

# ANNUAL REPORT 2016 2017

ABA FUND FOR JUSTICE AND EDUCATION



## MESSAGE FROM THE ABA PRESIDENT AND FJE COUNCIL

The American Bar Association (ABA) has a long-standing history of leading the legal profession in preserving the rule of law and improving access to justice. While legal needs have become more complex and the demand for services grows, members like you continue to innovate and drive change that will shape our profession and the services we provide to our communities. Every day we work to ensure that the legal profession protects the U.S. Constitution and builds a stronger justice system that is accessible to all.

As lawyers, we are both advocates and change agents. These are responsibilities that we are proud and eager to assume. We assume these duties when we design valuable programming that benefits the underserved, promote diversity in the profession, and donate to programs that provide pro bono legal services. The ABA Fund for Justice and Education Annual Report highlights the Association's charitable priorities, developments, and victories that with your help are improving the lives of individuals and families here at home and abroad.

On behalf of the ABA Fund for Justice and Education, we thank you for uniting with us to make essential public service and education programs possible and transforming the lives of those we promise to serve. Every resource you provide is a significant one; it helps us to protect, defend, and empower. Together, we lead the charge in righting wrongs, preventing injustice, and building a stronger justice system.

We thank you for your continuous commitment to servant leadership.



Hilarie Bass  
President  
American Bar Association



Robert A. Clifford  
Chair  
Council of the ABA Fund  
for Justice and Education

The ABA believes strongly in programs that encourage our members and the profession-at-large to serve our most vulnerable populations. Philanthropy and prioritized public service programs continue to need financial and volunteer support. Our programs provide thousands of lawyers with the training and resources needed to help address the legal needs of our society. These services create a ripple effect and transcend the individual being helped, impacting their family, career, and community.

Your donation to the American Bar Association, received through the ABA Fund for Justice and Education (FJE), the 501(c)(3) charitable arm of the Association, has an impact. Generous donors, like you, help support legal advancements that:

- Protect the Rights of Women, Children, Families and the Elderly
- Improve Outcomes for Military Personnel and Veterans
- Ensure Access to Counsel and Due Process for Undocumented Immigrants
- Secure Rights to Housing, Health, Safety and Financial Stability
- Create a More Diverse and Inclusive Profession
- Expand Pro Bono or Low-Cost Legal Services to the Poor and Moderate Income People
- Advance International Law, Policy and Justice
- Safeguard the Profession Through Ethical Practice, Training and Innovation
- Preserve Civil Liberties and Increase Understanding of Legal Rights
- Defend the Rule of Law Here and Abroad
- And much more...

With your ongoing support, our training and outreach efforts will continue to provide crucial legal services to countless individuals around the world. It is our pleasure and responsibility to connect you with charitable ABA programs that fuel your passion for the law and help improve our world.



Although the ABA uses October to celebrate pro bono accomplishments, the impact volunteer attorneys have on our system of justice and on the clients they serve is felt year-round. Through [ABAFreeLegalAnswers.org](http://ABAFreeLegalAnswers.org), over 4,400 pro bono attorneys have registered to help answer over 25,000 client questions. This online version of a walk-in clinic allows low-income clients to request answers to specific civil legal issues from a volunteer lawyer in their home state. Rural families no longer need to travel long distances to find a lawyer, and working families can meet without the limitations of legal aid office hours.

By the end of 2017, the program had fully launched in 31 states, with additional states in progress. The expanded reach and accessibility of ABA Free Legal Answers helped serve those impacted by the recent wave of natural disasters. Thousands of disaster related legal questions were submitted to the site, which continues to address the needs of the individuals and families affected by the devastating storms, floods, and fires. In less than two years, ABA Free Legal Answers is changing the way clients receive services and allowing more pro bono attorneys to help those that may not otherwise seek legal help.

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## ACCESSIBLE TECHNOLOGY

Today, between 78% and 96% of people arrested in our country waive their *Miranda* rights. These individuals are disproportionately non-native English speakers, juveniles, or developmentally disabled. While understanding *Miranda* warnings is critical to the exercise of the privilege against self-incrimination and the right to counsel, warnings too often impart little or no meaning to the person arrested. In 2017, ABA Commission on Hispanic Rights and Responsibilities partnered with the ABA Center for Innovation to begin prototyping mobile applications to provide prerecorded *Miranda* warning translations. These tools, including pictographic representations of the warning, have been designed, built and tested using a uniform, court certified, plain-language Spanish translation of the *Miranda* warning.

