

CAMPAIGN FOR LEGAL AID

A Report to Campaign Donors and Supporters

Published by Southern Minnesota Regional Legal Services, Inc.

Transitions at SMRLS Announced

Newsletter readers may have learned by now that **Bruce Beneke** has resigned his position as SMRLS' Executive Director, after having served in this capacity for 30 years. "With honor, gratitude for service and respect for the outstanding work he has done," the Board of Directors of SMRLS publicly announced on February 28, 2007 that it accepted Bruce's resignation effective August 1, 2007.

Having been informed of Bruce's intentions one year earlier, the Board established a 9-person committee led by **Terry Newby** to, among other things, conduct a comprehensive selection process for a new Executive Director. In announcing its unanimous selection of **Jessie R. Nicholson**, the Board stated that she has "been an outstanding leader at SMRLS for nearly 22 years, including 10 years as its Deputy Executive Director."

SMRLS' Board Chair **Kathy Bartz** added that the Board "concluded that Jessie Nicholson has the skills, experience, dedication, and vision required to lead SMRLS to even greater achievements in the delivery of legal services" and that "with Jessie at the helm, SMRLS will continue to flourish and carry out its mission to serve the legal needs of its clients with great dedication and competence." The Board noted its pleasure that Bruce agreed to stay with SMRLS to work on "the Campaign for Legal Aid, pro bono, education law, civil rights, fundraising and ambassadorial work."

Jessie and Bruce are implementing a 5-month transition plan. In her first act as head of SMRLS, Jessie selected **Gary Hird** to serve as Chief Operating Officer, a new position created by the Board to meet the many growing needs facing SMRLS. The Board noted that Gary has "served SMRLS well the past 13 years as senior leader for its southeast Minnesota operations" and that "before joining SMRLS, Mr. Hird worked in private practice for 11 years."



Bruce Beneke



Jessie Nicholson

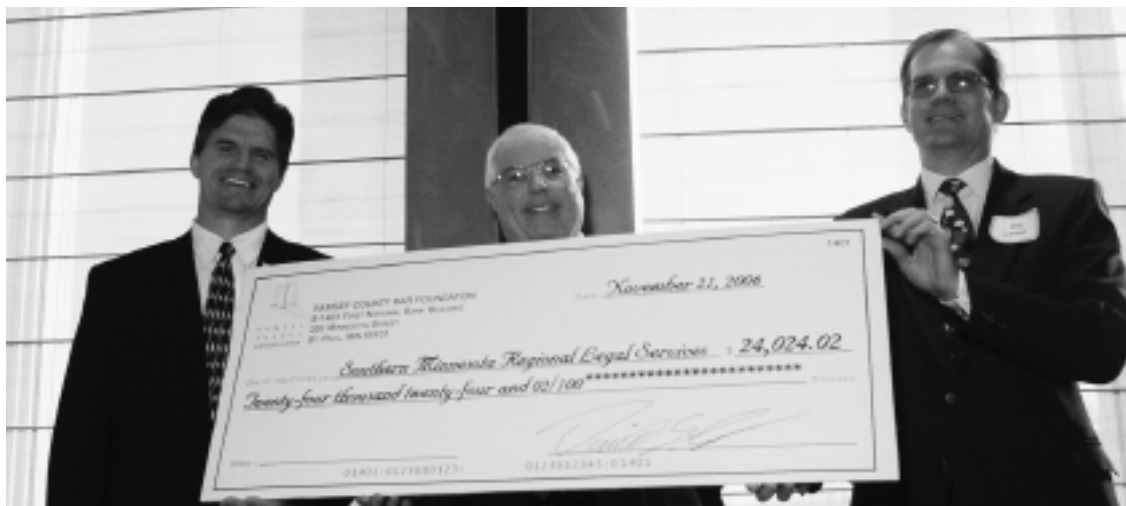
2006 Campaign for Legal Aid

Heartfelt thanks to Campaign for Legal Aid contributors for making 2006 another banner year. Nearly \$650,000 in contributions broke the record.

