

Silicon Valley Campaign for Legal Services

ANNUAL REPORT
JANUARY 1 — DECEMBER 31, 2006





Thomas W. Kellerman
Chairman's Letter 2006

Dear Colleagues and Friends:

This year, The Silicon Valley Campaign for Legal Services' centerpiece program — grants to its beneficiary agencies — increased by 11% over the previous year, thus assuring that 23,000 deserving low-income people in our community received legal assistance. We could not have achieved this significant milestone without your commitment.

In 2006 we experienced a year of "firsts." SVCLS received significant funding as a result of a *cy pres* "class action" award from Townsend and Townsend and Crew. We hope other firms will follow this example and use trial victories as an opportunity to give back to their community and truly make a difference in people's lives. Additionally, in 2006 Santa Clara County's Combined Employee Giving Campaign designated SVCLS as an approved program.

This year, our annual report highlights an issue that impacts the population served by the legal services organizations that benefit from SVCLS. We draw attention to the importance of language comprehension in providing low-income people true access to the courts and the ways in which legal services organizations are working to address the needs of those in our community who are not proficient in English.

The 2006 *Mix & Match: Making Pro Bono Connections* attracted 125 attorneys to learn more about pro bono and gain insight into how they personally and professionally could become involved. We are grateful to the federal and state judges who shared their expertise with attendees; we also thank Pillsbury Winthrop Shaw Pittman for hosting this unique event.

We are proud of what we have accomplished with your help.

Thank you for joining us on this journey. Our challenge continues.

Sincerely,

— **Thomas W. Kellerman**
MORGAN LEWIS & BOCKIUS LLP



The Silicon Valley

Campaign for Legal Services

has had a major impact on the delivery of Legal Services in Silicon Valley. It has not only made direct funding available, allowing programs to deliver legal services to low-income residents, its promotions have raised community awareness of the need for legal services in the community.

Last year, 86% of the requests we received were from individuals with family law problems.

Even with a panel of 597 volunteer attorneys, we turned away 21% of these applicants because of lack of resources.

In 2006, with SVCLS' help, there were fewer individuals denied services and fewer still who could not complete their cases because of the lack of attorney assistance. ”

— **John Hedges**

DIRECTOR,
PRO BONO PROJECT SILICON VALLEY





Campaign Mission

The Silicon Valley Campaign for Legal Services (SVCLS) provides funds to increase the effectiveness and ability of non-profit legal services agencies to assist men, women and children of all ages, ethnicities and cultural backgrounds. The organization supports individuals who cannot afford to hire an attorney in civil cases and whose legal rights would otherwise go unrecognized and/or unenforced. SVCLS also works to encourage the legal community to become more involved in the provision of pro bono legal assistance. Funds raised from the legal community in Silicon Valley and from surrounding areas are distributed to agencies that provide civil legal services directly to the poor. The Silicon Valley Campaign for Legal Services is a recipient of the American Bar Association's prestigious Harrison Tweed award, with the Santa Clara County Bar Association, for leadership in expanding and developing support for the provision of free legal services to the poor.

Characteristics and Needs of People Who Benefit

Over 521,000 people in Silicon Valley — 30% of the population — qualify for special help due to income, age or disability. These individuals' critical legal issues are primarily related to:

- health care
- the ability to secure and preserve affordable and fair housing
- family law issues such as domestic violence, child custody and divorce
- economic stability
- special problems of the elderly
- consumer fraud, debt collection abuses and other unfair practices
- immigration
- employment

The people who receive SVCLS assistance have "poverty level" incomes far below the amount actually needed to live in Silicon Valley. Many of these individuals are the working poor. For a family of three (such as a mother and two children) the federal poverty level is \$16,600/year — well below the Self-Sufficiency Standard for Santa Clara County of \$65,589. Many such families cannot afford even their basic needs without assistance.

Silicon Valley-based legal services agencies lack the financial resources needed to meet the legal needs of our community's poorest residents. We therefore need and welcome the legal community's pro bono actions and financial support in addition to that of the greater community.

