"I am very proud of the work BayLegal has done and continues to do every day to make a huge difference for its clients, who without BayLegal, would have no way to fight for their rights."
—Joseph Tabacco, Jr.

BayLegal assures fairness for the unrepresented in the civil justice system. It provides access to legal help for people to protect their livelihoods, their health and their families. BayLegal makes it easier to access legal information, assistance and representation—so people can protect their rights. BayLegal is the only legal aid organization serving the entire Bay Area—seven counties, seventy-five attorneys and advocates, one mission: equal access to justice for all.
HOMELESS PREVENTION

Obtaining and maintaining safe and affordable housing for low-income families is critical to keeping the family together.

BayLegal’s housing preservation practice is designed to protect families from illegal evictions, including eviction after foreclosure; substandard housing conditions; and wrongful denials of housing subsidies. The practice also aims to preserve and expand affordable housing and prevent housing discrimination.

CLIENT PROFILE: MIKE BOS

FORECLOSURE PREVENTION AND THE ILLEGAL PRACTICE OF “DUAL-TRACKING”

Mike was doing well as a construction worker during the housing boom.

Mike and his wife had saved enough money to purchase a home in a working-class Bay Area neighborhood. The modest two-bedroom home was just the place they were looking for to raise their newborn son.

In 2010, Mike was injured on the job and was no longer able to work. He was forced to apply for disability insurance. His wife took on more hours as a waitress but the pay was not enough for them to keep up with their mortgage payments. Since their home’s value had plummeted since the housing crash the couple saw no alternative and contacted their mortgage servicer to seek a loan modification.

The couple spent the next year working diligently with the bank, responding to every request for more and more documentation, yet continued to make no progress. Frustrated and desperate to turn his attention to caring for his son, recently diagnosed with a developmental disability, Mike contacted BayLegal for help.

BayLegal helped the family obtain a trial modification under the Home Affordable Modification Program, lowering their monthly mortgage payment to an affordable level. However, when it came time to convert the successful trial period plan to a permanent modification, the servicer sent the family a notice cancelling their trial plan and denying the loan modification.

Mike also learned that during the trial modification period the mortgagor had proceeded with foreclosure, and the foreclosure sale of the family’s home was pending.

BayLegal addressed this illegal dual-tracking by obtaining a temporary restraining order to stop the foreclosure sale and negotiating with the servicer to reinstate the trial modification and make it permanent. Mike and his wife are happy to finally have the peace of mind that they are secure in their home.
Facing the prospect of living in the Bay Area with Urdu/Hindi as her sole means of communication, Rasi Shaikh was alone and isolated. Her sole contact was her abusive husband. She could not work, did not know how to drive or take public transportation, and could not figure out how to get assistance because of her language barrier. Furthermore, her husband used her linguistic difficulties to keep her isolated and dependent solely on him. After an explosive, abusive outburst, Rasi's husband locked her and their children out of the house. When she tried to re-enter the family home, her abuser assaulted her and threatened to kill himself in front of the family.

Rasi and her children were eventually allowed back into the home, only to face continued abuse. After landing in the emergency room with a serious head trauma, Rasi knew she had to escape. She came to a restraining order clinic to seek the protection she so desperately needed for herself and her children. Although she did not file for divorce because of religious priorities, the court granted her a five-year protective order against her abuser, and also provided for support orders for Rasi and the children, since Rasi was financially dependent on her abuser.

BayLegal continued to work with Rasi, in partnership with Pacifica Resource Center, to give Rasi the skills she needed to be independent, including how to take the bus and helping to enroll her in ESL classes.

Rasi's husband continued his attempts to scare and manipulate her and the children. His actions were so egregious that ultimately the court approved a move away petition, which allowed Rasi to move out of state to start a new life for herself and her children, free of fear and violence.

**CLIENT PROFILE: RASI**

When domestic violence survivors receive the legal services they need they are able to achieve physical safety and financial security, and thus are more likely to leave their abusers. BayLegal is a recognized leader in advocating for victims of domestic violence.

The Domestic Violence Prevention Project provides wrap-around, culturally sensitive services to survivors. The services are designed to empower survivors with the information and options they need to stop the abuse and build safe, stable lives for themselves and their children. The project offers free legal assistance with obtaining restraining orders, divorces, support orders, related immigration relief and safe custody and visitation orders.

### DOMESTIC VIOLENCE PREVENTION

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1 in 4 women and 1 in 7 men have experienced severe physical violence by an intimate partner. Women are disproportionately affected by sexual violence, intimate partner violence and stalking.*

9,400 victims of violence and their children escaped intimate partner abuse and were awarded $6.6 million in present and future support orders.

