

**A Report on**  
**Rural Issues and Delivery**  
**and**  
**The LSC-Sponsored Symposium**

**October 31 – November 2, 2002**  
**Lied Conference Center/Arbor Day Farm**  
**Nebraska City, Nebraska**

**April 2003**



## NOTE

The purpose of this document is to provide general information on rural poverty issues, which in turn provides background to a report on last fall's Rural Issues and Delivery Symposium. The Symposium brought together a small group of "national thinkers," including service providers and their clients, for free-flowing and far-ranging discussions intended to help "identify the most critical issues faced by LSC recipients who deliver legal services in rural areas, to discuss best practices, to identify existing or potential solutions, and to begin development of an action plan for LSC."<sup>1</sup>

Symposium participants from LSC-funded programs were selected on the basis of papers submitted for that purpose. Excerpts from submitted papers contained in this document are attributed to the author and clearly delineated from the regular text of the report by slight overlay shading.

A full range of opinions on numerous related topics were expressed at the symposium and within the papers submitted by the LSC recipient attendees. Not all of the opinions or perspectives expressed and attributed within this document, nor those excerpted from the papers, are necessarily those of the Legal Services Corporation, its management or its staff.

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<sup>1</sup> Rural Delivery Symposium Announcement and Call for Papers sent to all LSC recipient programs on July 1, 2002.

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## EXECUTIVE SUMMARY

The LSC-sponsored Rural Issues and Delivery Symposium (RIDS) was held at the Arbor Day Farm Foundation's Conference Center in Nebraska City, Nebraska, October 31 through November 2, 2002. Two Nebraska attorneys, Dan Alberts and Tania Diaz, facilitated a meeting of thirty-three advocates gathered to share ideas and develop strategies designed to improve the delivery of legal services to rural communities across the United States.

The symposium served as LSC's first national conversation focusing on the challenges facing rural areas. LSC Vice President for Programs Randi Youells' letter of invitation to attendees noted:

"The symposium is intended to serve as the foundation for more in-depth consideration of the issues facing rural America and its territories by the Legal Services Corporation and legal services programs. The Legal Services Corporation intends to use the dialogue generated by this retreat as a lens through which to focus its own work and develop its own priorities. From this, we hope to gain a better understanding of the needs and hopes of clients and communities in rural areas. It is crucial for us to provide a comprehensive and integrated approach for achieving justice where scarce or declining resources, economic hardship, scattered or isolated populations and geographical barriers collide."

Randi Youells and LSC Board member Maria Luisa Mercado opened the symposium. Their remarks were followed by self-introductions and "story-telling," a collective attempt to put a face on rural poverty (see Appendix E). Kiana (Alaska) Mayor and tribal elder Hazel Apok began the storytelling with a dramatic description of the incredible isolation Alaskan tribes face.

Attendees chose one of four workgroups in which to discuss proposals/thoughts around the issue areas identified by the co-facilitators in pre-conference telephone conversations with participants as the most urgent or challenging:

- 1) Networking - Building Collaborations in Rural Areas
- 2) The Urban /Rural Dichotomy - Balancing Resources and Presence
- 3) Best Practices for Delivering Services in Rural Areas
- 4) Best Practices for Maximizing Resources

Workgroups met through Friday evening and again on Saturday. Group members gave reports during Saturday's morning plenary. Summaries of the four work group reports can be found at Appendices F-I.

Participants found consensus around these potential next steps:

- Creation of a cohesive and influential national voice for rural legal services
- Insuring at least some focus on rural issues at all national legal services-related conferences
- Development of forums or venues for the discussion and analysis of the costs and challenge of balancing individual with systemic work in resource poor rural areas, and
- Developing increased capacity and expertise in rural community economic development within legal services programs so that low-income rural communities might prosper.

A separate workgroup continues discussion on the “national voice” topic. A draft proposal for a national rural legal services coalition can be found at Appendix J.

## BACKGROUND

### What is rural?

This question is not as easy to answer as might first appear. There are two generally-accepted national classification systems that define urban and rural: the U. S. Census Bureau’s “urban and rural” classifications for persons; and the Office of Management and Budget’s (OMB) “metropolitan and non-metropolitan areas” definition, which is applied to counties.<sup>2</sup>

The Census Bureau defines urban as places that meet the following three criteria:

- 1) Places of 2,500 or more people incorporated as cities, villages or boroughs, or
- 2) Places of 2,500 or more people in census-designated places, or
- 3) Places that have a minimum of 50,000 people within an area containing a central place and urban fringe – otherwise called an urbanized area. Note that urbanized areas are not limited to county or state boundaries and may cross county and state lines.

The OMB defines population density not in terms of rural and urban areas, but in terms of metropolitan and non-metropolitan counties. OMB defines a metropolitan area (MA) as a “core area containing a large population nucleus, together with adjacent communities having a high degree of economic and social integration with that core.” OMB further defines metropolitan as counties that meet one of the following two criteria:

- 1) Has one city with 50,000 or more inhabitants, or
- 2) Has a Census Bureau-defined urbanized area (of at least 50,000 inhabitants) and a total metropolitan population of at least 100,000.

If a county doesn’t meet these definitions then the county is non-metropolitan. The OMB uses these definitions as county designations. OMB considers a county to be metropolitan if it contains a city of 50,000 within the county. OMB also considers towns within the county as metropolitan no matter how big the county or how isolated any towns within the county. If the city or MA crosses county lines, both counties are considered MAs. Countywide definitions have always been a contentious issue in the West because of the size of the counties in most Western states, where counties are often the size of Eastern states. This creates serious challenges for gathering and comparing countywide data, allocation of resources or planning.

And so, because the term “rural” does not adequately describe the vast, sparsely populated areas found in the western U.S., in the late 1980s another term emerged,

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<sup>2</sup> Additional information on a variety of rural issues can be found in the “Briefing Rooms” of the Economic Research Service of the United States Department of Agricultural (USDA) under the topic headings: Rural Housing; Rural Income Poverty & Welfare; Rural Industry; Rural Labor & Education; Rural Population and Migration; Rural Transportation, etc [www.ers.usda.gov/briefing](http://www.ers.usda.gov/briefing) .

“frontier.”<sup>3</sup> Like “metropolitan,” frontier is a countywide term. The definition of frontier is “a county with six (6) or fewer people per square mile.”<sup>4</sup>

Why does any of this matter? Any number of federal, state, public and private funders earmark or give preference to funding rural initiatives and each may be relying on a different definition in order to do so.<sup>5</sup> Also, some federal and state programs do give preference to frontier areas.

According to OMB, there is only one state and one “district” in the entire U.S. with NO non-metro counties: New Jersey and Washington DC.<sup>6</sup> So while “rural-ness” is virtually a national commonality, rural means something entirely different in Montana than it does in Western Massachusetts. The impact of “rural-ness” also has profound implications for legal services programs, and for the clients and communities they seek to serve.

For the purposes of this report, the terms non-metropolitan, non-urban and rural are used interchangeably—as are the terms metropolitan, metro and urban.

### The demographics of rural poverty

A number of characteristics generally describe the rural poor. Many urban-dwellers believe that rural areas are largely agricultural, though only 6.3% of rural Americans actually live on farms.<sup>7</sup> Many of the problems facing children and families in rural areas are much the same as those in urban areas:

“(They) need jobs, housing and education. They want to be safe and happy. Rural and urban communities also face similar challenges—among them child maltreatment, substance abuse, crime and violence and poverty, but the way in which these problems manifest themselves differ between urban and rural communities and they often require different solutions”<sup>8</sup>

Yet, many rural problems are distinct from those in urban areas:

“Sanitation, running water, and electricity are part of the mix because the lack of these key ingredients can threaten health and safety...(there are)

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<sup>3</sup> “Am I rural,” Denise Denton, Director, Colorado Rural Health Center, [www.coruralhealth.org/publications/word\\_newsletters/amirural.doc](http://www.coruralhealth.org/publications/word_newsletters/amirural.doc).

<sup>4</sup> There is some discrepancy among federal and state agencies with this number; some use “fewer than seven;” others “fewer than 6.”

<sup>5</sup> To further complicate matters, individual states may have specific definitions of what it means to be “rural.” For instance, according to Susan Patnode of the Rural Law Center in upstate New York, New York defines as rural any county having a population of less than 200,000.

<sup>6</sup> [www.ers.usda.gov/briefing/rurality/RuralUrbCon/](http://www.ers.usda.gov/briefing/rurality/RuralUrbCon/).

<sup>7</sup> Kelly Mack and Steve Boehm, Children’s Voice Article, November 2001, Rural Child Welfare 101, Child Welfare Legal of America, [www.cwla.org/articles/cv0111rcw.htm](http://www.cwla.org/articles/cv0111rcw.htm).

<sup>8</sup> *Ibid.*

other challenges, such as lack of resources, large distances and communication problems.”<sup>9</sup>

The rural poor are more likely to be married, working and not dependent on welfare than their urban counterparts. Poverty populations in rural communities are more likely to be chronically or long term poor than poverty populations in urban areas. Extreme age, young or old - the elderly and young children - is a characteristic associated with rural poverty.

The decline in nonagricultural industries in rural America relates directly to poverty in rural communities. Most rural populations rely on nonagricultural industries as an economic base. However, there is a growing paucity of retail and manufacturing industries to support rural economies. The results are dwindling incomes, rising unemployment and populations leaving rural areas.

Though unemployment is high, the rural poor do not rely on public assistance to the degree the urban poor do. Lack of information and access to services, fear of stigmatism, and reliance on informal employment as a means of earning money have been given as some reasons for the difference between rural and urban poor utilization of such safety nets.<sup>10</sup>

RIDS participant Linda Zazove (IL): Data from the 2000 Census reveals a stark picture of rural poverty. Rural counties with poverty rates above the national average outnumber urban counties almost 5 to 1. Of the 500 poorest counties in the country, 459 are rural, and of the 500 lowest per capita income counties, 481 are rural.<sup>11</sup>

### Related issues

Places to shop for goods and services are few and far between in rural America and because of the higher cost of transporting such goods longer into rural communities, in many instances commodities and services cost more than in urban communities. Processed foods and gasoline as well as fuels for cooking and heating can be very expensive commodities in many small communities. With virtually non-existent public transportation and a dearth of reliable private vehicles, just getting places presents a challenge.

Health care and health care facilities are scarce in rural areas. Many rural communities cannot afford hospitals and clinics and the professionals to provide medical services. Rural residents are more likely than non-rural residents to suffer from chronic disease and

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<sup>9</sup> *Ibid.*

<sup>10</sup> Dr. Juanita Miller, Ohio State University, Poverty Fact Sheet Series HYG-5709 [www.ohioline.ose.edu/hyg-fact/5000/5709.html](http://www.ohioline.ose.edu/hyg-fact/5000/5709.html).

<sup>11</sup> Linda Zazove, Deputy Director, Land Of Lincoln Legal Assistance, “The Paradox of Rural Legal Services Delivery: Achieving Relative Equity of Access Between Urban and Rural Service Areas with Unequal Access to Resources,” paper submitted for RIDS participation, Summer 2002, taken from “A RUPRI Data Report – Rural Poverty and Rural-Urban Income Gaps: A Troubling Snapshot of the ‘Prosperous’ 1990s” (P2002-5) (July 3, 2002), [www.rupri.org](http://www.rupri.org).

disabilities, alcoholism, illegal drug use, mental illness and domestic violence—without the capacities to address them.

The poverty rate in rural areas reached a record low 13.4 percent in 2000.<sup>12</sup> However, this still means that approximately 6.9 million poor persons lived in rural America in 2000. Improvement in rural poverty levels was largely due to the long period of economic expansion<sup>13</sup> experienced in the last decade, a relative prosperity that has not carried through into the first several years of this century. Between 1993 and 2000, the economy grew by 4 percent per year as measured by gross domestic product. This real rate of growth was almost 50 percent higher than the average growth rate of 2.7 percent experienced during the 20 years prior to 1993. In spite of the record low level of poverty in 2000, the rural poverty rate continues to be significantly higher than that in metro areas.<sup>14</sup>

### Rural poverty rates by region

While the incidence of rural poverty is higher than urban poverty in all regions of the U.S., the difference is much larger in the South and West. In 2000, the regional rural versus metropolitan poverty rate was the highest in the West, where 15.9 percent of the rural population was poor. This contrasts with the urban population in the West where the rate of poverty was 11.4 percent. In the South, the poverty rate in rural areas was 15.6 percent while the rate for urban populations was 11.6. In the Midwest and Northeast the difference between rural and urban poverty rates was less than a percentage point between each of the regions.

One symposium participant coined the term, “the L States” for this phenomenon:

RIDS participant Steve Xanthopoulos (TN): “The ‘L’ consists of those states from Montana and North Dakota heading south to Texas and then marching though the South to the Atlantic. While there are some exceptions, this region has always been at the bottom of per capita funding of legal services and has the greatest reliance on LSC funding. These areas are primarily rural and while there are exceptions to the low levels of funding, they constitute one of the hardest to solve problems in the delivery of legal, social and community services.”

“While the “L” has always been at the bottom of the funding food chain, things are about to become drastically worse. If one looks at the adjustments for the 2000 census, indications are that all of these states will experience at loss of federal state and LSC funds distributed on the basis of poverty and overall population figures.”<sup>15</sup>

<sup>12</sup> Official poverty rates were first recorded in the early 1960s.

<sup>13</sup> The seven years from 1993 to 2000.

<sup>14</sup> <http://www.ers.usda.gov/Briefing/IncomePovertyWelfare/ruralpoverty/>.

<sup>15</sup> Steve Xanthopoulos, Director, West Tennessee Legal Services, “Rural Justice – The End of the Rope?,” paper submitted for RIDS participation, Summer, 2002.

## Rural poverty's disparate impacts:

### *On African Americans and Hispanics*

Poverty rates by race reveal large differences. Non-Hispanic Blacks had the highest incidence of rural poverty with a rate of 28 percent. Rural Hispanics had a very similar rate with 27 percent of this population living in poverty in 2000. Both of these rates were dramatically higher than the 10.4 percent rural poverty rate for non-Hispanic Whites. The incidence of rural poverty for Hispanics and non-Hispanic Blacks was more than 2½ times greater than the rate for non-Hispanic Whites. The high rate of poverty for Hispanics is particularly noteworthy, as their share of the rural population has been increasing. In 1990, Hispanics comprised less than 3 percent of the non-metro population. Ten years later, this proportion had grown to approximately 5.5 percent.

### *On women and single-parent families*

The highest poverty rate by type of family is for female-headed, rural families. More than one out of every three persons living in rural families headed by a female is poor. Approximately one out of every five persons living in rural families headed by a male, without a female adult present, is poor. Single females living alone in rural areas have a poverty rate of 29 percent, and the rate for single males in rural areas is 21 percent. Except for those families in which there is a husband and wife present, all family types have poverty rates that are much higher than the national averages. Families with a husband and wife present have the lowest rates of poverty, with 6.7 percent poor in rural areas and 5.4 percent poor in urban areas. Poverty rates by family type also reveal large urban-rural differences. The rural poverty rate for single females is almost 9 percentage points higher than for urban, single females. Rural families with only one adult, whether male or female, have poverty rates more than 8 percentage points higher than their urban counterparts.

### *On children*

"Americans tend to picture poor children living in big cities. But there are 38 counties with child poverty rates higher than in the poorest big cities, virtually all of them rural counties." <sup>16</sup>

The 2000 Census data shows that some counties have an astounding 3 out of 5 children living in poverty. The Children's Defense Fund reveals this alarming discovery in its latest child poverty rankings for America's cities, states, and counties. Counties with the highest child poverty rates included:

Buffalo County, South Dakota - 61.8 percent of its children poor  
Zieback County, South Dakota - 61.2 percent

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<sup>16</sup> Marion Wright Edelman, Founder, Children's Defense Fund, June 4, 2002, <http://www.childrensdefense.org/release020604.php>.

Shannon County, South Dakota - 61.0 percent  
Starr County, Texas - 59.5 percent  
Todd County, South Dakota - 57.7 percent  
East Carroll Parish, Louisiana - 56.8 percent  
Owsley County, Kentucky - 56.4 percent  
McDowell County, West Virginia - 53.0 percent  
Madison Parish County, Louisiana - 52.6 percent  
Holmes County, Mississippi - 52.4 percent<sup>17</sup>

Children 0 to 17 years continue to have the highest poverty rate by age group. The child poverty rate in rural areas was 19 percent compared with 15 percent in urban. In contrast, the poverty rate for persons 65 years of age and older was 13 percent in rural and 9 percent in urban regions. Similarly, adults aged 18 to 64 years had much lower poverty rates than children, with only 9 percent of all adults living in poverty. The high rates of child poverty in both metro and non-metro areas have persisted for more than a decade despite significant declines in other rates over time. Over each of the last 13 years, the rural child poverty rate has been at least 7 percentage points higher than the urban poverty rate for non-elderly adults. Marion Wright Edelman, founder of the Children's Defense Fund<sup>18</sup>

#### *On the elderly*

The poverty situation for older persons living in rural areas over the last 13 years has been different. During the late 1980s and early 1990s, the rural senior poverty rate was significantly higher than the urban rate for adult under age 65s. In the mid-and late 1990s, the rural poverty rates were statistically indistinguishable between seniors and non-senior adults. Then, in 2000, the rural rate for older persons returned to a poverty rate that was higher than for urban, adults under age 65. As mentioned above, the poverty rate for persons 65 years of age and older was 13 percent in rural and 9 percent in urban regions.<sup>19</sup>

While senior citizens in general have gained a higher level of economic security since the 1960s, single, elderly women living in rural areas are increasingly susceptible to lives of poverty and isolation...<sup>20</sup>

"These women have been part of what has been called 'the greatest generation,'" They have worked to see their country rise to prosperity and have battled for an equal place among men. Yet despite all of their accomplishments, they could not find a way to keep from growing old.

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<sup>17</sup> Child Poverty Tops 50 Percent in 14 U.S. Counties, Press Release, June 4, 2002, Children's Defense Fund, <http://www.childrendefense.org/release020604.php>.

<sup>18</sup> See also America's Forgotten Children: Child Poverty in Rural America, Save the Children USA, [www.savethechildren.org/americasforgotten.shtml](http://www.savethechildren.org/americasforgotten.shtml).

<sup>19</sup> Changes in the Older Population and its Implication for Rural Areas, <http://www.ers.usda.gov/Publications/rdr90/index.htm>.

<sup>20</sup> Single, elderly women in rural America subject to poverty, isolation, Press Release, University of Illinois at Urbana-Champaign, August 2002.

Today, they are left to endure solitary lives, hidden from view and forgotten by a fast-paced digital society." <sup>21</sup>

Elderly women -- either widowed or divorced -- have endured major changes in living arrangements. Whereas in the past the majority of older people lived with their adult children, by 1990 two-thirds of those above age 64 lived on their own. This shift has been felt most heavily in rural areas where adult children tend to move away to find jobs... This relative poverty stems from the greater likelihood that rural residents have worked in agriculture or other industries with low pension coverage... Widowed or divorced women who seek to generate income by re-entering the workforce must overcome the dearth of employment opportunities in rural areas. And when illness or disability makes individual driving difficult, travel becomes a major problem. Elderly women often depend on a narrowing network of friends or relatives to provide them with needed transportation. The rural poor also are hurt because they live in aging, older houses with high maintenance costs and low resale values.<sup>22</sup>

### Challenges to legal services delivery in rural areas

The United States Department of Agriculture (USDA) notes rural characteristics that affect the capacity of rural local governments to provide services:

- **Isolation**, the geographic separation of rural areas from metropolitan centers, leads to low utilization rates for rural public services, inadequate response times for emergency services, and the detachment of service delivery professionals from their colleagues.
- **Low population density** means higher per unit costs of some services and the inability to supply specialized help (for example, for the handicapped) because the area cannot support the services for so few clients.
- **Lack of fiscal resources** puts many rural communities in a financial squeeze with resulting service deprivation for local residents.
- The **lack of an adequate supply of trained personnel** has several implications for service delivery in rural communities. Critical functions may go understaffed, scarce employees are often overworked, service quality and quantity suffer, and long-range planning becomes difficult.<sup>23</sup>

Many in the legal services community have seen the challenge of legal services delivery to rural Americans as comparable in many ways to the challenge of delivering rural healthcare services. It is possible that we may occasionally be able to look to rural healthcare delivery for model policies and examples of the balanced use of and

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<sup>21</sup> Michael L. Reig, editor, Elder Law Journal, College of Law at the University of Illinois at Urbana-Champaign.

<sup>22</sup> Single, elderly women in rural America subject to poverty, isolation, Press Release, University of Illinois at Urbana-Champaign, August 2002.