“ We extend our sincere gratitude for SVCLS' continued support. It enables us to respond immediately and directly to the most pressing needs of low-income Santa Clara County residents. In 2006, over 2,075 families received help with housing issues, more than 10,050 victims of domestic violence and their children escaped abuse and over 440 residents accessed income and health care benefits. All this would not have been possible without your ongoing help. ”

— **Ramón Arias**
EXECUTIVE DIRECTOR,
BAY AREA LEGAL AID

Language Barriers to Justice in California: Agencies Benefiting from SVCLS Address Needs

Within Silicon Valley over 100 languages are spoken on a regular basis, with 45 percent of the general population speaking a language other than English at home. The 2000 Census indicates that nearly 20 percent of these individuals speak English less than “very well.” According a recent Report of the California Commission on Access to Justice, *Language Barriers to Justice in California*, “People with limited English proficiency are often also members of groups whose cultural traits or economic circumstances make them more likely to be subjected to discrimination in employment housing, lending practices and other areas.”

In cases brought to our attention by legal services organizations that SVCLS benefits, we frequently see how a lack of language proficiency plays a significant role in clients’ lives. Such individuals are vulnerable to consumer fraud, unable to access health services to which they are entitled, subject to wage garnishments, trapped in creditor/debtor cases and powerless in family law matters. Articles in recent local and national press expose the role that insufficient language proficiency can play when unscrupulous mortgage brokers encourage low-income people to sign loan documents not written in their primary language.

Lack of language proficiency is also a problem when such people attempt to navigate the court system. The right to have a state-funded interpreter in criminal proceedings has long been recognized by the courts. However, in most civil proceedings – even those affecting fundamental rights – California does not recognize the right to an interpreter, nor does the court system have adequate funds to pay for interpreters. In our community approximately 85 percent of family court litigants are pro per (self-represented) each year. These individuals have no choice but to represent themselves in court, having no attorney to ensure their understanding of pleadings, forms or other legal documents. They often, in fact, find it difficult to participate meaningfully in court proceedings without an interpreter.

These factors underscore the important role that legal services organizations play, in striving to hire multi-lingual attorneys, engaging the services of interpreters and recruiting pro bono attorneys who can work effectively with this client population. Among the many organizations supported by SVCLS is The Asian Law Alliance, for example, which specializes in working with the Asian and Pacific Islander communities. Two other examples are The Katharine and George Alexander Law Center and Bay Area Legal Aid, both of which have significant percentages of Spanish-only speaking clients.

The high degree of self-represented litigants in the courts and the increased number of clients needing language-appropriate assistance points to the need for strengthening the effectiveness of Silicon Valley-based agencies that serve our community. Today, these organizations find themselves turning away two of every three eligible low-income clients with meritorious cases, due to lack of adequate resources. The Silicon Valley Campaign for Legal Services aims to close this gap.

Sources: California Commission on Access to Justice, *Language Barriers to Justice in California*, September 2005; US Census Bureau, United States Census 2000.



Significant Results Achieved — Rise In Agency Awards

This year, the grants given to eight legal service providers have enabled them to serve 23,000 low-income people. SVCLS awarded nearly \$420,000 to eight beneficiary agencies, up from \$379,226 in 2005, for an increase of 11%. Your continued and increased support for the SVCLS creates results!

Each beneficiary agency's board of directors determines the best and most effective use of these monies, thus ensuring support for the most urgent client needs and program priorities. Organizations receive a proportional share of the funds raised.



Brian Colucci and Phil Albert of Townsend and Townsend and Crew LLP.



Sally Hatchett, Ropes & Gray LLP and Denis Salmon, Gibson Dunn & Crutcher, LLP.



Angelo Ancheta, Katharine and George Alexander Community Law Center, and client.



Bay Area Legal Aid client, Hon. John Flaherty, Sarah Kurtz, Bay Area Legal Aid, and James Chadwick, Sheppard, Mullin, Richter & Hampton LLP.

