

NEW HAMPSHIRE  
**BAR FOUNDATION**

Strengthening Justice for All



# IOLTA

Dollars Make a Difference

**INTEREST ON LAWYERS TRUST ACCOUNTS**

IOLTA FUNDING FOR FY2020

JUNE 1, 2019 - MAY 31, 2020

**\$950,000**

IOLTA is the largest, unrestricted and most enduring source of funding for civil legal aid in our state.

**EFFICIENT.**

**ACCOUNTABLE.**

**PROFOUNDLY EFFECTIVE.**



# WHO RECEIVES FUNDING

The organizations we fund are proactive and responsive. They collaborate closely, using unique expertise to deliver legal services for eligible disadvantaged, disabled and vulnerable people in our state.

Listed below are grants awarded for both FY2020 and the current Fiscal Year (6/1/20-5/31/21). All activities in this report are derived from annual reports filed by IOLTA grantees. These reports in full can be found at [www.NHBarFoundation.org](http://www.NHBarFoundation.org).

Grants	FY 2020	FY 2021
Disability Rights Center	\$57,000	\$58,750
Legal Advice & Referral Center	\$42,000	\$43,750
NHBA Modest Means Legal Services	\$7,000	\$7,000
NH Legal Assistance	\$560,000	\$561,750
NH Bar Pro Bono Referral	\$217,000	\$218,750
Law School Loan Assistance Program	\$67,000	\$60,000
<b>Total</b>	<b>\$950,000</b>	<b>\$950,000</b>



**Ensuring access to legal solutions not only improves outcomes for those who seek assistance, but also saves public dollars in the long term, by preventing problems like homelessness or health issues that can be extremely costly and harmful to individuals and the public. —Civil Legal Aid 101**



## NH Legal Assistance (NHLA)

Sarah Mattson-Dustin, *Executive Director*  
smattsondustin@nhla.org

### [www.NHLA.org](http://www.NHLA.org)

NHLA provides high quality civil legal aid to vulnerable low-income people across New Hampshire, addressing problems that affect daily survival and basic needs. NHLA works to influence or change policies and practices that adversely affect poor and elderly people in NH.

**FY2020 Return on Investment:** Financial outcomes resulted in clients receiving \$2.2 million in financial assistance and child support.



## Disability Rights Center-NH

(DRC-NH)

Stephanie Patrick, *Executive Director*  
stephaniep@drcnh.org

### [www.DRCNH.org](http://www.DRCNH.org)

DRC-NH eliminates barriers to the full and equal enjoyment of civil and other legal rights by people with disabilities. DRC-NH provides legal advice, information and referral, representation, outreach and training. It engages in systemic advocacy and impact litigation, abuse and neglect investigations and monitoring those institutions that interact with people with disabilities.

**FY2020 Return on Investment:** IOLTA Funds enabled the DRC-NH to provide information, advice and assistance for over 800 cases regarding eligibility and/or delivery of services for individuals with disabilities.



## Legal Advice & Referral Center (LARC)

Breckie Hayes-Snow, *Executive Director*  
bhayes@larcnh.org

### [www.NHLegalAid.org](http://www.NHLegalAid.org)

LARC is the entry point for a collaborative, statewide delivery system that optimizes scarce civil legal aid resources. LARC screens applicants for financial eligibility for services, performs triage to determine the best source of assistance, and refers qualified applicants to other agencies.

**FY2020 Return on Investment:** 347,640 pages of the NHLegalAid.org website were viewed by 150,531 unique visitors. Over 4,000 people benefited from assistance received from LARC.



## NH Bar Association Pro Bono Referral

Virginia Martin, *Associate Executive Director – Legal Services*  
gmartin@nhbar.org

### [www.NHBar.org](http://www.NHBar.org)

NH Pro Bono coordinates, supports and oversees hundreds of volunteer attorneys whose contributions of legal expertise give vulnerable and needy clients access to representation in matters ranging from simple to complex. Pro Bono concentrates on cases where legal intervention can make a measurable difference in clients' lives.

**FY2020 Return on Investment:** Coordinating, supporting and overseeing client services, including legal information and/or referrals, advice and representation, benefiting more than 4400 adults and children.



## NH Bar Association Modest Means Program

Virginia Martin, *Associate Executive Director –  
Legal Services*  
gmartin@nhbar.org

**www.NHBar.org**

The Modest Means Program aims to make legal services accessible to low and moderate-income people by connecting clients to attorneys in private practice who agree to charge reduced fees. The types of cases include family law, bankruptcy and foreclosure.

**FY2020 Return on Investment:** 542 Modest Means referrals were made which benefitted 911 household members.


## Law School Repayment Assistance Program (LRAP)

*NHBF Program Coordinator –*  
info@NHBarFoundation.org

**www.NHBarFoundation.org**

LRAP assists IOLTA-funded legal services organizations by providing loan repayment grants that lighten the financial burden for newer lawyers working on the frontlines of legal aid.

**FY2020 Return on Investment:** Ten lawyers received assistance, enabling IOLTA agencies to avoid the costs and disruption of new hiring.



