



Appleseed
FOUNDATION

Sowing Seeds of Justice Through Law

Seeds of Justice ***E-Newsletter***

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Nebraska
New Jersey
New York
Oklahoma
South Carolina
Texas

In Development:
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HEADLINES

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- ✓ **TX and AL Appleseed participate in AL Bar Symposium on Indigent Defense**
- ✓ **Chicago Appleseed Initiates a Judicial Election Reform Project**
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- ✓ **Texas Appleseed and Kirkpatrick & Lockhart, LLP in Texas Supreme Court**
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Living Wage Ordinance Adopted in Lincoln, NE

The Lincoln City Council on March 1 adopted a living wage ordinance and the city's mayor signed it into law four days later. Nebraska Appleseed completed extensive research, assisted in drafting the ordinance, testified at each of the public hearings, and helped organize community support for the legislation. The ordinance requires that all city employees and employees of certain city contractors be paid at least 100 percent of the federal poverty level for a family of four if they have employer provided healthcare benefits or 110 percent of the federal poverty level for a family of four if they do not have employer provided healthcare benefits. This wage will be indexed to the federal poverty level each July. *To view the ordinance visit:*

<http://www.ci.lincoln.ne.us/city/council/agenda/2004/030104/o18308.pdf>

TX and AL Appleseed participate in AL Bar Symposium on Indigent Defense

Texas' Annette LoVoi and Alabama's John Pickens in February participated in

the Alabama State Bar's symposium on the status of indigent defense in Alabama. Texas Appleseed offered a prototype for systemic reform based on its own successful advocacy in Texas. Alabama Appleseed advocated for reform of Alabama's decentralized, fragmented system. Last summer, Alabama Appleseed evaluated four judicial circuits that use the contract defender model and highlighted how accused indigents in those circuits are not provided adequate and effective representation as guaranteed by state and national constitutions.

Texas Appleseed and Kirkpatrick & Lockhart, LLP in Texas Supreme Court

Kirstin Dietel of Kirkpatrick & Lockhart, LLP in February presented an amicus brief for Texas Appleseed in, *In the Matter of J.P., a Juvenile*, currently pending before the Texas Supreme Court. This case addresses the question of whether the court must follow the same standard at delinquency hearings and revocation of probation hearings when making decisions about taking a child out of his home. Kilpatrick and Lockhart argued for the position that we must make the same efforts to keep the child in the home before sending him to the Texas juvenile correctional facility regardless of the type of hearing. Texas appeals courts have been split on the question. This effort is a result of the collaboration of Appleseed, Kirkpatrick & Lockhart and the Southwest Regional Juvenile Defender Center.

Connecticut Appleseed Hires New Executive Director

Bob Kettle is a communications and government relations professional who from 1993 to 2002 managed Texaco, Inc.'s external relations on environmental issues. Previously, Mr. Kettle served Texaco for more than a decade in public policy advocacy and lobbying support at both the state and federal level. A Connecticut resident for 35 years, he has extensive career experience in public policy issues related to taxation, land use, conservation, and the environment. Prior to joining Texaco in 1981, Mr. Kettle was an environmental land use planner in the Office of Colorado Governor Richard Lamm. Mr. Kettle earned a Bachelor's degree at Harvard College, a Master's degree from the University of Pennsylvania, and an MBA from the University of Connecticut.

NJ Makes Recommendations to State on Help America Vote Act Implementation

The New Jersey Citizens Coalition on HAVA Implementation, led by Appleseed, released a series of recommendations for the state to follow as it implements the federal Help America Vote Act. The report, *Making New Jersey's Votes Count*, is endorsed by an unprecedented coalition of organizations concerned about how New Jersey will handle its new mandates and funding under HAVA. The Act aims to fix the systemic problems made so apparent in the last presidential election. Appleseed coordinated the writing, releasing, and printing of the report.

You can download the report at:

<http://www.njappleseed.org/Downloads/Making%20Votes%20Count04.pdf>

UPDATES

John Pickens Speaks Out On Judicial Elections

Alabama Appleseed executive director was interviewed on Alabama Public Television's *For The Record*. Pickens discussed alternative methods for judicial selection based on a report they published. During the 2004 election cycle, Alabama Appleseed will continue its advocacy and will closely monitor campaign financing, campaign advertising, and campaign conduct in three state Supreme Court races.

