# UNITED FOR JUSTICE

**COMMUNITY REPORT 2018** 



# DEAR FRIENDS & SUPPORTERS:

I look back on 2018 with pride in the work Community Legal Aid has been able to do. We worked with many community partners and funders to respond to the diverse needs of our clients across the five counties of Central and Western Massachusetts. Our dedicated team of attorneys and advocates provided high quality legal services to 6,750 elderly and low-income clients—protecting homes, livelihoods, health, and families.

As you will read in this report, we developed new ways to reach underserved populations including:

- veterans with health-harming legal needs;
- victims of crime who face civil legal problems;
- students in need of advocacy around special education or excessive discipline; and
- immigrants and refugees facing changing policies.

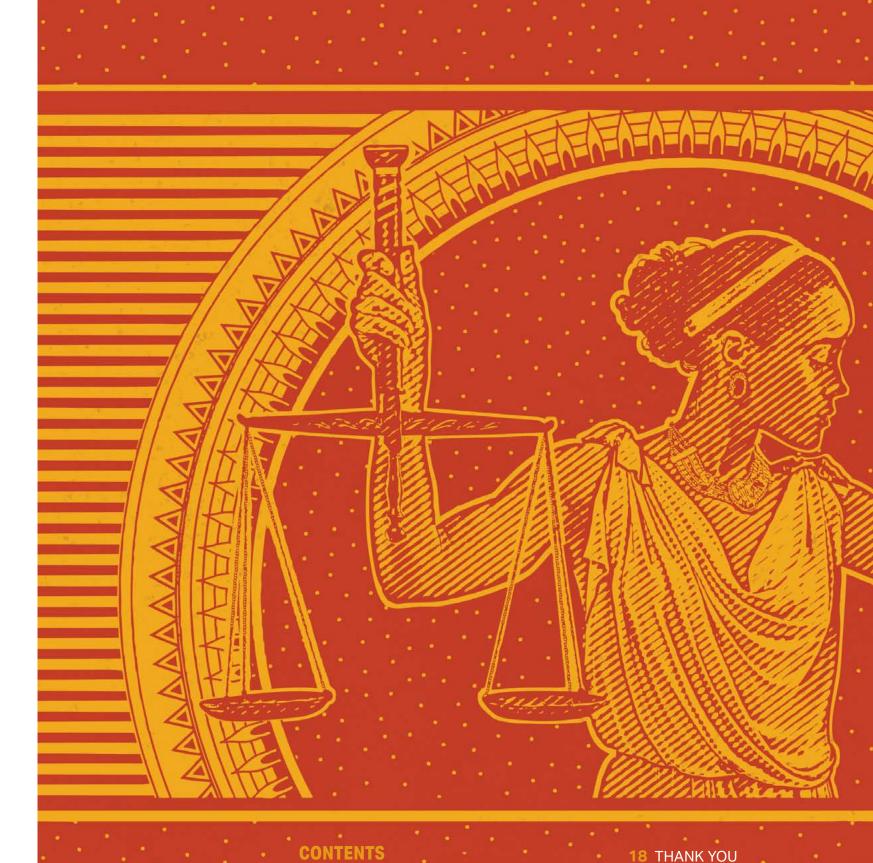
We also continued refining and expanding ways to reach vulnerable neighbors through our Medical-Legal Partnership and Asian Outreach and Advocacy Project.

This work cannot be done without you—our donors, funders, and pro bono volunteers. As much as this report is a look back on CLA's achievements, it also provides the opportunity to say thank you to the many individuals and organizations whose generosity helps make this possible.

We are grateful for the many ways that we unite as a community to work toward the ideal that everyone is entitled to equal protection under the law. Thank you.

Sincerely,

Jonathan Mannina, Esq Executive Director



04 OUR WORK

14 CENTRAL WEST JUSTICE CENTER

**30 OUR TEAM** 

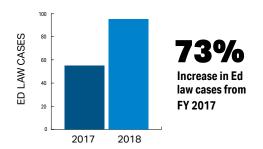
**33** FINANCIALS

# THE IMPACT OF EDUCATION LAW

ommunity Legal Aid's Education Law Project provides legal assistance to low-income students and their families. The Project's goal is to ensure students remain and succeed in school and avoid the "School-to-Prison Pipeline." The Project does this by reducing unfair or unlawful disciplinary action and securing needed special education services, including Individual Education Programs (IEPs). Since its inception in 2014, the Education Law Project has assisted more than 200 school-aged children and youth attending Worcester County schools.