Following a successful test of the Spanish language tools, the project will add other language translations, along with developing tools for the hearing impaired. There are more than 19,000 police departments in the United States. This technology could help reshape and strengthen the justice system by helping police educate non-English speaking persons of their rights, thereby improving public trust in law enforcement and the criminal justice system.

# HATECRIMEHELP.COM

I have experienced an incident of \_\_\_\_\_. The incident occurred \_\_\_\_\_. I believe it was motivated by \_\_\_\_\_. The zip code where this occurred is \_\_\_\_\_.

Thanks to generous donors, new resources are also being made available to everyone with access to a computer or a smartphone. Hate crimes occur in the United States every day, and many victims do not seek help to understand their legal rights or to even know if they have been the victim of a hate crime. The ABA Center for Innovation, along with its partners Cisco and CuroLegal, developed the free website [hatecrimehelp.com](http://hatecrimehelp.com), for this fast-growing group of victims.

By just answering a few questions about the incident experienced and its zip code, the website generates information on how to contact local law enforcement, government resources, and nonprofits that can help. To date, over 600 incidents have been reported through the site. These services improve access to justice by providing one-stop assistance to those already victimized and increasing accessibility of available legal resources. This website, and the *Miranda* warning translations, are promising ways the ABA Center for Innovation is applying modern technology to address age-old access to justice problems.

## INCREASE EFFECTIVE REPRESENTATION

One of the most persistent problems of public defense in America's state courts is excessive caseloads. This burden interferes with the ability to implement the Sixth Amendment right to counsel for indigent defendants. When caseloads are reasonable, public defenders have the time necessary to fully investigate cases and advocate on behalf of their clients. Over the last several years, the Standing Committee on Legal Aid and Indigent Defendants (SCLAID) has been committed to evaluating and improving public defender workloads, thus reducing rates of pre-trial and post-conviction incarceration, lessening risks of wrongful convictions, and driving decriminalization.

In 2017, SCLAID released two new state workload studies that will help shape resource allocations in public defender offices. In Colorado, it was discovered that 76% less time than required was being spent by public defenders on Misdemeanor 1 cases. In Rhode Island, the analysis indicated that the public defense system had the capacity to handle, at most, 36% of its current workload. To ensure proper due process, the study stated that at least 87 new full-time attorneys are needed in Rhode Island. In both states, the actual need is most likely far greater than reported because the estimates assume proper levels of support staffing, which is not present in either case. These workload studies provide applicable professional norms by establishing the number of cases public defenders in a particular jurisdiction can handle while complying with constitutional and ethical norms.

In another effort to help bridge the justice gap, SCLAID also supports Access to Justice Commissions in 39 U.S. jurisdictions to identify techniques to improve access to legal help and to develop resources for legal aid. In the United States, there is no right to counsel in civil disputes. Each year as many as 80% of low-income people with civil legal problems are unable to obtain legal assistance and many other moderate-income individuals are unable to afford an attorney. The ABA provides a national support center for these state commissions, helping them to develop strategies and to share knowledge and experience.

The state access to justice commissions that the ABA nurtures often achieve remarkable success in innovating new approaches to legal aid. For example, in some states geographic barriers impede access to legal services. Last year, access to justice commissions in Alaska and Hawaii launched statewide legal access portals to improve access to legal help. Using cutting-edge, user-centered technology, the portals provide a single, statewide point of access that guide users to available resources based on their legal matter. The portals also connect individuals to non-legal resources, such as social services and health care institutions, providing holistic solutions to issues that often threaten their homes, family stability, and livelihoods. The results of this model will be presented at the ABA's Annual National Meeting of State Access to Justice Commission Chairs on May 12, 2018.

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Estimates indicate that in the United States nearly 550,000 youth experience homelessness annually, and an estimated 100 million youth worldwide have no place to call home. These youth face complex legal barriers to receiving public benefits, education, employment, housing, identification, treatment, and services. The ABA Commission on Homelessness and Poverty, through its Homeless Youth Legal Network (HYLN), is currently promoting legal services for homeless youth and matching pro bono lawyers who provide direct representation to individual youth with shelters, drop-in centers, and other providers in 12 cities. HYLN attorneys also host live legal clinics for groups of youth with similar legal needs, such as obtaining identification documents, their legal standing in foster care, expunging records, or achieving immigration status.

While hundreds of youth have been served through this initiative, the unmet need is tremendous. A year-long mapping effort of legal services for homeless youth has only identified 30 programs located in 20 states—meaning that more than half the country simply has no legal services for this vulnerable population. As a result, the Commission is strategically focusing on seeding new projects in target communities.

