

V. OVERVIEW OF THE LEGAL SERVICES CURRENTLY IN OHIO

A. Ohio's Civil Legal Services Delivery System

Civil legal aid in Ohio refers to the free legal services provided by hundreds of attorneys and paralegals throughout the state. These professionals work through local and regional legal aid offices, volunteer pro bono programs, and reduced fee contracted services to help thousands of low-income people gain access to legal representation.

There are currently six regionally-based legal aid societies in Ohio that provide a range of civil legal services. Much like a large law firm, each legal aid society has staff attorneys and administrative personnel. Legal aid attorneys are competent in various issues facing those living in poverty and may also specialize in a particular area, such as housing, employment, consumer, or domestic violence. In addition to traditional one-on-one counseling, many programs have developed regional intake systems and on-line resources to provide clients with advice, brief services, and/or refer them to a staff attorney or other, more appropriate local resource provider. In recent years, Ohio's legal aid providers have assisted over 148,000 low-income households annually.

The six regions that exist currently in Ohio are: 1) the Ohio counties of the Greater Cincinnati/Northern Kentucky area (Hamilton, Clermont, Brown, Butler, Clinton, Highland, and Warren Counties) served by **Legal Aid Society of Greater Cincinnati**; 2) the Northeast Ohio lakeside counties, including the city of Cleveland (Lorain, Cuyahoga, Lake, Geauga and Ashtabula Counties) served by **Legal Aid Society of Cleveland**; 3) the Central Northeast counties, including two of the state's major metropolitan areas, Youngstown-Warren and Akron-Canton (Richland, Ashland, Medina, Summit, Portage, Trumbull, Mahoning, Columbiana, Wayne, and Stark Counties) served by **Community Legal Aid Services, Inc./Northeast Ohio Legal Services**; 4) the Northwest Ohio region, including the city of Toledo, and West Central Ohio, including the city of Dayton, counties (Williams, Defiance, Paulding, Fulton, Henry, Lucas, Wood, Hancock, Ottawa, Sandusky, Seneca, Wyandot, Erie, Huron, Crawford, Allen, Auglaize, Hardin, Logan, Mercer, Putnam, Shelby, Van Wert, Champaign, Clark, Clinton, Darke, Fayette, Greene, Highland, Miami, Montgomery, and Preble Counties) served by **Advocates for Basic Legal Equality/Legal Services of Northwest Ohio**; 5) the Central Ohio

service area, including the city of Columbus (Delaware, Franklin, Madison, Marion, Morrow, Union Counties) served by **Legal Aid Society of Columbus**; and 6) the Southeast Ohio region (Adams, Athens, Belmont, Carroll, Coshocton, Fairfield, Gallia, Guernsey, Harrison, Hocking, Holmes, Jackson, Jefferson, Knox, Lawrence, Licking, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Pickaway, Pike, Ross, Scioto, Tuscarawas, Vinton, and Washington Counties) served by **Southeast Ohio Legal Services**.

In addition to these six legal aid societies, which provide basic legal services and advocacy, there are other entities that support and complement Ohio's delivery system. Pro Seniors is located in Cincinnati and provides statewide representation and advocacy for individuals over the age of 60. Ohio State Legal Services Association, Ohio's state support center, provides assistance to the six legal services regions in Ohio through co-counseling; direct representation; specialty assistance and consulting; training; task forces; publications; and to the extent permitted by federal law, legislative and administrative advocacy. Advocates for Basic Legal Equality offers legal representation and advocacy for migrant farm workers. The Equal Justice Foundation (EJF) is a non-profit organization providing legal representation in civil matters to disadvantaged individuals and groups throughout the state of Ohio. EJF's mission is to defend and advocate the rights of indigent, minority, and other disadvantaged Ohioans through a program of pro-active, class-action litigation in state and federal courts.

B. Funding Structure for Legal Services in Ohio

One of the areas where Ohio has been extremely successful on a statewide basis is in obtaining financial resources for the statewide delivery system. Funding from the Ohio Legal Aid Fund matched private and other public dollars to support the delivery of legal services in the state of Ohio. In recent years, a total of over \$36 million supported the critical work of local legal aid societies.