A recent grant from the Massachusetts Bar Foundation has allowed CLA to expand the Project's advocacy efforts in Hampden County.

For families whose children have special education needs or are having discipline problems in school, navigating the bureaucratic realities of the public education system is a challenge, even in the best of circumstances. Imagine trying to do this when English is not your first language, or when your family is newly arrived in the city and school system.



#### CLIENT CASE

## One Family's Story

#### **RECENTLY RELOCATED** from

Puerto Rico, a family came to CLA after struggling to get special education services from a large urban school district for their two daughters, both of whom have disabilities that impede their progress in school. Despite repeated requests, and a legal requirement to do so, the district failed to have vital documents about the children translated into Spanish in order for the students' mother to fully participate in her daughters' education planning and progress. CLA's Education Law staff attorney Nicole Cardamone filed a complaint with the Massachusetts Department of Elementary and Secondary Education (DESE), describing the school's failures to provide adequate language access to her client.

DESE issued findings determining that the district was not complying with the law. DESE ordered the district to engage in sweeping corrective actions, requiring that it provide translated IEP materials in a timely manner. With this order, now other students may avoid facing these types of obstacles.

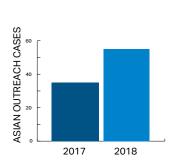
staff attorney Outcome: Due to Attorney Cardamone's advocacy, this district is making sweeping corrective changes to its language access policies.

# ASIAN OUTREACH & ADVOCACY PROJECT

OUTREACH

**LEGAL ASSISTANCE TO:** 

**200** Members of Worcester County's Asian immigrant population in 4 years.



57% Increase in cases from FY 2017

he Asian Outreach & Advocacy Project is in its fourth year of providing legal assistance for Worcester County's underserved Southeast Asian population. The Project assists clients, many of whom have limited English proficiency, with myriad legal issues, including Medicare, MassHealth, unemployment benefits, Supplemental Security Income (SSI) for elder and disabled clients, Supplemental Nutrition Assistance Program benefits (SNAP, also known as food stamps), and other governmental assistance programs.

The project is made possible by the generous support of the Harry H. Dow Memorial Legal Assistance Fund created in honor of Harry H. Dow, the first Asian American attorney admitted to practice law in Massachusetts. Mr. Dow worked tirelessly, without fanfare and without compensation, for many years providing counsel to the underserved immigrant and impoverished communities of Boston's Chinatown and South End.



#### CLIENT CASE

### Link's Story

"Linh" is a 79-year-old Limited English Proficient (LEP) Vietnamese speaker. In 2017, Linh traveled from Central Massachusetts to Vietnam to settle her ailing husband into long-term care there. Upon her return to Massachusetts, Linh became aware that she had miscalculated her travel schedule by one day and she had been out of the country for more than the 30 days allowed by Social Security regulations. As a result, Linh's SSI, her only source of income, was terminated. MassHealth also terminated access to her health insurance. Linh

tried to have her benefits restored but, due to her limited English, she was unsuccessful. At the time of the Project's intervention, Linh had run out of medication and could not visit her primary care provider since she did not have any income to pay out-of-pocket costs. The project attorney, Janet Vo, successfully negotiated with the Social Security Administration to reinstate Linh's MassHealth benefits and to secure SSI payments retroactive to the period of termination.

Community Legal Aid's Role in

# **CONFRONTING THE OPIOID EPIDEMIC**



n Wednesday, April 11, 2018, CLA's Weayonnoh Nelson-Davies served on a panel of experts at a briefing in Washington, D.C. updating members of Congress on how medical-legal partnerships ("MLP") assist in fighting the opioid crisis. The briefing was organized by the Legal Services Corporation (LSC). Representative Joseph P. Kennedy, III (MA-4), a co-chair of the Congressional Access to Civil Legal Services Caucus, spoke at the event.

At the hearing, Attorney Nelson-Davies discussed how Legal Aid organizations play a key role in helping with issues such as family law, domestic violence, child and elder abuse, housing, and employment. MLP lawyers stationed in healthcare settings and partnering with healthcare providers are more easily able to reach patients and tackle the legal issues that are impeding patients' health and recovery.