<sup>23</sup> USDA Fact Book 1998. <http://www.usda.gov/news/pubs/fbook98/content.htm>.

investment in technology and other infrastructures, empirical outcomes and anecdotal evidence.

For example, within the California Institute for Rural Health Management's ([www.cirhm.org](http://www.cirhm.org)) initiative to Develop Rural Health Integrated Services (DRIS) we see echoes of the LSC-driven state planning initiative to insure high quality comprehensive integrated legal services delivery systems, particularly in the attempt to ensure relative equity for rural areas:

“The Initiative for Developing Rural Integrated Systems (DRIS) is designed to support a community-based dialogue and planning process that results in the creation of integrated health systems at each participating site. The primary value of the DRIS Initiative is that it provides rural communities an opportunity to examine their health care delivery system using a structured framework...DRIS uses a "systems" approach to change and engages a broad cross-section of the community, including providers, employers, community leaders, and others in an inclusive dialogue and planning process. The DRIS approach relies on community-specific data to steer decision-making. Based on the data, the project sites select a managed care strategy. At each site, local leaders form a Community Health Council that meets regularly to assess the existing health system and the overall quality of health in the community. The Council's role is to determine and in some instances advise as to the appropriate scope of services for the community, the appropriate mix of providers to deliver those services, and the arrangements for a single accountable entity that will ensure a full continuum of care to its residents and assume risk....integrated health systems offer several community benefits:

- better coordination of health care
- a focus on health promotion and preventive care
- increased access to specialty services and relevant technologies
- the reduction of unnecessary duplication in clinical and management capacity
- increased retention of health care expenditures in the rural community<sup>24</sup>

## External

### *Geography and mother nature*

OMB and Census definitions of rural, modified by the designation of “frontier” for vast sparsely populated areas, may seem to cover the gamut of rural obstacles that geography and mother nature can pose. The thirty minutes or more that the commute to a big city or its suburbs (called a “central area”) can take often limits access to the employment or

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<sup>24</sup> Developing Rural Integrated Systems, The California Institute for Rural Health Management, <http://www.cirhm.org/initiative.asp>.

health services that tend to be concentrated in urban areas (see *Federal Register*, November 17, 1980). Barriers to access to services for rural residents may involve more than mere distances, if those distances contain other geographical barriers such as mountains, deserts, swamps, wetlands, impenetrable forests and waterways as well as major thoroughfares that are impassible or subject to closing during parts of the year due to flooding, mud and rock slides, snow and ice.

While the OMB designation of counties as metropolitan or non-metropolitan has proved to be useful for identifying areas without easy geographical access to health and social services in central areas, the definition may be unfair to the rural residents of geographically-large counties that have been designated “metropolitan.” In fact, some metropolitan counties are so large that one cannot assume that all residents of the county have easy access to necessary services. Even though the most populous part of a geographically-large metropolitan county may be urban in character, other parts are not necessarily integrated with central, relatively service-rich, areas.

San Bernardino County, California, designated as metropolitan by OMB, is a good example. It stretches from the city of San Bernardino, approximately 50 miles from the Pacific Ocean, through the Mojave Desert to the Nevada border over 150 miles away. While San Bernardino County covers over 20,000 square miles, the densely settled parts of this county, including the city of San Bernardino, are in a small area in the southwestern corner of the county. The remainder of the county consists of sparsely settled desert and mountains where residents have limited geographical access (i.e. less than 30 minutes) to the city of San Bernardino or its suburbs and thus to the healthcare and other services they offer.

Thus, residents of small-town and open-country parts of large metropolitan counties are in a similar position to residents of non-metropolitan or rural counties; they have limited geographical access to services concentrated in the central areas of metropolitan counties.

Vast expanses of land with low populations raise the cost of services when only a few people are available to implement a limited variety of services; large distances make job specialization nearly impossible. Geography can also adversely affect the ability to provide the assortment of services generally available in highly populated or geographically-small urban centers.

Many rural communities are struggling to develop the same infrastructure--including the provision of safe drinking water and safe human and animal waste disposal--that the U.S. military and relief organizations provide in other countries in the wake of conflict or natural disaster. Additionally, fire protection, crime protection and trash pick-up are services that many urban dwellers take for granted but which are completely unavailable, sporadically available, and/or more expensive to procure in rural communities.<sup>25</sup>

Social and legal services staff may travel a long distance to visit a client only to arrive and not have the client be there. This can happen because families may not have

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<sup>25</sup> Mack and Boehm, [www.cwla.org/articles/cv0111rew.htm](http://www.cwla.org/articles/cv0111rew.htm).

telephones or cannot be reached while traveling because cell phones do not function in many rural areas. In order to make best use of their time when traveling and to avoid such mishaps, social and legal services staff often choose to do outreach at a local community or health center, school or church.

### *Immigration and Emigration*

As young people leave rural areas for education and jobs and other wage earners leave to find better-paying work, often those left behind are those who are most desperately in need of services, but who cannot leave because they are too young or too old, too disabled, too sick or too poor.

As immigrant and migrant populations move to or through rural communities they face unique challenges.

They "...struggle with making a home, becoming part of a community and gaining services...Families of migrant children are not focused on becoming a part of community but rather on finding services and coping with location changes...Children may drop out of school to care for younger siblings or to serve as translators, caretakers or guides for their parents who find it virtually impossible to navigate in an English-speaking country."<sup>26</sup>

RIDS participant Eduardo Coghlan: The increase in rural immigrant populations brings an increase in victims and survivors of domestic violence who face unique and very difficult obstacles in obtaining the most basic needs: ...safety and security (for) themselves and their children. These are the most basic priority needs that legal services providers attempt to meet, but doing this can be especially difficult when the victim is an immigrant. This does not mean that domestic violence and abuse are more common in immigrant communities...but, when there is an abusive relationship involving immigrants, the problems can be horrendously complicated by the power and control that immigration ...(status) gives...abusers to isolate their victims, so they can continue abuse without any meaningful checks. Usually, one has to depend on someone with legal status to file the immigration papers in order to obtain lawful status. This can take years, and an abuser can usually cancel the paperwork at any point in the process. Add this power to isolate... to the problems victims of domestic violence already face in finding a way out in rural areas, such as a lack of shelters...unenlightened law enforcement, and difficulties obtaining legal help. Add also the problem that many social services are not available to immigrants, and (that) many agency personnel do not know if they are breaking immigration laws if they provide shelter or transportation to someone whose immigration status they don't understand. Unfortunately, providers sometimes feel they have to turn

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<sup>26</sup> Gabriella Lemus, Policy and Legislative Director at the League of United Latin American Citizens. , Children's Voice Article, November 2001, Rural Child Welfare 101, Child Welfare Legal of America, [www.cwla.org/articles/cv0111rcw.htm](http://www.cwla.org/articles/cv0111rcw.htm).

away an immigrant victim of domestic violence, even when she is standing in front of them with crying United States children.<sup>27</sup>

Migrants and the most recent waves of immigrant families rarely have strong advocates at the national level because they either cannot vote, do not vote or may not be considered to be “contributing” members of American society,

*Resources: their availability, distribution and application*

Even when resources and safety nets are available, policies surrounding their distribution can harm the constituency they are meant to help. For example, in a Native American community in Montana:

“Child welfare workers were struggling to change a requirement that adoptive homes have electricity and running water. Because so few homes on reservations meet this requirement, children were being placed in homes hundreds of miles away, despite the fact that other more appropriate homes were located closer to the children’s cultural and social supports. Although no one would argue than electricity and running water are preferred living conditions, (social) workers questioned whether such factors were inappropriately prioritized in a region where they were scarce.”<sup>28</sup>

*Culture*

“Social capital is a real key to success in rural communities. (They)...build systems based on trust.”<sup>29</sup>

“Listening is key to developing ‘cultural safety’, where people feel they are included and respected. Any time you provide care, the responsibility is on you not to offend their culture so they can feel safe...do your homework to learn about cultural differences, but above all...sit back, listen and learn.”<sup>30</sup>

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<sup>27</sup> Eduardo Coghlan, supervising Attorney, Southern Arizona Legal Aid, “Isolated and Vulnerable: Rural Immigrant Victims of Domestic Violence and the Violence Against Women Act (VAWA),” paper submitted for RIDS participation, Summer 2002.

<sup>28</sup> Shirley Marcus-Allen, Deputy Director, Child Welfare Legal of America, Children’s Voice Article, November 2001, Rural Child Welfare 101, Child Welfare Legal of America, [www.cwla.org/articles/cv0111rcw.htm](http://www.cwla.org/articles/cv0111rcw.htm).

<sup>29</sup> Kathleen Balanger, Director of Rural Education Access for Child Welfare (REACH), Stephen F. Austin State University of Social Work, Nacogdoches, TX, Children’s Voice Article, November 2001, Rural Child Welfare 101, Child Welfare Legal of America. [www.cwla.org/articles/cv0111rcw.htm](http://www.cwla.org/articles/cv0111rcw.htm).

<sup>30</sup> Charles Baker, CEO, Presbyterian Child Welfare Agency and Buckhorn (KY) Children’s Foundation, Children’s Voice Article, November 2001, Rural Child Welfare 101, Child Welfare Legal of America, [www.cwla.org/articles/cv0111rcw.htm](http://www.cwla.org/articles/cv0111rcw.htm).

“Distances between neighbors tend to heighten a sense of self reliance and privacy. Because traditionally rural populations have been more stable than in urban areas, many people have known each other for long periods leading to a strong sense of community. This and the agricultural tradition of helping others and cooperating with limited resources, often means less reporting of abuse and neglect.”<sup>31</sup>

“Referrals for services are made people to people. People are not referred to agencies but to another person, someone they know and feel comfortable calling. A downside to the closeness of rural communities however, is that because everyone knows everyone else, some people may fear being stigmatized and not seek the help they need.”<sup>32</sup>

The culture of rural communities is often a mix of independence, distrust of “outsiders” and an attitude of “we take care of our own.” Rural culture is both one of its greatest strengths and its greatest weaknesses. When disaster strikes an individual member of a rural community, neighbors gather round to help. And yet in places where everyone knows your name and your family history there is reluctance to seek help from “outsiders”, to seek assistance from social and legal service providers and to “admit” to having financial difficulties, to mental illness, to disabilities, to domestic violence.

### Internal

#### *The cost of delivery in rural areas*

Linda Zazove: There are increased costs associated with serving a large geographic area:

- Number of offices. Legal aid offices in urban areas can concentrate staff in fewer offices and still maintain a reasonable proximity to their clients. Programs serving large geographic areas must maintain more offices (often with only two lawyers) to be minimally accessible to their clients. Even with eight offices, travel times from Land Of Lincoln branch offices to rural circuit courthouses are as long as two hours in some areas.
- Increased travel costs. Last year, Land Of Lincoln lawyers logged more than 210,000 miles of local travel, at a cost of almost \$70,000. In addition, the cost of travel to statewide and national training events is higher from rural areas.
- Toll-free telephone expenses. Rural programs must maintain access to their services through toll free telephone service that covers the service area. For Land Of Lincoln, this means toll free service that covers all calls within Illinois. The cost of incoming toll free service for Land Of Lincoln’s hotline (LARC) alone was almost \$80,000 last year, and each branch office also provides toll free phone service for clients.

<sup>31</sup> Children’s Voice Article, November 2001, Rural Child Welfare 101, Child Welfare Legal of America.

<sup>32</sup> Thomas M. “Mike” Cumnock, Executive Director, Arkansas Sheriff’s Boys and Girls Ranches, Children’s Voice Article, November 2001, Rural Child Welfare 101, Child Welfare League of America.

- Increased technology and connectivity costs. It is expensive to operate a program-wide hotline and share data through the case management system with many remote locations. The cost is increased because Land Of Lincoln's Wide Area Network provider must contract with local carriers for service in several rural areas. T-1 connections in Chicago are cheaper than connections with less bandwidth in southern Illinois.

In Illinois, 70% of the registered lawyers practice in Cook County, leaving 30% to serve the other 101 counties in the state.

Increased sources of funding in Illinois have been largely attributable to funders from the urban service areas and federal and state grants restricted to services for specialized populations. Raising unrestricted, general operating funds in rural areas, such as private bar contributions and United Way grants, has not produced significant revenue.<sup>33</sup>

### *The challenge of relative equity*

The concept of relative equity is one that many people in rural legal services understand intuitively, but the phrase and the principles were first articulated in LSC Program Letter 2000-7 and institutionalized in LSC Program Letter 2002-3's configuration standards-- in which states' and territories' justice communities were asked to determine whether they had the appropriate configuration of legal services programs via a series of inquiries.

Relative equity is not just about client access. The hallmarks include:

- Providing low income persons throughout the state broad prompt and *relatively equitable* access to legal services regardless of obstacles such as, *geographical isolation* as well as physical or mental disability, age, race, gender, sexual orientation.
- Promoting relative equity in the availability of the full range of client service capacities
- Insuring relatively equal access to resources, expertise, information and experience necessary to provide high quality legal services consistent with state and national standards.
- Providing relative equity in the investment of civil equal justice resources (federal, state, private and in-kind) throughout the state.
- Promotion of the sharing of urban-based private capacity with the needs of rural and isolated clients in mind.

The concept of relative equity is a seminal one for rural areas. But there was significant discussion and some disagreement at the RIDS symposium and within the larger legal services community about what it means, or may mean, in actual application. Does it only mean physical 'presence'? Is 'presence' the placement of an office in a community? Can it be an attorney or paralegal doing regular outreach in a community once a week? Once a month? How critical is 'presence' anyway? What else can relative equity mean?

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<sup>33</sup> RIDS participant Linda Zazove.

At a minimum, it means both awareness of the special challenges that come along with rural delivery and the specific institutionalized commitment to try to address and overcome them.

RIDS participant Herb Whitaker (CA): The disparity in traditional legal aid expenditures is stark. At a recent meeting of the California Rural Resources Roundtable it was reported that legal aid expenditures per poor person in California ranged from a low of \$8.73 in rural Kings County to a high of \$82.94 in San Francisco County.<sup>34</sup>

RIDS participant Jim Wayne (LA): It is imperative that a legal services program focus on its rural service delivery operation. At CALSC, we strive to see that no man, woman or child is more than fifteen (15) miles from help at some time each month. “Free civil legal services ought not be about geographical chance.”

In 1995 when Legal Services Corporation (LSC) programs experienced major funding cuts, CALSC absorbed all its cuts in the urban office. CALSC management and board made a deliberate decision to (try and) implement a rural delivery system second to none in Louisiana.<sup>35</sup>

RIDS participant David Kozlowski (TN): In some delivery systems, helping one person at that distance might mean not being able to help three people who live near the office. Few legal aid providers distribute their services in absolute parallel to the distribution of their eligible population. A county 150 miles away from an office with 15% of the poverty population will rarely be home to 15% of the closed cases, even if the provider is committed to being fair.

Many rural aid providers have not clearly made a commitment to what might be called geographic fairness. They have an “800” number and perhaps do some circuit riding, and (assume) they cannot be held responsible if people do not ask for help. This approach is a repudiation of what it means to be a rural advocate.

Low-income people in different communities generally have the same need for justice. If they are not asking for help, it is not because they are living in a more just society than the people who live nearer to the office.

(There is the) question of whether collaboration with social service agencies, networking, and task force leadership and pro bono development is taking place in remote areas as much as it happens down the street from the office.

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<sup>34</sup> Herb Whitaker, Managing Attorney, Legal Services of Northern California, "Rural Delivery: the Mother Lode Pro Per Project," paper submitted for RIDS participation, Summer 2002. The figures were presented on May 31, 2002 at an informal meeting of California Legal Services Stakeholders interested in addressing the needs of rural clients. The figures are based upon 1990 Census data and 2000 total expenditures as determined by the California Legal Services Trust Fund Program.

<sup>35</sup> Jim Wayne, Executive Director, Capital Area Legal Services Corporation, Baton Rouge, “Serving the Rural Poor Civil Legal Needs,” paper submitted for RIDS participation, Summer 2002.

A rural advocate's commitment to geographic fairness means that the program may have to reduce the total number of clients helped in order to reach those who are far away. This commitment implies a priority allocation that is not very different from many of the priority allocations that leaders, rural and urban, have to make about many different resources.

At the very least, advocates should begin by analyzing their Case Statistic Report data by county or region, and look carefully not only at numbers, but how cases are being resolved. Are the clients who live 150 miles away more likely to have their cases resolved by advice or brief service?

(However) There must be recognition that there is a difference between cases closed and benefit provided. Even though a remote county does not have a high number of closed cases, it might have received a fair, substantial benefit if a sustained advocacy effort resulted in forcing the local community hospital to reopen its OB unit, or if assistance to a domestic violence shelter resulted in its receiving a substantial new grant, or if an injunctive action required a local welfare office to stop an illegal practice that disproportionately affected local people. Intake itself can be more deliberate and pro active than many advocates assume.

Some rural advocates would argue that they do not have enough resources to take on such complex issues. The reply is that rural programs do not have enough resources to handle their clients' problems one at a time.<sup>36</sup>

### *Leadership, diversity, recruitment and retention*

Rural programs suffer the same recruitment and retention challenges that all legal services programs do, exacerbated by both real and imagined differences between rural and urban cost of living and quality of life. The difficulty in rural areas of recruitment and retention of advocates, both staff and volunteer, goes hand-in hand with the challenge of cultivating and diversifying leadership in rural programs.

“Rural areas cannot compete with salaries in urban areas and housing costs in rural areas have increased substantially. And employment for the spouse of a...professional many times does not exist in rural communities, which prevents them from relocating to that rural community.”<sup>37</sup>

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<sup>36</sup> David Kozlowski, Assistant General Counsel, Legal Aid of Middle Tennessee and the Cumberland, “What are the Responsibilities of Rural Legal Aid Providers?” paper submitted for RIDS participation, Summer 2002.

<sup>37</sup> Carol Mordhorst, Public Health Director for the County of Mendocino, presented on rural workforce shortages at a California Public Health System Advisory Committee meeting, October 29, 2002. Mordhorst explained some of the most critical barriers to rural health being the recruitment of health employees in rural areas and the inflexibility of government categorical funding. California State rural Health Association. <http://www.csrha.org/advocate/1.21/hover.html>.

Legal services salaries stand in stark contrast to the salaries at most private firms and are particularly burdensome when most students graduate with significant debt loads:

“(W)ith an average starting salary for a staff attorney of \$34,000 (*oftentimes significantly lower in rural legal services programs*), (l)awyers beginning their careers in the public sector make barely half of the salary of those hired by private firms, according to the American Bar Association. But in recent years... (l)aw school tuitions have... doubled... to an average annual cost of \$21,790 at private schools and \$15,593 at public schools (out of state). Throw in rent, books, transportation costs, and other living expenses... and the average debt for law students upon graduation is roughly \$80,000. That’s a mortgage-size loan payment of \$900 a month under a standard 10-year repayment schedule.”<sup>38</sup>

These challenges are redoubled when it comes to attracting and keeping minority candidates. LSC’s Program Letter 2000-7 inquires into the intertwined issues relating to diversity and leadership development:

- 1) Efforts to recruit and hire a diverse staff at all levels of the organization, including staff members whose experiences and skills are culturally and linguistically relevant to the program's client communities (proactive recruiting, holding positions open for qualified candidates, etc.).
- 2) Efforts to support and retain a diverse staff (program diversity committee, on going training at all levels, support groups etc.).
- 3) The institutional capacity and commitment to support and empower all staff members regardless of difference and provide opportunities for movement into positions of program and justice community leadership (conscious and proactive leadership development and succession track).
- 4) Responsibility of the program and the broader civil equal justice community to deliver services to clients and client communities in a culturally relevant manner. (cross-cultural training, resource allocation, outreach efforts, inclusion of cultural community representatives in delivery planning activities).
- 5) Efforts to ensure that justice system institutions operate in ways that are inclusive, sensitive and responsive to social, cultural and linguistic differences (justice system operating guidelines and accountability systems).

LSC looks for assurances from all its recipient programs that concrete plans are laid or adopted and systems implemented that assure the next generation of diverse leadership is being identified, trained and nurtured; that programs put into place strategies for recruiting diversity in advocacy staff and that all staff are trained in understanding and responding to the multicultural perspectives of their co-workers, clients and client communities.

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<sup>38</sup> American Bar Association fact sheet, <http://www.abanet.org/legalservices/downloads/lrap/abafactsheetstaffordlimits.pdf>. See also [Paper Chase to Money Chase](#), Equal Justice Works, formerly National Association of Public Interest Lawyers, <http://www.napil.org/choose/lrapurvey2.php>.

It is also more difficult to recruit and retain pro bono attorneys in rural areas as well:

RIDS participant Ken Penokie (MI): Obtaining meaningful pro bono resources in rural areas is challenging because rural areas lack a sufficient attorney base from which to draw volunteer attorneys. In a 1999 State Bar survey, rural lawyer's salary was 19% less than state median lawyer salary. In the Upper Peninsula (Michigan's most rural area) the salary difference is 37%. Most rural firms are small and operate on slim margins.<sup>39</sup> These firms view their accounts receivables to be their pro bono work.