BayLegal's Domestic Violence Case Breakdown

- Protective orders: 19%
- Custody/visitation: 20%
- Divorce/sep/annul: 36%
- VAWA protection: 25%

*The National Intimate Partner and Sexual Violence Survey
PROTECTING CONSUMERS

BayLegal aims to ensure that low-income people have access to fair and affordable financial services, including banks, credit, and non-predatory loan opportunities. Through individual representation, client education, and assistance at Debtor’s Rights Clinics, BayLegal attorneys help consumers dispute credit inaccuracies, reduce debt, increase income, and stabilize housing.

BayLegal provides bankruptcy counseling and advice, and represents clients in cases involving: deceptive advertising of financial products and services; fair credit reporting; fair debt collection practices; and defending third-party debt collection lawsuits.

IMPACT LITIGATION: NATIVI CASE

In a major victory for tenants, BayLegal and co-counsel won a precedent setting case that holds the Protecting Tenants at Foreclosure Act (PTFA) can be the basis of an affirmative lawsuit by the tenants of the foreclosed property against the subsequent owner.

Ms. Nativi and her son were displaced from the converted garage unit they had been renting for several years when the property became subject of a non-judicial foreclosure sale. The Nativis—who knew nothing of the foreclosure sale in advance—found themselves locked out of their home and all their belongings thrown into the yard. At the time of the foreclosure sale, their lease provided for a one-year term with ten months remaining.

The bank, which took title after foreclosure, refused to reinstate the wrongfully ousted tenants despite their lease. The Court of Appeal found that because the federal PTFA preempts state law, the tenants’ lease was still in effect after foreclosure and the bank had assumed the duties of landlord.

By bringing forth this affirmative lawsuit BayLegal helped set new legal precedent, potentially protecting thousands of tenants who have been illegally evicted and ensuring future protections for other similarly situated tenants. As for Ms. Nativi, she said “What makes me most happy is that this will help other people.”
When they came to BayLegal, Linda and her four children had just been evicted from their home.

Linda’s husband had just been deported due to repeated charges of domestic violence against Linda and her oldest child, who has autism. Linda’s in-laws retaliated by calling her work and telling them she was undocumented, leaving her and the children with no income. The family became homeless and moved into a temporary shelter for domestic violence survivors. At the shelter, Linda met with an attorney from BayLegal.

BayLegal’s domestic violence team began gathering the documentation needed to apply for a U visa for Linda. A U visa gives victims of certain crimes temporary legal status and work eligibility, so Linda would be able to support herself and her children. BayLegal’s public benefits unit helped Linda apply for CalWORKs for her children and file a Supplemental Security Income (SSI) application for her oldest son, but by this time the family had timed out of domestic violence shelters in the area and was living in their car. Every step of every legal process became infinitely more complicated. Appointments were missed because Linda’s phone was cut off, she had no gas to reach the office, or because she could not get her oldest child into the car. Linda felt hopeless and began to experience depression, but BayLegal kept working on her case.

The week before Thanksgiving, the family finally secured a unit in transitional housing, but would lose it if they could not come up with the deposit in three days. All rental assistance was tapped out in the county, but the day before the deadline a large check from Social Security unexpectedly appeared at BayLegal’s office. Her son’s application for SSI had been approved. In the next few months, Linda’s U visa was completed and filed, her son was approved for therapeutic services with the local Regional Center, and the family gained stability.

After 18 months of waiting, Linda’s U visa approval and work permit arrived at BayLegal’s office. Linda has since found work and the family is looking forward to finding more permanent housing. While Linda and her children struggle with the trauma of years of horrific abuse, they are now safe from physical harm, have a roof over their head, food on the table and access to essential medical care. As important as all these things are, even more critical is that the family now has reason to hope and believe that life will continue to get better.

SAFETY NET: PROTECTING THE MOST VULNERABLE

Extremely low-income individuals and families, seniors, immigrants, victims of violence, people with disabilities and extremely low income individuals and families are at an increased risk of falling into abject poverty. BayLegal prioritizes services to the most vulnerable members of our community, providing effective and efficient free legal aid, leaving an indelible mark on their lives and their ability to care for themselves and their families.

When they came to BayLegal, Linda and her four children had just been evicted from their home.

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Angela is 17 years old and had been homeless for over a year. Her home life had been traumatic: her father, a methamphetamine addict, had physically and emotionally abused her, as had her mother. When Angela’s mother’s new boyfriend began making inappropriate sexual comments and advances towards Angela, her mother kicked Angela out of the house. Angela was only 16 and desperately needed her mother’s support and shelter. Angela tried to reach out to her mom to make amends, but the mother moved away and changed her phone number so that Angela couldn’t find her. Angela’s only option was to sleep on the floor of her cousin’s rat and cockroach infested apartment.