In 1985, the Ohio General Assembly created the Ohio Legal Aid Fund, for the purpose of supporting civil legal aid in the state, and, in 1994, charged the Ohio Legal Assistance Foundation with its administration. The 1985 enactment mandated that all lawyers who process client funds must maintain an Interest on Lawyers' Trust Account (IOLTA). The Supreme Court adopted rules to support the IOLTA program following the General Assembly's action. The

program was expanded in 1996 to include title agents who must now deposit escrow funds in Interest on Trust Accounts (IOTA). The revenue, generated from the interest on IOLTA and IOTA deposit accounts, also represents the largest portion of funds OLAF distributes to Ohio's legal aid societies. Another major component of state funding for legal services programs is a surcharge on civil filing fees. The filing fee surcharge (currently \$15 on new civil claims and proceedings, and \$7 on small claims cases) was originally adopted in Ohio in 1985 and has been amended several times, including an amendment in 2001 that made the fee permanent. In fiscal year 2003, the legal aid fund collected \$14,648,048 in actual receipts from the IOLTA/IOTA Program, filing fees, and interest earned by the Legal Aid Fund. Since 1985, the Legal Aid Fund has generated \$156,088,048 for legal services in Ohio. *See* Attachment E for an Ohio Legal Services Historical Revenue Summary (Calendar Years 1976 to 2002) and Attachment F for a History of Legal Services Funding in Ohio.

The majority of the funding for legal services in Ohio comes not from the Legal Aid Fund but from private and other public funding sources. Each legal services provider in the state generates program revenue, in addition to funds it might receive from the Legal Aid Fund. There are varying levels of capacity among Ohio's legal aid providers for resource development. All programs receive funding from numerous private funding sources. These sources include, but are not limited to, local United Way and community foundation grants, corporate sponsorships, and individual donations from local bar campaigns. All programs also receive funding from public sources. Not all programs receive funding from the Legal Services Corporation. All programs do receive various discretionary grants from federal, state, and local governments. *See* Attachment G for an overview of OLAF Grantees' 2002 Actual Revenue Report.

C. Partner Organizations

Ohio's legal services programs collaborate and work with a variety of statewide and national organizations in order to provide a full-range of services to their clients. Examples of such organizations include the following entities.

AARP Ohio is a nonprofit membership organization dedicated to addressing the needs and interests of persons 50 and older. Through information and education, advocacy and service, we seek to enhance the quality of life for all by promoting independence, dignity and purpose.

ACTION OHIO's mission is to promote quality programs, services, and resources to survivors of domestic violence. Our goal is to ensure equal rights and empowerment for all individuals as we work toward the eradication of family violence in our society. ACTION OHIO's core services are resource/referral, technical assistance, professional education, public awareness, community outreach, and public policy leadership within the domestic violence community.

Association for Children for Enforcement of Support (ACES) is a non-profit child support organization. We are parents whose children are entitled to support working to improve child support enforcement, educating ourselves about legal rights and remedies and promoting public awareness about the plight of affected children. Local ACES chapters provide self-help information and organize parents to advocate for improved services for child support and visitation.

Children's Defense Fund - Ohio (CDF) provides a strong and effective voice for the children of America who cannot vote, lobby, or speak for themselves. CDF pays particular attention to the needs of poor and minority children and those with disabilities. CDF's goal is to educate the nation about the needs of children and encourage preventative investment in children before they get sick, drop out of school, or get into trouble.

Cleveland Tenants Organization (CTO) was founded in 1975 to provide information about the Ohio Landlord Tenant Law to landlords and tenants in Cleveland.

Coalition for Homelessness and Housing in Ohio (COHHIO) is a coalition of organizations and individuals committed to ending homelessness and to promoting decent, safe, fair, affordable housing for all, with a focus on assisting low-income people and those with special needs.

The Community Law Center is a Maryland-based non-profit public interest law firm that hosts the Project to End Unethical Real Estate Practices. The Center is currently coordinating national efforts to challenge unfair and deceptive practices allegedly committed by Fairbanks Capital Corporation.