*Creating collaborations with little or no public service infrastructure*

Across the country successful collaborations and partnerships are being built between legal services programs and the courts, the private bar, government/social services agencies, the faith-based community, law enforcement, universities and law schools, housing and domestic violence coalitions, corporate America and other non-profits. In order to leverage scarce dollars, public and private funders look to invest their resources in initiatives that involve multiple partners. Such entities are often based in urban, suburban and/or small city centers, not always easily accessible to rural communities.

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<sup>39</sup>Kenneth Penokie, Director, Legal Services of Northern Michigan (Escanaba), "A New Dog," paper submitted for RIDS participation, Summer 2002.

## THE SYMPOSIUM: A STARTING POINT

The LSC-sponsored Rural Issues and Delivery Symposium (RIDS) was held at the Arbor Day Farm Foundation's Conference Center in Nebraska City October 31 through November 2, 2002. Two Nebraska attorneys, Dan Alberts and Tania Diaz, facilitated the meeting of thirty-three advocates gathered to share ideas and develop strategies designed to improve the delivery of legal services to rural communities across the United States.

The symposium served as LSC's first national conversation focusing on the challenges facing rural areas.

LSC President John Erlenborn, who welcomed participants in a memorandum (see Appendix B), noted:

“Our expectation is that following this symposium, individuals will continue to dialogue and share a wide array of information on rural issues and delivery systems with representatives of justice communities throughout the country. Through this continuing dialogue and sharing, communities will be able to replicate successful and promising innovations. This symposium exemplifies LSC's continuing emphasis on activities that lead to significant outcomes and impact for clients in all communities—rural, suburban and urban or in between.”<sup>40</sup>

### A community of rural advocates

Attendees at the conference included a number of LSC recipients with a demonstrated interest in rural delivery issues, but a concerted effort was also made to involve individuals with expertise in rural issues and advocacy from outside the LSC programs. Invitees included those with rural pro bono, minority and family farmer advocacy, Native American and migrant worker expertise, clients, stakeholders from the courts and academic and policy institutions focused on rural poverty issues.

### The face of rural poverty

The symposium began with each participant attempting to personalize rural poverty with stories told out of their own experiences. In one of the most compelling stories, tribal elder and Kiana (Alaska) Mayor Hazel Apok described the extraordinary isolation of rural Alaska where the cost of transporting goods means a gallon of milk costs \$5.79. More than two hundred federally recognized tribes, each with their own customs and culture and some with language barriers, struggle with problems of alcohol, drug and child abuse.

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<sup>40</sup> John Erlenborn, Interim President, Legal Services Corporation.

At the end of the opening session, Ian Morrison, Legal Aid Ontario Senior Counsel and Claire Parins, former director of the ABA’s Rural Pro Bono Project, synthesized the common themes running through the anecdotes (See Appendix E):

“In communities where everyone knows everyone, this profoundly affects how people name their problems, how they think about solutions, how the poor are seen by others. We can’t think about rural services without remembering that in a small place, everyone has a face...locally, the rural poor may look homogenous, but the further we pull back and look at the big picture, the greater the diversity.”<sup>41</sup>

“Diminishing rural support systems and a lack of infrastructure are leading to increased poverty. There is confusion about the services that are out there, a lack of knowledge about legal rights...there are family farmers who need food pantries even though they live to grow food for others. There are many who will not ask for help because there is a lack of privacy in rural areas. Neighbors (are) watching what neighbors purchase with their food stamps.”

“Rural poverty is about race and class...it’s about the stigmatization of the poor, disdain for those who live on the wrong side of the tracks. It’s about giving up on children’s education because their parents before them could not read... But our clients are resourceful...(and) Our attorneys represent communities not just individuals. Rural poverty runs broad and deep. But we are here to work towards solutions.”<sup>42</sup>

### What rural justice looks like

For rural communities, justice would mean a fair distribution of goods and services; access to transportation, safety and healthcare; opportunities for social advancement, living wage jobs and the ability to protect their rights through the legal system and in the courts.<sup>43</sup>

In brainstorming about what is needed in order to achieve rural justice, participants came up with a wide-ranging wish list, including:

- Partnering with courts and the private bar
- Legal work with or for other rural non-profits
- Creation of a listserv and/or website on rural poverty

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<sup>41</sup> RIDS participant Ian Morrison, Senior Counsel, Legal Aid Ontario, Canada.

<sup>42</sup> RIDS participant, Claire Parins, Director of Content Management and Training, Illinois Tech Center for Law and the Public Interest. Former Director of the ABA Rural Pro Bono Delivery Project.

<sup>43</sup> In expressing her hopes for the future of rural communities, Kathleen Ballenger of Rural Education Access for Child Welfare (REACH) notes, “I’d like to see rural people have equal access to the goods (and services) of this nation and thrive without living in poverty, without (having to work) two jobs (in order to make) ends meet and without having to leave home for a quality education and a decent living.”

- Centralized information and referral (such as “211” systems)
- Wide dissemination of preventative information
- Presence in every county in the country
- Access to technology such as video-conferencing, hotlines
- Mobile units to take services to the people
- Comprehensive plans for every county in the U.S.
- Developing a culture of regionalism for rural offices/regional rural liaisons
- Board and management staff with rural connections and experience

Attendees elected to join one of four workgroups:

#### Networking (See Appendix I)

This workgroup determined that its purpose was to propose ways to develop additional resources (cash and otherwise) to deliver legal aid in rural areas through collaboration, and that, in order to do so there were two directions they could go:

- Develop and share a knowledge base of how the legal services world collaborates and how we network among ourselves.
- Create national, state, regional and local networks of resources.

The group concluded that its central focus should be to determine how to build a national network to address rural delivery of legal aid. The group felt that the primary strategy that programs could use to become a critical player in any network was to become indispensable to the other local, regional and national players in the building of the infrastructure for maintaining and building rural communities—using the current deteriorating rural conditions to marshal resources and build partnerships.

In order to implement such a strategy the workgroup determined it should focus on four tactics: communications, creating a national coordinating organization, convening additional meetings and using rural health care experience as a guide or model.

The groups’ discussion ultimately led to the development of a “national voice” objective and a draft proposal for a national coalition on rural legal services delivery (see Appendix J) that would:

- Ensure that the legal needs of low-income rural families and communities are met and that they are not marginalized by lack of access to legal services.
- Serve the national rural legal services community by providing leadership and knowledge regarding issues affecting rural legal services delivery.
- Improve the integration of rural legal services into the existing legal services delivery system.
- Provide a voice to Congress and the Legal Services Corporation regarding rural legal services delivery issues.
- Address issues of advocacy, training, support, and communication for rural legal services providers.

- Increase the resources available for legal services in rural communities.

### The Urban/Rural Dichotomy (See Appendix H)

This workgroup addressed changes that need to occur so rural communities receive equitable justice services. Where populations are moving away from an area, the cost of services goes up, funding opportunities diminish and competition becomes fierce.

One key principle to help assure equitable services in rural areas would be an ambassador for the rural poor and the rural community advocate. The group members named a number of objectives which would need to be met in order to fulfill that principle, including:

#### *Know the rural area and its other advocates and resources.*

- First establish presence, then set priorities to determine what “justice” is for that community.
- Remove urban requirements in rural areas --- Recognize that it is more basic in rural areas – A person should not have to show a driver’s license to push a broom in a state facility.
- Take an inventory of the ancillary resources for each community.

#### *Create and sustain relationships and partnerships.*

- Tap into untapped support services.
- Don’t fix what is not broken: enhance the good services already performed by others.
- Turn adversarial relationships into business partnerships—with an eye towards preventing the need for future legal services.
- Establish presence in the communities by asking banks and the state government to provide financial resources such as paying for buildings.
- Build symbiotic relationships to leverage resources for legal services organizations, universities, and other service organizations.
- Work with the judiciary.

#### *Reach out to advocates and resources in urban areas.*

- Recognize that urban and rural advocates both want to help the clients and don’t compete.
- Educate the urban community about the needs in rural areas. Bring the urban legislators to the community to see what they have not seen; reach out to cooperative extensions, banks, the state legislature, community action centers, and churches.
- Mandate those required to do pro bono work to lend themselves to rural areas -- including criminal offenders required to do community service work (they should be tapped to help out where it is needed. Perhaps they can educate the rural poor in the negative affects of breaking the law).

*Educate, inform, advocate.*

- Advocate for rural constituents through state legislatures.
- Put a face on the advocates' stories: Strive not to lament about the lack of resources, but make the dearth of resources known.

*Invest in the future.*

- Reinvest human resources into rural communities.
- Support loan forgiveness for law students, but also for the social service workers.
- Create student job corps and move students into the rural areas.
- Recruit volunteers to help rural staff offices, assist clients through the maze of paperwork.

The group also recognized that one of the outcomes of state planning had been that some urban-based program were now charged with serving rural clients and felt that LSC and others in the national and state justice community needed to be active in this transformation:

- LSC should ensure that programs serve rural clients equitably
- LSC-funded programs' directors and board should make a commitment to ensure that the programs' rural clients are served equitably.
- Periodic assessments (annual) should be made to determine whether all rural clients are served equitably.
- There should be a visible presence of program leadership in the rural areas.
- LSC, in the preamble to the field grant application document, could state: "It should be implicit in the program's description of its proposed delivery model that the service area's rural needs will be considered on an equitable basis.

Best Practices in Delivering Service (See Appendix G)

In brainstorming about how best practice models should be formulated and shared, this workgroup posited that a template should be produced for every 'best practice' that would show how to set up (and fund) such a project or program as well as show it has been tested or evaluated and provide results and/or outcomes. Best practices submissions should document the pros and cons as well as alternative methods for implementing and maintaining a project or program. The group was also interested in best practices providing information about what effect scarce resources had on setting priorities. They also concluded:

- Best practices should support innovation and not be inflexible.
- Best practices should indicate how the project is really 'best'—including evaluation and demonstrated outcomes.
- Best practices need include data on how to garner support (financial and otherwise) for its implementation as well as how to implement.
- Best practices should include a component on the best methods for disseminating information.

### Maximizing resources (See Appendix F)

The workgroup determined that the essential characteristics needed for maximizing resources included presence in the community for relationship building, an organizational structure that was flexible and encouraged innovation; a positive attitude; and financial capacity and accountability. They then drew a table listing rural need, potential partners, potential funding and outcomes.

At the end of the symposium the group decided it was important to create a cohesive and influential national voice for rural legal services delivery with the capacity for developing:

- A group website/listserv that would involve participants in the symposium.
- An information clearinghouse on rural poverty issues and rural delivery practices.
- National rural legal services workgroups to address these issues.
- Institutionalized and designated expertise at the national level and within national partners.
- An independent convening body that would seek resources, partner with other organizations and networks in the National Rural Network and coordinate national activities and information sharing.

Participants also agreed to these potential next steps:

- Insuring at least some focus on rural issues at all national legal services-related conferences;
- Developing of forums or venues for the discussion and cost-benefits analysis of balancing individual cases with systemic work in resource-poor rural areas, and
- Increasing capacity and expertise in rural community economic development within legal services programs in order to help rural communities prosper.

Workshops held at the April 10-12, 2003 Equal Justice Conference included:

- Technology in the Trenches--Using Technology and Collaboration to Deliver Services to our Rural Clients: Technology advances have provided legal aid programs the opportunity to provide client services throughout our rural communities. Questions this session answered were: What technologies are successfully used to access rural clients? How can my program successfully use technology to access rural clients? How have we learned from past efforts? Where can I get assistance in planning a technology-based initiative?
- The Oregon Model: Collaboration to Provide the Full Range of Services in a Rural State: This workshop described how LSC and Non-LSC recipients can collaborate to provide a full range of high quality legal services statewide. The session focused on the unique experience of Oregon's legal services providers.
- Partnerships to Enhance Rural Delivery: This workshop explored joint delivery initiatives that address the most critical legal needs of rural clients and their

communities. Also discussed were strategies developed at a recent conference sponsored by the Legal Services Corporation on rural legal services delivery, and proposals to strengthen the capacity of advocates to more effectively help their clients and create a strong national voice on behalf of rural communities.

RIDS participant, New Mexico bar leader and long-time legal services volunteer Sarah Singleton led a rural delivery session at the state access to justice chairs meeting at the Equal Justice Conference.

## A Sampling of Policies and Projects<sup>44</sup>

There are dozens of innovative policies and projects in use or being tested throughout the country to help overcome the challenges of rural delivery. There are also cutting-edge projects underway in urban or mixed urban/rural settings, which could be adapted or modified for use in a rural setting. Many of these can be found on LSC's best practices website [www.lri.lsc.gov](http://www.lri.lsc.gov).

The following excerpts from papers submitted by LSC-funded attendees of the symposium contain examples of projects or potential projects that are in use or being considered for use in overcoming some of the challenges of rural legal services delivery. Neither the papers nor these excerpts necessarily provide complete details about a particular project, for more information, please contact the original author. For a compilation of paper abstracts, see Appendix K.

### Court and Internet Based Self Help

Herb Whitaker (CA): Recognizing the need to improve access to the courts in 1999 the California Judicial Council set aside \$1 million dollars of state appropriated Equal Access Funds to create pilot projects to provide services to pro per litigants. The Legal Services Trust Fund Commission of the State Bar administers the program. The concept was to fund partnerships between legal services agencies and the courts to encourage experimentation in a number of different models of pro per service. The program currently funds twelve pilot projects in mostly urban settings. The Mother Lode Pro Per Project (MLPPP) is the only multi-county rural project.

No ongoing attorney client relationship is established, hence the term "consumers," rather than clients. This was a requirement of the Placer County Courts as a condition for their participation as a partner, and it has worked very well. Consumers are told that our staff will not represent them in their case, but will only advise them on how to navigate through the court procedures. They are given a Notice and Waiver form, which informs them of these facts, advises them to contact private attorneys for substantive advice, and waives confidentiality and potential conflicts of interest. Many attorneys find this approach untraditional, but we have yet to receive a single consumer complaint.

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<sup>44</sup> Projects highlighted here are taken from papers submitted by LSC grantees for the purpose of attending the Rural Issues and Delivery Symposium. Dozens more projects and initiatives in the areas of intake, pro se, management, technology innovations, state planning, diversity and substantive practice areas can be found at LSC's best practices website: [www.lri.lsc.gov](http://www.lri.lsc.gov). Other non-LSC funded legal services sites with links or other pertinent information include [www.rurallawcenter.org](http://www.rurallawcenter.org) (see especially the initiatives section--including rural coalition building at [www.rurallawcenter.org/init.html](http://www.rurallawcenter.org/init.html)), [www.equaljustice.org](http://www.equaljustice.org), [www.landloss.org](http://www.landloss.org), [www.legalaid.on.ca](http://www.legalaid.on.ca), and [www.flaginc.org](http://www.flaginc.org) --which has an extensive links page. Included among the pro se projects on LSC's best practices website is Ventura County California's "Winnebago of Justice" project (see [www.lri.lsc.gov/abstracts/020113/020113\\_overview.pdf](http://www.lri.lsc.gov/abstracts/020113/020113_overview.pdf) or <http://courts.countyofventura.org>) Other internet resources include the Rural Policy & Research Institute ([www.rupri.org](http://www.rupri.org)), the Center for Agricultural & Rural Development ([www.card.iastate.edu](http://www.card.iastate.edu)), the Rural Development Initiative ([www.soc.iastate.edu/rdiweb](http://www.soc.iastate.edu/rdiweb)), the North Central Regional Center for Rural Development at [www.ag.iastate.edu/centers/rdev/rdlinks/rdevlinks/html](http://www.ag.iastate.edu/centers/rdev/rdlinks/rdevlinks/html), and the Agricultural Economics and Rural Sociology department at Penn State ([www.aers.psu.edu](http://www.aers.psu.edu)).

Our resources are spread far and thin, and we are forced to take the emergency room approach of attempting to provide at least some level of assistance to each consumer. However, the level of service is still much higher, as compared to our telephone assistance. We are able to consult with consumers in person, provide the appropriate legal forms, assist with the completion and filing of the forms, and provide follow up assistance the same day or the following week.

Most of (the equipment and materials were) donated. Much of the forms completion work is performed on a roving laptop computer, which is equipped with software for the standardized California Judicial Council forms. Also, each outreach clinic is equipped with at least one permanent computer station.

From the start-up in June of 1999 through our mid-year report of June 2002, the project has conducted 731 clinics and provided 5,478 service units to consumers.

This represents a 76% increase in the number of LSC reportable cases. Counting non-LSC cases, the MLRO increased total case production by 115%. More importantly, the project significantly increased consumer service in the more remote rural parts of our service area. For example, in 1999 we served 250 consumers in El Dorado County, and in 2001 we served 854 (including 623 MLPPP consumers), representing an increase of 342%.

As an experimental pilot project, the decision was made early on to include an intensive evaluation component. Each consumer served is given a brief exit survey. For the year-end evaluation, more detailed survey forms are sent to each of the partnering courts and social service agencies. We also conduct follow-up interviews with a cross section of consumers and with a limited number of judges and court administrators.

The survey results show that the assessment after two years of operation is overwhelmingly positive. Consumer satisfaction is high. In 2001, 76% of consumers rated their satisfaction level as a “10” on a scale of 1 to 10, with “10” being very satisfied. Of the consumers surveyed 71% stated that they felt “much more prepared” and 18% said they felt “more prepared” after receiving our service. The majority of the court personnel surveyed also found that both the pro peers’ forms and the litigants themselves were more prepared, better educated about the process, and they had more realistic expectations. One family law judge stated: “Can’t believe we did this without a self-help center. Major difference. Night and day.”

... Though staff seems to have different expectations as to what level of service we should provide, 65% of the consumers surveyed, on the other hand, said that they received more help than they had expected, and 46% said that the clinics were just what they expected.

For now, *pro per* litigants from Slug Gulch to Rough and Ready, California are thankful to be able to walk into our nearest clinic and receive services.<sup>45</sup>

Scott Hartsook (IA): (An LSC Technology Innovations Grant) ... funds the grant funds LSCI's Senior Citizens Internet Project (SCIP), which will install Internet-accessible computers at 85 senior centers in rural, low-income, and minority communities in Iowa where public access to Internet service does not exist or is not easily accessible. SCIP is designed to increase the access of older Iowans to legal assistance and other services. The unique component of the project is that each computer will have desktop icons for most of the main providers of services to the elderly. The icons will give users one-button access to LSCI's Legal Hotline for Older Iowans, the Department of Human Services, their local Area Agency on Aging, the Senior Health Insurance Information Program, and other agencies.<sup>46</sup>

### Hotlines

Scott Hartsook: Of (LSCI's Legal Hotline for Older Iowans) 4,981 clients during the initial three-year grant period, 48% lived in counties that had no cities with populations that exceeded 20,000, even though only 44% of Iowa's population resided in those counties. Between 1997 and 2001, the Hotline allowed LSCI to more than double the number of older Iowans who received legal assistance.

The Hotline has shown that a centralized intake model operated on an immediate service basis, rather than on a callback basis, is an efficient and effective manner of providing services to a large number of clients.

The Hotline's Health Law Project is another prevention program designed to increase the knowledge of older Iowans, service providers, and attorneys about Iowa's health care programs. The main programs being emphasized are programs to help older Iowans pay their medical, prescription and other health care expenses.<sup>47</sup>

### Collaborative outreach and education

David Kozlowski: Random circuit riding – going to a place far away and seeing who shows up – is often not a cost-effective way to attract new clients. Going to a meeting of Head Start parents (or shelter residents or people in a welfare-to-work class) who live far away, telling them in advance that you will talk with them about a range of problems that may affect them and their children and simultaneously having people who can interview them in depth, may attract more real cases in an afternoon than a week of random phone calls.

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<sup>45</sup> Herb Whitaker.

<sup>46</sup> Scott Hartsook, Managing Attorney, Legal Services Corporation of Iowa (Des Moines), "Overcoming Challenges to Rural Legal Services Delivery," paper submitted for RIDS participation, Summer 2002.

<sup>47</sup> Scott Hartsook.

Rural advocates should work aggressively to promote collaboration, especially active co-counseling, among different offices and even different programs. If three advocates, in three different offices, work effectively on a case, they can take on a major issue without paralyzing the daily work of any one office.

Agency-based intake, targeted to people with priority problems, can be efficient, even far from local offices, when social service agencies, on the ground, are involved in identifying and bringing together the people who need legal aid.

