifts of time and money have made these grants possible.