▲ Pictured above: CLA's Weayonnoh Nelson-Davies and Congressman Joseph P. Kennedy in April, 2018.

# Mary & James' Story

"Mary and James" were appointed guardians of their three grandchildren because their daughter, the children's mother, struggles with drug abuse and addiction. Both grandparents have disabilities that make it difficult for them to provide full-time care for their youngest grandson, who is seven years old and has special needs. Because they cannot afford to pay for childcare, CLA is working with the family to help them obtain the services and resources needed to care for and support their grandchildren while their daughter works toward recovery.

Outcome: Helping grandparents who become

caretakers.

Civil Legal Aid for

## **VICTIMS OF CRIME**

he Civil Legal Aid for Victims of Crime Initiative (CLAVC) helps victims of crime resolve their crime-related civil legal problems in areas including family law, housing, immigration, disability rights, child welfare, education, consumer, identity theft, employment rights, and public benefits. Those we help must be a victim of a crime which is connected, directly or indirectly, to the legal matter for which they are seeking our assistance. The CLAVC Initiative is supported by the Massachusetts Office for Victim Assistance through a Victims of Crime Act grant from the US Department of Justice.

#### CLIENT CASE

### Ted's story

"Ted," who has a history of mental health issues and learning disabilities, met a woman on an internet dating site. Claiming that she did not have a bank account, the woman asked Ted to deposit her tax refund and use the money to purchase gift cards and send them to her, leaving \$200 for him for his efforts. Ted did as he was asked - he deposited the IRS check (which turned out to be fake), bought gift cards, and sent them to her. The bank then notified Ted that the check was fraudulent, his account was overdrawn, and he owed almost \$2,000 from using a line of credit before the check cleared. Although the bank offered a payment plan, even a modest payment plan would have presented an enormous challenge to Ted, whose

sole source of income is disability benefits. **CLAVC** staff attorney Franci Gazzaniga successfully advocated with the bank to wipe out the entire debt. If CLA had not stepped in, Ted, someone already struggling to make ends meet, would have been

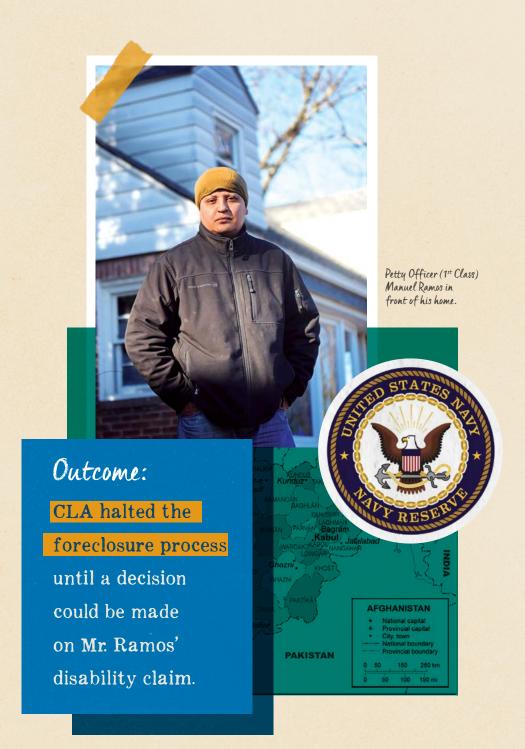
legally responsible for the charges. Thanks to CLA's advocacy, Ted did not have to suffer the potentially devastating effects of this scam.



Ted did not have to suffer the potentially devastating effects of this

scam.

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# **ADVOCATING FOR VETERANS**

n 2018, the United Way of Hampshire County awarded Community Legal Aid a three-year grant to address veterans' civil legal needs. Thanks to this generous grant, CLA is working closely with the Northampton Veterans Affairs Medical Center to improve the health of Hampshire County's veterans and their families by tackling their unmet health-harming legal needs. Under this partnership, CLA maintains a regular presence on site at the VA and also trains VA medical providers to screen veterans for legal needs. When a veteran with a legal need is identified, CLA provides legal assistance. Issues for veterans may include: discharge status upgrades (needed for eligibility for veteran services), healthcare and benefits programs, and access to affordable housing.