Breaking the Barriers to Financial Institutions

Appleseed is working locally in Texas, Nebraska, Kansas, and Illinois to bring Latino immigrants into the mainstream financial system. Texas Appleseed and their partner, Community Resource Group, are publishing a survey of bank and credit union account options available in Texas. The report will provide analysis of how well the products serve recent immigrants. Texas Appleseed and Community Resource Group are working with the Texas Credit Union League on the League's initiative with Juan Hernandez, a former Mexican cabinet official for Mexican President, Vicente Fox. Through these partnerships, Appleseed hopes to expand the financial service options for Mexican immigrants in Texas. Texas Appleseed and its partners are also working closely with the Independent Bankers Association of Texas to educate their members on serving this population.

DC Appleseed's Current Taxing Structure Noted as "Manifestly Unreasonable" by Federal Court

DC Appleseed last summer filed a lawsuit in federal court to declare unconstitutional the Congressional prohibition on taxing non-resident income earned in the District of Columbia. On March 11, 2004, the federal court ruled against DC Appleseed on the law, but agreed with DC Appleseed that the current taxing structure in the District is "manifestly unreasonable." An appeal of the Court's ruling will be filed. Meanwhile, the ruling is expected to advance the possibility of federal legislation bringing the District needed revenues.

NEW PROJECTS

Chicago Appleseed Initiates Judicial Election Reform Project

The project focuses on implementing many of the key results of a report Appleseed authored on how judges are elected in Cook County. Chicago Appleseed, in coalition with the Illinois Campaign for Political Reform and the Justice at Stake Campaign, will be involved in designing a new way to evaluate judges and in implementing improved ways of educating voters.

DC Appleseed Investigates the District of Columbia Government's Response to the HIV/AIDS Epidemic

The District currently has the highest incidence rate of new AIDS cases of any major US city (more than 162 new cases per 100,000 residents). New AIDS cases in women in the District tripled between 1990 and 2001. DC Appleseed's HIV/AIDS Project Team includes DC Appleseed staff, lawyers from prominent area law firms, and clinical and academic experts with substantial expertise in the HIV/AIDS field. DC Appleseed will issue a report of the results of its investigation with findings and recommendations tailored to strengthen the District's system of care. An advocacy plan will be implemented to ensure the recommendations are adopted.

Read the court opinion at: <http://www.dcappleseed.org>

MA Appleseed Conducts Survey on Kinship Care

Recognizing that in Massachusetts nearly 100,000 children live with relatives or family friends (kinship caregivers), Appleseed is conducting research to better understand the changing face of family. Appleseed is gathering information from caregivers on the kind of decision-making authority they need regarding medical care and education to help children in their care and to ensure that children have full access to the services they need.

Atkins v. Virginia

Texas Appleseed will work with Akin Gump Strauss Hauer & Feld LLP during the next legislative session to get fair legislation passed regarding the implementation of the ban on execution of persons with mental retardation.

Oklahoma Appleseed Organizes Coalition to Avoid Garnishment of Protected Funds

Appleseed pulled together a group of 14 separate organizations, including legal aid, consumer credit, and Native American organizations and the state's

major bank. The coalition is focusing on how to prevent garnishment of protected social security income of the aged, elderly, and disabled.

Chicago Immigration Deportation Hearing Court Watching Project

Chicago Appleseed is exploring whether closed-circuit television deportation hearings violate due process rights. Immigration judges are located far from prospective deportees, and hearings often take place without counsel present. When counsel is present, he or she is often not with the prospective deportee. To explore this issue, Chicago Appleseed and Legal Assistance Foundation of Metropolitan Chicago have begun a court-watching program whereby for six months, lawyers and law students will observe the hearings. Appleseed has trained nearly 20 law students and lawyers and the court-watching has begun.

ANNOUNCEMENTS

Appleseed Foundation Receives Fannie Mae and Ford Foundation Funding for Collaborative Projects

Chicago, Kansas, and Nebraska Appleseed Centers received a grant in December from the Fannie Mae Foundation for \$100,000 to support its work in four states to help immigrants enter the financial mainstream. Appleseed will work with banks to develop products and services that serve this fast-growing market and with employers to help their employees establish bank accounts. Appleseed also will provide outreach and financial education to allow immigrants to effectively use financial services. White and Case has provided pro bono support to the project.

Alabama, Nebraska, New Jersey, and South Carolina Appleseed Centers received a grant from the Ford Foundation for \$100,000 to support a multi-state project aimed at extending access to health care for employees of small businesses, who rank disproportionately among the uninsured. Centers are currently working to identify the needs and obstacles of both employers and employees. With pro bono support from Cozen O'Connor, Appleseed has been evaluating promising health care models, and will work locally to implement practical solutions grounded in the particular needs and opportunities in their areas – from purchasing pools to Medicaid expansion.