Profound gratitude to **3M** and to top law firm contributors **The Briggs and Morgan Foundation** and the **Robins, Kaplan, Miller & Ciresi Charitable Foundation**. Special thanks for the generosity of **Larson • King, Nichols Kaster & Anderson, Murnane Brandt, Winthrop & Weinstine**, and the **Faegre & Benson Foundation**. The generous support from the **Andersen Corporate Foundation**, the **Hugh J. Andersen Foundation**, and **The Next Generation Fund of the Hugh J. Andersen Foundation** is greatly appreciated.

A tremendous debt of gratitude is due **Steve Kirsch** for his indefatigable efforts as chair of the Campaign for Legal Aid Leadership Committee and for the many contributions of the volunteer leadership committee, which ably assists him.

Minnesota's largest low-income population resides in SMRLS' 33-county service area. Support of the Campaign for Legal Aid directly benefits SMRLS' clients who live at or below the federal poverty level—about \$25,000 per year for a family of four. They turn to SMRLS for protection from abuse and for help with basic human needs. Every contribution to SMRLS' Campaign for Legal Aid helps to fulfill America's promise of justice for all. **Thank you** for helping to realize this promise in 2006 in nearly 11,000 cases that assisted over 27,000 families and individuals.



Darrin Mix (left) and Eric Larson (right), Co-chairs of the Ramsey County Bar Association's 2006 Bench & Bar Benefit, and Tom O'Connell (center), Chair of the Ramsey County Bar Foundation, presented SMRLS with a check for \$24,024.02 at the November 2006 Campaign for Legal Aid Luncheon

Top Campaign Contributors of 2006

Anonymous Donors	\$50,000
3M	\$42,400
The Briggs and Morgan Foundation	\$35,000
Robins, Kaplan, Miller & Ciresi Charitable, L.L.P. Foundation	\$25,500
Ramsey County Bar Foundation	\$24,024
Travelers Foundation	\$20,000

Thanks to these major contributors and to all who helped to make the 2006 Campaign for Legal Aid a great success.

Deep appreciation to the **Family Housing Fund** for generous support of the **Housing Alliance Law Office** project (HALO) and of the **Housing Equality Law Project (HELP)**.

CAMPAIGN FOR LEGAL AID Leadership Committee Volunteers and Advisors

Steven J. Kirsch, Chair

Metro Area

Thomas H. Boyd, John M. Degnan, Charlton Dietz, Hon. Beverly Jones Heydinger, Gary W. Hoch, Kay Nord Hunt, Ann Huntrods, Ruth S. Marcott, Thomas C. Mielenhausen, Daniel A. O'Fallon, Brian B. O'Neill, Joseph T. O'Neill, Michael O'Neill, David Bradley Olsen, Carol A. Peterson, Paul D. Peterson, Philip A. Pfaffly, Ellen G. Sampson, Daniel L. Scott, Michael R. Sieben, John M. Stanoch, William P. Studer, Kyle M. Thomas, William L. Tilton, Hon. Esther Tomljanovich, Terry L. Wade, Gregory M. Weyandt

Greater Minnesota

J. Scott Braden, Joseph R. Cade, Patrick K. Costello, Charles K. Frundt, F. Kelton Gage, Kent A. Gernander, Daniel A. Gislason, Linda J. Heine, William L. Hoversten, Neil J. Jensen, Wanda R. Johnson, Hon. A. M. (Sandy) Keith, Michael J. Long, James H. Manahan, William S. Partridge, Scott Richardson, Kent D. Rossi, Andrew A. Willaert

SMRLS' Education Law Advocacy Project (ELAP)

ELAP provides legal assistance with education issues to help low-income children of color overcome multiple barriers to equal educational opportunities and outcomes. Barriers include those presented by discrimination, inadequate language skills, special education needs, homelessness or frequent changes of residence, and lack of ability for parents to be effectively involved in their children's education.

The project helps to get school personnel and parents together, around the table, to highlight and secure the legal rights of the child. It assists school districts in carrying out their legal obligations to build on a child's strengths to achieve educational goals. ELAP has assisted scores of students in securing their rights to equal educational opportunity, graduating from high school, and entering adulthood with a more stable economic future.