A physical presence is of course helpful but is not essential. Weekly columns in local papers, news releases about significant developments, posters, regular contact with social service leaders and rural task forces, efforts to see more than one person or agency while visiting remote areas, participation in human services office training, regularly-stocked racks of community education materials, and toll-free telephone lines are all ways to maintain contact in remote communities. Trained local people, perhaps receiving a small stipend, who may already be working with other agencies, can provide many of these functions.

### Farm Project

Scott Hartsook: LSCI's Farm Project started in 1986 when Iowa and much of rural America was in the depth of a financial crisis. LSCI obtained funding from the State of Iowa to provide legal assistance to financially-distressed farmers to help them restructure their debts, resolve their legal problems, and hopefully allow them to avoid the loss of their farming operations and homes. Although most of the services provided by LSCI's farm attorneys involve specialized farm problems that are substantially different from the services provided to LSCI's other clients, Farm Project attorneys provide all of the legal assistance needed by a farm family, including issues involving public benefits, consumer problems, family law problems, etc. This allows other staff to provide services to other clients for whom special funding does not exist.

The Farm Project also acts as a preventative law project by helping farmers maintain their farming operations so that they do not have to liquidate their operations and become another family living in poverty.<sup>48</sup>

### Community Economic Development

Monte Jewell (MT): A (Community Economic Development) CED delivery model focuses on expanding economic opportunities for the client community as a whole. This model harmonizes with the notion that fair access to economic opportunity is a necessary component of a just society. The role for the lawyer working in a CED model has been described as closer to that of a corporate lawyer or a county prosecutor than, for example, a personal injury lawyer.<sup>49</sup> A CED model might, for example, place greater emphasis on

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<sup>48</sup> Scott Hartsook.

<sup>49</sup> This article tracks the reasoning and suggestions in William C. Kennedy, Gary F. Smith, and R. Mona Tawatao, Cultural Changes and Community Economic Development Initiatives in Legal Services: What

organizing poverty advocates in federally mandated strategic planning efforts for fields such as housing, childcare or vocational training for the overall benefit of the client community. A CED model may also be combined with a powerful outcome measure, like the self-sufficiency standard, to gauge real reductions in poverty from year to year. The self-sufficiency standard establishes a geographically specific level at which a person can be said to be economically self-sufficient.<sup>50</sup>

Rural CED practice (may) offer the promise of improved economies of scale for providers. With appropriate planning, lawyers and service providers can share some costs related to office space, equipment and support staff. For example, a crime victim assistance office or women's shelter may, with training and appropriate ethics protocols, reduce the distance a prospective client must travel and the amount of information that prospective client must repeat for intake staff.

Wouldn't sufficient income to obtain childcare and a place to stay make the prospect of choosing to leave an abusive partner a more realistic possibility for low-income clients? The recently published Montana Self-Sufficiency Standard suggested that I could concretely demonstrate that proposition.<sup>51</sup> Simply put, the value of free or low-cost transitional housing and childcare is the difference between a client's current income level and 50 percent of the income necessary to achieve economic self-sufficiency.

CED and the self-sufficiency standard provide one means for lawyers to return to examination of root economic causes. Though the work has been derided as unglamorous and even dull,<sup>52</sup> the potential benefit to our rural client community—if not society generally—deserves consideration.<sup>53</sup>

### Grants Without Borders

Steve Xanthopoulos: What we need to think about is “Grants without borders” - the (border of) traditional LSC service areas - that is. This will enable us to meet more of the

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Happened in Two Programs, Clearinghouse Review: Journal of Poverty Law and Policy Nov/Dec 1999, Vol.33 Nos. 7-8, pp. 440- 451.

<sup>50</sup> The self-sufficiency standard is a policy tool and alternative to the more familiar poverty guidelines. See Diana Pearce, Ph.D., Jennifer Brooks, Meeting Needs, Measuring Outcomes: The Self-Sufficiency Standard as a Tool for Policy-Making, Evaluation, and Client Counseling, Clearinghouse Review: Journal of Poverty Law and Policy May/June 2000, Vol.34 Nos. 1-2, pp. 34-49; and see Diana Pearce, Ph.D., Jennifer Brooks, The Self Sufficiency Standard for Montana January 2002, prepared for Working for Equality and Economic Liberation.

<sup>51</sup> Pearce and Brooks, supra n.17. Note also that domestic violence and economic dependency are not problems that can be predicted by income level. There is risk in conceiving the problem strictly in economic terms. However, in addition to other factors, low-income domestic violence victims frequently confront added economic barriers to self-sufficiency, which, depending on their circumstances may or may not exist for other victims of domestic violence.

<sup>52</sup> See, e.g., Kennedy, et al., supra n.16.

<sup>53</sup> Monte Jewell, Managing Attorney, Montana Legal Services Association (Missoula), "Notes on Building a Rural Community Economic Development Law Practice," paper submitted for RIDS participation, Summer 2002.

goals of potential funders and to better meet the needs of clients. The targeted areas can be whole states, multiple states, parts of states, and parts of regions, whole regions.

Projects that serve large geographic areas or populations offer the funder many advantages: fewer projects to administer, more communities served and greater grant consistency.

...In addition to the additional funding, there are additional benefits. The partnerships develop increased coordination beyond the specific grant purposes. For example a fair housing project involving the LSP's (legal services programs) in Mississippi will create an active task force to address housing issues because many "routine" housing issues relate to fair housing.

The Administrative Office of the Courts funded a demonstration project to help implement the new Parenting Plan. By incorporating pro se activities into the work plan, the local LSP was able not only to obtain the grant to assist the court in the implementation of the plan; but also made the process more accessible and friendly to low income parents, designed the template for future statewide replication, increased pro bono opportunities, increased pro se and garnered support for its activities. In the past, this type of project might have been thought of as "social work" or something else that was beyond the scope of an LSP. But the grant worked towards the goals of the state plan and provided funding. It also assisted in building positive relationships with the local judiciary and the statewide judicial administrative body.

Unless the organization(s) can effectively and efficiently manage the new grants they should not even attempt the changes. The good news is that many LSP's have the potential to attempt these new more complex delivery models. They have the legal, management, and fiscal capacities and the working relationships to succeed. Staff can make the change to new delivery models and the accompanying new complexities.<sup>54</sup>

Linda Zazove: Federal and state grants for services to domestic violence victims and homeless persons have been the most significant new sources of funding in Land Of Lincoln's rural service area. Other rural legal services programs have had success with a variety of other federal grants.<sup>55</sup> The importance of these grants cannot be minimized, however, they are restricted to serving specific segments of the rural population. This can have the effect of skewing office priorities, especially in small offices.

### Private Bar Campaigns and IOLTA Funding

Linda Zazove: One of the first questions asked by private attorney campaign committee volunteers is whether the money raised will be used in their local community. To address that concern and at the same time help meet program-wide needs, Land Of Lincoln uses half of all private bar contributions to support the program-wide hotline.

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<sup>54</sup> Steve Xanthopoulos.

<sup>55</sup> Steve Xanthopoulos at West Tennessee Legal Services has had extraordinary success with federal and state grants to support a rural service area.

Land Of Lincoln has used IOLTA funds to support an attorney position in each branch office and several part time attorneys at the hotline. This allocation disproportionately supports the smaller rural offices and is one attempt to provide equity in investment of resources.

### Pro Bono

Scott Hartsook: Attorneys who participate in the (Iowa) Volunteer Lawyers Project obtain free legal education at LSCI continuing legal education events. Until recently, these events were held at various locations around the state and were practically limited to the attorneys in the area where the presentations were held. Many of LSCI's continuing legal education seminars are now presented on the Iowa Communications Network (ICN), which makes them available at 10-15 locations throughout Iowa. Use of the ICN has substantially increased the audiences for the presentations.<sup>56</sup>

Ken Penokie: LSNM (Legal Services of Northern Michigan) has obtained funding and is currently developing a program to allow representation via the Internet. Clients will be screened for eligibility electronically and, if eligible, will be directed to post their question in a central area. The pro bono attorney will have access to the area and will be able to pick a question and post a response. All responses and all follow-up sessions will be posted on a private, password-protected page. It is anticipated that the client will have one of two choices for follow-up questions. They will be able to simply post another question in their private area and wait for a response or they can log on at a specific time for a "real time" discussion.<sup>57</sup>

Eduardo Coghlan: The National Battered Immigrant Women's Network (is) ... an amazing collective effort, which has produced superb educational materials and VAWA legal practice manuals. One of the successes of the network has been that it has involved so many private attorneys, who have used the materials and technical assistance provided by the network to serve VAWA clients at reduced or no cost.<sup>58</sup>

### Contract/Other Attorney Arrangements

Ken Penokie: LSNM identified five counties that were hard to reach from existing offices, yet had insufficient populations to justify satellite offices, and offered the private bar contracts to represent the client population. The hourly rate offered was approximately 40% of the average hourly rate in the area. Four attorneys were identified and hired. As a result of this two-pronged approach LSNM has more resources overall. (These are) Resources that maintain a healthy mix of core services and advice.

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<sup>56</sup> Scott Hartsook.

<sup>57</sup> Ken Penokie, Acting Director, Legal Services of Northern Michigan (Escanaba), "A New Dog," submitted for RIDS participation, Summer 2002.

<sup>58</sup> Eduardo Coghlan.

LSNM believes that approximately 25% - 30% of our domestic violence cases have sufficient funds from which to finance attorney fees. The problem is that these resources are not accessible by the client. In addition, the domestic violence shelters inform us that there is a significant number of their clients who are financially ineligible for legal services representation, but who cannot afford the \$1,000 to \$1,500 retainer required by the private bar. LSNM is now seeking grant money to establish a fund from which to front the private attorney retainer. Under this program the private attorney would agree to seek attorney fees and reimburse the money fronted by LSNM. In this manner, LSNM will be able to reduce our domestic case load and add a tier of services to a group that is needy but not qualified under governmental restrictions.<sup>59</sup>

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<sup>59</sup> Ken Penokie.

## Appendix

**Appendix A – Letter of Invitation from  
LSC Vice-President for Programs, Randi Youells**

October 15, 2002

Dear Participant:

I am pleased you will be participating in the Legal Services Corporation's Rural Issues & Delivery Symposium in a few weeks. This will be LSC's first national conversation focusing on the challenges facing rural areas--which all of us, united in communities of justice, should be working together to address. You have been invited because you bring a special knowledge, or skill, background or life experience that lends itself to the Corporation's aspirations for this symposium.

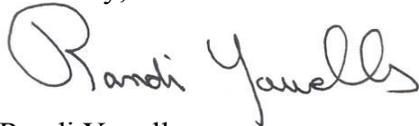
The symposium is intended to serve as the foundation for more in-depth consideration of the issues facing rural America and its territories by the Legal Services Corporation and legal services programs. The Legal Services Corporation intends to use the dialogue generated by this retreat as a lens through which to focus its own work and develop its own priorities. From this, we hope to gain a better understanding of the needs and hopes of clients and communities in rural areas. It is crucial for us to assure a comprehensive and integrated approach for achieving justice where scarce or declining resources, economic hardship, scattered or isolated populations and geographical barriers collide.

We are enclosing an agenda, contact and biographical information about all attendees (including LSC staff and the symposium co-facilitators), as well as a brief bibliography.

Please contact Regina Derzon at (703) 916-0655 ([rderzon@earthlink.net](mailto:rderzon@earthlink.net)) for assistance with travel or logistics. If you should have any other questions or concerns, please don't hesitate to contact me or Melissa Pershing at (919) 870-7116 ([pershingm@lsc.gov](mailto:pershingm@lsc.gov)).

Thank you for your willingness to join us to discuss these important issues. I look forward to meeting with you October 31 through November 2.

Sincerely,



Randi Youells  
Vice President for Programs

Enclosure

## Appendix B – Statement of John N. Erlenborn, President

**Legal Services Corporation  
Presented at the  
Rural Issues and Delivery Symposium  
October 31 – November 2, 2002**

Greetings, I am delighted to have this opportunity to send you my regards and to have read some words of encouragement as you gather for this, the Legal Services Corporation's first, but not last, Rural Issues and Delivery Symposium. I wish I could be with you over the next two and one half days and deliver these words in person, but my schedule will not allow it.

This **Rural Issues and Delivery Symposium** is one of a series of conferences LSC has held around the country to ensure that our awareness of the needs and aspirations of clients as well as the communities of justice that serve them.

This symposium launches a national conversation with persons, such as you, with the best knowledge, skills, experiences, and backgrounds, to discuss the challenges facing rural communities. However, LSC will not be satisfied with conversation alone. We would like to see action in the form of innovative initiatives and proven practices among justice communities throughout rural areas in America and its territories.

The Vice President for Programs and staff in the Office of Program Performance determined that a national conversation on rural issues was urgently needed to uncover and generate innovative and proven practices for delivering high-quality legal services in rural areas.

Our expectation is that following this symposium, individuals will continue to dialogue and share a wide array of information on rural issues and delivery systems with representatives of justice communities throughout the country. Through this continuing dialogue and sharing, communities will be able to replicate successful and promising innovations.

This symposium exemplifies LSC's continuing emphasis on activities that lead to significant outcomes and impact for clients in all communities—rural, suburban and urban or in between.

### **The Nebraska Legal Services Program**

I would especially like to thank Doug German for his leadership in Nebraska and the Nebraska Legal Services Program (NLS), which is mainly a rural program that falls squarely within the concerns of this symposium.

When LSC issued its call for state reform in 1998, Nebraska created a comprehensive response soon thereafter to meet, among other things, the challenges of “Rural Culture” that you will spend some time discussing today. NLS is working for justice in rural America. While the NLS state reform effort was difficult in some respects, I understand that all stakeholders would agree that the results have been good. And, those intimately involved in delivering services to clients also recognize this.

At the conclusion of the symposium, you may have reached a consensus on whether justice in rural areas is conceptually unique or just practically unique from justice in other communities.

Nebraska Legal Services will tell you, however, that “the sheer distance separating the towns and people of sparsely settled areas” has been the single greatest barrier to delivering efficient, high quality legal assistance to the rural poor in this state. This is changing. Through a Technology Initiative Grant from LSC, the NLS is working to establish or enhance:

- A seamless statewide intake, advice, brief service, extended service system;
- An Integrated Website and Rural Pro Bono Initiative. The website has portals designed for attorneys, community groups, and clients; and
- A Pro Se Pilot Project whereby private attorneys in rural areas will review pleadings for pro se litigants and explain the court process to them. NLS will place desktop computers, printers, and other technology accessories in the offices of 12 private attorneys who agree to participate in the Pilot Project.

I commend Doug German and Nebraska Legal Services for the reform they have undertaken and wish them the best as they continue to do their part to help make life better for low-income people.

I commend all of you who are attending this Symposium for your dedication to the ideals of social justice and equality. This nation is blessed to have individuals like you, people reaching out to other people to make things better. People who do not espouse ideals of social justice and equality just on celebratory occasions, but do so every day.

I hope you enjoy the Symposium, and I look forward to hearing about your accomplishments over the next two and one-half days.

Thank you.

## Appendix C – Meeting Agenda

**LEGAL SERVICES CORPORATION  
RURAL ISSUES & DELIVERY SYMPOSIUM  
October 31 – November 2, 2002  
Lied Conference Center, Arbor Day Farm  
Nebraska City, Nebraska  
AGENDA**

### THURSDAY, OCTOBER 31 - Where are we?

<b>12:30 p.m.</b>	<b>Light lunch available in the meeting room</b>
<b>1:30</b>	<b>Welcome - Randi Youells, LSC VP of Programs Maria Luisa Mercado, LSC Board</b>
<b>1:40 – 2:10</b>	<b>Self-introductions/Grounding</b>
<b>2:10 – 2:30</b>	<b>Development of Ground Rules</b>
<b>2:30 – 5:30</b>	<b>Putting A Face on Rural Poverty: Clients, Communities &amp; The Issues They Face</b>
<b>6:30</b>	<b>Reception</b>
<b>7:30</b>	<b>Dinner</b>

### FRIDAY, NOVEMBER 1 – Where do we want to go?

<b>6:30 a.m.</b>	<b>Dining room opens</b>
<b>8:30 – 9:00</b>	<b>Grounding</b>
<b>9:00 – Noon</b>	<b>Defining Rural Justice and Rural Justice Communities</b>
<b>Noon</b>	<b>Lunch</b>
<b>1:30 – 5:00</b>	<b>Reconvene Describing the Attributes of Justice for Rural Communities</b>
<b>6:30</b>	<b>Dinner</b>
<b>8:00 p.m.</b>	<b>Reconvene</b>

### SATURDAY, NOVEMBER 2- how can we get there?

<b>7:00 a.m.</b>	<b>Dining room opens</b>
<b>8:00-8:30</b>	<b>Grounding</b>
<b>8:30 -11:15</b>	<b>Achieving Justice for Rural Communities</b>
<b>11:15</b>	<b>Next steps                      Facilitators Closing remarks              Randi Youells</b>
<b>11:30</b>	<b>Adjourn</b>

## Appendix D – Bios of Attendees

**Willie Abrams** is a graduate of the Columbus School of Law of the Catholic University of America, Washington, D.C. He is a member of the bars of state and federal courts of Georgia, and Maryland, the United States Courts of Appeals for the Second, Fourth, Fifth and Eleventh Circuits, and the bar of the Supreme Court of the United States. He began his legal career in 1974 as a Reginald Heber Smith Fellow with Georgia Legal Services Program where he litigated housing, consumer credit, tort defense, and family law cases in the courts of rural Middle Georgia. From 1977 to August 1986, he was the managing attorney of Georgia Legal Services' Columbus Regional Office.

From September 1986 to 1999, Willie Abrams served as an Assistant General Counsel for the National Association for the Advancement of Colored People (NAACP), headquartered in Baltimore, Maryland. He coordinated the NAACP's amicus curiae docket for Supreme Court cases and supervised some of the organization's cases in other federal and state courts. From October 1998 to May 1999, he served as Legislative Counsel to the NAACP's Washington Bureau, the organization's Legislative Advocacy arm in Washington, D.C. Willie joined the Legal Services Corporation's Office of Program Performance in May 1999 as a Program Counsel where he has worked, and continues to work with LSC-funded programs in many of the Southern states. His area of specialization in the Office of Program Performance is Training and Rural Delivery.

**Dan Alberts** is a consultant with Effectiveness Associates located in the Lincoln, Nebraska office. He has mediated individual and group conflicts for over ten years in both the private and public sector and is often selected by school and government agencies to assist in conflict resolution that involves legal issues. Dan is a school superintendent and a practicing attorney. He provides school officials legal and procedural advice to solve labor, special education and service requirement issues. Dan stays in touch with the people directly involved with public policy through business leadership roles, lobbying efforts and direct work with parents and children making post-high school plans. Dan and his wife Beth have two grown children, Hillary and Molly. Both have lived overseas and provide their parents lots of perspective as to how others see the world. Dan's consulting expertise and specializations include the following: Team Development, Group Facilitation, Strategic Planning, Mediation Services, Mediation Training and Consensus Building.

**Hazel Apok** is an enrolled member of the Katyaak Tribe, more commonly known as the Naïve Village of Kiana. Kiana is located approximately 40 miles above the Arctic Circle and 60 miles east of Kotzebue, the hub community of Northwest Alaska. Kiana has two forms of government, tribal and city. The municipal government incorporated under State charter in 1964 and the tribal government was formally organized in 1987. Hazel was hired in March 2002 as the Environmental Specialist for the tribe and serves as the Mayor of the City of Kiana. She has also served as President of the Tribal Council and various regional and statewide Boards and Committees representing the native community.

Hazel was adopted as a baby in 1951 and traveled by dog team from the village of Noatak (60 miles north of Kotzebue) to Kiana where she grew up until the age of 14 when she had to leave her village to attend high school and college. She attended high schools in Sitka, Palmer and Fairbanks, Alaska and graduated from Kailua High School in Hawaii. After one semester at Fort Lewis College in Durango, Colorado, she attended Alaska Rural Training Corps with emphasis on Human Resource Development. Her career as an Administrator has taken her to many parts of Alaska and after a 28-year hiatus, she has returned home to Kiana. With regard to rural issues, Hazel was one of twenty witnesses statewide and provided testimony in a class-action lawsuit against the State of Alaska on the lack of adequate police protection in off-road, rural communities in the state. As it is with most issues, we must fight to gain equality, such as providing an opportunity for our youth to attend high school at home. In the short time that Hazel has worked for the tribe's environmental program, she has found her passion and hopes to share ideas with other participants of the symposium.

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**John R. Baker** is the staff attorney for the Iowa Concern Hotline, an information and referral service of Iowa State University Extension Service. He earned a Bachelor of Science degree in Business Administration, a Masters of Business Administration and a Juris Doctorate from Drake University in Des Moines, Iowa. In addition to his duties at Iowa Concern Hotline he is the administrator of the Beginning Farmer Center.

