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Judicare at 50: Wausau Legal Center a Bedrock in 33 Northern Counties

Wisconsin Judicare celebrates 50 years of service to low-income clients, including members of Wisconsin's Native American tribes.

JOE FORWARD



Wisconsin Judicare Executive Director Kimberly Haas (left) and Judicare staff attorney Sunshine Lemieux are helping the organization remain a viable legal resource for low-income individuals. Photo by Brian Taylor Photography.

Oct. 19, 2016 – More than 50 years ago, the State Bar of Wisconsin asked the Office of Economic Opportunity (OEO) in Washington, D.C., to fund a legal assistance program. Then-State Bar Executive Director Philip Habermann called it “Judicare.”

The concept was simple: pay private attorneys to provide free legal advice to low-income individuals. Now, 50 years later, Wisconsin Judicare celebrates its 50th anniversary. The organization is different now, but its mission is still the same.

“We’re a hybrid program now,” said Judicare Executive Director Kimberly Haas. “We use staff attorneys, private attorneys, and pro bono volunteers to serve the low-income populations of northern Wisconsin, as well as our state’s Native American Tribes.”

With 12 staff attorneys, five hired in the last two years, Haas says Judicare is brimming with new energy. Judicare remains a bedrock legal resource for low-income individuals and families – including members of Wisconsin’s 11 federally recognized Indian tribes. It’s also a unique training ground for new lawyers seeking practical experience.

“As a new attorney, I didn’t know much procedurally,” said Wausau attorney Pahoua Thao, a 2014 graduate of Northern Illinois University Law School who volunteered for Judicare before landing a job at Klinner Kramer Shull LLP. “The more experienced attorneys provide a great back-up system that is very useful for entry-level attorneys.”

A History of Service

Live 1

Back in 1966, the federal government's OEO agreed to fund Judicare's work in 26 northern Wisconsin counties, lumber and mining areas in economic decline. Habermann and then-State Bar President Donald O'Melia of Rhinelander championed Judicare as the way forward.



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At the time, it was estimated that some 37,000 families in the northern parts of the state lived on annual incomes under \$3,000. The OEO was established as part of President Lyndon B. Johnson's plan to develop programs addressing poverty.

Individuals qualified to receive legal assistance from Judicare would receive a Judicare card, which could be presented to a private attorney in a participating county.

In the first half-year of operation, Judicare issued more than 500 cards, and more than one-third of the attorneys in the participating counties represented Judicare clients. Judicare paid private attorneys

\$16 per hour, not to exceed \$300 per case.

"It is the hope of the State Bar that the plan will work satisfactorily and will be the basis for similar plans to be established in other parts of Wisconsin and the nation as well," wrote State Bar President Ray McCann in a 1966 *Wisconsin Bar Bulletin*, the predecessor to today's *Wisconsin Lawyer* magazine.

Judicare remained a State Bar program until 1972, when it incorporated as a nonprofit and relocated from Madison to Wausau. It was funded through OEO until 1976, when Congress established the Legal Services Corporation (LSC), an independent nonprofit.

Since then, Judicare has expanded to 33 northern counties, and serves Wisconsin's 11 federally recognized Indian tribes. The organization helps approximately 1,500 people per year, through staff attorneys, contracting attorneys, and volunteers.

The organization continues to receive more than half of its funding through LSC, which is now the single largest funder of civil legal aid to low-income persons in the U.S.

50-year Judicare Celebration on Oct. 22 in Wausau

On Oct. 22, Judicare is holding a benefit event in recognition of its 50-year anniversary. It will be held at the Jefferson Street Inn in Wausau from 5 p.m. to 11 p.m. For more information, visit Judicare's website or contact Beth Shampo by email or by phone at (715) 842-1681, ext. 336.

Moving Forward

Judicare continues to make changes that will help the organization serve as many people as possible. For instance, in 2013, it ended the Judicare card program.

The organization no longer relies completely on private local attorneys to handle cases. Private attorneys still take cases for Judicare reimbursement, but a staff of 12 in-house Judicare lawyers represents clients in an array of matters. That's a big change.

