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Economic woes threaten legal aid nationwide

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SEATTLE -- The day before Maria Nunes fled Florida for Seattle, her abusive husband beat her unconscious.

But divorcing an American man made the Jamaica native vulnerable to deportation because she depended on her marriage for her legal residency in the United States.

At a women's shelter in Seattle, Nunes was told she could become a permanent resident, but that the law required women in her plight to prove they had been abused.

That's where attorney Jorge Baron and the Northwest Immigrant Rights Project - an organization that provides legal aid to immigrants in Washington state at no or reduced costs - came in. The project's lawyers guided her through a 7-year legal fight to get a green card.

"I didn't even know I had rights," Nunes said. "It takes a long time but they didn't quit."

But the project is one of hundreds of legal aid organizations nationwide that face losing a significant amount of their operating money, which comes in part from interest on money that lawyers hold in trust for their clients. All 50 states have some form of a law that earmarks such money for legal services for the poor.

Nationally, it added up to about \$370 million last year. Advocates say that figure could drop by as much as 50 percent in 2009, victim of both the economic meltdown and low interest rates.

"We've never had this type of decline," said Susan Erlichman, president of national association of IOALTA programs - the acronym stands for interest on lawyers trust accounts. "In many cases, it's the double whammy, not only have the interests plummeted, many states are seeing smaller balances."

In Ohio, revenue from IOLTA is expected to drop 50 percent this year to \$11 million from \$22 million in 2007. Projections for 2009 look even grimmer with incoming revenue dropping to \$4 million.

In Washington state, revenue for grants is expected to drop from \$9 million in 2008 to \$6 million next year. Texas originally projected \$28 million for 2007, but interest rate cuts dropped the figure to \$20 million. The shortfall in Texas is acerbated by Hurricane Ike's destruction, an advocate there said.

"Legal services programs are dealing with issues such as FEMA appeals, public benefits, consumer scams, insurance issues. All of these disasters end up with (low income) people needing legal aid lawyers," said Betty Balli Torres of the Texas Access to Justice Foundation.

Legal aid firms also face decreases in government and private grants. In Seattle, King County further cut a grant for the NWIRP that paid for their domestic violence program.

Erlichman said some legal aid firms have already begun cutting workers, and case files are piling up.

Meanwhile, the demand for free legal services increases in economic downturns, when people need help in the cases of foreclosures or landlord disputes, advocates say.

Single mothers, low-income immigrants, and senior citizens are some of the types of clients who legal aid groups serve with litigation obstacles, Erlichman said.

Baron said the federal government's increased crackdown on immigration is also straining legal services for immigrants.

"If our funding is reduced, then again we're going to have a situation where we're going to have even less resources to handle cases," said Baron, who serves as the executive director for the staff of 40.

The NWIRP, Baron said, has a waiting list of 82 people for its domestic violence program, which had been reduced from more than 200 a few years back.

The project has an uphill battle this year, funding from the state's IOLTA will drop by about 17 percent in 2009, or about 10 percent of their total revenue, Baron said.

They plan to seek more money from the private sector, but the decrease from IOLTA money comes "at a time when the demand for our services is increasing," Baron said.

After years in legal limbo, Nunes got her green card late last year. She is now going back to school. She hopes to get a technical degree so she can better provide for her two small boys.

Shortly after getting her legal status back, Nunes went back home after more than 14 years to visit her mother and siblings.

"That was one of my happiest days for me, getting my green card," said Nunes, who wants to become a public speaker about domestic violence. "It was awesome, I thought that day would never come."

On the Net:

IOLTA, <http://www.iolta.org/>

Northwest Immigrant Rights Project, <http://www.nwirp.org/>