

# DIALOGUE

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## Grantee Spotlight: Mississippi Center for Justice's *Pro Bono* Foreclosure Prevention Campaign

*By Bonnie Allen*

Consumer protection has been a top advocacy priority for the Mississippi Center for Justice (MCJ) since it was founded in 2003. When the economic disaster and housing crisis began sweeping Mississippi and the nation in 2008, MCJ stepped up its advocacy efforts to prevent home foreclosures through a "community lawyering" approach that combines traditional legal strategies with community education, policy advocacy, media advocacy, and coalition building.

Early on, MCJ recognizing that its limited staff resources could not begin to handle the overwhelming demand for legal services, and in 2009, it sought and received an IOLTA grant to launch a statewide *pro bono* foreclosure campaign. At the time, Mississippi had the highest rate of subprime mortgage lending in the nation, as well as the highest rate of delinquencies. In addition, foreclosures on the Mississippi Gulf Coast continued to rise in the aftermath of Hurricane Katrina. These statistics operated in a policy environment where outdated foreclosure laws and regulations lacked the safeguards that exist in many other states.

While Mississippi is the poorest state in the country, it has an unusually high percentage of homeownership (over 70%). MCJ and its partners knew that losing this cornerstone asset would be devastating to individual families, as well as to Mississippi's overall economy. At the family level, home foreclosures would create homelessness, spikes in domestic violence and disruptions in children's education. At the community level, home foreclosures would create deteriorating conditions in entire neighborhoods, resulting in lower home values and sharp increases in abandoned property, drugs and crime.

### MJC's Strong Track Record

Recognizing the high-stake consequences of massive home foreclosures, the Mississippi Access to Justice Commission and the Mississippi Bar turned to MCJ to spearhead a legal response through a statewide *pro bono* foreclosure prevention campaign. MCJ had established a strong track record in managing a *pro bono* delivery system in the aftermath of Hurricane Katrina. MCJ is a statewide, non-profit public interest legal and policy organization that advances racial and economic justice by changing systems, structures and individual lives. Headquartered in Jackson, MCJ opened a second office in Biloxi shortly after Hurricane Katrina devastated the Mississippi Gulf Coast to respond to the overwhelming legal needs of disaster survivors.

MCJ first established its *pro bono* delivery model in the spirit of saying "yes" to the myriad offers from law firms and law schools across the country following Katrina. MCJ conducted legal intake through community legal clinics focused on Katrina-related housing and consumer related matters. *Pro bono* attorneys participated in these clinics and then handled client matters through extended representation. Since Katrina, MCJ and its *pro bono* partners have served thousands of Katrina survivors in FEMA appeals, insurance disputes, state development authority grant applications, contractor fraud, landlord-tenant cases, and mortgage foreclosures.

Between 2006 and early 2010, MCJ leveraged the resources of over 600 *pro bono* attorneys who contributed 60,000 hours of free legal services, equivalent to \$16 million of in-kind services.

### **A Call to Action**

In December 2008, then Mississippi Bar President Rodger Wilder sent an e-mail letter to all members of the Mississippi Bar requesting them to maintain a caseload of two active *pro bono* foreclosure cases over the next two years. The letter directed Mississippi attorneys to MCJ as the facilitator of this emergency *pro bono* project. One hundred and forty-three Mississippi attorneys responded to President Wilder's letter. Shortly after the letter went out, MCJ expanded its primarily Gulf Coast-based *pro bono* operations by developing an infrastructure to support *pro bono* efforts statewide, including the new foreclosure prevention campaign. Consumer protection staff attorney Paheadra Robinson stepped up to lead the campaign, even though she already had a full workload focused on reducing payday lending, and MCJ had no dedicated funding at the time to support this initiative. In February 2009, MCJ conducted a two-day training of 43 Mississippi *pro bono* attorneys in collaboration with the National Consumer Law Center. Shortly after the training, MCJ conducted a small media campaign that included an article in the Jackson Clarion-Ledger newspaper, an interview with a Jackson television reporter that went statewide, and an appearance on public radio. Within a two-week span, MCJ received over 400 calls from Mississippians across the state seeking legal assistance in foreclosure prevention. Working in partnership with the Mississippi Bar, Mississippi Home Corporation and a statewide network of housing counselors, MCJ referred 245 delinquent mortgage cases to housing counselors and 139 cases to *pro bono* attorneys between February and August 2009.

### **IOLTA Steps In**

When MCJ received an IOLTA grant in the summer of 2009, it provided critical support for a much-needed legal and administrative capacity to sustain the *pro bono* foreclosure campaign. This capacity enabled MCJ to conduct monthly community-based legal clinics, field constant phone calls from frightened homeowners seeking advice, recruit additional volunteers, and manage case referrals to *pro bono* attorneys and housing counselors. In August 2009, MCJ hired an Equal Justice Works AmeriCorps Fellow to work full-time on foreclosure prevention. Since then, MCJ has conducted intake for hundreds more low-income clients with foreclosure problems, and referred them to *pro bono* attorneys and housing counselors. The most heartening story of volunteer participation involved a group of University of Maryland law students that traveled to MCJ's Jackson office over winter break 2010. When they learned that a terminally ill MCJ foreclosure client was just \$600 short in saving his house, the students went back to Baltimore and held a fundraising event. A few weeks later, MCJ received a check from the Maryland law students that enabled the client to remain in his home.

### **One Grant Leads to Another and to Expansion of Services**

In December 2009, MCJ secured a substantial multi-year grant from The Atlantic Philanthropies to significantly broaden its consumer protection advocacy capacity. This grant demonstrates the importance of IOLTA support (even when it is a relatively small investment) and the leveraging of *pro bono* lawyers in attracting other resources. Even with limited staffing at the time, the fact that MCJ had a campaign "up and running," had procured IOLTA funding through the state bar foundation, and had leveraged the resources of the private bar made it a highly credible grant seeker when it approached The Atlantic Philanthropies. In just two years, MCJ was able to increase its consumer protection "staff of one" to a high-powered team that now includes a Project Director, an Equal Justice Works AmeriCorps Fellow, a Skadden Fellow, a community organizer, and an administrator.

The Atlantic Philanthropies grant supports MCJ's *Campaign to Advance Economic Security for Elders*, a broad-scale effort to protect the income and assets of elders from a wide range of predatory and wealth-depleting consumer financial products and practices, including payday loans and predatory mortgages. This campaign engages scores of national and

regional partners, along with elders themselves, in a multi-strategy approach that includes direct legal services, impact litigation, policy advocacy, community organizing and education, communications, and media outreach.

Through an explicit partnership with the National Consumer Law Center, as well as support from the Center for Responsible Lending and Consumer Federation of America, MCJ is identifying best practices and legislation from other states, and revitalizing a broad-based state Coalition for Fair Lending that includes banks, the Attorney General's Office, universities and law schools, faith based groups, and numerous advocacy organizations. The goal is to mobilize consumers in ways that will create "ground up" support for significant state policy reform, and thereby curb the most egregious abuses of elderly consumers and other vulnerable populations in our nation's poorest state.

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