

House District \_\_\_\_\_

Senate District \_\_\_\_\_

THE TWENTY-SIXTH LEGISLATURE  
HAWAII STATE LEGISLATURE  
APPLICATION FOR GRANTS & SUBSIDIES  
CHAPTER 42F, HAWAII REVISED STATUTES

Log No: 107-0

For Legislature's Use Only

Rec'd JAN 28 2011

Type of Grant or Subsidy Request:

GRANT REQUEST - OPERATING

GRANT REQUEST - CAPITAL

SUBSIDY REQUEST

"Grant" means an award of state funds by the legislature, by an appropriation to a specified recipient, to support the activities of the recipient and permit the community to benefit from those activities.

"Subsidy" means an award of state funds by the legislature, by an appropriation to a recipient specified in the appropriation, to reduce the costs incurred by the organization or individual in providing a service available to some or all members of the public.

"Recipient" means any organization or person receiving a grant or subsidy.

STATE DEPARTMENT OR AGENCY RELATED TO THIS REQUEST (LEAVE BLANK IF UNKNOWN):

STATE PROGRAM I.D. NO. (LEAVE BLANK IF UNKNOWN): \_\_\_\_\_

1. APPLICANT INFORMATION:

Legal Name of Requesting Organization or Individual:  
Volunteer Legal Services Hawaii

Dbas:

Street Address: 545 Queen Street, Ste 100,  
Honolulu, Hawaii 96813

Mailing Address: 545 Queen Street, Ste 100  
Honolulu, Hawaii 96813

2. CONTACT PERSON FOR MATTERS INVOLVING THIS APPLICATION:

Name L. DEW KANESHIRO

Title INTERIM EXECUTIVE DIRECTOR

Phone # (808) 528 7059

Fax # (808)524-2147

e-mail : dew@vlsh.org

3. TYPE OF BUSINESS ENTITY:

- NON PROFIT CORPORATION
- FOR PROFIT CORPORATION
- LIMITED LIABILITY COMPANY
- SOLE PROPRIETORSHIP/INDIVIDUAL

6. DESCRIPTIVE TITLE OF APPLICANT'S REQUEST:

TO PROVIDE STAFF AND VOLUNTEER LEGAL SERVICES TO THE LOW-INCOME COMMUNITY STATEWIDE

4. FEDERAL TAX ID #: \_\_\_\_\_

5. STATE TAX ID #: \_\_\_\_\_

7. AMOUNT OF STATE FUNDS REQUESTED:

FY 2011-2012: \$ 400,000

8. STATUS OF SERVICE DESCRIBED IN THIS REQUEST:

- NEW SERVICE (PRESENTLY DOES NOT EXIST)
- EXISTING SERVICE (PRESENTLY IN OPERATION)

SPECIFY THE AMOUNT BY SOURCES OF FUNDS AVAILABLE AT THE TIME OF THIS REQUEST:

STATE	\$0
FEDERAL	\$345,816
COUNTY	\$ 42,500
PRIVATE/OTHER	\$226,869

TYPE NAME & TITLE OF AUTHORIZED REPRESENTATIVE:

\_\_\_\_\_  
[Redacted Signature]

L. DEW KANESHIRO, INTERIM EXECUTIVE DIRECTOR

JANUARY 28, 2011

AUTHORIZED SIGNATURE

NAME & TITLE

DATE SIGNED

**DECLARATION STATEMENT  
APPLICANTS FOR GRANTS AND SUBSIDIES  
CHAPTER 42F, HAWAII REVISIED STATUTES**

The undersigned authorized representative of the applicant acknowledges that said applicant meets and will comply with all of the following standards for the award of grants and subsidies pursuant to section 42F-103, Hawai'i Revised Statutes:

- (1) Is licensed or accredited, in accordance with federal, state, or county statutes, rules, or ordinances, to conduct the activities or provide the services for which a grant or subsidy is awarded;
- (2) Comply with all applicable federal and state laws prohibiting discrimination against any person on the basis of race, color, national origin, religion, creed, sex, age, sexual orientation, or disability;
- (3) Agree not to use state funds for entertainment or lobbying activities; and
- (4) Allow the state agency to which funds for the grant or subsidy were appropriated for expenditure, legislative committees and their staff, and the auditor full access to their records, reports, files, and other related documents and information for purposes of monitoring, measuring the effectiveness, and ensuring the proper expenditure of the grant or subsidy.