ABA Gives Nebraska Appleseed's "Equal Justice Clearinghouse" High Marks

Rural lawyers have little direct access to procedural and tactical information on the legal problems of low-income families, family farmers, and immigrants. A recent ABA report, *Rural Pro Bono Delivery: A Guide to Pro Bono Legal Services in Rural Areas* named Nebraska Appleseed's efforts in developing the Equal Justice Clearinghouse web-site as among the most established and successful means of reaching rural clients and rural attorneys who want to do pro bono work.

South Carolina Awarded for Predatory Lending Work

Appleseed won the Champions of Predatory Lending award from the South Carolina Housing Finance Authority in February.

MA Hosts Event with Dennis Lehane, author of *Mystic River*

The event marked the kick-off of the new Juvenile Court Mentoring Program.

An Appleseed Award was given to Greg Torres, President and CEO of The Mentor Network, Inc., a private, national organization delivering human services to youth.

Kansas Receives Funding for Foster Youth Project

The Kansas Appleseed Center in March was awarded a \$25,000 grant from the Kansas Health Foundation to support work on its Foster Youth Project. The Center also is continuing its work on immigrant access to financial institutions.

DC Appleseed was the subject of a feature story in *Roll Call* – the newspaper of Capitol Hill. The story, *Seeds of Advocacy: Appleseed Center Aids Area Causes*, calls DC Appleseed's work "objective...timely...critical." *Roll Call* reporter John McArdle explains that "although DC Appleseed often points out the shortcomings in local law and government, the organization has also cultivated a great deal of respect among both District and federal politicians." DC Council Chair Linda Cropp told McArdle that one of DC Appleseed's strengths is "its ability to pick specific issues and focus on them in a way that the city government can not." *Read the article at:* <http://www.dcappleseed.org>

Mexico Appleseed Names New Board Chair

Carlos Ortiz Mena of Grupo Peñoles is the Center's new Chair, succeeding Ralph Gonzalez who relocated to New York for a position with Citigroup. We thank Ralph for his leadership and direction and welcome Carlos.

Nebraska Appleseed Receives Anonymous Donation of \$50,000

In November 2003 Nebraska Appleseed received a resounding affirmation of the organization's work when they received a \$50,000 contribution from an anonymous donor. Executive director Milo Mumgaard said the contribution "came as a complete surprise, there was no warning. We are thrilled to have such a tremendous endorsement of our work and its importance."

Texas Hosts Successful Reception

Nearly four hundred people filled the ballroom in November at the Four Seasons Hotel to pay tribute to Vinson & Elkins' lawyer, Harry Reasoner, and to recognize Texas Appleseed's work.

Appleseed Foundation Staff Announcements:

Ken Goldman, external communications director, comes to Appleseed with more than a decade of nonprofit communications experience. Ken coordinates all external communications activities for the national headquarters in DC and also works with the individual centers on their communications needs. He previously worked for Earthjustice, one of the country's largest public interest

law firms, and for Defenders of Wildlife, the nation's premier wildlife conservation organization. Ken has a BA in Government and Politics from George Mason University.

Gina Kline, development associate, is a 2002 graduate of Columbia University, with a major in political science. She spent the 2002-2003 year as an Americorps VISTA* working for a national, student-run non-profit organization, National Student Partnerships. At NSP, Gina was the site-manager of a drop-in resource center designed to assist underprivileged DC community members with finding jobs, housing, and access to basic resources.

Michael Pahr, administrative assistant, is a 2003 graduate of Emory University in Atlanta, with a BA in music.

PUBLICATIONS

NJ Releases New Report on Importance and Design of Schoolyards for Urban Children

The report details the need for outdoor recreation, athletics, and play for children as part of their education and makes recommendations for inclusion and designs for dedicated areas to support such activities.

Contact New Jersey Appleseed to buy a copy: rsteinhagen@lawsuites.net

12,000 Texas Appleseed Legal Assistance Handbooks Distributed

Texas Appleseed distributed more than 12,000 mental health and juvenile justice manuals in an effort to educate both lawyers and the general public on special legal issues affecting the state's mentally ill and juvenile populations. Legal fellow Jesús M. Muñoz is traveling the state and has put special emphasis on reaching out to Texas' vast Spanish speaking community with these resources.

Download the reports at: www.appleseeds.net

Chicago Helps Release Tenant-Landlord and Legal Services Books

The Community Publication Program releases the fifth edition of the Tenant-Landlord Handbook. The 150-page book details the rights and obligations of tenants and landlords in Chicago, with the goal of educating the community about their rights and obligations, and to prevent illegalities from happening at the outset.

Order the books at: <http://www.chicagoappleseed.org/>