Federation for Community Planning is a nonprofit organization that serves as a critical link between health and social issues and their potential solutions. Not a direct service provider,

the Federation works behind the scenes, engaging in applied research, policy analysis, planning and program development, community education, and human services advocacy.

KidsOhio.org is an Ohio-led, nonpartisan, nonprofit organization working to improve the lives and education of Ohio's nearly three million children, especially disadvantaged youngsters. Based in Columbus, KidsOhio.org advocates on a range of children's issues, including health, early childhood education, and improving public education for Ohio's children.

National Support Centers and the National Center on Poverty Law collaborate to disseminate information to legal aid programs and advocates. The national support centers provide support and advice in their specialty areas for legal services programs around the country. The National Center on Poverty Law provides national leadership in identifying, developing, and supporting creative and collaborative approaches to achieve social and economic justice for low-income people.

National Center for Adoption Law and Policy seeks to improve the law, policies, and practices associated with child protection and adoption systems. The Center works towards realizing the goal that all children -- especially those who have been abused or neglected or are dependent on the state for their care -- have safe, healthy, permanent homes.

The Ohio Association of Second Harvest Foodbanks (OASHF) is Ohio's largest charitable food assistance network. OASHF is a statewide member supported organization, representing the 12 certified America's Second Harvest Foodbanks distributing food and grocery items to over 3,000 member charities in all 88 Ohio counties. Member agencies consist of food pantries, soup kitchens, homeless shelters, and other charitable emergency food assistance programs that supplied over 81.6 million pounds of food to over 4.4 million individuals in 1.9 million low-income households during 2002.

Ohio Coalition for the Education of Children with Disabilities (OCECD) is a statewide, non-profit organization dedicated to advancing the educational interests of children with disabilities. OCECD provides assistance through one-on-one consultation, group presentations and training sessions, and numerous published materials, including a bi-monthly newsletter.

Ohio Community Computing Network (OCCN) provides support to Ohio community technology centers in the form of program development, fundraising support, and advocacy while developing and encouraging communication, collaboration and joint action among the CTCs and within their communities.

Ohio Domestic Violence Network is a cohesive, inclusive network of individuals and organizations from across the state which advocates with and for battered persons, produces and shares information, educates about options, and advocates for social change.

Ohio Empowerment Coalition (OEC) is made up of welfare rights groups from across the State of Ohio. The OEC has membership from Cincinnati, Dayton, Columbus, Southeast Ohio, Cleveland, Akron, Canton and Warren. The Coalition works to impact welfare policies in the State of Ohio.

Ohio Legal Rights Service (OLRS) is an independent state agency and the federally designated Protection and Advocacy (P & A) agency and Client Assistance Program (CAP) for Ohio. The mission of this agency is to protect and advocate the human, civil, and legal rights of people with disabilities. OLRs' goal is to enable people with disabilities to realize self-determination, equality of opportunity, and full participation.

Ohio United Way's mission is to improve the quality of life for individuals through public policy development, advocacy and support for local United Ways.

Unemployed Workers.org is a website created for the jobless workers and interested groups concerned about today's job market and the federal extension of unemployment benefits, scheduled to expire on May 31, 2004. Learn about all the latest benefits to support unemployed workers. Find support resources in your community. Learn about the federal extension of unemployment benefits – now scheduled to run out on May 31, 2004. Take action to strengthen federal unemployment insurance. Share your story and hear the experiences of other jobless workers. Get the latest national statistics on the impact of the economy on the unemployed.

Universal Health Action Network of Ohio (UHAN-OHIO) promotes health consumer education and advocates for increased access to healthcare and healthcare justice.

In addition to these statewide and national organizations, each legal services program collaborates with numerous local and regional organizations. These community-based organizations may have an association with one or more of the above organizations, as well. Examples of community-based organizations include, but are not limited to, community action agencies, senior centers, county departments of job and family services, public housing authorities, homeless shelters, and workforce development programs.