**The single greatest barrier identified by all data sources is the lack of adequate legal services to meet the legal needs of low-income people in NH.**

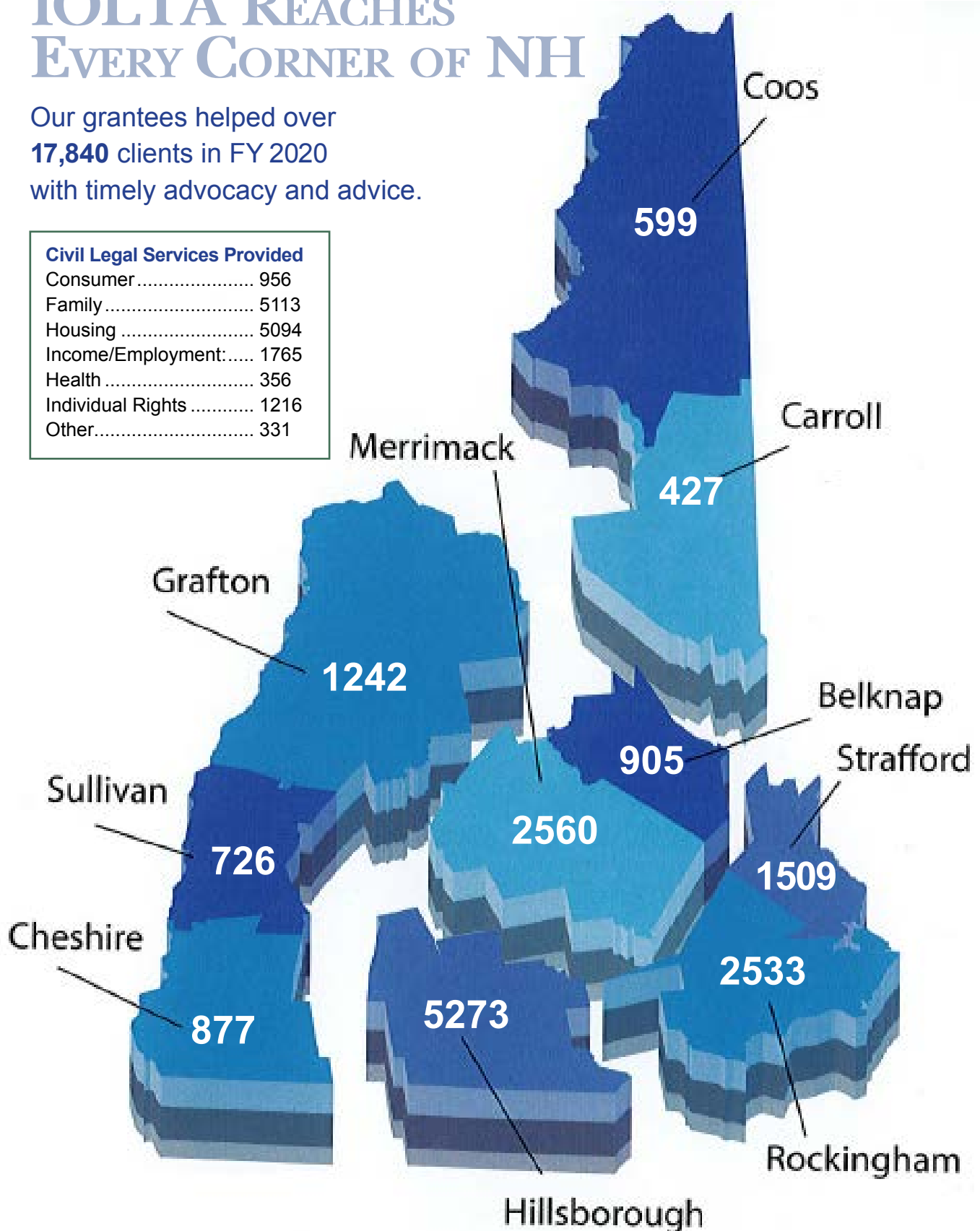
## **Efficient, accountable administration.**

IOLTA grant applications are analyzed by an independent, five-member committee of attorneys elected by IOLTA account holders, who recommend allocations to the NH Bar Foundation Board of Directors.

# IOLTA REACHES EVERY CORNER OF NH

Our grantees helped over **17,840** clients in FY 2020 with timely advocacy and advice.

Civil Legal Services Provided	
Consumer .....	956
Family .....	5113
Housing .....	5094
Income/Employment:.....	1765
Health .....	356
Individual Rights .....	1216
Other.....	331



Out of State/Unknown.....1191

**Disability Rights Center-NH** A woman with disabilities and her sister called DRC-NH for help because her assisted living facility wanted to transfer her to a more restrictive nursing home setting. She did not want to move and believed she could live successfully at the facility. The DRC-NH attorney filed a lawsuit contested the argument that she had medical needs that exceeded the assisted living facility's license. After filing the lawsuit to appeal the notice to transfer client to a nursing home, the assisted living facility withdrew the transfer notice and the case was dismissed by agreement.