SMRLS is grateful for the support ELAP has received from **The Saint Paul Foundation**. Support from the **St. Paul Travelers Foundation** has been critical in sustaining ELAP since its inception in 1994 and is deeply appreciated.

Special thanks and appreciation to the following businesses for their support of the Campaign for Legal Aid:

3M
ALLIANCE BANK
MINNESOTA LAWYERS MUTUAL INSURANCE COMPANY
THE PENTAIR FOUNDATION
THOMSON WEST

Cy Pres and Legal Aid: The Next-Best Use of Residual Funds

Many courts have approved residual damage awards in cases where not all class-action plaintiffs collect their portion of the awards or it is not possible to determine the actual damages for each plaintiff. Under the "Cy Pres" doctrine, funds may be distributed to legal aid programs as the next-best use of these funds.

SMRLS was the fortunate recipient of residual funds in four class-action cases in 2006. Many thanks to **Chestnut & Cambronne, Nichols Kaster & Anderson, and Zimmerman Reed** for their efforts in bringing these awards to SMRLS, and special thanks to the **Office of the Attorney General of the State of Minnesota**.

Congratulations to SMRLS' Own: Bob Youngerman

The Minnesota State Bar Association selected **Bob Youngerman** of SMRLS and Kathleen Davis of MMLA as the co-recipients of the prestigious Bernard P. Becker Award, presented to them on April 26, 2007. Bob has served SMRLS and its clients with great distinction since 1979 as a staff attorney, supervising attorney, managing attorney, and (since 2003) leader of SMRLS' Southeast Family and Housing Unit.



The Becker Award is presented each year to "honor dedicated service, outstanding achievement, and a demonstrated commitment to the provision of zealous and skilled legal representation ... to low-income ... Minnesotans."

2006 Campaign for Legal Aid Luncheon

"This is my favorite lunch of the year," said the **Hon. Esther Tomljanovich** as she greeted the 350 lawyers and judges attending SMRLS' 7th annual Campaign for Legal Aid Luncheon Celebration on November 21, 2006. She then introduced **Steve Kirsch**, Campaign for Legal Aid Leadership Committee Chair, as the luncheon emcee.

The **Hon. Kathleen Blatz** said it was her favorite lunch of the year, too, as she accepted the 21st Century Leadership Award at the event. Justice Blatz was recognized for her extraordinary support for civil legal services and equal justice for low-income persons during her tenure as Chief Justice of the Minnesota Supreme Court.

St. Paul lawyer **Joe O'Neill** wowed the crowd with skills equaling the very best of the traditional attorneys as he accepted a Lifetime Leadership Award. Joe minimized his unparalleled contributions to legal services for the poor—for nearly 50 years!—and credited the legal aid lawyers for their dedicated work.

Luncheon attendees paid close attention to the remarks of **Jennifer Mertes**, who described the shocking discriminatory practices that she experienced as a deaf tenant in a large apartment complex. She concluded, "With the help of SMRLS, the legal rights of people like me are being fought for and protected."

Keynote speaker **Jo-Ann Wallace**, President and CEO of the National Legal Aid & Defender Association, referred to SMRLS as "the jewel in the crown" of the country's legal services providers. Those assembled were once again reminded of SMRLS' outstanding national reputation as a model legal aid program.



Bruce Beneke, Hon. Kathleen Blatz, Joe O'Neill, and Jo-Ann Wallace

MARK YOUR CALENDARS

THE 8TH ANNUAL CAMPAIGN FOR LEGAL AID LUNCHEON CELEBRATION

NOVEMBER 20, 2007

LIFETIME LEADERSHIP AWARD HONOREE

BRUCE A. BENEKE

More Luncheon Photos...