"Judicare looks much different than it did 10 years ago," said Haas, who has worked for Judicare since 2006 and took on the role of executive director a year-and-a-half ago.

From complex divorce and custody cases, to public housing and benefits cases, from bankruptcy cases to federal or state tax controversies, Judicare's team of in-house and private attorneys are helping people who would have nowhere else to turn.

"For the most part, we are an organization of last resort," Haas said. "If they are a little over income or we can't take the case, there's really no other place for them to go."

Most individuals cannot qualify for Judicare services with incomes above the 125 percent federal poverty guidelines. Currently, a single person will not qualify with an annual income above \$14,850. The threshold income is \$30,375 for a family of four.

"Most of the people we serve cannot even pay reduced rates to a private attorney. If you can't pay your rent, how are you going to pay \$100 to an attorney in an eviction case? Many of the people who we assist would not get assistance anywhere else," Haas said.

As the state seeks ways to improve access to justice, Haas says the biggest challenge will always be funding. Judicare has diversified its funding over the years, but LSC still makes up more than 50 percent of Judicare's annual funding (in 2015, about \$2 million).

Judicare does not receive direct state appropriated funds, aside from agency set-asides for certain programs, like domestic violence and sexual assault.

"LSC is a great funder. However, we do want to diversify our funding a little more to allow us to do different things," Haas said. "The other issue is that a lot of our funders don't support the program's administrative overhead costs. They just want feet on the ground to provide representation. But what happens when our copy machine breaks?"

Live 1

In the Trenches

The organization relies on in-house attorneys like Sunshine Lemieux, who has worked at Judicare since graduating from U.W. Law School in 2005. Lemieux is a member of the Bad River Band of Lake Superior Chippewa and admitted to practice law in three tribal courts. She's instrumental in assisting Judicare's Indian Law Office, which provides legal help to low-income Native Americans and Indian tribes as a whole.

"I've become the point person on matters that pertain to tribes and tribal members," said Lemieux. "I think the people we serve within the tribal community enjoy seeing a familiar face, another tribal member who can help them with these legal issues."

Lemieux works on specific legal problems, anything from public benefits to housing to probate. When clients can't come to Judicare's Wausau office, she goes to them.

"If I see that I can make it much easier for them to go to their location, especially if they are having health issues, I'm going to do that," she said. "Many of the clients are elders or live in rural areas. Traveling, especially a far distance, can be a challenge."

Lemieux also does outreach with tribes, developing relationships with communities and tribal members to understand their needs, and providing education and training.

But she says there's always more to be done. "Lots of people want help but we can't always provide it because of our funding situation," Lemieux said. "It's rewarding to help those in need, and they are always grateful. But you always want to do more."

Consider Volunteering

Haas says volunteers are always welcome at Judicare. That may be a great option for new attorneys who are seeking practical skills, or experienced attorneys who can provide valuable insight on cases or issues that Judicare does not regularly handle.

"We recently had an attorney in Madison who was a silent partner on a federal case we had going in district court," Haas said. "We didn't have a lot of experience with federal court, so we were able to ask procedural questions and those kinds of things."

Volunteer opportunities at Judicare can also help newer attorneys like Pahoua Thao, who gained practical experience while searching for full-time work at a law firm.

"I would give clients over-the-phone advice on small claims, how to file for divorce, things like that," Thao said. "I would also help pro se litigants prepare for court hearings to ensure they were ready with the proper documents."

"It involved a lot of client contact," she said. "That really helped me remember that a majority of the clients don't understand the legal terms. You have to convert those terms to something that's understandable. That's a great skill to learn as a new attorney."

Haas says Judicare always has volunteer opportunities, not just for lawyers, not just for direct representation, and not just in Wausau. "If they are available to take phone calls or emails, we'd be happy to work with anyone, regardless of location," she said.

As Judicare looks ahead to the next 50 years, Haas said the organization will continue the mission of helping those in need while looking for other ways to expand its reach.

"We are certainly proud to reach this milestone of 50 years," Haas said. "But the work is never complete. We'll always be looking at ways to improve in the future."