In addition, a grant or subsidy may be made to an organization only if the organization:

- (1) Is incorporated under the laws of the State; and
- (2) Has bylaws or policies that describe the manner in which the activities or services for which a grant or subsidy is awarded shall be conducted or provided.

Further, a grant or subsidy may be awarded to a non-profit organization only if the organization:

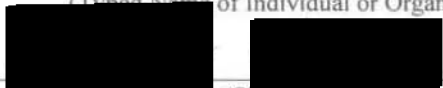
- (1) Has been determined and designated to be a non-profit organization by the Internal Revenue Service; and
- (2) Has a governing board whose members have no material conflict of interest and serve without compensation.

For a grant or subsidy used for the acquisition of land, when the organization discontinues the activities or services on the land acquired for which the grant or subsidy was awarded and disposes of the land in fee simple or by lease, the organization shall negotiate with the expending agency for a lump sum or installment repayment to the State of the amount of the grant or subsidy used for the acquisition of the land.

Further, the undersigned authorized representative certifies that this statement is true and correct to the best of the applicant's knowledge.

L. Dew Kaneshiro

(Typed Name of Individual or Organization)



(Signature)

1/28/2011

(Date)

L. Dew Kaneshiro

(Typed Name)

Interim Executive Director

(Title)

## **I. BACKGROUND AND SUMMARY**

### **1. Applicant's Background**

Volunteer Legal Services Hawai'i (VLSH) was established in 1981 to provide Hawaii's low-income population with free legal assistance through volunteer attorneys. Today, the organization uses the same volunteer service delivery model to assist the indigent, the working poor, the homeless, and other vulnerable groups.

While other legal services organizations use staff attorneys to deliver services, VLSH's employees and office volunteers administer a variety of programs that draw upon the services of pro bono lawyers. This method has proven effective at keeping costs low while delivering high quality legal assistance. Collectively, VLSH's pool of attorneys encompass many areas of legal expertise, allowing VLSH to respond to clients' unique needs through service options that include advice and counsel clinics, workshops, and full representation.

Because of its ability to handle a wide range of cases, VLSH is the legal service provider of last resort for individuals and families who have been turned away by other providers. More than 40% of Volunteer Legal Services Hawai'i's intakes have been referred from or declined by other legal service organizations such as LASH, Hawaii Immigrant Justice Center, and Domestic Violence Action Center.

In recent years, the Hawai'i State Bar Association and the Hawai'i Supreme Court have strongly encouraged attorneys to engage in pro bono services for the poor. The Supreme Court's adoption of Rule 6.1 of the Hawai'i Rules of Professional Conduct urges all attorneys to donate 50 pro bono hours per year, and Rule 17.d requires all lawyers to report their hours of pro bono service. The effort to strengthen pro bono as a viable method of delivering essential legal services coincided with an exponential growth in demand for free services as the economic downturn pushed many of Hawaii's residents into poverty. The needs of VLSH's service population were immense and the potential for pro bono service opportune. Yet, VLSH has not been able to seize the opportunity because of severe resource constraints.

### **2. Goals and Objectives Related to the Request:**

VLSH's overriding goal is to provide effective and timely assistance to indigent individuals and families who are not able to obtain legal services elsewhere. The organization is submitting this request so it can:

- Provide its basic array of services to all eligible persons in need of those services; and
- Expand its services to meet the specific needs of currently underserved populations.

### **Basic array of services**

VLSH's basic services include Intake Services, Advice and Counsel Clinic, Pro Bono Referral Program and Follow-up Services.

**Intake Services:** An individual who either calls or walks into the office is greeted by an Intake Specialist. During Intake, the Specialist obtains basic information, determines whether the matter is appropriate for VLSH, and assesses whether the individual meets the income eligibility requirement. Eligible individuals are given a clinic date for advice and counsel with an attorney and/or referred to other resources.