**Legal Advice & Referral Center** “Hope” was a 22-year-old woman living with her boyfriend in a rented room inside a rooming house in Nashua. The young couple received financial help from Community Action in early January to move in. Hope said this room was her first real home since striking out on her own at age 17. Everything was going well until COVID-19 hit, and her boyfriend's employer cut back his hours. The couple fell behind in rent and the manager threatened immediate ejection at the height of the pandemic. With help from the Attorney General's office and New Hampshire Legal Assistance, Hope soon connected with the Legal Advice & Referral Center (LARC).

LARC advised Hope on some basic facts regarding rights in a rooming house: 1. Residents in rooming houses who hadn't yet established a tenancy had no tenant rights, were not protected by the Governor's statewide moratorium on evictions, and could be ejected on the spot for any reason. 2. Residents gained tenant status if they remained in the same room for at least 90 consecutive days. Hope still had 5 days to go



before she would reach that 90th day and enjoy the protection offered to tenants by the Governor's moratorium. But LARC, after its review of Hope's paperwork from Community Action, discovered that the manager had signed his name to rental vouchers in January that identified Hope as a tenant. LARC advised Hope to show those vouchers to the manager and tell him that his signature had designated her a tenant who was now protected by the Governor's moratorium. LARC also advised Hope about paperwork she could file at court to immediately reverse a lockout should the manager follow through on his earlier threat.

Hope successfully presented her “case” to the manager and the couple was not ejected. In fact, the manager and his tenants worked out a reasonable payment plan. LARC remained in touch with Hope over the following 5 days until she had clearly established a tenancy that no one could dispute.

**NH Bar Association Modest Means Program** Having contact with one's children is a fundamental human need. For one Modest Means client his inability to see his children stemmed from complicated circumstances involving his prior living situation. The client was raised in a religious group that limited contact with the outside world, shunning anyone leaving the group. Though he had married within the sect and had children, he ended up deciding to leave. He didn't realize how challenging continuing to see his children would be. His former wife and the group's leaders disallowed contact--he no longer existed in



their eyes. Establishing himself outside the group took courage, time, and money. For months he couch-surfed with co-workers, trying to save money to get his own place. He attempted to petition the court himself to obtain parenting time but was not very successful. The short periods of time granted were often cancelled by the children's mother at the last minute. His luck changed, though, when he found the Modest Means Program and received a referral to an attorney who accepted his case at \$80 per hour. Having an attorney made all the difference and he was finally able to establish regular parenting time with his children.

In the words of the client: *"The Modest Means program has made legal counsel an option for me when it seemed financially impossible. I am newly self-employed with a fresh start, and things have been tight financially. When my ex-wife decided to restrict my visitation, I felt hopeless. Thanks to the referral of a friend to make a phone call, I was set up with the Modest Means Program, found affordable representation in short order and am able to be with my kids again. Thank you!"*

**NH Bar Association Pro Bono Referral** When Nikki sought a divorce from her abusive husband after he was arrested for assault, it was to provide a safe environment for herself and her young son. With little English-speaking proficiency and no knowledge of the American legal system, the cards were stacked against her, leaving her unable to navigate the legal system or advocate effectively in court. When Pro Bono located a volunteer attorney to accept her case, the program enabled the frightened woman to receive the legal advocacy needed to develop and defend a parenting plan. The Pro Bono Program organized and paid for an interpreter so she could meaningfully confer with her attorney prior to the hearing. Ultimately, she was granted everything she asked for after a contested hearing. Not only did this mother obtain her divorce and receive a child support order, she was granted sole residential responsibility and decision-making for her son. Thanks to Pro Bono and a loyal volunteer, she achieved her goal--relocation to safely raise her child with her family around to support them.



**NH Legal Assistance** Becky Vincent lives with her husband, two children, and dog in a mobile home park in southwestern New Hampshire. Ms. Vincent has a disability and her family helps her to manage her health. Ms. Vincent contacted NHLA because she was three years behind on property taxes – the arrearage and interest totaled about \$3,000, a very large sum for Ms. Vincent’s family. Other than the property taxes, the Vincents’ home was very affordable – they had paid off the loan to buy the mobile home. Soon after reaching out to NHLA, Ms. Vincent received a notice that the town was pursuing tax deeding.



NHLA attorney Stephanie Bray discovered that Ms. Vincent was receiving the town’s property tax exemption for people with disabilities, but not participating in the town’s property tax deferral program. She negotiated an agreement with the town to create a retroactive deferral of the past-due property taxes and helped set Ms. Vincent up to apply for a property tax deferral annually. (A property tax deferral allows taxes to accrue, with interest, until the homeowner dies or sells the home. It is available for property tax balances up to 80% of the tax-assessed and otherwise unencumbered equity of the home. Property tax deferrals are an extremely valuable tool

for low-income homeowners. They work out for municipalities, too, as the taxes are ultimately paid back with interest and the municipality avoids spending welfare dollars to house a homeless family.)

This was a relatively straightforward case with enormous impact for Ms. Vincent. She went from the threat of imminent loss of her family’s most valuable asset – and a high likelihood of homelessness – to a secure, affordable housing situation where she can live out her life. This is civil legal aid in action!

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