Donors Celebrate Grant Distribution at Wilson Sonsini Goodrich & Rosati

More than 100 attorneys and supporters gathered to celebrate SVCLS' seventh annual distribution of funds on October 24, 2006. Wilson Sonsini Goodrich & Rosati LLP graciously hosted this year's event.

Clients shared their meaningful, personal stories – including relating the circumstances that led each of them to seek legal assistance and also acknowledging the impact of the legal assistance they received due to SVCLS funding.

“ We have been able to retain multi-lingual attorneys and hire translators as needed with SVCLS' help. Over 75% of our clients were born in another country and almost half do not speak English. It is essential that the advice and representation they receive is of the highest quality. SVCLS assists us in achieving this goal. ”

— **Angelo Ancheta**
DIRECTOR, KATHARINE AND
GEORGE ALEXANDER
COMMUNITY LAW CENTER



— **Rosales Rico**
WILSON SON SINI GOODRICH
& ROSATI LLP

Client Cases Inspire Our Action

On the following pages are several of the compelling cases we heard this year.

A Teen's Chance for Hope by Accessing Essential Health Care

Caitlin was receiving medical treatment for emotional problems. Just after her 16th birthday, her parents died in an automobile accident, leaving her on her own. Her only source of income, a small social security survivor's benefit, qualified her for Medi-Cal coverage. While she was undergoing intensive psychiatric counseling, Medi-Cal terminated her health care. Without this coverage, Caitlin was unable to continue counseling and get her prescriptions filled. With the help of an SVCLS-supported legal services agency, it was determined that she had been wrongfully denied treatment due to a coding error. The Court ordered reinstatement of Caitlin's health coverage. She is now back in counseling and beginning her healing process under the care of a doctor.



The Hseih Family: A Family in Need of A Helping Hand

When Hurricane Katrina hit the Gulf of Louisiana in 2005, The Hseih's lost everything – their family-owned and operated restaurant, their livelihood and their home. After collecting what was left of their worldly goods, they packed their car and left behind the life they knew. The family drove cross-country to be near their extended family in San Jose. After settling in, the Hseih's were approved to receive government assistance; within weeks, however, the benefits were terminated without warning. With the help of an SVCLS-supported legal services agency, the Hseih's were able to reinstate their public benefits and get job training during the five months the family needed to get back on their feet. As Evelyn told the County appeals worker, "I thank the federal government for helping us in such a desperate situation, and the legal services organization that assisted us and held my hand in this process." Evelyn's courage, determination and resilience in the aftermath of Hurricane Katrina shows how dramatically lives are affected when disaster needs and social services converge – in this case, to help a family that merely needs a helping hand.





Protecting a Family

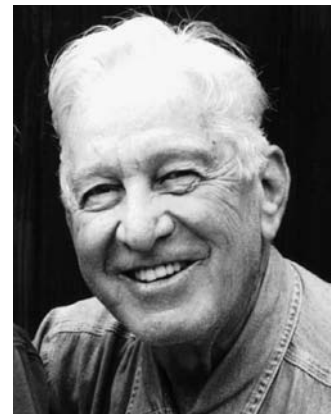
After Norma called the police, her battering husband withdrew financial support and she was then forced to go on welfare to support her three-year-old son. Because the welfare grant was insufficient to pay her rent, she was evicted from her apartment. Norma's husband took advantage of the situation and sued her for sole custody, alleging that Norma was a homeless mother who could not adequately care for their child. With the aid of an SVCLS-supported legal services agency, temporary housing was arranged. Norma and her son were placed in a family shelter and she enrolled in job training. After a lengthy stay at the shelter, during which time shelter staff monitored the father's visitation, the court awarded Norma primary custody. Norma now is employed and lives with her son in their own apartment.