**Neighborhood Legal Clinic (Advice and Counsel):** Each clinic participant has a 30-45 minute face-to-face or virtual meeting with a volunteer attorney. The attorney goes over the case with the client and provides advice regarding legal issues. The matter is then reviewed by VLSH in-house counsel for referral to a volunteer attorney and/or applicable follow up service(s).

**Pro Bono Referral:** If a clinic participant qualifies for a referral to the VLSH Pro Bono Referral Program, a volunteer attorney is recruited to represent the participant. VLSH monitors the status of the matter from placement through closing.

**Follow-up Services:** Clinic participants and other eligible individuals may be referred to one or more of VLSH's programs, including:

- Uncontested Divorce Workshop;
- Housing Support Legal Program (HSLP) for the homeless;
- Parenting Plan Mediation Program (PMPP);
- Bankruptcy Workshop;
- Community Tax Assistance Program;
- Homeless Bench Warrant Recall Program;

In 2010, a total of 3,207 client were served by VLSH. Many of those clients accessed more than one VLSH service.

- 3,456 individuals received advice and counsel at 121 Neighborhood Legal Clinics in Honolulu, Waipahu, Waimanalo, Kona, Hilo, and Maui;

- 61 individuals were placed with attorneys through the Pro Bono Referral Program;
- 898 individuals participated in one of 60 HSLP workshops at homeless and transitional shelters;
- 116 attended Tax Workshops offered at 14 different community sites;
- 75 individuals received advice and counsel at one of 15 Tax Clinics;
- 40 individuals received representation for their tax controversy case;
- 33 individuals attended one of 14 Uncontested Divorce Workshops on Oahu and Hilo;
- 110 individuals attended one of 24 PMPP workshops on Oahu;
- 19 individuals attended 9 Bankruptcy workshops on Oahu;
- 108 individuals inquired about the Bench Warrant Recall Program and 37 individuals received service;

All these activities were accomplished by six full-time direct service employees on Oahu, part-time coordinators on Maui and the Big Island, and 200 volunteers who donated over 2,000 hours with a value of \$500,000.

While these accomplishments are impressive, many more eligible individuals did not get through VLSH's door. Intake Services processed 200 fewer clients in 2010 than it did in 2008. In 2008, 2,956 clients were helped. The call-back tracker, which records the number of calls that were not picked up by a "live" person, registered at 5,157 in 2008. After staff cuts, the tracker count jumped 270% to 13,814 in 2009, and continued the upward trend to 14,052 in 2010.

Staff members wear multiple hats, dividing their time between attorney recruitment, clinics, workshops, intake services, fundraising, etc. There is not enough time for outreach into the community. Not enough money to properly staff existing programs to serve everyone who attempts to access VLSH services. Not enough resources to develop specialized programs to meet the growing needs of special populations such as the elderly, immigrants, and the new poor.

### **3. Public Purpose and the Needs Served**

#### **Public Purpose**

VLSH provides access to justice for Hawai'i's economically disadvantaged and underserved populations. At the same time, it provides opportunities for

attorneys to give back to the community through pro bono services. VLSH's volunteer services model provides public services that far exceed its cost.

### **Unmet Legal Needs**

In 2005, the Access to Justice Hui conducted an assessment of civil legal needs and barriers of low and moderate-income people in Hawaii. The Hui reported its findings in 2007. *See Achieving Access To Justice For Hawaii's People at <http://www.hsba.org/resources/1/Documents/Access%20to%20Justice.pdf> (hereinafter "Report").*

The Report noted that approximately one in four Hawai'i residents belong to VLSH's service group – i.e., those living below 200% of the federal poverty guidelines. The Report also noted that existing legal service providers are only able to assist 1 in 3 of those who actually contact them for assistance. The areas with the greatest unmet civil legal needs are:

- Housing (24%);
- Family (23%);
- Domestic violence (8%);
- Consumer (7%); Report at *ii*.

VLSH provides legal services in each of these areas.