### **L** THE NEED IS CLEAR AND **WE EXPECT THAT THE WORK TO BE DONE UNDER THE GRANT WILL BE IMPACTFUL."**

#### John Bidwell **Executive Director** The United Way of Hampshire County

#### CLIENT CASE

### Manuel's Story

Petty Officer (1st Class) Manuel Ramos is a US Navy Reserve member who served in Operation Enduring Freedom in Afghanistan. Grateful to the military for providing him stability and a good income, he takes pride in his home in South Hadley that he was able to purchase during his years in the service.

Injuries sustained during his combat service have left Petty Officer Ramos permanently disabled. Given his condition, the Navy reserve instructed him to begin the process for a medical separation.

Without his military income, Petty Officer Ramos was unable to make mortgage payments on his home, and the lender began a foreclosure action against him. At the end of the separation process, Petty Officer Ramos expects to have 100% VA disability compensation, which will be more than adequate to cover his mortgage payments.

CLA attorney Daniel Bahls identified areas in which the loan servicer had been cutting corners while in the foreclosure process. As a result of Dan's advocacy, the loan servicer agreed to halt the foreclosure process until a decision could be made on Mr. Ramos' disability claim, helping him remain in the home he is so proud of.

Celebrating our Medical-Legal Partnership with

# **UMASS MEMORIAL HEALTH CARE**

ommunity Legal Aid is grateful for the continuation of its Medical-Legal Partnership (MLP) with UMass Memorial Health Care, the largest health care system in Central Massachusetts.

Initially funded with support of the Pro Bono Innovation Fund from the Legal Services Corporation (LSC), the MLP is in its second round of funding from LSC and enjoys financial support from UMass Memorial as well.

From the very beginning, the leadership teams at Community Legal Aid and UMass Memorial Health Care have worked together to ensure that the program is reaching those in need. Kate Eshghi, Senior Vice President and General Counsel for UMass Memorial, welcomes the continued partnership. "We are excited to continue collaborating with Community Legal Aid and local pro bono attorneys who share our commitment to improving the lives of low-income children and families, frail elders and other members of our communities who have significant yet unmet legal needs. Together we can remove the legal barriers to good health for our most vulnerable patients."

The MLP Program is set up at three UMass Memorial Medical Center clinics that serve a high number of Medicaid patients. When a medical practitioner believes that a patient's medical issues have an underlying legal cause, a referral is made to CLA's medical-legal staff attorney, Kate Gannon.

Since CLA and UMass Memorial Health Care began our partnership in 2015, the MLP has assisted over 150 pediatric and adult patients with legal needs related to special education, public benefits, guardianship, and housing.

**Assisted since CLA** began partnership with UMMHC in 2015





#### CLIENT CASE

### Carol's Story

A victim of domestic violence was referred by Benedict Pediatric Primary Care due to substandard conditions in her apartment that included a cockroach infestation, mold, and unsafe structural issues. A pro bono attorney negotiated a settlement with the landlord that included a rental abatement of \$2,000, which allowed the patient to move to safe, affordable housing. Additionally, an advocate noticed during intake that the client was receiving an incorrectly low amount of TAFDC (cash assistance) and helped to obtain a monthly benefits increase.



**L** DUE TO THE VOLUME OF **PATIENTS REFERRED BY OUR PARTNERS AT UMASS MEMORIAL HEALTH CARE, THE MLP PLACES** MANY CASES SUCH AS CAROL'S WITH A VOLUNTEER ATTORNEY. THIS MAKES OUR MLP A TRUE **PARTNERSHIP BETWEEN OUR MEDICAL AND LEGAL COMMUNITIES."** 



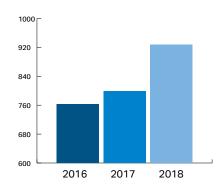
#### **Central West Justice Center**

# **RELIEF FOR THOSE SEEKING SAFE HAVEN**

■he Central-West Justice Center (CWJC), CLA's wholly-owned subsidiary, houses an Immigration Unit which provides crucial, often life-changing legal assistance for vulnerable, low-income immigrants. Over the last 3 years, CWJC has experienced a significant increase in demand for its immigration legal services in Central and Western Massachusetts.