Angela tried hard to maintain control of her life; she continued to go to school every day, but her teachers noticed that her grades were slipping and she was withdrawing from her circle of friends. One teacher in particular was concerned about Angela and worked with the school administration to make multiple calls to Child Protective Services to try to get help. CPS refused to open a case despite the fact that they had a record of calls made on Angela’s behalf since she was a young child, and that Angela’s younger brother had been removed from the home due to physical abuse by their mother. Angela’s teacher was determined not to let this bright young girl slip through the cracks, and found out about Calli House and their services for homeless youth.

At Calli House, Angela met an attorney from BayLegal who immediately identified ways that legal aid could help stabilize her situation and find safe housing options. To start, the BayLegal attorney filed a petition with the County’s Superior Court requesting an investigation by a social worker to identify other family members who might be able to help Angela. The investigation yielded Angela an informal placement with an elderly godparent, but the placement did not include any financial assistance or ongoing supervision to help make sure that it was successful. It quickly became apparent that the placement would not be stable in the long term, so BayLegal requested that a Contra Costa County judge mandate CPS to file a dependency case for Angela.

BayLegal’s efforts were successful and a case was opened, with a dependency attorney assigned for Angela. As a result of this process, Angela is now receiving financial support through federal foster care and has ongoing supervision by a social worker and the dependency court. Angela is also now living in a foster home, doing well in school again, and planning for a permanent living placement. For Angela, civil legal aid gave her the stability she needed to begin to come to terms with her past and give her hope for the future.

**CLIENT PROFILE: ANGELA**

Angela is 17 years old and had been homeless for over a year. Her home life had been traumatic: her father, a methamphetamine addict, had physically and emotionally abused her, as had her mother.

When Angela’s mother’s new boyfriend began making inappropriate sexual comments and advances towards Angela, her mother kicked Angela out of the house. Angela was only 16 and desperately needed her mother’s support and shelter. Angela tried to reach out to her mom to make amends, but the mother moved away and changed her phone number so that Angela couldn’t find her. Angela’s only option was to sleep on the floor of her cousin’s rat and cockroach infested apartment.

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**YOUTH JUSTICE**

One-third of Bay Area youth live in poverty; that is an estimated 160,000 at-risk youth, many with undiagnosed disabilities or mental health needs. BayLegal’s Youth Justice Project provides full scope civil legal representation for children in foster care, delinquency involved youth, transition-aged youth who are homeless or at risk of homelessness, and commercially sexually exploited children. The Youth Justice Project works with young people to address their civil legal needs in key areas including accessing health insurance for mental health treatment, accessing public safety-net benefits, unmet special educational needs and housing instability.

**THE YOUTH JUSTICE UNIT OBTAINED**

- **$1,673,883** in safety net benefits for clients, 71% of whom had mental health issues
- **60%** of youth served by BayLegal are ages 11–17

**BAYLEGAL YOUTH JUSTICE CASE BREAKDOWN**

- Sexually exploited children: 16%
- DSM-V diagnosis: 12%
- Entered foster care: 56%
- Obtained permanent housing: 16%
Statement of Financial Position
DECEMBER 31, 2013

ASSETS
- Cash and cash equivalents $920,490
- Cash held in trust 55,755
- Grants receivable 907,751
- Pledges receivable 334,749
- Other receivable 128
- Prepaid expenses 100,888
- Other assets 79,369
- Investments 2,246,583
- Property and equipment 6,323,735

Total Assets $10,969,448

LIABILITIES AND NET ASSETS

LIABILITIES
- Accounts payable $119,588
- Accrued liabilities 660,161
- Deferred revenue 303,152
- Notes payable 4,162,729
- Total liabilities 5,245,630

NET ASSETS
- Unrestricted 3,626,157
- Unrestricted – Property and equipment 2,047,588
- Temporarily restricted 50,073
- Total net assets 5,723,818

Total Liabilities and Net Assets $10,969,448

Statement of Financial Activities
FOR THE YEAR ENDED DECEMBER 31, 2013

REVENUE AND SUPPORT
- Government contracts $3,636,078
- Donated services 3,577,664
- Contributions 804,531
- Grants 641,881
- Other revenue 775,425
- Attorney fees 221,311
- Rental income 75,434
- Interest and dividends 4,036
- Net assets released from program restrictions $4,813,362

Total Revenue and Support $13,907,841

EXPENSES
- Program services 11,697,072
- Support services 1,232,808
- Fundraising 452,977

Total Expenses $13,382,857

CHANGE IN NET ASSETS
- $524,984
- (112,529)

NET ASSETS, BEGINNING OF YEAR $5,148,761

NET ASSETS, END OF YEAR $5,673,745

REVENUE
- Government Contracts
- Attorney Fees
- Grants
- Contributions
- Other Revenue
- Rental Income
- Interest Income
WE GRATEFULLY ACKNOWLEDGE THE GENEROUS CONTRIBUTIONS OF OUR PARTNERS IN JUSTICE. THEY CHANGED THE WORLD FOR ALMOST 70,000 BAY AREA RESIDENTS IN 2013. Thank you!