- As mentioned earlier, VLSH is the legal service safety net. There are many reasons why an indigent client cannot obtain services elsewhere.
- The client may not meet the eligibility requirements of other service organizations.
- Another legal service organization may have a conflict if, for example, it is already representing someone else in the case.
- Funders may have placed restrictions on the types of cases the legal service organization can handle.
- The organization may focus on a specific group, such as victims of domestic violence or the elderly.
- An organization that focuses on a specific group may only handle certain types of matters – e.g., wills for the elderly, TRO's for battered women.
- The traditional legal service organization, which serves clients through in-house attorneys, may have reached the maximum number of cases their attorneys can handle.

Volunteer Legal Services Hawaii provides civil legal services through *pro bono* lawyers. Thus, the only restriction that Volunteer Legal Services Hawaii's faces is a practical one - the lack of staff to process eligible individuals, administer programs, and recruit attorneys for VLSH programs.

### **Current and growing needs**

VLSH is seeing the urgent needs of special populations that were not obvious just five years ago. These include:

- The Poor but not officially poor – i.e., those who are above 125% but below 200% of the federal poverty level. Most legal service providers limit eligibility to individuals at and below 125% of the poverty level. VLSH services individuals and families at and below 200% of the poverty level.
- The Sheltered and Unsheltered Homeless. VLSH is already doing much in this area, providing workshops at homeless and transitional shelters as well as counsel and advice for walk-ins.
- The New Poor. VLSH has witnessed a rise in the number of people who are living on the margin, individuals who always had jobs and families who always had a roof over their heads. VLSH volunteer attorneys conduct bankruptcy workshops and handle foreclosure defense, unemployment benefit appeals, and welfare benefit appeals.
- Immigrants with immigration issues. Hawai'i Immigrant Justice Center was for years the only legal service provider for immigration issues. HIJC is now part of Legal Aid Society and the types of cases it can handle are now subject to Legal Service Corporation restrictions.
- Limited-English Proficient Individuals. VLSH has bilingual employees who speak Samoan and Chuukese and has begun an internship program for students at the University of Hawaii's Center for Interpretation and Translation Studies. Still, the language assistance needs of VLSH's clients far exceed its resources.
- The Elderly. VLSH is seeing more and more elderly clients who need special assistance, such as advocates to accompany them to court.

## **4. Target Population**

VLSH's target population includes all the groups mentioned in the previous section. VLSH also provides workshops and advice and counsel to non-profit organizations that serve the same population as VLSH.

## 5. Geographic Coverage

VLSH operates across the state. Intake is available in person and by telephone *via* a toll free call. Clinics and workshops are provided at facilities located in downtown Honolulu, Leeward Oahu, Windward Oahu, Wailuku, Hilo, and Kona. Virtual clinics (phone or video consultations) are often used to provide services to neighbor island residents. Still, neighbor island residents are severely underserved and unable to access legal services.

## II. SERVICE SUMMARY AND OUTCOMES

### 1. Scope of work, tasks, and responsibilities

VLSH services are summarized in Section I. Additional staff and resources will allow VLSH to:

- Efficiently process individuals who seek services from VLSH;
- Provide its basic array of services to all eligible persons in need of those services;
- Expand its services to meet the specific needs of currently underserved populations;
- Conduct outreach into the community; and
- Build collaborative relationships with other service agencies.

### 2. Projected annual timeline

January-June 2011

- Strategic planning to identify service population needs and VLSH priorities;
- Review operational procedures for delivery of services;
- To the extent possible with existing resources, modify processes and practices to more efficiently serve clients;
- Begin building collaborative relationships with other agencies;

July-August 2011

- Hire additional direct services staff;
- Begin outreach into the community;

September-December 2011

- Implement changes to procedures and practices to efficiently process individuals seeking services from VLSH;



- Build capacity to provide VLSH's basic array of services to all eligible persons in need of those services;
- Evaluate the effectiveness of modified service delivery and, as needed, make changes;
- Continue community outreach;
- Continue building collaborative relationships;

#### January-April 2011

- Begin developing programs to meet the specific needs of currently underserved populations;
- Continue evaluating modified service delivery;
- Evaluate effectiveness of community outreach effort and collaboration with other agencies;

#### May-June 2011

- Implement programs for underserved populations;
- Complete evaluation of modified service delivery, community outreach, and collaboration;

### **3. Quality Assurance and Evaluation Plans**

Continuous monitoring, evaluation, and adjustment are an integral part of the program and built into the timeline.