Many of CWJC's immigrant clients are children who have been abandoned, abused or neglected, or women who are victims of domestic violence, sex trafficking, or other crimes. CWJC helps these victims of exploitation seek humanitarian-based relief to escape those horrors, applying the laws enacted to protect them. Others are in removal procedures due to the termination of Temporary Protected Status (TPS) or the threatened end to the Deferred Action

#### **CWJC'S IMMIGRATION CASES**



for Childhood Arrivals (DACA) program, and seek alternate forms of relief from removal. Without free legal representation, these victims struggle to secure lawful status in the United States.

CWJC OUTREACH

#### **ICE DETENTION CENTER IN GREENFIELD**

In collaboration with the Political Asylum/ Immigration Representation (PAIR) Project and the Immigrant Protection Project of the American Civil Liberties Union, CWJC conducts Know Your Rights sessions and consultations for immigrant detainees held at the Franklin County Jail in Greenfield, a facility now used by ICE for detention. Know Your Rights sessions provide the immediate benefit of empowering clients to assert their basic civil rights, as well as helping them understand available avenues for immigration relief. Project attorneys conducted seven Know Your Rights trainings for more than 127 immigrants and community partners in fiscal year 2018.

North Pacific Ocean Outcome:

CLIENT CASE

### Dionicio's Story

As a student leader in Central America, Dionicio spoke out publicly at community presentations and protests in the streets demanding more security in his town, denouncing drug use and gang activity, and promoting peace and justice. As a result, gang members beat him up, stole his money, and threatened to kill him and his family. Fleeing violence, Dionicio arrived in the United States seeking asylum.

His case had already been scheduled for an interview with an asylum officer when he came to CWJC seeking legal assistance. With a fastapproaching interview date, CWJC had to develop a detailed declaration of the persecution Dionicio had suffered in his country, research and compile country conditions documents that would support his story, and prepare him for the interview that had the potential to change the course of his life. What's more, with every passing day, asylum claims based on domestic violence and gang violence had less and less chance of success because of changing immigration policy. Given this new hurdle to asylum,

important to frame Dionicio's request for asylum in a way that could withstand heightened scrutiny.

Dionicio, a

human rights

activist, is safe

from violence.

With CWJC's help, Dionicio persuaded the asylum officer that he had been persecuted by gang members in his country because of his leadership in a human rights student group that promoted indigenous rights and youth development, and fought against government corruption, gang recruitment, and crime. Thanks to CWJC staff attorney Karen Cole's advocacy for Dionicio, the Asylum Office approved his asylum application less than a week after the interview, only three and a half months after he had arrived in the United States.

With asylee status, Dionicio doesn't have to worry about being deported. He hopes to learn English and find work that will allow him to help support his many siblings who still live in poverty at home. He is also seeking a way to continue to work for the greater good of his community.

it was especially

CWJC receives no funding from the Legal Services Corporation

CWJC receives no funding from the Legal Services Corporation





fter the arrival of the evacuees, Central West Justice Center (CWJC) began to coordinate efforts to help them obtain necessities, including food and shelter. CWJC staff attorney Gina Plata-Nino attended various community meetings, met with evacuees at their hotels, held trainings, and worked alongside direct services organizations and coalitions servicing evacuee families and individuals. In June 2018, evacuees became apprehensive and uncertain about the looming end of the TSA program (to be replaced by a new Massachusetts program). In the days leading to the June 30th deadline, CWJC increased its outreach. As CWJC received frantic calls from the evacuees, CWJC staff contacted the state administrators and worked tirelessly through the weekend to make sure no family ended up homeless. In the ongoing extensions, CWJC met with local and state agencies administering the new program, advocating to ensure that the families received necessary support. CWJC continues to work with families to assure they obtain the resources and housing they so desperately need.

WHILE RECEIVING FRANTIC
CALLS FROM THE EVACUEES,
CWJC STAFF WORKED
TIRELESSLY THROUGH THE
WEEKEND TO MAKE SURE NO
FAMILY ENDED UP HOMELESS.

CWJC receives no funding from the Legal Services Corporation

## **THANK YOU**

Dear Friends,

I am proud to write to you as Community Legal Aid's Board President. It is gratifying to reflect on the past year and see the important work that this outstanding organization has accomplished at such a critical time in our country.