Baker drafted the legislation that created the Beginning Farmer Center and serves as the Center's administrator. In 1991 he started the Farm On project, which links farmers and landowners with beginning farmers. He has helped to establish similar linking programs in several states. He is a founding member of the National Farm Transition Network and serves as its Coordinator. In 1995 he created the Farm Savvy manual that contains material on the transition of a farm business to the next generation and is widely used throughout the nation. Baker gives numerous talks across the country on the business succession planning process and has lectured in Canada, England and Japan. He emphasizes the necessity of understanding connections between the people, plans, business entity and the technology used in the business.

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**Bill Beardall** is the Executive Director of the Equal Justice Center, a non-profit public interest law center based in Austin, Texas, which advocates for legal and economic fairness for low-income individuals and communities. Mr. Beardall has been recognized for his work on the employment rights of immigrant and low-wage working people and on reform of indigent criminal defense procedures in Texas. He has practiced as a civil rights and employment lawyer for low-income clients since 1978, including previous work as Legal Director for Texas Appleseed and Migrant Litigation Director for Texas Rural Legal Aid (TRLA). During that time he has spearheaded numerous cases and campaigns to improve public justice for the poor.

From 1984-1999, Mr. Beardall headed the TRLA Migrant Worker Division, helping build it into one of the nation's most successful legal services programs defending the employment rights of migrant agricultural workers. From 1999-2001 he helped lead the coalition campaign that won enactment of the Texas Fair Defense Act, a historic reform of Texas indigent defense laws. Currently, through the Equal Justice Center, he is leading efforts to implement the Texas Fair Defense Act reforms, while also building new employment justice programs designed to give low-wage working people who are excluded from the justice system, an increased ability to

secure their workplace rights. The EJC's Poultry Worker Justice Project, for example, helps low-wage workers in the poultry industry across the South improve notoriously poor working conditions such as high rates of workplace injuries, underpayment of wages, and mistreatment of immigrant workers. Mr. Beardall is a 1978 graduate of the Harvard Law School, and a 1975 graduate of Rhodes College in Memphis, Tennessee. In 1997 he was awarded a Harvard Law School Wasserstein Fellowship, which recognizes outstanding public interest lawyers in the U.S., and in 2000 he received the ABA Litigation Section's John Minor Wisdom Award recognizing his career as an advocate for the poor.

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**Stephon Bowens** is Executive Director of the North Carolina Association of Black Attorneys' Land Loss Prevention Project. A native of Raleigh, North Carolina, he graduated from North Carolina State University in Raleigh, where he majored in Political Science, with a minor in Business Management and a certification in Criminal Justice. He graduated from North Carolina Central University School of Law in Durham in 1994, where he received the American Jurisprudence Award for the highest academic achievement in Professional Responsibility. He is the first in his family to hold a professional degree. After serving as a staff attorney with East Central Community Legal Services, he coordinated the North Carolina Education and Law Project (a division of the North Carolina Justice and Community Development Center). At the Justice Center, he was instrumental in litigation, which resulted in implementation of an intensive remedial education program in the public schools of North Carolina to compensate for the disparate impact that standardized tests have on minority and handicapped students. In 1998 he became Executive Director of the Land Loss Prevention Project (LLPP). The LLPP is a non-profit, public interest law firm affiliated with North Carolina Central University School of Law.

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**Eduardo Coghlan** grew up in various parts of the country and overseas. He received his bachelor's degree from the Evergreen State College in Olympia, Washington in 1976 and his law degree from Northeastern University in 1985. He also attended the University of New Mexico School of Law as a visiting student. He resided in rural Mexico for several years, doing local history research. Prior to law school he worked as an elder home care case manager in Boston, primarily with non-English speaking clients. During law school, he clerked for the American Civil Liberties Union and United Farm Workers in South Texas, the Colorado Rural Legal Services Migrant Program, as a Social Security appeals paralegal and a volunteer with Centro Present, a refuge rights group that provided representation to Central American asylum seekers.

After law school he worked as a Special Collections Librarian for UNM law school, Senior Citizens Law Center in Albuquerque and as a staff attorney for Northern New Mexico Legal Services. In 1989, he began working for Southern Arizona Legal Aid in the Safford and Nogales (Santa Cruz County) office. Ed and his co-workers have been active participants in the local coordinated Community Response Team, The Arizona Battered Immigrant Women's Coalition, The National Network on Battered Immigrant Women and the International Alliance Against Family Violence.

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**Regina Derzon** is the on-site coordinator for the Rural Issues & Delivery Symposium. She works as a consultant to the Legal Services Corporation on various special projects. She began her legal services career in 1978 in an LSC-funded program in Nashville, Tennessee. She served as Executive Director of NEBO, the Legal Services Nationwide Employee Benefits Organization

in the San Francisco Bay Area for 8 years before returning for a second stint in graduate school. During and after graduate school, she worked with the National Legal Aid & Defender Association as a consultant and employee. Upon leaving California, she returned to Tennessee where she worked in an association management company and at the state support office for legal services along with being an Adjunct Professor of Business at various community colleges.

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**Tania Diaz** is a managing attorney with Nebraska Advocacy Services, Inc. (NAS) a non-profit, private agency that advocates on behalf of individuals with disabilities. In her capacity as a managing attorney, Tania facilitates the Legal Advocacy Team meetings on a weekly basis and also facilitates agency planning process meetings involving NAS and members of the public. Tania has also worked with Dan Alberts for the past ten years providing mediation trainings and facilitations.

Tania is a mediator for the Lincoln-Lancaster Mediation Center and has settled disputes concerning landlord-tenant, employment discrimination, and small claims court for the past six years. Tania and her husband Chuck recently became parents. Their child Malayna has given them a perspective on life unlike any other and has shown them the gift of being a parent

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**Charles W. (Chuck) Fluharty** is Director of the Rural Policy Research Institute (RUPRI), the only national policy institute in our country solely dedicated to assessing the rural impacts of public policies. This comprehensive approach to rural policy analysis involves scientists from member institutions at Iowa State University, the University of Missouri, and the University of Nebraska, as well as numerous researchers, policy analysts and policy practitioners from other universities, research institutions, governments, and non-governmental organizations. To date, over 200 scholars representing 16 different disciplines in 80 universities, 40 states, and seven countries have participated in RUPRI projects.

He is a Research Professor and Associate Director for Rural Policy Programs in the Harry S Truman School of Public Affairs at the University of Missouri-Columbia and also holds an Adjunct Faculty appointment in the UMC Department of Rural Sociology. He is the 2002 recipient of the Distinguished Service to Rural Life Award from the Rural Sociological Society, the 2002 USDA Secretary's Honor Award for Superior Service (jointly to RUPRI), the 2001 Friend of Rural Counties Award from the National Association of Counties, the 1999 National Rural Development Partnership Recognition Award, the 1998 Distinguished Service Award from the National Association of Counties, and the 1998 Recognition Award from the National Organization of State Offices of Rural Health. Chuck was born and raised on a fifth generation family farm in the Appalachian foothills of eastern Ohio, and is a graduate of Yale Divinity School. His career has centered upon service to rural people, primarily within the public policy arena.

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**Doug German** is the Executive Director of Nebraska Legal Services and has been with the organization since the merger in 2000. Upon graduation from law school Mr. German was a staff attorney for two years with the legal aid program in Lincoln, Nebraska. He has been practicing law for more than 30 years, and has more than 28 years management experience. Prior to joining Nebraska Legal Services, Mr. German was a partner of his own law firm, served as Chief Bar

Counsel to the Arizona Supreme Court, and co-founded one of the first private legal clinics in the United States.

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**Jim Gordon** is the Board President of Nebraska Legal Services. He was a member of the Legal Services of Southeast Nebraska Board of Directors from October 1988 until the merger in 2000. After the merger, Mr. Gordon became the President of Nebraska Legal Services. Mr. Gordon has been practicing law for more than 28 years and is currently a partner with DeMars, Gordon, Olson, & Shively Law Firm, where he specialized in trial work with an emphasis on domestic relations, family law, personal injury, business litigation, and mediation.

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**Scott Hartsook** is a 1977 graduate of the University of Iowa College of Law. He has worked for the Legal Services Corporation of Iowa since 1988, where he has been the Managing Attorney of LSCI's Farm Project. Since 1998, Scott has also managed LSCI's statewide Legal Hotline for Older Iowans. Scott is currently helping establish LSCI's Senior Citizens Internet Project, which will connect 85 Iowa senior centers with LSCI's Legal Hotline through LSCI's new web site.

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**Leif Jensen** is Professor of Rural Sociology and Demography at The Pennsylvania State University, and Senior Scientist with the Population Research Institute, also at Penn State. In 1987 he received his Ph.D. in Sociology from the University of Wisconsin-Madison, where his research focused on poverty and Public Assistance use among immigrants to the United States. He held positions as a Sociologist with the Economic Research Service (USDA) and as Assistant Professor of Sociology at Bates College, before moving to Penn State in 1989. His research interests are found within social stratification, demography, and the sociology of economic development. While he continues to do some research on immigration issues, the main focus of his grants and publications in the past fifteen years has been on poverty and employment in the United States generally, and in rural areas in particular. At Penn State he teaches graduate courses on poverty in the rural U.S., on international rural social change, and on problems of children and youth in developing countries.

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**Monte Jewell** completed a philosophy degree at California State University Bakersfield in 1991. He grew up in a nearby rural part of California. After completing additional coursework at U.C. Davis, he moved to Missoula, Montana in 1994 to attend law school. During law school, he discovered the local legal services office through work on various community projects, including legal research into ethics problems raised by "unbundling" trends, formation of a nonprofit preschool and co-founding crime victim and pro se assistance clinics for victims of domestic violence. After admission to practice in Montana in 1997, he practiced domestic relations law for three years with Alterowitz Law Offices in Missoula. For the past two years, Monte managed services provided by the Montana Legal Services Association program across eight rural counties, primarily to domestic violence survivors. Up until October 2002, Monte was a staff attorney with Montana Legal Services.

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**David Kozlowski** is the Assistant General Counsel for the Legal Aid Society of Middle Tennessee and the Cumberland -- a newly organized program, formed by the consolidation of three Legal Services providers, which handles cases in forty-eight mostly rural counties. Kozlowski did his undergraduate work at Rutgers, the State University of New Jersey, and received his law degree from Vanderbilt in 1974. After a short stint in the Army, Kozlowski

returned to Vanderbilt where he was a member of the faculty of the Legal Clinic, specializing in juvenile justice issues. In 1980 Kozlowski joined the staff of Legal Services of South Central Tennessee, a program which provided legal assistance to low income persons in fifteen mostly rural counties south of Nashville. After two decades with LSOSCT, he went to work in 2001 with the Tennessee Justice Center, a non-LSC program in Nashville that concentrates on class action impact litigation relating to health care and welfare assistance. On January 1, 2002, Kozlowski returned to the LSC funded Legal Aid Society. In 1997, the Tennessee Bar Association named Kozlowski its public interest lawyer of the year.

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**Maria Luisa Mercado** is a member of the Board of Directors of the Legal Services Corporation and a sole practitioner at Maria Luisa Mercado, Attorney at Law, in Galveston, Texas. Formerly a staff attorney with West Texas Legal Services, she was a member of the board of the Legal Aid Society of Lubbock from 1985-89, serving as President of that board from 1986-87. Ms. Mercado was also an Assistant Attorney General in the Consumer Protection Division in the State of Texas.

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**Ian Morrison** is Senior Counsel with Legal Aid Ontario, a not-for-profit corporation responsible for providing legal aid services to low income people and disadvantaged groups in the province of Ontario, Canada. Ian was called to the bar of Ontario in 1981. From 1990 – 1992, he was Executive Director of the Clinic Resource Office, an LAO office that provided legal research, law and policy analysis, training services and a variety of other supports to more than seventy independent community legal clinics across Ontario. Clinics in Ontario range from urban clinics in the center of Toronto, one of the world's most multi-ethnic cities, to clinics across northern Ontario (a sparsely populated area larger than the state of Texas). Ian is currently working to organize a major conference on future directions for clinic law services in Ontario, to be held in June 2003. It is expected that an important discussion at the conference will be how to develop new and innovative strategies to deliver poverty law services to rural areas, isolated communities and remote areas of the province.

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**Claire Parins** is currently the Director of Content Management & Training and the Illinois Tech Center for Law & the Public Interest where she is helping design and manage three websites: [www.IllinoisLawHelp.org](http://www.IllinoisLawHelp.org), [www.IllinoisLegalAid.org](http://www.IllinoisLegalAid.org), and [www.IllinoisProBono.org](http://www.IllinoisProBono.org). Before joining ITC, Claire was the Director of the ABA's Rural Pro Bono Delivery Project. As director of that Project, she worked to generate new resources, ideas, and volunteers for low-income clients living in rural areas. The Project evaluated 178 proposals in two grant rounds and then distributed and managed small grants to 13 recipients from a variety of organizations across the country. Claire also worked at the National Center on Poverty Law where she supervised the development and launch of [www.povertylaw.org](http://www.povertylaw.org) and practiced employment and environmental law at Wildman, Harrold, Allen & Dixon in Chicago. She is a graduate of Northwestern University and the University of Wisconsin Law School.

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**Susan L. Patnode** is the Executive Director of the Rural Law Center of New York, Inc. The Rural Law Center is a non-profit, legal services organization working collaboratively at state, county and town levels through direct services and local, community-based coalitions and partnerships to meet the needs of New York's low-income, rural population. She received her

J.D. from Vermont Law School, and during her law school career, worked for Families USA, a national advocacy organization in Washington, DC. Prior to her work with the Rural Law Center, Ms. Patnode worked as a legal services attorney, as well as in her own private practice concentrating in Family Law. She is a certified arbitrator and mediator, and is an active participant and trainer in rural community mediation. In addition, Ms. Patnode is currently an adjunct faculty member at the State University of New York at Plattsburgh, where she offers courses in Family Law, Social Services Law and Women and the Law.

She is an active member of professional associations, committees and advisory boards on the county, state and national levels. She is a frequent speaker and panelist on issues and strategies relating to the legal needs of low-income, rural clients. She has authored manuals, client workbooks and guides, as well as academic articles, including the bio-critical entry for “Sarah Weddington” in Significant Contemporary American Feminists from Greenwood Press (1999). At the Rural Law Center, Ms. Patnode has been responsible for the design and execution of several nationally-recognized, innovative program models. The Center’s work also includes programs that address issues of rural housing and pro bono support for micro enterprise. All Rural Law Center efforts are designed to result in direct services to rural clients in counties across the state...services that will strengthen independence and economic self-sufficiency, and improve overall quality of life for individuals, families and communities.

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**Ken Penokie** graduated in 1975 with a B.A. in Business Administration from Michigan Technological University. Cooley Law School got rid of him in 1979, he squeezed passed the bar exam and went to work for Legal Services of Northern Michigan September 1979. He staffed a mostly one attorney field office in Escanaba until January, 1992, when he was given the title of deputy director. He served as interim director from October 98 until June 99. He became director of LSNM in June, 2001. His legal sub-specialties include Social Security Disability and third party custody defense.

He is a third generation Yooper (native of the Upper Peninsula of Michigan); semi-retired dog musher; fore deck person on the most successful sailboat in Escanaba; and father (who doesn't know anything) of two teen-age boys.

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**Melissa Pershing** “telecommutes” from her home in Raleigh, NC to her position as Program Counsel – State Planning for the Legal Services Corporation (LSC). Prior to taking her position with LSC in 2001, she served as the Executive Director of Legal Services of North Carolina (LSNC), the fifth largest LSC program in the country, with 200 employees in 12 field offices across the state and statewide advocacy units focused on children, domestic violence, farm workers and environmental law. She has also served on the executive staff of the North Carolina Bar Association, directing the activities of the statewide pro bono support program and North Carolina lawyer referral service. Prior to receiving her J.D. from Georgia State University College of Law in 1994, she spent 13 years in corporate communications, marketing and public relations.

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**Tina Rasnow** is a senior attorney with the Ventura County Superior Court, and a coordinator of its Self-Help Legal Access Center. She received her undergraduate degree in Women's Studies from the University of California, Berkeley and her J.D. degree from the University of

California, Hastings College of the Law in 1983. Prior to working for the court Ms. Rasnow practiced real estate law in Westlake Village. She serves on the California Judicial Council's Task Force on Self-Represented Litigants and the State Bar Standing Committee on the Delivery of Legal Services. She is president-elect of the Ventura County Bar Association and an adjunct professor at the Ventura College of Law, where she has taught advanced legal writing and collaborative law. Ms. Rasnow has authored numerous articles in local newspapers and in professional periodicals on access to justice issues, including a law review article, "Traveling Justice: Providing Court Based Pro Se Assistance to Limited Access Communities," published in the February 2002 Fordham Urban Law Journal.

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**Faith Rivers** serves as the Executive Director of the South Carolina Bar Foundation. The Bar Foundation distributes \$1.6 million a year in grants to programs that provide civil legal services to the poor, offer law related education, and seek to improve the administration of justice. The Bar Foundation administers the Interest on Lawyers Trust Accounts program, and maintains \$6 million in assets. In addition, Ms. Rivers is an Adjunct Professor in the Government and International Studies Department at the University of South Carolina, where she teaches in the Masters in Public Administration program.

Ms. Rivers began her legal career as a legislative associate at the law firm of Akin, Gump, Strauss, Hauer & Feld in Washington, D.C. The firm represented a fortune 500 client base, and her practice included a variety of legislative matters, such as appropriations and banking regulations, as well as tax, international trade, energy and transportation policies. Ms. Rivers later served as Counsel and Senior Policy Advisor to House of Representatives Democratic Leader Richard A. Gephardt. She handled the federal budget, judiciary issues and social policy for the Democratic Leadership, and served as liaison to members of the Congressional Black Caucus. Ms. Rivers returned to South Carolina in 1996 and served as the first permanent Executive Director of the Williamsburg Enterprise Community Commission, a federal initiative to support economic and community development in selected low-income communities facing structural economic barriers. During her two-year tenure, the organization procured more than \$2 million to support community and economic development activities in the Williamsburg County and Lake City area of South Carolina. She is a native of Charleston, South Carolina; Ms. Rivers received her A.B. from Dartmouth College in 1986 and received her J.D. from the Harvard Law School in 1990.

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**Randi Ilyse Roth** is the executive director of Farmers' Legal Action Group, Inc. (FLAG). She has been a staff attorney there since the organization's start in 1986, and has been director since 1993. Randi's primary substantive areas of work include farm credit, contract farming, and civil rights issues in agriculture. Her activities include speaking at training events for farmers, advocates, and lawyers throughout the United States; designing, researching, and writing extensive training materials; writing articles for publications; testifying before legislative committees; providing backup support to lawyers and paralegals throughout the country; and working as part of a litigation team that handles class action impact litigation. Randi was the primary author of a series of books known as Farmers' Guide to FmHA, which in various forms has sold more than 70,000 copies. Before coming to FLAG, she worked as a staff attorney at the Legal Assistance Foundation of Chicago, where she handled a full array of legal services cases and specialized in housing law.

In January 2000, Randi was appointed by Judge Paul L. Friedman to be the Independent Monitor in *Pigford v. Veneman*, a class-action, civil rights lawsuit brought by a class of approximately 22,000 African-American farmers against the United States Department of Agriculture. The Consent Decree provides that successful claimants are entitled to monetary and injunctive relief. The Monitor's job includes issuing decisions in response to petitions for Monitor review, attempting to resolve class members' concerns, reporting to the Court and to the Secretary of Agriculture on the implementation of the Decree, and staffing a toll-free phone line for the class and the public. Randi received her law degree cum laude from Northwestern University Law School in Chicago, Illinois, and received her B.A. degree magna cum laude from Yale University in New Haven, Connecticut.

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**Donald M. Saunders** has dedicated the past 25 years to the delivery of quality legal services to poor people, nationally as well as on the local and regional levels. Since February 1995 he has served as Director of the Civil Legal Services Division at NLADA. He previously served as Legislative Counsel for NLADA and the Project Advisory Group from May 1990 through January 1995. Before coming to Washington, DC, he served as the Executive Director of the North Carolina Legal Services Resource Center, a state support backup center, in Raleigh, NC from January 1983 to May 1990. In that capacity, he actively engaged in legislative advocacy and appellate work covering a broad range of issues in housing, employment, disability and civil rights law. From 1976 to 1982, he was a staff attorney in the legal services program in Wilmington and the executive director of the program in Boone, NC. Don received his J.D. from the University of North Carolina School of Law in 1975 and his A.B. in Political Science from the University of North Carolina in 1972.