### **4. Measures of Effectiveness**

VLSH will collect data on the number of clients processed, the number of clients served through VLSH programs, and the number and hours of volunteer attorneys and non-attorneys. VLSH will implement client and attorney satisfaction surveys and report on the results of community outreach and collaboration efforts. With additional resources, VLSH expects an:

- Increase in the number of clients processed and decrease in the call-back tracker count;
- Increase in the number of clients accessing VLSH programs;
- Increase in the number of community outreach presentations and visits;
- Increase in the number of underserved individuals who receive specialized services; and
- Increase in the number of collaborative relationships established over the course of the year.

### III. FINANCIAL

#### 1. Budget

See attached Budget Sheet. Because of the drastic cuts in staff and other non-fixed expenses, VLSH was able to continue operations despite small deficits in 2009 and 2010. In order to serve VLSH is requesting \$400,000 to fund general operations, including an increase in direct service personnel.

#### 2. Anticipated quarterly funding requirements for Fiscal Year 2008-2009

Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total
\$100,000	\$100,000	\$100,000	\$100,000	\$400,000

#### 3. Other sources of funding for 2011-2012

VLSH will apply for continued funding from federal, county, and state agencies.

VLSH will increase its fundraising efforts with the bar and other private individuals and organizations.

VLSH intends to pursue local and national foundations to sponsor unfunded special programs such as the Parenting Plan Mediation Program, immigration services, language services for limited-English proficient individuals, and assistance services for the elderly

### IV. EXPERIENCE AND CAPABILITY

#### A. Necessary Skills and Experience

VLSH staff, its volunteer core, and its Board members have for many years provided the basic array of services and other activities in this program. Their only limitation has been the lack of resources.

#### B. Facilities

The main office is located at 545 Queen Street in downtown Honolulu. This 1,338 square foot facility houses all Oahu staff and most of volunteers. Although this facility is too small to adequately serve staff and clients, VLSH's has subsisted in cramped quarters in order to put its limited resources into client services. The facility meets ADA standards, and VLSH has internal policies regarding accommodations for individuals with physical disabilities.

Services are also provided at clinics and workshops throughout Oahu in areas with significant numbers of people living in poverty. These satellite facilities include:

- Filipino Community Center in Waipahu, Oahu;
- Waimanalo Comprehensive Health Center in Waimanalo, Oahu;
- Aupuni Center, Hilo, Hawaii;
- Family Support Services of West Hawaii, Kona, Hawaii;
- Family Support Services in Wailuku, Maui
- Kukui Center of Honolulu

## V. PERSONNEL: PROJECT ORGANIZATION AND STAFFING

### A. Proposed Staffing, Staff Qualifications, Supervision, and Training

Every member of the VLSH staff is involved in this program, from direct service to operations personnel. As mentioned earlier, everyone on the staff has years of experience providing the services specified in this application.

#### PROPOSED STAFFING

Executive Director	1.00 FTE
Executive Assistant	.50 FTE
Operations Division Manager	.33 FTE
Staff Attorney	1.00 FTE
Volunteer Development Division Manager	1.00 FTE
Volunteer Recruitment Coordinator	1.00 FTE
Volunteer Development Coordinator	1.00 FTE
Fundraising Coordinator	.50 FTE
Low Income Services Division Manager	1.00 FTE
Intake Specialists	1.00 FTE
Clinic Coordinator	1.00 FTE
Clinic Administrators	.10 FTE
Parenting Plan Mediation Program Coordinator	1.00 FTE
Hilo Regional Coordinator	.50 FTE
Maui Regional Coordinator	.50 FTE

### B. Organizational Chart

See attached Organizational Chart.

## **VI. OTHER**

### **A. Litigation**

No pending litigation to which the applicant is a party.