SMRLS Board Member **Sally Scoggin** (Briggs and Morgan), **Bruce Beneke**, **Chief Justice Russell Anderson** (Minnesota Supreme Court), and **Gary Hird** (Justice **Helen Meyer** in background)

Tax Savings and a Charitable Distribution to SMRLS (Any Amount up to \$100,000)

Under the Pension Protection Act of 2006, you are able to make a gift to SMRLS from your IRA in 2007 without the distribution being subject to federal income tax, as long as you are 70½ years of age or older. The funds must go from your individual IRA administrator directly to Southern Minnesota Regional Legal Services. This will count as all or part of your minimum required distribution. Please consult your professional advisor and contact your IRA custodian.

Minnesota Legal Aid Foundation Fund

The recipient of large litigation awards and other substantial gifts, the **Minnesota Legal Aid Foundation Fund** benefits Minnesota's legal services providers. SMRLS received approximately \$55,000 as part of the Foundation Fund's 2006 distribution. Please contact Doug Stasek, Director of Gift Planning, at the Minnesota Community Foundation (651-325-4272) for more information about making a gift to the Minnesota Legal Aid Foundation Fund or the Southern Minnesota Regional Legal Services Foundation Fund.



Program Emcee **Steve Kirsch** (Murnane Brandt)



Jill Esch and **Chief Judge Edward Toussaint, Jr.** (Minnesota Court of Appeals)

Case Capsule: The client called SMRLS just two days after entering a transaction which was an obvious equity-stripping scam and was violative of the state equity-stripping statute. She had transferred the title to her home, in which she had almost \$80,000 in equity, in exchange for payments to her bank of \$4,000 by the equity stripper. She was under the false impression that, if she did not sign papers, she would lose her home and be out on the streets with her kids when the sheriff's sale took place the following week. SMRLS was able to cancel the deal with the equity stripper and help the client explore various options, including refinancing, as well as the potential sale of the house. She was able to keep her home and retain the option to sell it when the market improves.

Heartfelt Thanks to Stephen Yoch and to All of SMRLS' Wonderful Volunteers

"My recent [pro bono case] experience exemplifies why I have volunteered for SMRLS over the last fifteen years. Mr. ___ is severely physically handicapped and faces tremendous challenges. He was the victim of a very unfair business transaction and, in the absence of SMRLS, he would have been forced to endure even greater hardship. Despite facing challenges that should overwhelm the human spirit, he persists and with the help of SMRLS we were able to successfully resolve the matter on the eve of trial to his satisfaction. While he expresses gratitude for our assistance, the reward I received from helping him energizes me to continue to volunteer at SMRLS and support the important work performed by your office." **Stephen E. Yoch** (Felhaber, Larson, Fenlon & Vogt)

**Commemorative Gifts to Campaign for Legal Aid
2006 Through March 2007**

Gifts given in honor of:

- Coralie Chevalier** by Hedlund Law Office
- Andrea Jepsen** by Michael D. Moser & Joan Moser
- Kenneth Kohnstamm** by Maisie Kohnstamm
- Jerry Lane** by Hon. Rosalie E. Wahl
- Hon. Donald P. Lay** by Thomas H. Boyd & Elizabeth Boyd
- Joseph T. O'Neill** by Barbara F. L. Penn
- Ret. Justice Edward C. Stringer** by Mahlon C. Schneider
- Olivia Thomas & Zachary Thomas** by their father, Kyle M. Thomas

Gifts given in memory of:

- Marina S. Anderson** by Justice Paul H. Anderson
- Shirley Baker** by Prof. Mischa Penn & Barbara F. L. Penn
- Arnold & Millie Beneke** by Bruce A. Beneke
- William E. Haugh, Jr.** by Sarah J. Batzli
- Bill Kampf** by Mark S. Abner
- Harold Kirsch** by Barbara F. L. Penn
- Sylvia Lane** by Kenneth D. Gilchrist
- Sylvia Lane** by Jessie Ree Nicholson & Charles E. Nicholson
- Maurice Langman** by Barbara F. L. Penn & Prof. Mischa Penn
- Marcella Linde** by Lew Linde
- Seymour Martin Lipset** by Prof. Mischa Penn & Barbara F. L. Penn
- Paula Lynch** by Hon. Esther M. Tomljanovich
- Laurence M. Nelson** by Stephen L. Nelson & Associates
- Hon. Dolores Orey** by Ellen G. Sampson
- Hon. Dolores Orey** by Emily F. Seesel
- Frank W. Plant, Jr.** by Mary E. Miller

A complete list of 2006 Campaign for Legal Aid contributors will appear in SMRLS' 2007 Annual Report.