The Commission also continuously develops policies and guidelines that put the economic, social, health and cultural rights of street-connected youth first. In November 2017, the Commission hosted the ABA International Summit on the Legal Rights of Street-Connected Children and Youth that successfully galvanized the United Nations' General Comment No. 21. This authoritative guidance develops comprehensive, long-term strategies on children in street situations that address both prevention and response in line with the Convention on the Rights of the Child. Following the Summit, the ABA unanimously adopted a resolution that compels governments, the legal community, and the private sector to employ General Comment No. 21.

The ABA will continue to serve as the global convener of 200+ international, interdisciplinary experts committed to implementing and enforcing the safeguards embodied in the General Comment No. 21. Future Commission work will finalize and publish the Implementation Mechanisms for the General Comment and promote their adoption in collaboration with our global partners. The ABA is asking America's legal community to help achieve the General Comment, by connecting pro bono attorneys and service providers with street-connected children and youth, in efforts to improve life outcomes for this vulnerable but resilient population.

**View the Resolution and General Comment  
at [ambar.org/HYLN](http://ambar.org/HYLN)**



# ◀ THANK YOU TO OUR PARTNERS ▶

The ABA Fund for Justice and Education depends on donors who generously provide their financial commitment for both our unrestricted operating budget and for specific projects or initiatives. Each and every gift allows the ABA to defend our system of justice and protect our liberties by upholding the rule of law.

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The following pages highlight our donors who have contributed \$1,000 or more in support of the ABA's charitable programs during the 2016–2017 bar year (September 1, 2016 – August 31, 2017). The ABA Fund for Justice and Education is proud to recognize all ABA donors of \$50 or more online at [www.americanbar.org/fje](http://www.americanbar.org/fje).

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“ At Walmart, we are deeply committed to diversity and inclusion. This commitment helps us serve our customers and members better, and it helps us provide a positive work environment for our associates — all 2.3 million worldwide.

The Walmart Legal Department seeks to increase diversity and inclusion in the legal profession through programs that align with our key pillars of focus: Strategic Programs and Events; Development and Retention of Diverse Attorneys; and Advancement of a Diverse Pipeline. Each of these pillars is embodied in our charitable support of the American Bar Association (ABA). During the ABA's 2016-2017 bar year, Walmart Legal financially supported programs that embraced creative solutions to promote inclusivity, encouraged diverse attorneys to stay actively engaged in the legal community, and helped plant the seed for future generations of legal professionals.

As a proud member of the ABA and the Walmart Legal Department, I am pleased to be a part of two organizations that align with my own philanthropic interests and professional goals. ”

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## American Bar Endowment

The ABA Fund for Justice and Education thanks the American Bar Endowment and all of its insurance participants for the valuable funding they have provided. The ABE's grant of over \$3 million to the ABA Fund for Justice and Education in 2016–2017 makes the Endowment one of the ABA FJE's largest supporters.

[abendowment.org](http://abendowment.org)



# Society of Saratoga Legacy Fund

## A Tradition of Public Service—A Legacy of Planned Giving

From the first meeting in 1878, in Saratoga Springs, New York, the American Bar Association has been guided by a strong sense of public responsibility and professional pride. Through the Society of Saratoga Legacy Fund, members are recognized for their bequest of \$10,000 or more and continue their legal legacy in support of the ABA's ongoing commitment to justice.

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“

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**Judy Perry Martinez  
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Endowments ensure an annual source of revenue for the ABA's public service work. The ABA/FJE Endowment is comprised of several Justice Funds named in honor of lawyers who demonstrated dedication to the pursuit of justice and outstanding service to the profession and the public. A Justice Fund can be established with a commitment of \$25,000 or more, and the investment income is pooled with income from other Justice Funds to support overall ABA charitable programs. The ABA Fund for Justice and Education is pleased to recognize these Justice Funds:

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## DIVERSITY IN THE PROFESSION

### LEGAL OPPORTUNITY SCHOLARSHIP FUND

Diversity is necessary to ensure that the legal profession is representative of our larger society and drives innovation of our justice system to better serve our communities. To achieve this level of diversity, we must engage individuals of varying backgrounds early in their academic career and support their professional goals. The American Bar Association created the ABA Legal Opportunity Scholarship to provide financial aid during law school to ensure more diverse students achieve their Juris Doctor.

The Scholarship provides \$15,000 of financial assistance over the three years of law school to each of the 20 diverse law student recipients selected annually. Since its inception, the ABA and its members have invested in the talents of 380 diverse students from across the country. Charitable giving makes attending law school possible for these remarkable Legal Opportunity Scholars.