### **B. Licensure or Accreditation:**

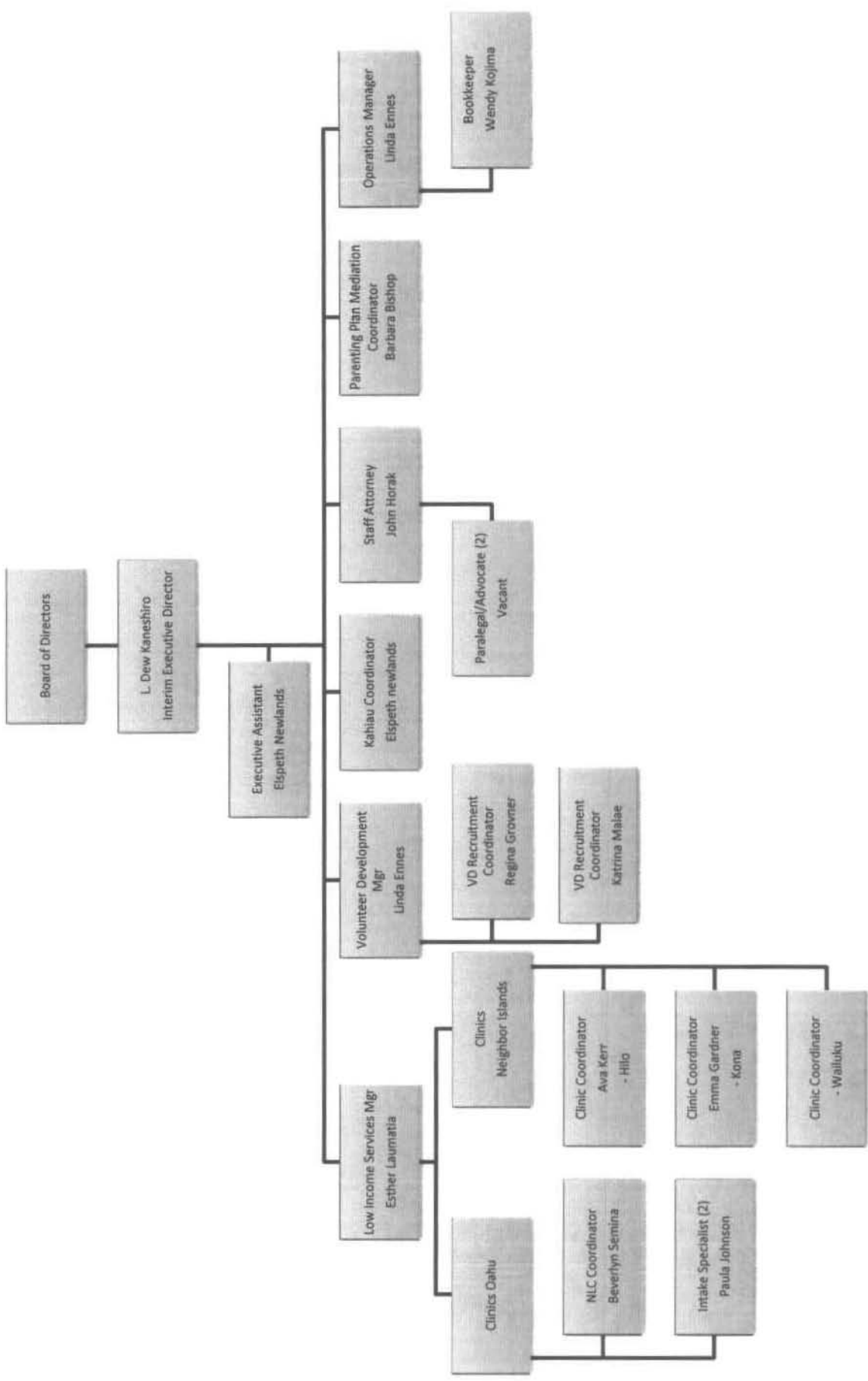
The staff attorney is licensed to practice law in the State of Hawaii. Additionally, all volunteer lawyers are licensed to practice law in the State of Hawaii and have either an Active or Inactive Status, as permitted by the Supreme Court of the State of Hawaii.