The Best Holiday Gift

In the Kohnstamm family, they draw names to select gift recipients. The gift is a donation to the recipient's favorite charity. Special thanks to **Ken Kohnstamm** and to **Maisie Kohnstamm**, his mother, for her gift to SMRLS in his honor.



Sylvia Lane (left) with SMRLS' bookkeeper Karen Edholm, June 10, 2006

Sylvia Lane

SMRLS mourns the passing of **Sylvia Lane**, who died in October 2006. She worked at SMRLS for 34 years as bookkeeper and then comptroller.

"Sylvia, tireless as a worker, was always ready to help, and all of us who had the joy and honor of working with her continue to hold her in the deepest respect, affection and gratitude for her awesome service to Southern Minnesota Regional Legal Services, its Board, staff and clients." (Bruce Beneke at the reception honoring Sylvia, June 10, 2006.)

What Clients Say

"At the time I called your office, I felt scared and threatened. I was relieved to speak to people who were kind and didn't treat me like a charity case and know-nothing. Thank you."

"I am 64—worked 48½ years of my life. I now live on Social Security disability—medical post-polio and other—you gave me hope. I had given up until contacting you."

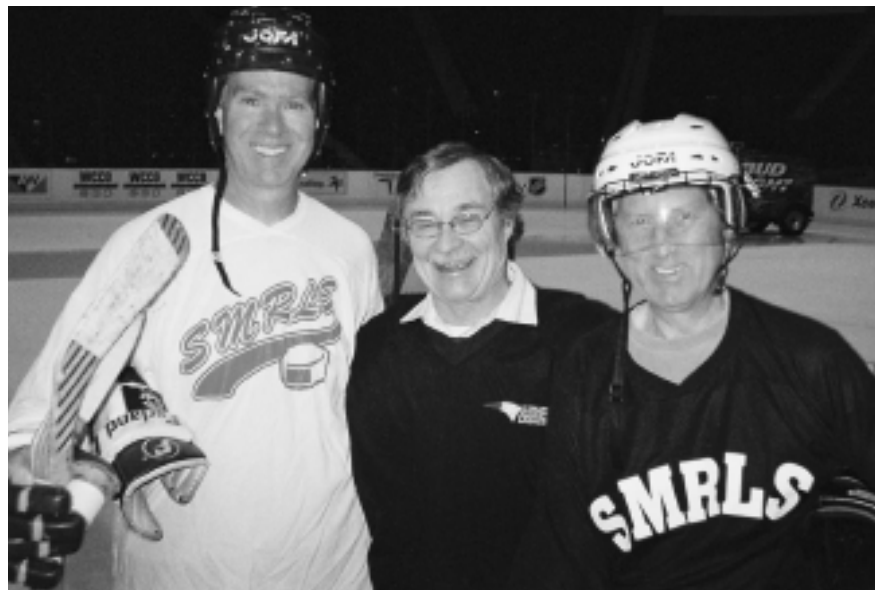
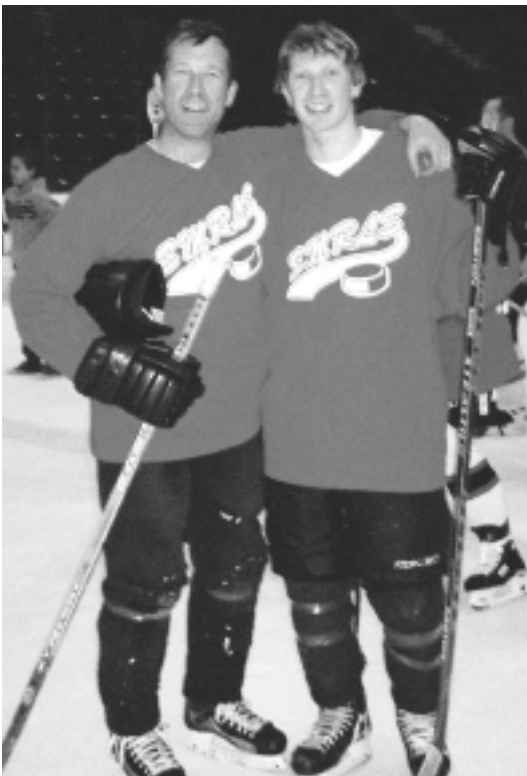
"Thank you for all your work and effort, for believing in me to reunite our whole family as one again. I bless you and thank you."