Aiding a Senior Who Fell Victim to Predatory Lending

Mr. D. tells this story: "I am a senior citizen and have owned my own home for over 35 years. I worked hard all of my life, but even with a part-time job and Social Security, each month it seemed I was short of money. I heard about reverse mortgages and how you could use home equity to provide extra money each month. This sounded like the answer to my problems. But because of dealing with an unscrupulous mortgage broker who forged my signature, I was left with a monthly home payment twice my monthly income of \$1,500 and a mortgage in default. I still worry that I might lose my home, but now an SVCLS-supported legal services agency is helping me work with the bank to cancel the loan and remain in my home. I am blessed to have this help. Thank you for your support!"

“ With an ethnically diverse population, Southern San Mateo County is home to both urban and rural low-income households who desperately need legal services to secure their rights to housing, health care, and safety from violence. ”

— **Dan Siegel**
PRESIDENT,
BOARD OF DIRECTORS,
LEGAL AID SOCIETY
OF SAN MATEO COUNTY



2006 Mix & Match: Making Pro Bono Connections

2006 Mix & Match: Making Pro Bono Connections offered area attorneys a number of significant opportunities. Not only were they able to hear perspectives on the value of pro bono to the courts and to pro bono civil litigants, but they also learned about issues and trends currently affecting the pro bono involvement of lawyers, and gained insight into their own personal involvement. We are grateful to these Federal and State judges who served as panelists: Hon. Jeremy Fogel, U.S. District Court, Northern District of California; Hon. James Kleinberg, Santa Clara County Superior Court; Hon. Read Ambler and Hon. John Flaherty, from JAMS. Panel discussion attendees earned MCLE credit. The event also provided an ideal opportunity for attendees to network with colleagues from other firms in a casual setting.



Hon. James Kleinberg, event chair
William Abrams, Pillsbury Winthrop
Shaw Pittman LLP, and Garrett Waltzer,
Skadden Arps Slate Meagher & Flom LLP.

The Santa Clara County Bar Association announced its partnership with SVCLS to create a website that will link those who wish to volunteer their expertise and SVCLS partner agencies, using a job posting format. The site will debut in 2007.

Amicus Committee members greeted attendees and provided additional support for the event. Underwritten and hosted by Pillsbury Winthrop Shaw Pittman LLP, the June 15, 2006 event was attended by over 125 attorneys. *The Daily Journal* and *The Recorder* provided pro bono advertising space to help publicize the event.



Craig Miller and David Herbst of Manatt,
Phelps & Phillips learn more about pro bono
opportunities from a participating agency.

SVCLS Received Its First *Cy Pres* Award

SVCLS was the recipient of its first *cy pres* award – of \$50,000 – in 2006, as a result of a designation by Townsend and Townsend and Crew LLP. James G. Gilliland Jr., Townsend’s chairman, said upon designating this award: “We have long been a supporter of SVCLS and its efforts to support the agencies that provide a needed service to the Silicon Valley’s disadvantaged residents.”

The *cy pres* or “next best use” doctrine operates much like donor-advised contributions. Class Action attorneys negotiating settlement or litigating the remedy in their actions must often address the probability that not all class members will be located, or that a defendants’ conduct has made full restitution to all injured victims impossible or infeasible. Under such circumstances, the courts may approve a charitable donation out of unclaimed residue of class action funds, or a direct grant in lieu of damages to any entity that will vindicate a class member’s rights in the future. This approach avoids a windfall to the defendant and serves the deterrent goals of civil rights laws.



Catia Hagopian, Xilinx Inc., and Sally Berens,
Gibson Dunn & Crutcher LLP.

County of Santa Clara Designates SVCLS As A Beneficiary of Its Combined Giving Campaign

Santa Clara County designated SVCLS as a beneficiary agency of its Combined Giving Campaign. This annual program encourages employees to provide philanthropic support, through payroll deduction, to qualified non-profit organizations.

Amicus Committee Mixers

A lively series of Mixers organized by the Amicus Committee brought together young lawyers for social networking and professional exchange in an informal setting. This year's event sponsors included Merrill Corporation, Sarnoff Court Reporters and Legal Technologies, Barristers of the Santa Clara County Bar, First Advantage, and True Data Partners.