**APPENDIX A.**

**Volunteer Legal Services Hawaii Organization Chart**

# Volunteer Legal Services Hawaii

## Organization Chart



**BUDGET REQUEST BY SOURCE OF FUNDS**  
(Period: July 1, 2011 to June 30, 2012)

App Volunteer Legal Service Hawaii

<b>BUDGET CATEGORIES</b>	<b>Total State Funds Requested (a)</b>	<b>(b)</b>	<b>(c)</b>	<b>(d)</b>
<b>A. PERSONNEL COST</b>				
1. Salaries	212,206	108,854	48,888	120,152
2. Payroll Taxes & Assessments	20,138	12,340	4,641	9,392
3. Fringe Benefits	22,608	18,834	5,848	7,712
<b>TOTAL PERSONNEL COST</b>	<b>254,952</b>	<b>140,028</b>	<b>59,378</b>	<b>135,476</b>
<b>B. OTHER CURRENT EXPENSES</b>				
1. Travel		8,052		4,202
2. Insurance	4,806			
3. Lease/Rental of Equipment	88,965			
4. Lease/Rental of Space	24,480			
5. Staff Training	1,199	701		
6. Supplies	4,200			
7. Telecommunication	13,296			
8. Utilities	6,600			
9 Consultant				25,131
10 Accounting-Professional Fees				7,200
11 Audit				12,000
12 Book & Publications				1,331
13 Fees and License				833
14 Janitorial Expense				3,144
15 Dues & Member				5,007
16 Bank Charge				450
17 Program cost				950
18 Volunteer development				13,875
19 Governance				600
20 Fundraising				3,000
<b>TOTAL OTHER CURRENT EXPENSES</b>	<b>143,546</b>	<b>8,753</b>		<b>77,723</b>
<b>C. EQUIPMENT PURCHASES</b>				<b>2,000</b>
<b>D. MOTOR VEHICLE PURCHASES</b>				
<b>E. CAPITAL</b>				
<b>TOTAL (A+B+C+D+E)</b>	<b>400,498</b>	<b>148,781</b>	<b>59,378</b>	<b>213,199</b>
<b>SOURCES OF FUNDING</b>		Budget Prepared By:		
(a) Total State Funds Requested	400,000	L. Dew Kaneshiro	528-7059	
(b) Other Government Funds	285,653		Phone	
(c) Foundations	59,349			40,571
(d) Donations and Contributions	264,357	Signature of Authorized Official		Date
<b>TOTAL BUDGET</b>	<b>1,009,359</b>	L. Dew Kaneshiro, Interim Executive Director		40,571
		Name and Title (Please type or print)		

## BUDGET JUSTIFICATION PERSONNEL - SALARIES AND WAGES

Applicant: \_\_\_\_\_ Volunteer Legal Services Hawaii \_\_\_\_\_


Period: July 1, 2011 to June 30, 2012

POSITION TITLE	FULL TIME EQUIVALENT	ANNUAL SALARY A	% OF TIME ALLOCATED TO GRANT REQUEST B	TOTAL STATE FUNDS REQUESTED (A x B)
Executive Director	1	\$85,000.00	100.00%	\$ 85,000.00
Operations Manager/Volunteer Division Manager	1	\$66,000.00	100.00%	\$ 66,000.00
Assistant Operations Manager	1	\$27,456.00	100.00%	\$ 27,456.00
Executive Assistant	0.5	\$33,750.00	100.00%	\$ 33,750.00
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
<b>TOTAL:</b>				<b>212,206.00</b>
<b>JUSTIFICATION/COMMENTS:</b>				



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App Volunteer Legal Service Hawaii

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		Name and Title (Please type or print)		

**BUDGET JUSTIFICATION  
PERSONNEL - SALARIES AND WAGES**

Applicant: \_\_\_\_\_ Volunteer Legal Services Hawaii \_\_\_\_\_

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<b>TOTAL:</b>				<b>212,206.00</b>
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