## SHAPE THE FUTURE OF THE LEGAL PROFESSION

### SCHOLARSHIP NAMING OPPORTUNITY

The ABA FJE thanks the following donors who have generously contributed \$15,000 or more acknowledging their commitment to diversity in the legal profession.

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A naming opportunity is available for individuals and organizations contributing to the Legal Opportunity Scholarship Fund at increments of \$15,000. Donors can extend their legal legacy and inspire change within the profession by having one scholarship named in their honor. For more information on how you and your company can participate in this naming opportunity, please contact Ceilanne Libber at (312) 988-5420.



## ◀ PROFILE OF A SCHOLAR ▶ NICHOLAS GONZÁLEZ

Nicholas González is a first-year law student at the University of California, Hastings College of the Law.

Prior to law school, he spent three years working on pro bono immigration cases of Central American children seeking refuge in the United States. From his own childhood experiences as the son of Mexican immigrants, Nicholas understood the challenges facing these young children and recognized that law school was the best path for him to effectuate change in his community. “Today I feel pride in the arc of my singularly American story – a story where a poor little brown kid could one day grow up to help Latino children pursue their version of the American dream and help them overcome the same fears, insecurities and difficulties I once had trying to find my way in an America that didn’t feel legitimately mine.”

Hispanics represent 18% of the United States population but only comprise about 4% of all United States lawyers. The stark underrepresentation of people of color in the legal profession is an equity gap the legal profession is striving to close. With the support of the ABA Legal Opportunity Scholarship, donors are helping students, like Nicholas, not only change the face of the profession but pursue a career that can address inequality and social justice issues. “I’ve seen how the law can drive progress when the political process fails our communities. There are more battles to be waged and battles to be won, progress to achieve and progress to protect, and I know that a career in law will allow me to become a leader in these fights.”

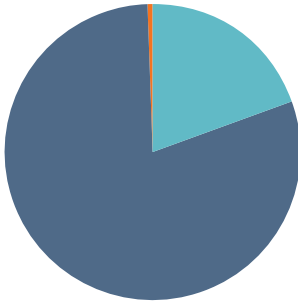
When a student receives the ABA Legal Opportunity Scholarship, it reaffirms their commitment to pursue a career in law and demonstrates that the ABA and members, like you, believe in their power to effectuate change. Nicholas is just one of nearly 380 diverse scholars whose legal journey was made possible by the generosity of donors. He reminds us that “diversity is not just some box to be checked off, or a statistic to prove how inclusive someplace is, but that representation matters.” Your gift has the power to ensure that the future of the legal profession benefits from the diversity of today’s young legal scholars.

“ My deepest thanks to the ABA and the Legal Opportunity Scholarship’s donors. I strongly believe that I am only where I am today because of people like you – people who believed in me and invested in me. My successes are yours too, and I look forward to paying my successes forward to the next generation. ”

**UPDATE:** Nicholas will be working as a summer associate in the San Francisco office of Munger, Tolles & Olson LLP.

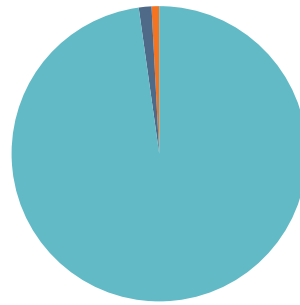
# ABA FJE Financial Snapshot

REVENUE: \$72,670,000



- Restricted Contributions  
\$58,067,000
- Unrestricted Contributions  
\$14,321,000
- Investment Income  
\$177,000

EXPENSES: \$72,565,000



- Core Programmatic Expenditures  
\$70,953,000
- Administrative Costs  
\$1,140,000
- Fundraising Costs  
\$472,000

Audited financial statements are available upon request.

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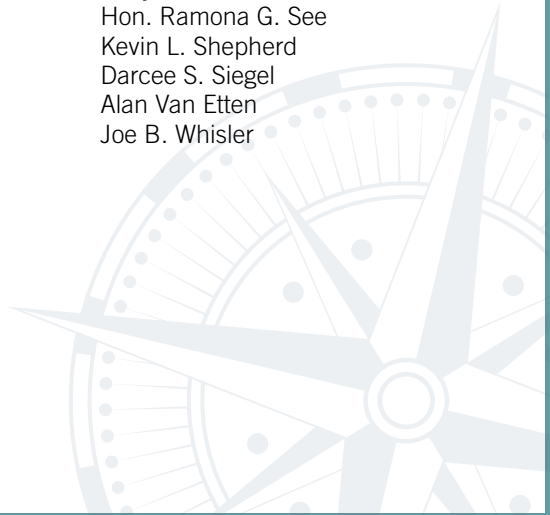
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