One important aspect of the Committee's busy schedule was its support for 2006 Mix & Match.

Amicus Committee is a dynamic group of young lawyers who are dedicated to building a new generation of enthusiasm and financial support for the legal services agencies serving Silicon Valley. The committee provides visibility for and support of the Silicon Valley Campaign for Legal Services (SVCLS) within its members' own firms, corporations or government agencies, and also hosts fundraising and social and networking events throughout the year.



Amicus Chair Kristin Major, Skadden Arps Slate Meagher & Flom LLP, Eric Mercer and Eric Hutchins, Townsend and Townsend and Crew LLP.



Amicus Mixers draw attorneys from Valley firms for informal networking and support of SVCLS.

Board News

We express our great thanks to these board members whose terms expired at year-end. Our organization has greatly benefited from your stalwart support and involvement: Julie Emede, Schleppehorst & Emede PC; Amanda Groves, Winston & Strawn; Lisa Herrick, Santa Clara County Counsel's Office; and Harry Kellogg, Silicon Valley Bank. We particularly recognize William Priest, The Priest Law Offices, for his early advocacy and leadership as a founding board member.



— **Scott Taylor**
SYMANTEC CORPORATION

General Council Committee News

Scott Taylor, Symantec Corporation, led General Counsel actions. The committee continues to provide leadership both within the business community and also in the promotion of SVCLS.

We are grateful for the sustained and new support received from our corporate funders and greatly appreciate these investments.

“ The General Counsel Committee offers a unique opportunity for in-house lawyers and the companies they represent to help provide legal services for those less fortunate. ”

Thank You! 2006 Donors

Thank you for supporting our very important mission – to give low-income individuals access to civil legal counsel.

We gratefully acknowledge our 2006 donors.



Gifts from January 1, 2006 through December 31, 2006.

Thank You

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* *The Thurgood Marshall Society recognizes law firms whose gift is equivalent to \$300 or greater per attorney based in Silicon Valley.*





Silicon Valley
 Campaign for Legal Services
 2006 Financial Statement (Unaudited)

INCOME

Contributions

Individuals		
Board Members	\$ 37,020	
Individuals (attorneys and others)	<u>50,392</u>	
<i>Sub-Total Individual Gifts</i>		\$ 87,412
Law Firms		309,550
Companies		93,700
Organizations		17,700
Foundations		20,000
Special Events		<u>1,464</u>
<i>Sub-Total Gifts</i>		\$529,826
Donated Services		20,232
Interest Income		<u>20</u>

Total 2006 Contributed Income **\$550,078**

EXPENSES

Agency Distributions

Bay Area Legal Aid (SCC Office)	\$ 90,971	
Katherine and George Alexander Community Law Center		66,734
Community Legal Services in East Palo Alto		23,529
Law Foundation of Silicon Valley		93,887
Legal Aid Society of San Mateo County		15,062
Pro Bono Project Silicon Valley		41,728
Santa Clara County Asian Law Alliance		41,766
Senior Adults Legal Assistance		<u>43,599</u>
<i>Sub-Total Distributions to Agencies</i>		\$417,276

Other Programs		<u>34,536</u>
Subtotal All Programs		\$451,812

Administrative Expenses		
Management	\$60,493	
Fundraising	35,661	
Sub-Total Administration and Fundraising		<u>\$ 96,154</u>

Total 2006 Expenses **\$547,966**

Increase in Unrestricted Net Assets		2,112
Retained Earnings from 2005 operations		12,756
Surplus (Deficit) Held for 2007 Operations		\$14,868

“ Every day,
 our staff,
 local volunteer
 attorneys, and
 law student volunteers
 dedicate themselves
 to providing
 needed legal services
 in our community.
 Without SVCLS’ support,
 these daily marvels
 could not happen.
 Thank you for your
 continued support
 and ongoing
 commitment. ”

— **Candace Greenberg**
 EXECUTIVE DIRECTOR,
 COMMUNITY LEGAL SERVICES
 IN EAST PALO ALTO

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