Never before have we seen such deep division and threats to access to justice for so many in our communities. I believe deeply that it is our civic responsibility to help respond to these threats and reinforce why equal protection matters. When justice is denied to one of us, it is denied to all of us. That is why I am so grateful to the funders, donors, and volunteers, who, over the past year, united with CLA to help ensure access to justice for all.

With your help, CLA has continued its great work in its "core" practice areas, and it has diversified its services to reach underserved populations in our communities. The services provided by CLA go to the heart of a commitment to equal justice for all—a belief that unites us in support of CLA. On behalf of all of the Community Legal Aid family, thank you.



John Shea, Esq

Chair, Board of Directors

#### FY 2018

# **ACCESS TO JUSTICE CAMPAIGN COMMITTEES**

Every year, Community Legal Aid relies on the volunteer work of attorneys throughout Central and Western Massachusetts as they ask their friends, colleagues, law firms and peers to support our work. The following volunteers helped Community Legal Aid raise over \$110,000 from lawyers and law firms in Central and Western Massachusetts in Fiscal Year 2018 (October 1, 2017-September 30, 2018).

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### **FUNDERS**

A growing number of foundations, corporations, and other organizations are recognizing the importance of ensuring a fair and just civil legal system by providing grants in support of Community Legal Aid. Thank you to all of these institutions whose generosity and partnership are essential to our mission of justice for all.

Albert W. Rice Charitable Foundation

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### **DONORS**

Thank you to our Fiscal Year 2018 donors. The list below recognizes gifts received between October 1, 2017 and September 30, 2018.

The asterisk (\*) indicates members of our Justice & Loyalty Circle, which celebrates and recognizes donors who have made 5 or more gifts in support of our work.

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Hanover Insurance Group Foundation\*

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Anne and Michael Chernick\* Greta LaMountain Biagi Borchers Trust Law Group, PC

#### **QUEENAN LEGAL SERVICES FUND**



Henry Beth

In 2018, Community Legal Aid lost a dear friend and advocate. Retired Federal Bankruptcy Judge James F. Queenan, age 85, of Worcester, died on July 9th, 2018. Judge Queenan, who sat on the Bankruptcy Court in Worcester and Springfield, was an icon of the legal community as well as a great champion of Community Legal Aid.

Over many years, Judge Queenan generously contributed his time and talent by participating in our Worcester County fundraising campaigns as well as mentoring staff attorneys at Community Legal Aid. In 2011, Judge Queenan established the Honorable James F. Queenan Legal Services Fund at the Greater Worcester Community Foundation, designating Community Legal Aid as the permanent beneficiary. With this wonderful gift, Judge Queenan's legacy of supporting CLA will continue to impact our work and our clients in perpetuity. We are grateful to be a part of his legacy.

#### **TO GIVE**

Individuals can continue to honor Judge Queenan's life and legacy by making a gift to this special fund by sending a check payable to Greater Worcester Community Foundation to:

Hon. James F. Queenan Legal Services Fund Greater Worcester Community Foundation 370 Main Street, Suite 650 Worcester, MA 01608-1738

#### or give online at:

www.greaterworcester.org/Giving/Donate-Online Scroll to drop-down menu and select:

Hon. James F. Queenan Legal Services Fund

#### **ABOUT LEGACY GIVING**

By including Community Legal Aid in your estate planning, you and your family are able to make a lasting commitment to legal services, helping to ensure a future promise of justice for all.

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The Hanover Insurance Group Makes Gift to CLA in Honor of the Retirement of Longtime Chairman Michael P. Angelini



Community Legal Aid was honored to be the recipient of a gift from The Hanover Insurance Group in honor of its long-time Chairman, Michael P. Angelini. On May 15, 2018, The Hanover announced the retirement of Attorney Angelini from the board after more than 30 years

of distinguished service to the company and its affiliates. In honor of Attorney Angelini's service in the community, The Hanover made a gift to CLA in the amount of \$10,000.

Attorney Angelini has served as Chairman of the Worcester law firm Bowditch & Dewey since 1997. CLA has been privileged to have had Attorney Angelini serve on its Board from 2011 to 2017, as a volunteer every year for its annual Worcester County Bar Campaign, and as a loyal donor to our organization.

TO HANOVER FOR ITS
THOUGHTFUL RECOGNITION AND
PHILANTHROPY AND TO CLA FOR
ITS ASSISTANCE TO THOSE WHO
ARE DISADVANTAGED AND FOR ITS
COMMITMENT TO EQUAL ACCESS
TO JUSTICE."