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**Sarah Michael Singleton** is a shareholder in Montgomery & Andrews, P.A. She received her B.A. from Sarah Lawrence College in 1971 and her J.D. from Indiana University in Bloomington in 1974. During law school, Ms. Singleton served as an editor of the *Indiana Law Journal*. She graduated magna cum laude and was elected to Order of the Coif. In 1974 Ms. Singleton was admitted to the New Mexico Bar. She is also a member of the Texas Bar. Additionally, Ms. Singleton is admitted to practice before the United States District Court for the District of New Mexico, the Tenth Circuit Court of Appeals, the United States Court of Federal Claims, and the United States Supreme Court. She is a member of the American Bar Association. Ms. Singleton's primary areas of practice are natural resources litigation and employment matters.

Ms. Singleton was President of the State Bar of New Mexico (1995-96) and a member of the Board of Bar Commissioners (1989 - 1997). Ms. Singleton helped form the New Mexico Task Force on Legal Services to the Poor on which she served. Ms. Singleton serves as co-chair of the State Bar's Legal Services and Program Committee, which is the State Bar committee responsible for civil access to justice issues. Ms. Singleton is the State Bar's appointee to the Civil Legal Services Commission, which distributes state funds to organizations serving the legal needs of people living in poverty. Ms. Singleton has previously served on the ABA Committee on State Justice Initiatives. Ms. Singleton serves on the ABA Standing Committee on Legal Aid and Indigent Defense, and she is the State Bar's representative in the ABA House of Delegates. Ms. Singleton has received the State Bar's Distinguished Service Award, in part for her work on access issues. She has also received a Pioneer Award for her initiative in creating the Lawyer's

Care Program, the State Bar of New Mexico's pro bono program dedicated to assisting legal services providers.

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**Mauricio Vivero** is the Vice President of Governmental Relations and Public Affairs at the Legal Services Corporation. In this capacity, Mr. Vivero directs LSC's communications with Congress, the Executive Branch, the media, and the general public. Mr. Vivero has distinguished his term at LSC with a direct voice of appeal for civil legal aid for the poor. He has led outreach efforts to raise Congressional awareness of the need for legal services and implemented a strategy to strengthen bipartisan support for LSC. In 1995 he was presented with the American Society of Association Executives' Award of Excellence in Government Relations, and in 1996 he was awarded the Creativity in Public Relations Award (CIPRA) by *Inside PR* magazine for his work in enhancing public awareness of LSC.

Mr. Vivero was born in Havana, Cuba. He received a J.D. from Creighton University in 1993 and a B.A. from Florida International University in 1988. Prior to joining LSC, Mr. Vivero worked in the Governmental Affairs Office of the American Bar Association, where he was Director of Grassroots Lobbying and covered legislative issues related to LSC and labor law. From 1993 to 1995, he served as Director of Leadership Development for the National Council of La Raza, where he assisted many nonprofit organizations in developing and implementing local grassroots advocacy efforts. Mr. Vivero has served as a board member for the Hispanic National Bar Association and is Special Adviser to the ABA Immigration Pro Bono and Bar Activation Project.

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**James Wayne** is the Executive Director of Capital Area Legal Services Corporation in Baton Rouge, Louisiana. He has worked tirelessly to serve those in need in Louisiana, especially those in the severely under-served rural areas. In 1977, Mr. Wayne initiated the first rural program for legal services, the Bayou Lafourche Legal Services, and was its Director until 1979. In 1991, he was named the Executive Director of CALSC during a difficult period for the organization.

Mr. Wayne has been involved in many organizations including: Kappa Alpha Psi Fraternity, Inc., NAACP, Prince Hall Masonic, Vietnam Veterans Association, Woodrow Wilson Fellowship, Deacon at St. Phillip Baptist Church, Coach YMCA Youth Baseball, Louisiana State Bar Association, Baton Rouge Bar Association and the National Bar Association. In 1992 he was elected President of the Southeastern Project Directors Association (SEPD) – which covers 10 states. He was the recipient of the Baton Rouge Bar Association President's Award given to outstanding Project Directors. He also serves on the Membership and Pro Bono Committees of the Baton Rouge Baton Rouge Bar Association and on the Louisiana Bar Association's Legislative Committee and as a Court-Appointed Special Advocate (CASA).

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**Herb Whitaker** graduated from Louisiana State University School of Law in 1977. After clerking for a state district court judge for one year, he began working in a legal services field office in 1978. He has continued legal services work ever since. He began with Acadiana Legal Services Corporation as a staff attorney and managing attorney when the program was just beginning. In 1984, he worked as a managing attorney with Micronesian Legal Services Corporation – first in Truk Lagoon in the Federated States of Micronesia and later in Saipan in the Commonwealth of the Northern Marianas. In 1989 he relocated to the mainland to work

with Legal Services of Northern California as the Managing Attorney in the Mother Lode Regional Office. Herb has two children who were born in Saipan. His wife is a yoga instructor and owns her own yoga studio. When he's not chasing his kids around or doing yoga with his wife, he likes to practice Tai Chi, basketball, play music and hike in the beautiful American River Canyon.

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**Jill Willett** operates a childcare service in Lincoln, Nebraska. She has served as a client eligible member of a Board of Directors since 1990. Ms. Willett was recently invited to Washington D.C. by the Legal Services Corporation to speak to the LSC Board about her personal story and experience with Nebraska Legal Services. Ms. Willett is also a member of the Housing Authority Advisory Committee.

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**Steven Xanthopoulos** is the director of West Tennessee Legal Services (WTLS) and has worked in legal services programs serving rural communities since 1974. During this time he has served on the boards of numerous organizations from local to national, including PAG, MIE and the Fundraising project; served as a consultant focusing on rural delivery issues for a number of organizations and has worked on local, statewide and multi-state collaboratives that provide advocacy and services for low income communities. WTLS is an innovative organization that provides a wide range of comprehensive programs in partnership with a variety of organizations.

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**Randi Youells** is Vice President for Programs. In this capacity, she is the Legal Services Corporation's top program official charged with overseeing LSC's Offices of Program Performance and Information Management. In her capacity, she oversees the competitive grants process by which LSC funds are awarded, the delivery of legal services in all 50 states, and the collection and dissemination of program data on recipients of LSC funds. Ms. Youells was appointed to her position in January 2000 after accumulating extensive experience working in the legal services field since 1978. She served a key adviser in LSC's state planning initiative charged with creating comprehensive statewide civil equal justice systems. Ms. Youells field experience includes work performed for LSC-funded programs in Iowa, Michigan, Nebraska, New Jersey, Ohio, and Washington State. She has directed two programs - serving as Executive Director for Legal Services Corporation of Iowa and Interim Executive Director for Camden Regional Legal Services in New Jersey.

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**Linda Zazove** is Deputy Director of Land of Lincoln Legal Assistance Foundation, Inc., a legal aid program serving 65 counties in central and southern Illinois. Her responsibilities include strategic planning, resource development, pro bono supervision, and centralized intake design and implementation. She has worked in legal services for over 20 years. She is President of the Board of the Illinois Technology Center for Law and the Public Interest and serves on the Advisory Board of the National Technology Assistance Project. She chairs the Legal Services Project of the ABA Section of Litigation and is a member of the Pro Bono Working Group of the Illinois Coalition for Equal Justice.

## **Appendix E – The Face of Rural Poverty: A Synthesis of Day 1 of the Symposium**

### **Claire Parin’s Summary “Putting A Face on Rural Poverty” October 31, 2002**

What we have in common is that isolation abounds; but the rural poor are not homogenous.

Diminishing rural support systems and a lack of infrastructure are leading to increased poverty. There is confusion about the services that are out there, a lack of knowledge about legal rights. Triage is often the main part of the job and clients come in crisis. They are scared.

There are family farmers who need food pantries even though they live to grow food for others. There are many who will not ask for help because there is a lack of privacy in rural areas. Neighbors watching what neighbors purchase with their food stamps.

Yet many live without basic necessities like health care. A family loses a house because they financed a water softener.

Rural poverty is about race and class. It’s about poor whites, poor African Americans, poor Native Americans. It’s about blatant discrimination. It’s about the stigmatization of the poor, disdain for those who live on the wrong side of the tracks. It’s about giving up on children’s education because their parents before them could not read. It’s about domestic violence in immigrant communities. It’s about Cajun fishermen who don’t yet have social security numbers.

But our clients are resourceful and ride bikes 25 miles to work. Our attorneys represent communities not just individuals. Rural poverty runs broad and deep. But we are here to work towards solutions.

### **Ian Morrison’s summary “Getting Beyond the Bucolic” October 31, 2002**

I see the comments as starting to organize themselves into three categories:

1. “Just not enough stuff” (fundamental barriers for low income people)
  - a. Not enough social services
  - b. Not enough places to go
  - c. Not enough medical care
  
2. “Diversity of Rural America”

Locally, the rural poor may look homogenous, but the further we pull back and look at the big picture, the greater the diversity.

3. “Everyone has a face”

Ken’s comment: “Poverty is hidden but not anonymous.” Has come up over and over again. In communities where everyone knows everyone, this profoundly affects how people name their problems, how they think about solutions, how the poor are seen by others. We can’t think about rural services without remembering that in a small place, everyone has a face.

**Appendix F – Workgroup Report:  
Best Practices for Maximizing Resources**

Workgroup Report: Best Practices for Maximizing Resources

Group Members: Susan Patnode, Tina Rasnow; Steve Xanthopoulos and Linda  
Zazove

- I. Essentials
  - A. Real/warm bodies in the communities (advocates)
  - B. Organizational structure
    - 1. Flexibility
    - 2. Innovation
    - 3. Positive attitude
  - C. Financial capability/accountability
- II. Table of rural needs, partners, funding and outcome
- III. Other possible funding sources
  - A. United Way
  - B. Celebrity endorsements
  - C. Law Schools
  - D. Private attorneys
  - E. Private fundraising campaigns

RURAL NEED	CULTURAL/SOCIAL/ COMMUNITY PARTNERS	FUNDING	OUTCOME	CONTACT PERSON
Homelessness	Local community organizations and local government; legal services provides advocacy, legal representation and training	HUD emergency shelter grant (ESG); county; Continuum of Care; CDBG; Housing opportunities for persons with AIDS	Number of families have achieved temporary and/or permanent housing	
	Interfaith Hospitality Network: legal services does legal work to form non-profit alliance of interfaith churches to bring homeless families into the congregations so they have family support networks	State DSS and TANF	Moving folks out of homelessness and into permanent housing	Susan Patnode (518) 561-5460
	Ventura County Superior Court Homeless Court Program: court partners with 20 different social service, mental health, charitable, faith-based, law enforcement, local government, legal services and substance abuse recovery programs, as well as with the Office of the Public Defender and Office of the District Attorney, to provide alternative sentencing such as community service in lieu of	Absorbed within court's budget and the budgets of the referral agencies. \$5,000 grant from Foundation of the State Bar of California to hire part time social worker to help develop program	Hundreds of court cases have been cleared and defendants have been able to get out of homelessness by getting their drivers' licenses reinstated by clearing their accumulated fines and fees. This in turn has helped many to gain employment, regain custody of their children, or get housing.	Tina Rasnow (805) 654-3879

	finances and fees, for low level offenses arising out of the condition of homelessness			
	Continuum of Care Committee; Homeless Census Winter Shelter	C of C - TA Private County	C of C app. Census performed	Herb Whitaker
Housing	Other legal services programs; Section 8 providers; Public Housing Authority; Mental health providers; senior citizen groups; Affordable housing providers; legal services provides training and advocacy	HUD	Greater number of affordable, decent, permanent housing units	National Housing Law Project
	Cabrillo Village and Cabrillo Economic Development Corporation: legal services, UFW Union, El Concillo, and local government partnered to develop safe, affordable and permanent farm worker housing	Settlements from litigation can be used to purchase land and/or housing, and slumlords can settle cases against them by transferring dilapidated properties to non-profits who can then fix the properties with combinations of private and public funding	Farm workers are able to secure safe, affordable housing and community services for their children	Laura Cuellar; Barbara Macri-Ortiz; M. Carmen Ramirez (805) 483-1464
	Ventura County Superior Court's Self-Help Legal Access Center partnered with legal services program, local	No funding was needed. Free MCLE credit was given to lawyers who agreed to handle at least	Increased pool of pro bono attorneys willing and able to handle unlawful detainer defense by 15. Many took more than one	Tina Rasnow (805) 654-3879

	bar association, young lawyers division, and judges to train pro bono attorneys in how to handle unlawful detainer cases, particularly defending cases where tenants have a legal defense.	one pro bono U.D. case within the year.	case a year because they found the trial experience beneficial and the results rewarding. Pro se tenants were able to stay in their units because they were able to get legal counsel to try their case, thereby laying necessary foundations for evidence and proving affirmative defenses based on breach of the warranty of habitability, retaliatory eviction, etc.	
	University of Montana Emergency Women's Shelter (Safe Space); Monte Jewell	University Continuum of Care (prospective) CDBG	Data on housing needs of domestic violence victims; opportunity to publicize/educate around issue	Monte Jewell
	Placer County Consortium on Homeless & Affordable Housing; continuum of Care Committee	HUD		
	Placer Homeless Prevention; Section 8 Housing Authority Plans; tenant rep.	CSBG; HUD	Individual Rep.	
	Fair Housing Hotline; County Advocacy	HUD; CDBG		
	Housing Authorities			
Transportation	Wheels to Work program partners with Community Action Program (CAP), local Catholic Church, local social services agency, local	State Department of Labor; State Department of Transportation	100 cars have been placed with a \$450,000 grant and each recipient also received a AAA card, license and insurance	Susan Patnode (518) 561-5460

	mechanics and car dealers; legal services provides transfer of title and car purchase agreements and contract work for recipients			
	Court Mobile Self-Help Center partners with pro bono attorneys, legal services, community agencies, local governments, public libraries, and social services programs to bring court-based self-help services to rural communities.	Initial \$40,000 grant from a private foundation to help purchase the 35 foot custom build R.V., with the balance made up from the court's budget	Services are provided to seniors, those without transportation resources, and victims of domestic violence who would otherwise have difficulty accessing the court.	Tina Rasnow (805) 654-3879
	Senior Drivers license revocation			
	Unmet transit needs; county review			

Domestic Violence	D.V. agencies, police, community groups, medical partners	Violence Against Women Act (VAWA); STOP agencies (State D.V. agencies); Victim of Crime Act (VOCA)	Protects and supports victims of domestic violence	
	Crime victim advocate (Monte)	County legal services corp.	Expanded legal services into new county; alliance with new service provider; expanded services to DV victims	Monte
	Women's shelter; county government; legal services; Dept. of Public Health &	County legal services corp.	Eliminate rent costs for legal services and women's resource center; expanded cost sharing &	Monte

	Human Services		service coordination	
	Shelter; law enforcement; victim advocate; health center; child care; etc.	Legal services	Ongoing contact among DV service providers	Monte
	Field office managers		Ongoing DV-focused “working group” for ad hoc tasks and “the vision thing” outside reading proto-union activities	Monte
	Coordinated community response teams (DOJ funding)			

Benefits				
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Family Law	Partnering with judges (court), private bar (pro bono attorneys), and legal services to produce a video on how to do your own divorce	Potentially libraries, IOLA, court	Better prepared self-represented litigants	Susan Patnode (518) 561-5460
	Court partnership for pro per clinics	CA trust fund commission	Assist pro per with all civil cases	
	Bar associations & legal services	State bar	Pro se clinic for uncontested matters (family law)	Monte
	Local bar associations (3 counties); local courts	Legal services; state bar	Pro bono attorneys	Monte

Immigration	National Lawyers Guild Immigration Project; NOW Legal Defense Fund; National Immigration Law Center; Other legal services; law	VAWA; DOJ; National Battered Immigrant Women’s Network		
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	school clinics			
Community Economic Development	Essential community investment; Non-profit organizations; pro-bono lawyers to handle transactional work; affordable; housing/fair housing programs; HUD technical assistance programs; Rural Housing Economic Development	CDBG; Rural Housing Economic Development; HUD	Technical Assistance for groups doing economic development	Community Reinvestment Fund (Minneapolis); National Economic Development Law Center (Brad Castel)
Education	Partnership of local case workers working with families and children, Center for Disabilities, and probation to form task force to train attorneys in special education law	Local county DSS	Hold local schools accountable for meeting the special education needs of kids	Susan Patnode (518) 561-5460
	Partner with high school in South Oxnard, CA (student body is primarily comprised of bi-lingual students from mostly immigrant families) to teach the students how to help their parents, relatives and neighbors access court and community services.	Small grant from Administrative Office of the Courts for textbooks for the students and computer equipment to open Justice Clinic one evening a week at the high school.	The students act as a cultural and linguistic bridge to their immigrant parents thereby educating the parents and empowering families to access the services they need.	Tina Rasnow (805) 654-3879

Eco Develop	Partner with Sacramento Valley Organizing Committee	Foundation funding	Housing; jobs; empowerment	
Land loss/farm loss				
Land & Farm Loss Prevention	NC State University; NC A&T State Univ.	Funding source; USDA Sustainable Agriculture Research & Education Grant	Use of sustainable forestry programs to prevent loss through the creation of passive income.	Stephon Bowens
Farm Loss Prevention	NA	Farm Aid (Willie Nelson)	National toll-free Farmer Assistance Hotline (800-672-5839)	Stephon Bowens
Farmer Direct Assistance		Direct legal assistance to limited resource farmers	IOLTA (NC); State of NC	Stephon Bowens
Land Loss	NC Environmental Justice Network	Rural Environmental Equity Project; stopping the proliferation of hog farms, landfills, etc.	Ford Foundation; Z. Smith Reynolds Foundation	Stephon Bowens
	Community organizations, 1890 colleges; §2501 (fed	USDA §2501 program; many private	Help family farmers in struggle to stay on the land; redress civil	FLAG can give list of private foundations

	funded tech assistance); private bar	foundations; state departments of agriculture	rights violations in agriculture.	we've worked with (Susan Patnode)
Consumer Money Issues	Private bar, legal services and court partner with local radio and cable T.V. to air programs on legal issues, particularly consumer law related issues, to help prevent consumer fraud and direct people where they can go when they are victims of that fraud	No money is needed because the programming is given free.	Public is better informed about their legal rights and about protections available to them.	Tina Rasnow (805) 654-3879
				National Consumer Law Center (Boston & DC)
Child care				

## **Appendix G – Workgroup Report: Best Practices for Delivering Services in Rural Areas**

Workgroup Report: Best Practices for Delivering Services in Rural Areas

Group Members: Ed Coghlan, David Kozlowski, Ian Morrison, Ken Penokie,  
Melissa Pershing, Faith Rivers, Randi Roth and Sarah Singleton

- What are best practices – exciting ideas that work  
Best ways to deliver services in rural areas  
Includes more than individual client representation
- Where do these ideas come from and how are they being shared
- A Process:
  1. Reason for collecting best practices
    - Not fully clear on need and likelihood of use
    - Perhaps more detailed “needs assessment” needed
  2. Purpose of Best Practices
    - Best practices should support innovation, not seek to impose rigid standards
  3. Minimum requirements to be useful at all
    - Need to know what practices are “best”
      - Not enough just to collect practices and policies
      - Has to have mechanism for assessment – people want to know pros and cons, as well as alternatives, of practice
      - Strong feeling that people want to see client-centered evaluation, tested against concrete local realities
        - Implications for research agenda and resources would need more thinking, but also a feeling that this could generate valuable information for fund-raising, etc.)
    - Best practices also need champion, to help people sell local boards, etc. on value of practices
  4. Mechanism
    - Some dedicated staff needed
    - Discussed possibility of oversight group of practitioners to guide (word?)
    - General feeling that shouldn’t be located at LSC if can be funded/resourced elsewhere:
      - Cuts across legal services and want input and access by non-LSC groups

- Concern that ideal mechanism would cover “restricted” practice areas and LSC possibly couldn’t be formally involved

#### Categories & Barriers – Parins Paper

5. Pre-Intake – getting word to people that help is there
  - Use of PSAs
6. Intake – person or telephone – client needs
  - Client/cultural preference – language barriers
  - Effectiveness
  - Not either or proposition
  - Type of service advice/brief services
7. *Pro se* clinics
8. Community legal ed
9. Community economic development
10. *Pro bono* expansion
11. Identification of systemic case
12. Getting word to community groups – churches, schools, bar
13. Recruiting and retaining staff
14. What is the best way to represent clients, including the difficult client
15. Program evaluation
16. How to get substantive technical support for program
17. How to get resources to do above
18. Best way to empower our clients
19. Use of technology for service delivery
  - Video conferencing
  - Hotlines
  - Open-source
  - 211 service
  - Preventative info – tip for a day on PSA’s
  - Mobile unit

#### Ideas/Issues:

1. Use of lay people trained in program recruited from community and they do outreach; they go to program for legal help. These advocates are funded/employed by various other groups – State DOA, churches, etc. Particularly useful for code practice & issues which are non-legal, e.g. financial.
2. Support center help
3. Centralized intake unless it is emergency; video teleconferencing in every county to produce simulcast clinics to partner sites and to do centralized intake; closed offices in rural areas so what’s best way of representing clients; how to capture pro bono assistance and to have private lawyers assist legal services; how to support client community.