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Alameda County Health Care Services Agency
Alameda County, Office of Collaborative Court Services
Alameda County Social Services Agency
California Department of Managed Health Care
California Health Benefit Exchange
City & County of San Francisco, Department on the Status of Women
City & County of San Francisco, Human Services Agency
City of Antioch, Community Development Department
City of Concord
City of Fremont
City of Oakland Department of Human Services
City of Oakland, Community Action Partnership
City of Pittsburg
City of Redwood City
City of Richmond, Housing & Community Development
City of South San Francisco, Housing & Community Development Department
Contra Costa County, Employment and Human Services Department
Contra Costa County, Office of the County Administrator
County of San Mateo, Department of Housing
County of San Mateo, Sheriff's Office
Legal Services Corporation
San Francisco Mayor's Office of Housing
Santa Clara County Social Services Agency
Santa Clara County, Office of the County Executive
State Bar of California, Legal Services Trust Fund Program
Superior Court of California County of San Mateo
US Department of Housing & Urban Development
US Department of Justice Office on Violence Against Women

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“Never doubt that a small group of thoughtful, committed citizens can change the world.”
—Dr. Margaret Mead
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Executive Director
Marquette University Law School

Mary Jeankel
Executive Assistant

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Golden Gate University School of Law

Meet us on January 21, 2014

BayLegal Welcomes Alex Gulotta as its Executive Director

After an extensive national search and rigorous hiring process, BayLegal’s Board of Directors selects Alex Gulotta to serve as BayLegal’s new Executive Director.

A life-long social justice advocate, Alex practiced as a legal aid lawyer in Appalachian Kentucky and in Wisconsin before moving to California in 1994 to become the Executive Director of the Legal Aid Justice Center (LAJC). As Executive Director, Alex earned a national reputation for his tenacity and creativity in overcoming the severe restrictions put on federally funded legal aid programs in 1996 by the U.S. Congress. Under his tenure the one-office, eight person program with a $350,000 budget grew into a four-office, forty person program with a budget of approximately $4 million. The program also gained a reputation for its hard-hitting advocacy and close connections to its client communities.

Alex received the Virginia State Bar’s Legal Aid Lawyer of the Year Award in 1999, the National Legal Aid and Defender Association’s Charles Dorsey Award in 2003, a resolution of commendation from the Virginia General Assembly in 2004, and was named a Fellow of the Virginia Law Foundation in 2005. He is currently on the Board of Directors of, and serves as Treasurer for, the National Legal Aid and Defender Association.

BayLegal’s Board of Directors and staff are enthusiastic that Alex will successfully build upon the organization’s longstanding history of leadership within the legal aid community and continue to focus on its mission to provide high-quality civil legal services to low-income Bay Area residents.

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Ramón Arias: A Legacy of Justice

Local Legal Aid Programs to Form a New Regional Program to Serve the Bay Area.” So began the press release in July 1999, announcing the new, yet unnamed, Bay Area-wide poverty law firm. Ramón Arias was selected to lead the new regional program and planned the poverty law firm’s vision of providing high quality legal assistance to clients regardless of their location, language or disability.

Under Ramón’s leadership BayLegal expanded its services to clients at a pace faster than any other legal program in California. BayLegal—as it came to be called—began operation with a $4 million budget, four offices and 25 attorneys providing legal advice, counsel and representation benefiting approximately 15,000 Bay Area residents annually. Today, BayLegal operates on an annual budget of $10 million, has six regional offices and 68 attorneys providing legal advice, counsel and representation in 40 different languages benefitting 70,000 people each year.

BayLegal’s valued contribution to equal justice for all has brought the organization national attention and recognition as a model legal aid program. BayLegal has achieved major victories for domestic violence survivors, foster children, welfare and Medicaid recipients, and low-income consumers. Ramón built the poverty law firm he had envisioned. Just as throughout his career, every decision made in building the BayLegal came down to one inquiry: “What is in the best interest of clients?” This continues to serve as BayLegal’s guiding principle. As the Bay Area’s only regional poverty law firm, BayLegal serves as the first and last resort for thousands of low-income people struggling to rise above poverty.

Ramón’s decision to retire from a life in public interest law was met with astonishment, sadness and anticipation about his future endeavors. His presence, insight and devoted leadership will be missed; however, his legacy will live on through the high-quality services provided to clients, the dedication of BayLegal’s team of advocates, and in the firm’s enduring role in promoting justice for all.

BayLegal’s Board of Directors and staff are enthusiastic that Alex will successfully build upon the organization’s longstanding history of leadership within the legal aid community and continue to focus on its mission to provide high-quality civil legal services to low-income Bay Area residents.

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