

Wake Lawyers 4 ALL

Wake County Bar Association members are pitching in to provide additional help for people who cannot afford legal services. *Wake Lawyers 4 ALL* offers short- and long-term volunteer opportunities for Wake County lawyers.

Like many public interest non-profits, Legal Aid of North Carolina's Raleigh office is being inundated with demands for advice and help regarding legal problems faced by individuals and families who are suffering to an even greater degree than in the past because of a lingering economic downturn. In past years, Legal Aid has traditionally utilized the Wake County Bar Association's Volunteer Lawyers Program to help with the unmet legal needs of many the organization would have otherwise been unable to assist. With the demand being even greater and resources continuing to be limited, the challenge has become even greater for both Legal Aid and the WCBA to meet.

Recent economic conditions have also affected lawyers. Some lawyers are not currently employed, while others are not as busy as they have been in the past. And some lawyers, who are as busy as ever, recognize increased needs and demands on Legal Aid and want to volunteer a portion of their time to help people who otherwise could not afford legal advice or assistance. *Wake Lawyers 4 ALL* offers all Wake County lawyers the opportunity to help others in need. New lawyers, unemployed lawyers, and lawyers with extra time available, can sharpen their legal skills and gain valuable legal experience through this program, while lending a helping hand to others.

Wake Lawyers 4 ALL currently offers the following volunteer options:

- (1) Three- and four-hour shifts for telephone interviews at the Legal Aid office.
- (2) Follow-up advice and assistance for legal problems involving landlord/tenant, public and subsidized housing issues, Medicaid, consumer, and unemployment benefits issues. This assistance is provided at a time and location convenient for the volunteer.

Currently Legal Aid of NC's Centralized Intake Unit's ("CIU") staff is only able to talk with approximately 42% of the people who call for advice and assistance.

Legal Aid's client interviewing program at the CIU facility offers lawyers the opportunity to volunteer for a defined and limited period of time. Lawyers volunteering at the CIU will talk with prospective Legal Aid clients by telephone and either offer advice or refer callers to an appropriate local Legal Aid office for further evaluation and possible representation. Volunteers would receive calls at a Legal Aid site and only give advice to those callers. The subject areas in which advice would be given would be limited to three specific areas of law - Private landlord/tenant, consumer, and family law issues. The time commitment requested would be a 3- or 4-hour block once a month during the regular work day. Training, supervision, and reference materials would be provided for all volunteers.

After these initial interviews, follow-up advice and legal services are needed for some people. Lawyers can provide additional assistance by helping clients with problems involving several areas of law including the following:

Private Landlord/Tenant - The primary issues relate to evictions for non-payment of rent where tenants dispute the amounts of rent allegedly owed, have counterclaims for rent abatements due to rental property being below standards for occupancy, or other claims based upon illegal actions of landlords, including evictions without going through the summary ejection process required by law. A significant issue that has arisen within the past year is that of bedbug infestations in many rental units that make living conditions in them unbearable.

Public and Subsidized Housing - Matters in this category vary, but they typically involve terminations of housing vouchers that are major means of support for low-income families. Vouchers serve the same function as money and pay a major portion (or sometimes all) of rent to private landlords for families and individuals to obtain housing on the open market. Terminations of vouchers are initiated by the local housing authority for, among other things, violations such as twice failing to be at home for an inspection of rental premises, a belief that a person charged with a criminal offense resides with the tenant, failure to re-certify income and circumstances, failure to properly report changes in income, evictions by the landlord for any reason, evictions related to a tenant's disability, and a failure by voucher holders to pay their portion of the rent.

Public housing evictions could result from a minor child of a relative living in the rental premises who is not the biological child of the tenant, nor the legal custodian, inappropriate conduct by either the tenant or a guest of the tenant, non-payment of rent, late payment of rent, failure to properly report changes in income, failure to re-certify income and circumstances, and allowing an unauthorized person to live with a disabled tenant who is there to care for the tenant.

Medicaid - Issues include those relating to eligibility for Medicaid due to a substantial disability or other eligibility criteria, and proving the medical necessity of particular Medicaid covered services.

Consumer - Issues in this area are varied. At the present, credit card account defaults, non-payment of homeowners association dues, and defaults on mortgages are prevalent. Other matters include used car disputes, auto repair disputes, home repair disputes, loan defaults, and unfair debt collection practices.

Employment Security - Issues in these cases generally require brief administrative hearings before the North Carolina Employment Security Commission to determine whether a claimant is qualified to receive unemployment benefits. The primary issues are whether the claimant was guilty of disqualifying misconduct or whether the claimant quit for good cause attributable to the former employer.