4. Local offices – can you do it without them? Use of private attorneys and paralegals to maintain presence. Circuit ride.
5. Partnering w/ Courts
  - a. Partnership grants
  - b. Self-help programs
6. Partnership w/ private Bar
  - a. Legislative Advocacy
  - b. Pro Bono Net
7. Client self-advocacy
8. Integrate w/ larger community power structure
9. Local list serve
10. Create rural partners to link w/ people at sym.
11. Develop culture of regionalism for rural offices w/ regional liaisons
12. Bd and management need to be rural
13. Comprehensive plan for each county

#### Information

1. What's being done, what's working, what is being done to supply needs that are in restricted areas, including use of partners, restrictive reading
2. Produce model; say its been tested and it works. Have someone show how to set up program.
3. Results – are these programs working. Is money being diverted for worthwhile purpose? Where do programs work and where not? Ideas must be tested. Sociologist questionnaire.
4. LSC best practices web site.  
Other partner to link with to avoid restrictions (censorship)  
Technology
5. Support for building programs

#### Themes:

1. Things & Problems – how do you deal with them?
2. Best practices should support innovation and not be inflexible
3. Knowledge that practice is best – meaningful evaluation
4. Need info about best practice and support for implementation
5. How do you get info out – who should control content?

## **Appendix H – Workgroup Report: The Urban/Rural Dichotomy**

Workgroup Report: The Urban/Rural Dichotomy

Group Members: Hazel Apok, Willie Abrams, John Baker, Leif Jensen, Claire Parins, Jim Wayne

### **The Question Posed**

What changes need to occur to assure that rural communities receive equitable justice services as rural populations continue to increase in size and funding continues to decrease?

### **Attributes of Justice for the Rural Poor**

1. Accessibility to services that is similar to their urban counterparts
2. Being directed by legal staffs to the proper service providers
3. Education about both legal rights and subsistence services
4. Understanding that communicating the fact that ‘life could be different’ (i.e., better) does not necessarily mean “justice” – justice depends on how a community defines its own priorities and values
5. Just being able ‘to get a job’

### **The Principle and Objectives to Help Assure Equitable Services in Rural Areas**

The principle:

Be an ambassador for the rural poor and the rural community advocate

Objectives:

1. Educate the urban community about the needs in rural areas. Bring the urban legislators to the community to see what they have not seen; reach out to cooperative extensions, banks, the state legislature, community action centers, churches
2. Know the rural area. Take an inventory of the ancillary resources for each community
3. Tap into untapped support services
4. Build symbiotic relationships to leverage resources for legal services organizations, universities, and other service organizations
5. Don’t fix what is not broken: enhance the good services already performed by others
6. Recognize that urban and rural advocates both want to help the clients and don’t compete
7. Turn adversarial relationships into business partnerships—with an eye towards preventing the need for future legal services
8. Establish presence in the communities by asking banks and the state government to provide financial resources such as paying for buildings
9. Work with the judiciary

10. Reinvest human resources into the rural communities:
  - support loan forgiveness for law students, but also for the social service workers;
  - create student job corps and move students into the rural areas;
  - mandate those required to do pro bono work to lend themselves to rural areas -- including criminal offenders required to do community service work (they should be tapped to help out where it is needed. Perhaps they can educate the rural poor in the negative affects of breaking the law);
  - recruit volunteers to help rural staff offices, assist clients through the maze of paperwork.
11. Advocate for rural constituents through state legislatures
12. Put a face on the advocates' stories: While we will not strive to lament about the lack of resources, we will make the dearth of resources known
13. Remove urban requirements in rural areas --- Recognize that it is more basic in rural areas – A person should not have to show a driver's license to push a broom in a state facility
14. First establish presence, then set priorities to determine what “justice” is for that community

### **Hallmarks for an Urban-based Program Now Charged with Serving Rural Clients**

1. A call by LSC to the directors of LSC-funded programs that programs serve rural clients equitably
2. A call by the directors of LSC-funded programs that the programs' rural clients are served equitably
3. Periodic assessments (annual) to determine whether all rural clients are served equitably
4. A visible presence of program leadership in the rural areas
5. LSC, in the preamble to the RFP, should make the following statement “It should be implicit in the program's description of its proposed delivery model that the service area's rural needs will be considered on an equitable basis.

### **Discussion That Helped Define the Attributes of Justice, the Principle and Objectives, and the Hallmarks**

When you depopulate an area, the cost of services goes up and funding opportunities diminish, competition becomes fierce. One of the things we need to do is define the ancillary services that are out there that we need for the depopulated areas--- for instance, financial education—we need to partner with “other” organizations that can help client education, to in part avoid the added costs of triage. University extensions could help counsel with regard to “budgets.” Working with extension to business—small business development centers. Lack of resources is an important story to tell to those in urban areas, to those in rural areas. Leaders should tell their staffs that we need not always compete --- do not try to be everything to everybody. Partner with debt counselors --- contribute legal services to domestic violence shelters ---- without going after the funding that might take away from them.

**Appendix I – Workgroup Report:  
Networking – Building Partnerships and Collaborations**

Workgroup Report: Networking – Building Partnerships and Collaborations

Group Members: Stephon Bowens, Chuck Fluharty, Doug German, Scott Hartsook, Monte Jewell, Maria Luisa Mercado, Don Saunders and Herb Whitaker

**Purpose: Develop additional resources (cash and otherwise) to deliver legal aid in rural areas.**

**Issue: How to build a network to address rural delivery of legal aid.**

**Strategy: Become indispensable to the other local players in the building of the infrastructure for maintaining and building rural communities. Use the current deteriorating rural conditions to marshal resources and build partnerships.**

**Methods:**

National Coordinating Organization  
Communication  
Additional Meetings  
Use Rural Health Care Experience

**Funding**

Kellogg Foundation

**Resources**

NLADA  
Chuck Fluharty

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**Networking notes**

The group needs to collect the data from the entire group (in the room) about networking; for fundraising purposes;

2 distinct parts: how the LS world collaborates and how we network among ourselves. To create a network of resources.

Distinguish between the private bar and non-lawyers for partnering.

Support bar leadership; community for other advocacy groups (law schools, etc.)

NGOs: most constituency organizations – the groups aren't coming together

This same discussion is going on the multiple sectors right now. If we're about integrative impact ...

The Congressional Rural Caucus and the National Rural Network (orgs that are national in scope; child welfare league, ABA, etc.) ... to say that at a community level ... we need to start to build our constituencies. Center for Rural Affairs?

LS needs to be at that table.

You can't use the word "social justice" ... there are some real opportunities out there to build with some other organizations.

How do we do that?

Not just a national level, but also at a regional and state level; some things can get done at a "lower" level.

Everyone has to bring something to the table. What are we going to bring to the table? For example: Nebraska LS represents 1/8 of the people in NE. By having LS lawyers represent these people, we're making the court system more efficient.

Do we use academic research?

What are the key issues we want to focus on? There are huge numbers of coalitions and groups who are out there. How to. The richest dialogue in 40 years, but we're in pockets; we're not quite there yet; LS or some consortium needs to bring LS into the leadership.

The Farm Bill --- a national conference in rural America. A lot of states have had rural summits ... or plan to ... How do we *not* miss that opportunity? The issues are the same: rural differential ignored, community capacity, money, etc. Working in so many constituencies (Chuck) – "if we could only get together."

Get rural and urban constituencies together. \$5600/\$5300 (70% of fed funds to rural communities is transfer payment; 48% in urban; the other 22% is community capacity building (Chuck's stats)

Women and people of color ... the hope to get more involved in

Move from sector policy to place. There's openness for this dialogue that Chuck hasn't seen in a long time. How to make the connection that we're all in the same boat. The

task ... RUPRI's website ... Tommy Thompson's initiative; a GIS based – current data available. Outcome measures in LS—get them into the Db.

Need for current data; continuous survey (how many outhouses are out there?)

LS has restrictions, but our partners don't. (lobbying)

Infrastructure among LS to share the strategies and have a voice at that table.

Partner LSC with NLADA more... both entities to use their resources.

Various layers of networking: local, national, private bar, etc. Do follow-up with our constituencies; identify these constituencies.

The general case statement has been made numerous times... what can the sector do to help ... if the constituency could get organized.

Internal networking: 2 problems: our national infrastructure was decimated; need real staff capacity at the LSC level; (Don)

It's easier to network (listservs, etc.);

Do we need to reinvent the wheel? Deciding which ones are the pertinent ones to plug into... need to have an LSC liaison to work with these groups. How do we build that network with LS and other entities?

Need a timetable ... get appropriately configured. Most of the constituency groups are ready for this dialogue.

Use the data we already have. There's data reporting and there's cost-benefit-analysis. If you give me this, then I'll give you something back.

Identify the groups we need to work with.

**Appendix J – Executive Summary of  
The National Rural Legal Services Coalition:  
A Proposal Coming out of the Symposium**

**Executive Summary: The National Rural Legal Services Coalition  
(draft as of 12/24/02)**

I. Mission and Goals

Data from the 2000 Census and other sources reveal a stark picture of rural poverty. Rural counties with poverty rates above the national average outnumber urban counties in that category almost 5 to 1. Of the 500 poorest counties in the country, 459 are rural, and of the 500 lowest per capita income counties, 481 are rural.<sup>60</sup> The Rural Poverty Research Institute (RUPRI) notes that poverty falls disproportionately on rural residents and areas – and it is getting worse.<sup>61</sup> The RUPRI Report concludes that solutions to rural poverty must be long term and must increase the capacity of rural communities to build human, social, physical, and economic capital.<sup>62</sup> Unfortunately, the resources necessary to increase capacity, such as transportation, jobs, development capital, government and social service infrastructure, are scarce in rural communities. So are the resources necessary to provide basic access to legal services for the rural poor.

From our experience on the frontlines in rural America during the last thirty-five years, we know that timely legal assistance can address the immediate needs of individuals and families--such as freedom from violence, homelessness, and hunger. Legal assistance is also a critical component of rural economic development. Often, one of the key reasons that rural communities are not able to develop the infrastructure they need is the lack of a strong and viable non-profit network that can bring resources into the local community. This lack of capacity directly contributes to reduced services, reduced infrastructure development and a lower quality of life. To develop the capacity for sustainable development, non-profits need access to legal counsel.

The mission of the National Rural Legal Services Coalition (“the Coalition”) is to increase access to a full range of legal services for rural low-income individuals, families and communities. Our goals are:

- To ensure that the legal needs of low-income rural families and communities are met and that they are not marginalized by lack of access to legal services;
- To serve the national rural legal services community by providing leadership and knowledge regarding issues affecting rural legal services delivery;

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<sup>60</sup> “A RUPRI Data Report—Rural Poverty and Rural-Urban Income Gaps: A Troubling Snapshot of the ‘Prosperous’ 1990s” (P2002-5) (July 3, 2002), [www.rupri.org](http://www.rupri.org).

<sup>2</sup>*Id.*

<sup>3</sup>*Id.*

- To improve the integration of rural legal services into the existing legal services delivery system;
- To provide a voice to Congress and the Legal Services Corporation regarding rural legal services delivery issues;
- To address issues of advocacy, training, support, and communication for rural legal services providers;
- To increase the resources available for legal services in rural communities.

## II. Strategies

The Coalition will focus on two strategies:

### A. National Advocacy

The first strategy is to ensure that the voices of rural legal services providers and their clients are heard at national policy tables, including:

- The Congressional Rural Caucus
- Relevant funders' affinity groups
- Governmental task forces
- The Rural Network
- Legal Services Corporation strategic planning and resource allocation forums
- Associations of State and Local Governments
- Associations of Service Providers

As part of this work, we will identify and work with other sectors (such as rural health care and local government) that are working to address the needs of rural communities. This work will allow us to raise the legal-need issues of rural American low-income families in the national forums that are attempting to address rural residents' overall unmet needs. It will also increase the knowledge of the key role that legal services providers can play in economic development. This work is also critical to identifying and developing potential sources of government and private funding for rural legal services.

### B. Communications, Support and Training

Rural legal services providers tend to be isolated and struggling to do an enormous job with extremely limited resources. Our second strategy is to promote effective communication between rural providers, to disseminate key resources to rural providers, and to develop a message for the outside world so we can better communicate the importance of rural legal services work. The effect of this work would be to increase resources for rural legal services providers and to help them maximize the effectiveness of the resources already at their disposal. This work would include:

- Setting up effective means by which providers could communicate with each other, including in-person meetings and conferences, ongoing committee work, a website, and a secure listserv;
- Developing a “message” about the importance of legal services work to rural communities;
- Disseminating information about rural delivery “best practices.” This would start with the “best practices” documents produced at the Legal Services Corporation’s (LSC’s) Rural Delivery Conference (Nebraska City, 2002);
- Providing information about rural fundraising opportunities and creating a national network to regularly provide information on new funding opportunities;
- Providing rural providers with training opportunities that address the unique needs of rural clients and communities, including community economic development issues;
- Providing back-up services to support and improve substantive legal advocacy in rural communities.

### III. Implementation Plan

To implement these strategies, we propose to:

1. Set up a Steering Committee to identify potential members to serve as the Board for the Coalition. Establish Committees of the Board with responsibility to carry out the strategies.
2. Develop sources of funding for full or part-time staff for the Coalition.

**Appendix K – Compilation of Abstracts from  
Papers Submitted by LSC Recipient Attendees**

**Edward Coghlan – Supervising Attorney – Southern Arizona Legal Aid, Inc. –  
Nogales, Arizona:**

Title of paper: Isolated and Vulnerable: Rural Immigrant Victims of Domestic Violence and the Violence Against Women Act (VAWA)

The immigrant population in rural America is increasing every day. With this increase, there are more clients who are immigrants who suffer from domestic violence or abuse, which is often inflicted by U.S. citizens or legal resident spouses or parents. The immigration process is normally controlled by the abuser, which gives them great power to isolate and abuse family members, since they can threaten them with deportation. This means there is a group of clients who urgently need assistance with some of the most basic and highest priority legal needs. Fortunately, the Violence Against Women Act (VAWA) amendments to the immigration laws enable immigrant victims of domestic violence to take control of the immigration process and their lives. We in legal services can handle these cases both by filing VAWA applications and assisting clients with related legal issues. There is a need to educate both ourselves and other service providers in rural America about how to find and serve potential VAWA clients. To do this most effectively, established resources for VAWA training should be used and coordination of the education process and service delivery, including the National Battered Immigrant Women's Network of advocates and agencies and community groups in rural America should occur.

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**Scott Hartsook – Managing Attorney – Legal Services Corporation of Iowa – Des  
Moines, Iowa:**

Title of paper: Overcoming Challenges To Rural Legal Services Delivery

In addition to the real decline in LSC funding since 1980, Midwestern and other rural programs face declining levels of rural prosperity, LSC funding cuts because of the census and the normal practical difficulties of providing services to far-flung clients in rural areas. The magnitude of these challenges will force a restructuring of programs unparalleled since the early 1980's. This paper describes how the Legal Services Corporation of Iowa (LSCI), when confronted by similar obstacles in the past, has tried to maintain efficient and effective client services by utilizing technology, diversifying funding, providing community legal education, engaging the private bar and implementing specific projects for diverse populations. Whether past solutions will solve current challenges remains to be seen.

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**Monte Jewell – Managing Attorney – Montana Legal Services Association –  
Missoula, Montana:**

Title of Paper: Notes On Building A Rural Community Economic Development Law Practice

This brief article provides a practical case for building rural community economic development (CED) capacity in conjunction with Diana Pearce's and Jennifer Brooks's self-sufficiency standard. The status of capacity-building in a rural CED project in Butte, Montana is reviewed. Lastly, CED work is placed in the larger context of long range planning for Legal Services Corporation funded programs.

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**David Kozlowski – Assistant General Counsel – Legal Aid Society of Middle  
Tennessee and the Cumberlands – Columbia, Tennessee:**

Title of Paper: What are the Responsibilities of Rural Legal Aid Providers?

With consolidation of legal aid providers throughout the country now a reality, the efforts of urban and rural programs are being merged — not always voluntarily. This has generated dialogue and perhaps even a concern that the rural character and needs of the new program will not be met. Rural advocates are now asking what it means to provide legal assistance to the unique needs of this population. But, the question basically remains the same: what are the responsibilities that arise from being a provider of rural legal assistance?

There are three key components to the answer: a commitment to ensure that isolation and geographic factors are not a barrier to access to legal assistance, a staff ability and willingness to work with rural clients and their entire communities, and a knowledge of the unique legal, cultural, and social problems that confront rural communities. With sufficient commitment and staff expertise, rural components of programs that have been joined with their urban colleagues do not have to lose their character and commitment to provide quality legal assistance to low income persons who live in the rural counties.

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**Kenneth Penokie – Acting Director – Legal Services of Northern Michigan –  
Escanaba, Michigan:**

Title of Paper: A New Dog

Legal services programs will continue to be victims of an ever-shrinking dollar so long as traditional sources of money are relied upon. The current trend toward providing more advice and self-help does not work well in rural areas as it saps resources for core services, which are necessary to maintain a proper presence in the court systems. It is only through this presence that people in poverty truly receive equal justice. To avoid the ever-shrinking dollar, rural programs must be willing to enter new and different areas and

to approach solutions in new and different ways. The programs must look around their region to discover the needs and opportunities. They must look beyond the traditional client population and become engaged with the whole community. By providing for community needs and exploiting community resources rural legal service programs can generate a body of resources necessary to sustain core services to those in poverty.

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**James Wayne – Executive Director – Capital Area Legal Services Corporation – Baton Rouge, Louisiana:**

Title: Serving the Rural Poor Civil Legal Needs

This paper discusses the challenges faced by Capital Area Legal Services in the implementation of a rural delivery system in Louisiana – including commitment, partnerships, and deployment. It discusses the extraordinary commitment necessary to provide meaningful access to services in rural areas. The paper provides a strategic outline for the development of a system of rural delivery that maximizes resources and client access. The outline provides steps toward resource development and inclusion of the judiciary, court clerks, and rural partners.

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**Herb Whitaker – Managing Attorney – Legal Services of Northern California – Auburn, California:**

Title of paper: Rural Delivery: The Mother Lode Pro Per Project

The Legal Services of Northern California provides legal services in 23 counties covering approximately one-third of the state of California. For many years our program grappled with the challenge of providing services to the poverty population scattered over this huge rural area. This paper describes our three year experience operating the Mother Lode Pro Per Project, a new pro per assistance project, designed to bring court access to unrepresented litigants in the most remote and isolated parts of our service area. The project is funded by a grant from the Legal Services Trust Fund Commission of the State Bar of California. The project is a collaborative partnership with five courts and numerous social service agencies. It serves pro per litigants in five counties from nine out reach sites, which conduct weekly clinics. The project has been extremely productive, greatly expanded access to the rural courts, and has resulted in significant consumer and court satisfaction. This pilot project could serve as a model for multi-county or single county projects.

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**Steve Xanthopoulos – Executive Director – West Tennessee Legal Services, Inc. – Jackson, Tennessee:**

Title: Rural Justice - the End of the Rope?

Because of recent developments a number of rural legal services programs will be losing substantial funding which could lead to the closing of offices. The loss of an office in a rural community usually has a drastic impact on the community and the LSP. But rural programs have potential opportunities for non-legislative governmental funding that can maintain the viability of offices. They also have an inherent capacity to be competitive. Several strategies are discussed which have proven successful and can be utilized by rural LSPs to maintain their viability in local communities.

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**Linda Zazove – Deputy Director – Land of Lincoln Legal Assistance Foundation, Inc. – East St. Louis, Illinois:**

Title of paper: The Paradox of Rural Legal Services Delivery: Achieving “Relative Equity of Access” Between Urban and Rural Service Areas with Unequal Access to Resources

Data from the 2000 Census reveals a stark picture of rural poverty. Rural counties with poverty rates above the national average outnumber urban counties almost 5 to 1. The Rural Poverty Research Institute concludes that solutions to rural poverty must increase the capacity of rural communities to build human, social, physical and economic capital. Unfortunately, the resources necessary to increase capacity, such as transportation, jobs, development capital, government and social service infrastructure, are scarce in rural communities. So are resources for legal aid.

The Legal Services Corporation (LSC) has charged state planners to develop statewide delivery systems that provide for “relative equity of access to the civil legal services delivery system throughout the state.” For state planners and individual programs with mixed urban and rural service delivery areas, achieving relative equity of access and investment of resources is a challenge.

