

BAY AREA LEGAL AID

Fellowships provide critical resources to legal aid organizations by increasing access to the justice system and cultivating the next generation of poverty law leaders. BayLegal extends its sincere appreciation to the generous firms that sponsored fellows in 2007.



EQUAL JUSTICE WORKS/MORGAN MILLER BLAIR FELLOW NOAH ZINNER: *Preventing Homelessness – Foreclosure Prevention*

After her husband passed away in 2002, Patricia Albright became the sole owner of the home her family lived in for more than 25 years. Mrs. Albright lived on an income of \$800 a month and had no experience in financial matters; her husband had always managed the family's finances. By 2004, Mrs. Albright was having difficulty making monthly payments on the home's approximately \$55,000 mortgage. Mrs. Albright fell behind on her payments and soon received a letter from her lender, threatening her with the prospect of foreclosure.

Distraught at the prospect of losing her home, Mrs. Albright was delighted when she received a call from a man named David Miller, who claimed to be a foreclosure expert. Mr. Miller told her that he could save her home by paying off her existing debts and temporarily joining her on title to the home. Mr. Miller repeatedly assured Mrs. Albright that he did not intend to take her home and that he was there to help.

Unbeknownst to Mrs. Albright, the papers she signed allowed Mr. Miller to take sole title to her home. Mrs. Albright received nothing in return, although at the time her home was worth approximately \$350,000. After acquiring title to her property, Mr. Miller repeatedly refinanced the home, stripping it of \$270,000 in equity.

Mrs. Albright did not hear from Mr. Miller again until late 2006, when he sent her an eviction letter requiring that she either move out of her home or pay him \$333,000. Mrs. Albright contacted Bay Area Legal Aid for help.

BayLegal put an immediate stop to the eviction and filed a complaint against Mr. Miller. After several months, and with the assistance of a private attorney, BayLegal reached a settlement in favor of Mrs. Albright. Mr. Miller was required to return title to Mrs. Albright and to return to her \$270,000 in stolen equity.

Mrs. Albright is now secure in her home and has qualified for a reverse mortgage with a reputable lender, which will allow her to stay in her home for the rest of her years and will provide her with the additional income she needed.

2007 FELLOWS PROGRAM

SHARTSIS FRIESE FELLOW

CHRISTINA VARNER:

Domestic Violence / Immigration

Dulce was 18 and pregnant when her boyfriend began beating her. Undocumented and fearing deportation, she was afraid to call the police and report the abuse. After the birth of her son the abuse escalated, with her abuser, José, threatening to kidnap their child and have her deported.

With no legal ability to work, Dulce relied on her abuser for food and shelter for her newborn son. José continued to abuse Dulce. Only weeks after she gave birth, he beat her again. He pulled her hair while screaming at her. He wrapped his hands tightly around her neck while he pinned her against a wall. She was able to escape his grasp and fled. From a neighbor's house, Dulce called 911. The police interviewed her, asking if she had used physical force against José. Dulce explained she had pushed him to try to get away. The police told her that since she used physical force they would call the incident mutual combat, which meant she would be arrested too; no charges were filed.

The violence worsened. One evening, José punched Dulce numerous times in the face, leaving her bloodied and unable to see. She did not fight back because she remembered what the police told her; if she defended herself, she risked being arrested.

A neighbor heard her screams that night and called the police. José was arrested and eventually convicted of felony domestic violence. While it made Dulce and her son safer that he was incarcerated, Dulce was left with no ability to financially support her son.

Dulce turned to BayLegal for help. The Fellow first helped Dulce obtain a three year domestic violence restraining order and full legal and physical custody of her son. Also, because Dulce played an instrumental role in helping law enforcement in the criminal case against her abuser, Dulce was eligible to apply for immigration relief under the Violence Against Women Act. Soon, Dulce was granted legal status and work authorization.

Now, Dulce is free from her abuser. She is employed and able to support herself and her son. Dulce now has her driver's permit and is moving forward in her new life.

SKADDEN FOUNDATION FELLOW

BRIAN BLALOCK:

Youth Advocacy / Education Access

Kyra and her grandmother lived in subsidized housing. Just after Kyra's 17th birthday, her grandmother died unexpectedly, leaving Kyra on her own. With no family to turn to and no money to support herself, Kyra made it through the remainder of the school year working odd jobs around the neighborhood and maintaining her home through her grandmother's section 8 housing voucher. In early September Kyra went back to school to join her 12th grade classmates only to be denied admittance. The local high school refused to enroll her without a guardian or adult present to register her.

Kyra learned about Bay Area Legal Aid at a community outreach event. By the time she reached BayLegal, Kyra had been living on her own for seven months, had sought emancipation from the courts, only to be denied twice, and was still not enrolled in school.

With the help of the Skadden Fellow, Kyra was able to enroll in school under several laws that protect homeless children's right to education. Still looming was the Housing Authority's requirement that Kyra either provide them with proof of her emancipation or they would evict her from her home.

By helping Kyra learn to navigate the complex system of public assistance she was able to get on her feet financially to ensure she had food to eat and a safe home. Kyra applied again for emancipation, which was awarded to her because of all she had accomplished in getting herself enrolled in school, maintaining her grade-point average and having the wherewithal to stabilize her financial resources. Additionally, because Kyra was legally emancipated, the Housing Authority transferred her grandmother's Section 8 voucher to Kyra's name.

Kyra is now completing her high school education and is in the top of her class, maintaining a 3.7 grade-point average. Kyra knows that she may still face more obstacles in her life, but with ongoing counseling and support from a network of providers she sees her future as bright. After graduation, Kyra plans to attend college after graduation and hopes to become a lawyer someday.