Michael P. Angelini

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The 2018 Community Report recognizes donations made between October 1, 2017 and September 30, 2018. If you think your name should have been included, please contact CLA's Development Department at 413-727-7115 or donorrelations@cla-ma.org

# **VOLUNTEER** LAWYERS SERVICE

CLA turns away half of the eligible clients because we do not have enough resources to serve them. Volunteers play an essential role in narrowing the justice gap.

Through our Volunteer Lawyers Service, CLA refers hundreds of pro bono cases a year to attorneys working in private practice, corporations and government. Thanks to these volunteers, we are able to make justice real for more clients.

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CASES REFERRED

**ACCEPTED A REFERRAL** 

PRO RONO CASES CLOSED

2.231

**DONATED VALUED** 

AT \$453,601

In October 2017, the law firm of Mirick, O'Connell, DeMallie & Lougee, LLP, was honored at Harvard Law School by the Legal Services Corporation for its longtime support of Community Legal Aid and



commitment to pro bono work.

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# CENTRAL WEST JUSTICE CENTER

The Central West Justice Center, a wholly-owned subsidiary of Community Legal Aid, provides free legal help to low-income and elderly residents of Central and Western Massachusetts. CWJC's advocates focus on cases involving humanitarian-based immigration law, employment rights, housing and homelessness issues, and access to public benefits.

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CWJC receives no funding from the Legal Services Corporation

## **FINANCIALS**

Community Legal Aid and Affiliate Unaudited Statement of Activities For the Twelve Months Ending September 30, 2018

Total Revenue After Donated Services	\$10,426,202.00
Donated Services - Attorneys	<b>\$9,973,025.00</b> \$453,177.00
Revenue Before Donated Services	
Other Income	\$139,188.00
Cy Pres Awards	\$312,240.00
Attorneys' Fees	\$97,983.00
United Way Grants	\$154,979.00
Private Fundraising	\$165,617.00
Foundation Grants	\$504,261.00
Government Grants	\$1,710,178.00
Legal Services Corporation	\$1,681,359.00
Massachusetts Legal Assistance Corp.	\$5,207,219.00

#### **EXPENSES BY LINE-ITEM**

Personnel	\$7,687,804.00
Occupancy	\$603,509.00
Operations	\$643,100.00
Library & Litigation	\$7,735.00
Sub-grants	\$148,318.00
Contract Services	\$135,707.00
Expenses Before Donated Services	\$9,226,172.00
Donated Services - Attorneys	\$453,177.00
Total Expenses After Donated Services	\$9,679,349.00
Change In Net Assets	\$746,853.00

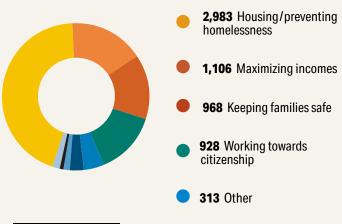
# **2018 IN NUMBERS**

CASES HANDLED

6,750

1,940

#### **AREAS OF LAW**





- **97** Employment
- 95 Keeping kids in school
- **62** Re-entry after incarceration

#### POPULATION SERVED

#### INCOME

at or below 100% of 65% the federal poverty guidelines\*

Between 100% and 28% 200% of the federal poverty guidelines\*\*

**7%** Other

#### 2018 Federal Poverty Levels

\*100%: Pre-tax annual income of \$12,140 for an individual or \$25,100 for a family of four

\*200%: Pre-tax annual income of \$24,280 for an individual or \$50,200 for a family of four

#### AGE

20% Over 60 years

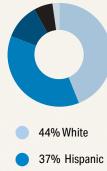
> 73% 19-59 yrs

18% Under 18 yrs

**GENDER** 

Female identified Male identified

#### **ETHNICITY**



11% Black

6% Other

2% Asian

CWJC receives no funding from the Legal Services Corporation

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# HELP ENSURE JUSTICE FOR ALL

Community Legal Aid works to improve the lives of low-income and elderly people through legal assistance that protects fundamental rights, secures access to basic needs, and challenges policies and practices that harm our clients. We work to assure fairness for all in the justice system, protecting homes, livelihoods, health, and families.

Help Community Legal Aid continue to thrive by making a tax-deductible gift today.

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