Using the experiences of Land of Lincoln Legal Assistance Foundation, Inc., this article illustrates some of the delivery and resource development challenges facing programs with large geographic service areas with a mixed urban, rural composition. The article concludes with a discussion of some of the implications of the resource disparities for federal and state policy setting and planning.

## Appendix L – List of Maps

Nonmetro County Poverty Rates, 2000

<http://www.rupri.org/articles/poverty/pmap4.htm>

Nonmetro Persistent Poverty Counties: 1960-2000

<http://www.rupri.org/articles/poverty/pmap1.htm>

500 Poorest Counties in the U.S., 2000

<http://www.rupri.org/articles/poverty/pmap3.htm>

Nonmetro Per Capita Income as Percent of U.S. Per Capita Income, 1990

<http://www.rupri.org/articles/poverty/imap6.htm>

Nonmetro Per Capita Income as Percent of U.S. Per Capita Income, 2000

<http://www.rupri.org/articles/poverty/imap7.htm>

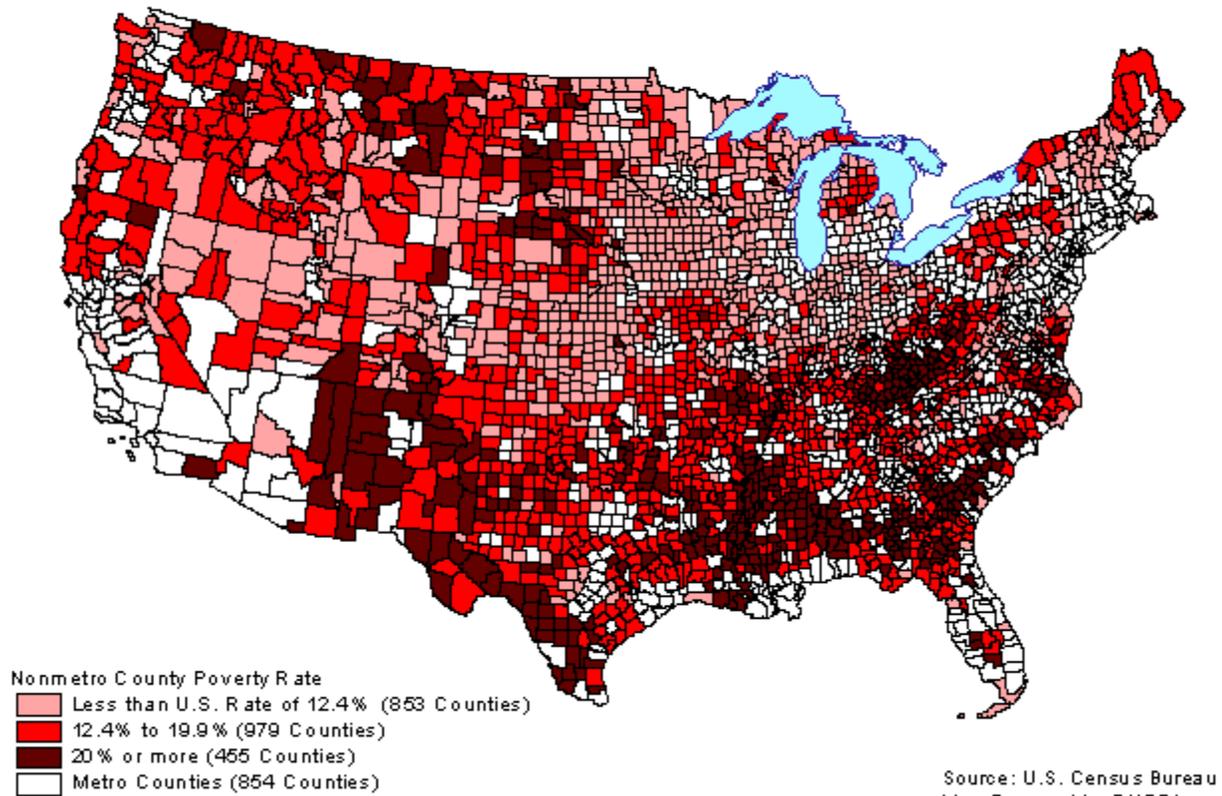
Per Capita Income Gap in 1990: Nonmetro Per Capita Income as a Percent of Metro

<http://www.rupri.org/articles/poverty/imap1.htm>

Per Capita Income Gap in 2000: Nonmetro Per Capita Income as a Percent of Metro

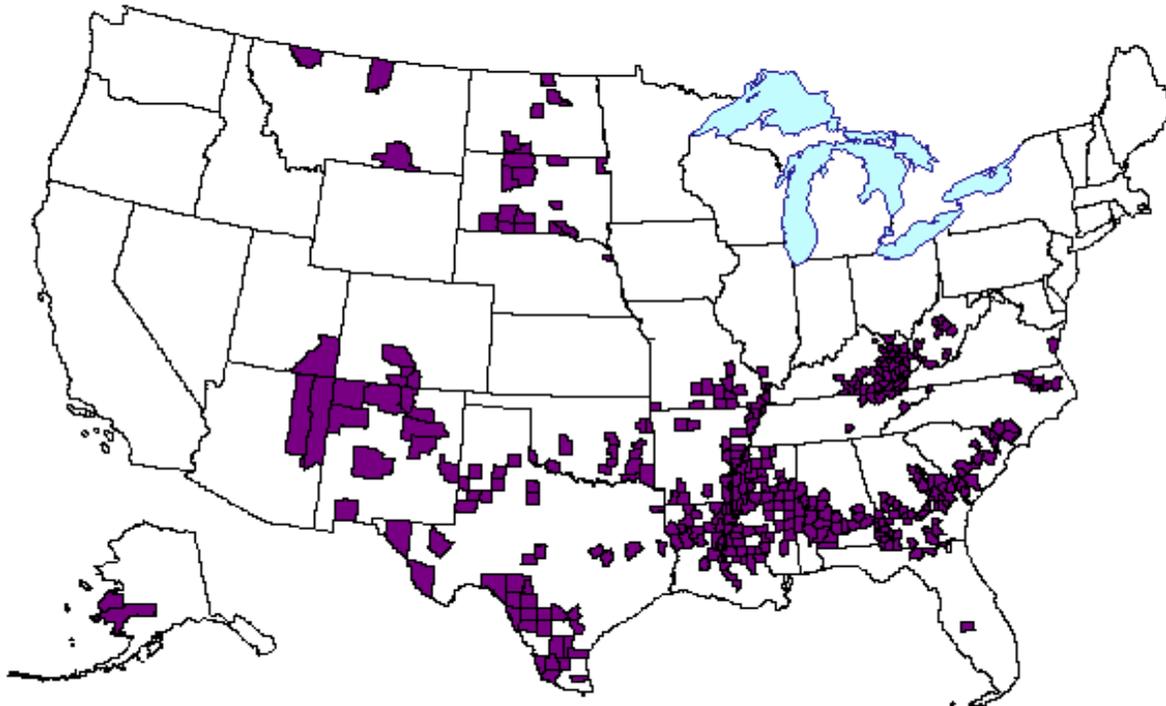
<http://www.rupri.org/articles/poverty/imap2.htm>

## Nonmetro County Poverty Rates, 2000



## Nonmetro Persistent Poverty Counties

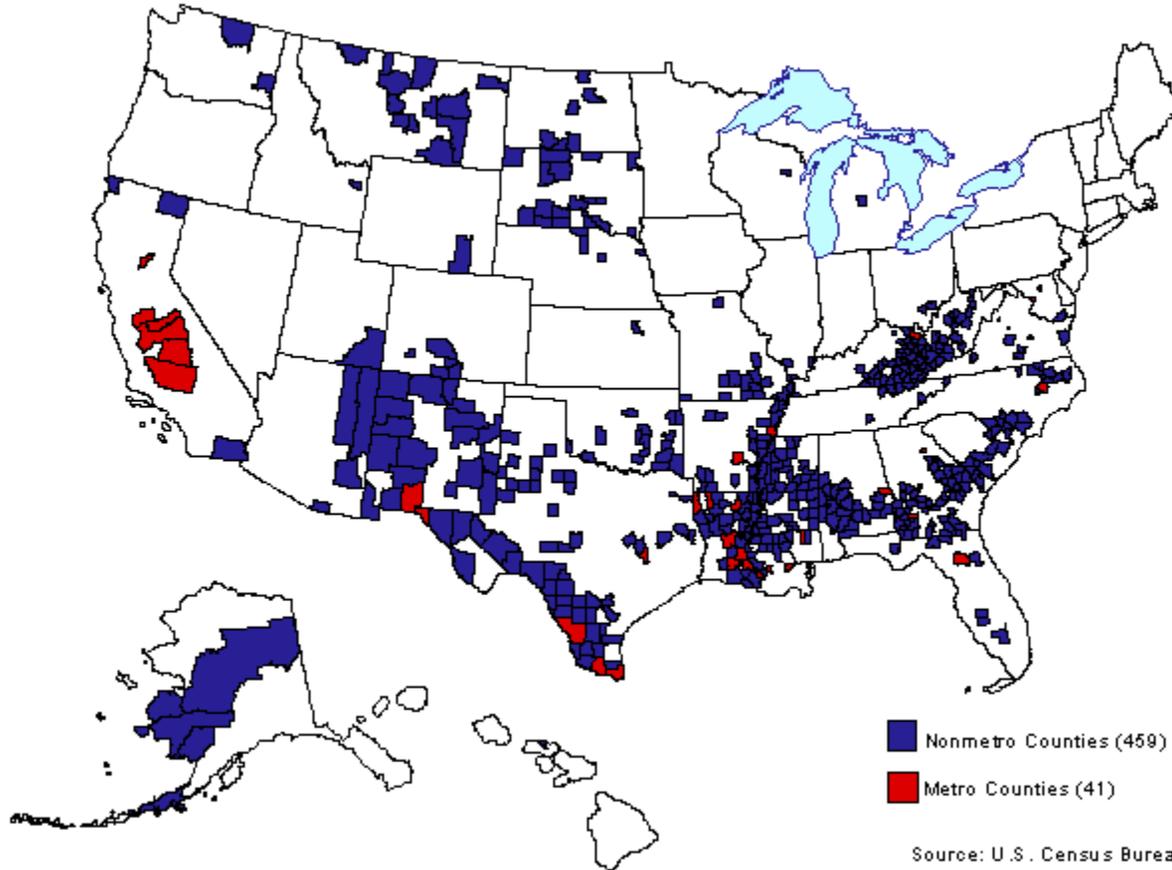
Poverty Rates of 20% or more in 1960, 1970, 1980, 1990 and 2000



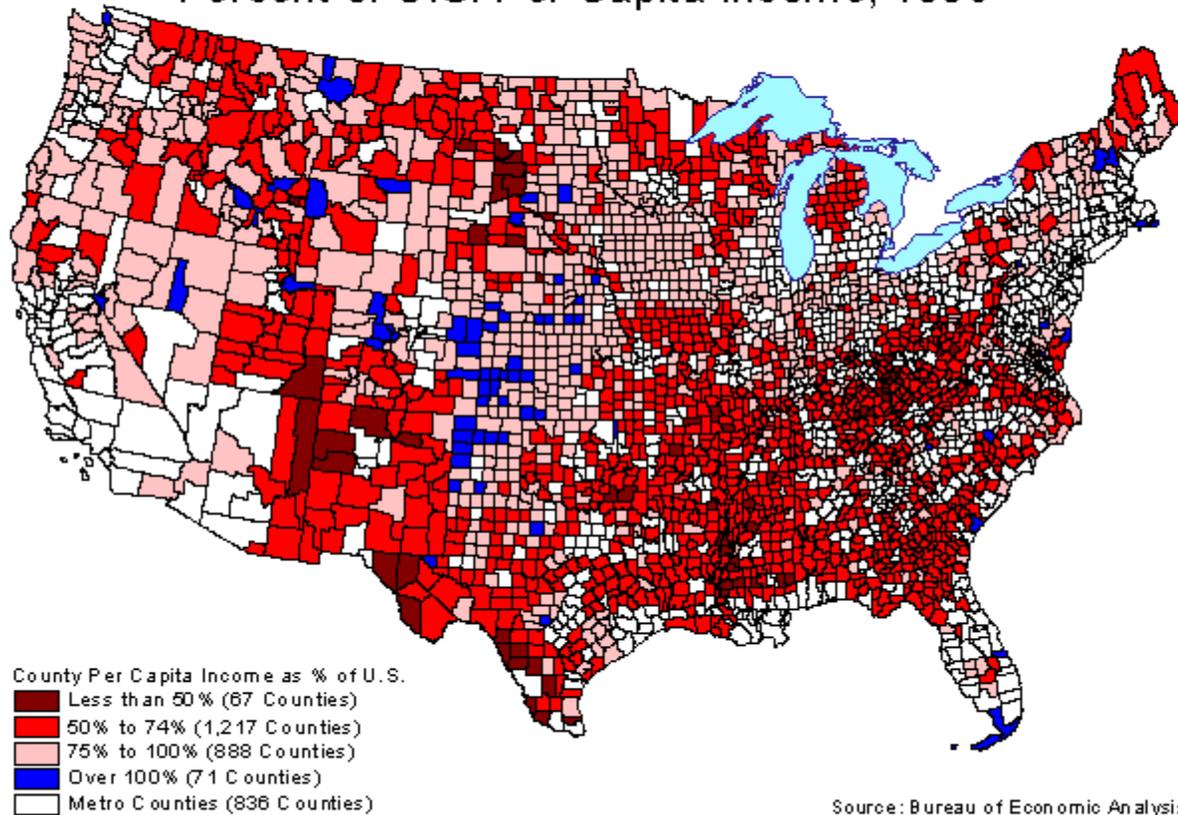
■ Nonmetro Persistent Poverty Counties (361)

Source: Economic Research Service, USDA and  
U.S. Census Bureau  
2000 Update Prepared and Mapped by RUPRI

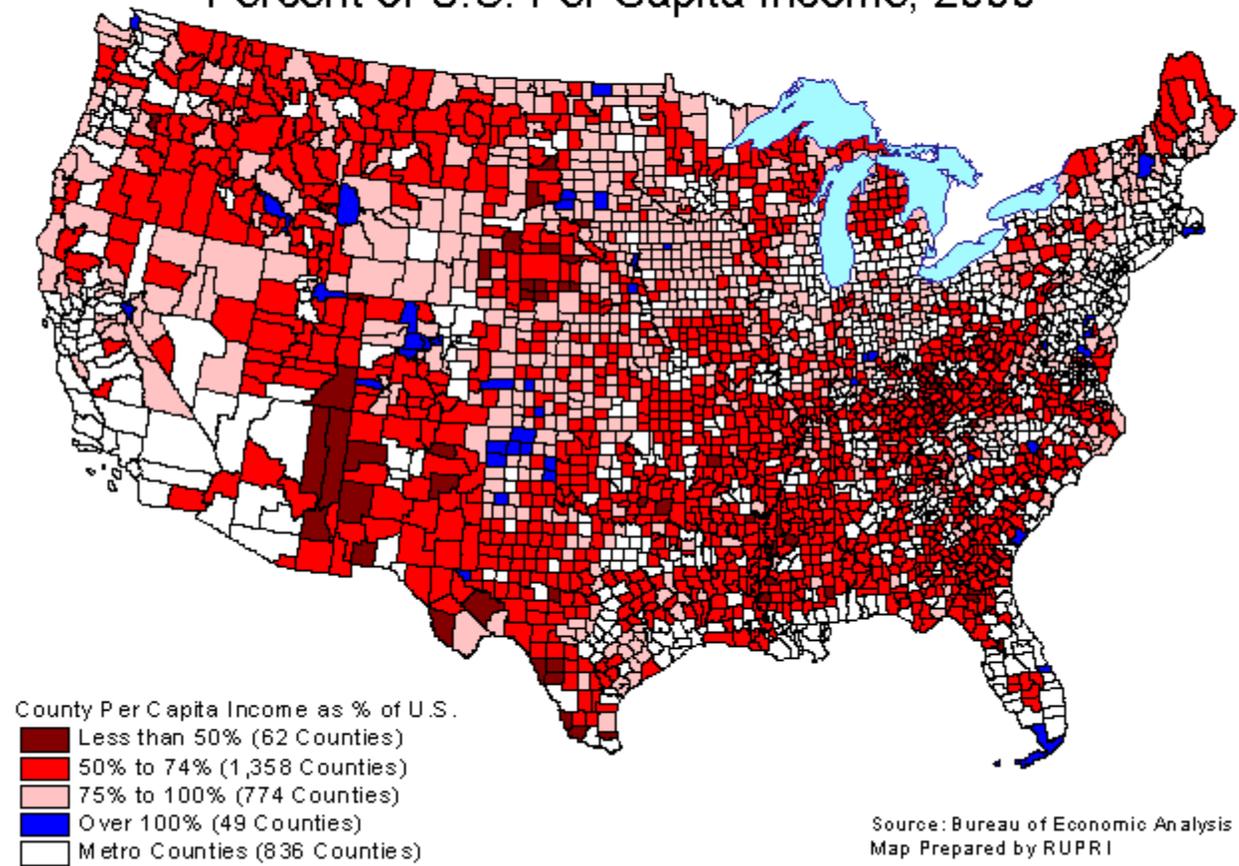
### 500 Poorest Counties in the U.S., 2000



### Nonmetro County Per Capita Income as Percent of U.S. Per Capita Income, 1990

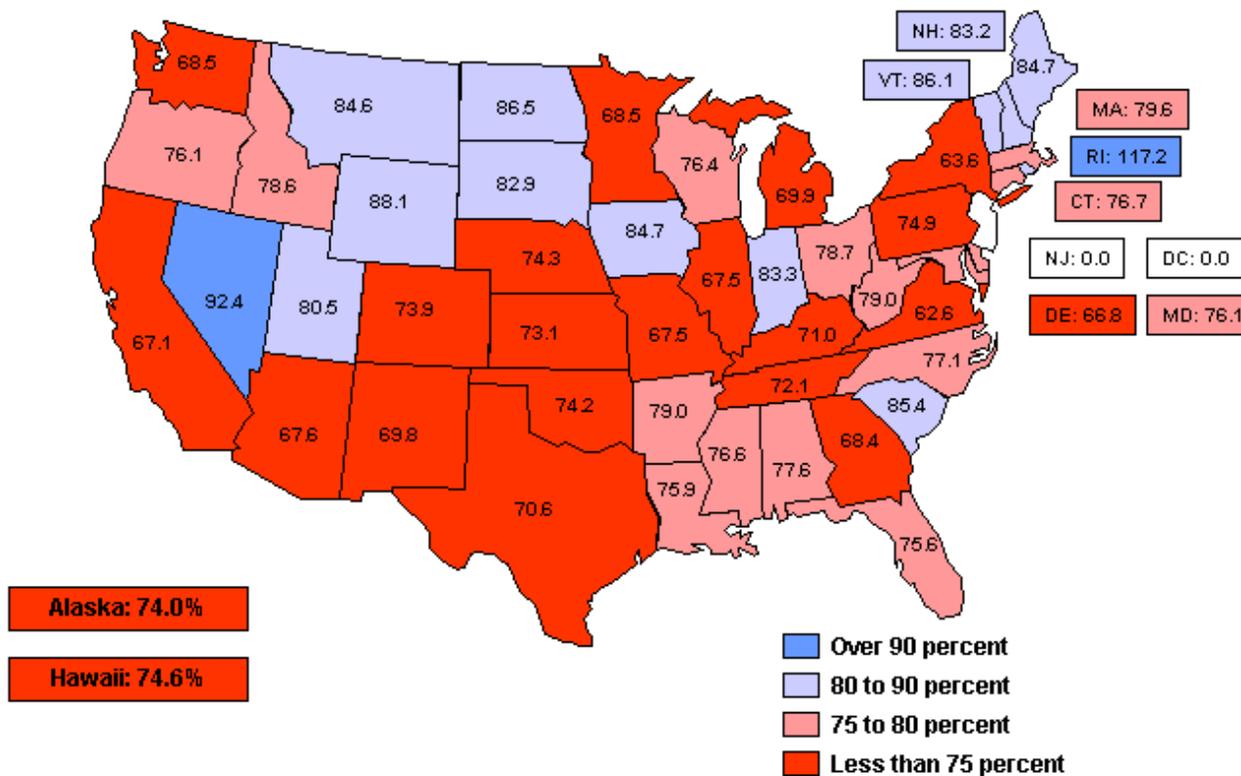


### Nonmetro County Per Capita Income as Percent of U.S. Per Capita Income, 2000





## Per Capita Income Gap in 2000: Nonmetro Per Capita Income as a Percent of Metro



Note: New Jersey and Washington, D.C. do not have nonmetropolitan areas

Source: RUPRI website: [www.rupri.org/articles/poverty/imap2.htm](http://www.rupri.org/articles/poverty/imap2.htm)