"You folks at Project HOPE helped me get through one of the toughest times I've ever faced in my life. Your help and the service you provide was one of the only ways that I could retain my home. With an injury and tough work situation I did not know where to turn... With all my heart and being I thank you and the powers that be at Project HOPE for seeing me through a bad time that hopefully will not come about again."

2007 Lawyers on Ice

by Mike O'Neill

On March 28, 2007, the sixth annual SMRLS Lawyers on Ice hockey event was held at the Xcel Energy Center Arena. Over 60 attorneys, court personnel, city and state office holders, ex-NHL players, and friends of SMRLS participated. Team 2 (sponsored by **Meagher & Geer** and by **Johnson • Provo-Petersen • O'Neill**) won both games, to take home the SMRLS trophy. It was a fun day for the players and families who had full use of the Xcel Center Arena and locker rooms. Announcers **Steve Kirsch** and **Dan O' Fallon** kept everyone loose with their stand-up comedy-announcing act. Other team sponsors included: **Robins, Kaplan, Miller & Ciresi** and **Western National Mutual Insurance Company** (Team 1); **Davis O'Neill & Ross** (Team 3); **Larson • King and Flynn, Gaskins & Bennett** (Team 4). Many thanks to these Hat Trick sponsors and to Goal sponsors, **Aspen Waste Systems Inc.** and **Jensen, Bell, Converse & Erickson**.



SMRLS gives special thanks to the **Management and Staff of the St. Paul Arena Company**, the **Minnesota Wild®**, and Event Chair **Michael O'Neill** (Johnson • Provo-Petersen • O'Neill).

Captions for above photos: (top left) the winning team; (top right) Announcers **Dan O'Fallon** and **Steve Kirsch** with **Bruce Beneke**; (bottom left) **Chris Messerly** and **Ben Messerly**; (bottom right) **St. Paul Mayor Chris Coleman**, **Bruce Beneke**, and **Kent Gernander**

Southern Minnesota Regional Legal Services, Inc.

Bruce A. Beneke, Executive Director

Campaign for Legal Aid

Barbara F. L. Penn 651-228-9823

Kathie Battle Sayles 651-222-5863

Southern Minnesota Regional Legal Services provides legal representation in civil matters to low-income persons in 33 counties in southern Minnesota and to migrant farm workers throughout Minnesota and North Dakota. Offices are located in St. Paul, Mankato, Winona, Albert Lea, Rochester, Worthington, Shakopee, and Fargo.

www.smrls.org

SMRLS is an affirmative action, equal opportunity employer.

Photo credits with page numbers:

Bruce Beneke (7 team and players); Gayla Ellis (3, 6, 7 announcers);

Kathy Eveslage (5); Larry Marcus (2, 4); Ron Michaelson (1).

Southern Minnesota Regional Legal Services, Inc. Clients in 2006 Total Cases: 10,849		
Female	8,082	75%
Male	2,764	25%
Under age 18	317	3%
Ages 18 to 59	9,163	84%
Age 60 and older	1,369	13%
Asian, Pacific Islander	401	4%
Black	2,568	24%
Black African Immigrant	589	5%
White	6,046	56%
Hispanic	889	8%
Native American	227	2%
Other / Unknown	122	1%
Limited English	2,350	22%
Disabled	2,444	23%

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Spring 2007



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St. Paul, MN 55101
Time-Dated Material

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St. Paul, MN