

creating opportunity through action and adaptability



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President's Message

Greetings friends and colleagues,

I am pleased to present the Wisconsin Trust Account Foundation's 2017 Annual Report, and for the second year in a row I will open my message with the wisdom of a five-year-old.

After three grueling days of kindergarten, my nephew Leo had enough. "Grammy," he pleaded, "How long do I have to do this?" Grandma conveyed the bad news. "Oh honey, a long time. Your Uncle Kev went to school for over twenty years." Leo, ever the pragmatist, paused a bit and then replied, "Why didn't he learn faster?"

While I personally aspire to achieve my nephew's desired learning efficiency, I am nevertheless proud of how WisTAF has adapted over the last year and over the last number of years to assist agencies throughout Wisconsin that provide civil legal services to those in need. Both WisTAF and the agencies who receive funds have had to learn how to maximize limited available resources over the years, including a diminished amount of IOLTA interest available from lawyers' trust accounts. Through planning, WisTAF was able to draw down its reserves to maintain agency funding, while Wisconsin's lawyers and judges continued their invaluable support via the Public Interest Legal Service Fund (PILSF) to maintain funding for civil legal services in every county in Wisconsin.

WisTAF also adapted when the State of Wisconsin appropriated money for domestic violence and sexual abuse civil legal services, and has coordinated with the State to efficiently implement that funding program and grant money to agencies over the last four years. Similarly, WisTAF continues to administer another program based on the \$5.9 million received from a national mortgage foreclosure settlement. A portion of these funds has been granted to legal service agencies for mortgage foreclosure issues, and future grants will provide money for housing-related and other broader community redevelopment measures.

I am even prouder of the seamless transition and improvements implemented by WisTAF over the past year under the leadership of Executive Director Rebecca Murray. Former Executive Director De Ette Tomlinson retired in 2017 after 18 years of incredible service to, and support of, WisTAF and its mission. We are fortunate to have hired Ms. Murray as Executive Director, and the performance of her and her staff has proven exemplary.

That certainly doesn't mean that WisTAF and the organizations that receive its funding are done learning. It remains a constant challenge for legal services agencies to efficiently use limited resources to advise and represent those facing acts of domestic violence or custody disputes; the loss of a home or job; barriers to obtaining healthcare, and a multitude of other situations where access to legal services is life-changing. Grantees received over \$2 million in funding from WisTAF in 2017, and the grantee agencies' dedicated teams of lawyers and other professionals deserve credit for learning how to maximize their funds to meet ever-increasing needs for vital civil legal services.

Likewise, WisTAF's outstanding staff and directors deserve credit for another successful year, and for continuing to look to the future to maximize the impact of every dollar granted. Although it may be optimistic to believe we will soon achieve equal access to justice for everyone, WisTAF will continue to adapt and improve its efforts to help Wisconsin's lawyers and agencies meet the demands for civil legal services – and work toward my nephew's ideal of shrinking the learning curve from twenty years to as close to three days as possible.

Kevin J. Palmersheim, *President*

2017-18 Board of Directors

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Wisconsin Trust Account Foundation, Inc.

Who We Are

The Wisconsin Trust Account Foundation, Inc. (WisTAF), a 501(c)(3) nonprofit corporation, was created in 1986 by the Wisconsin Supreme Court to aid the courts and improve the administration of justice by administering funding for legal services to persons of limited means in non-criminal matters. WisTAF brings Wisconsin's legal and financial communities together to generate funds which are used to make grants to nonprofit organizations providing civil legal services to Wisconsin's most vulnerable residents. Families and individuals throughout the state receive the legal help they need to deal with issues such as escaping domestic violence and abuse, the loss of a home or job, bankruptcy, and obtaining the medical benefits they are due, to name just a few. When available, grant money also funds law-related services such as legal education, indirect legal services or other community services approved by the Wisconsin Supreme Court.

Over the past quarter of a century, WisTAF has granted over \$53 million to organizations working toward the Foundation's vision of equal access to justice, regardless of income.

When available, WisTAF administers and makes grants utilizing the following funds:

Interest on Lawyers' Trust Accounts (IOLTA) Program

The IOLTA program allows attorneys to pool short-term or nominal deposits made on behalf of clients or third parties into one account. The interest generated by these accounts is remitted to WisTAF for use in grantmaking. The commitment of financial institutions to the communities they serve is reflected in their participation in the IOLTA program. In addition to paying competitive interest rates on lawyers' trust accounts, three-quarters of Wisconsin's 200 IOLTA participating financial institutions have chosen to waive fees on IOLTA accounts. To date, IOLTA funding has resulted in over \$31 million in grant awards for dozens of Wisconsin's civil legal service providers.

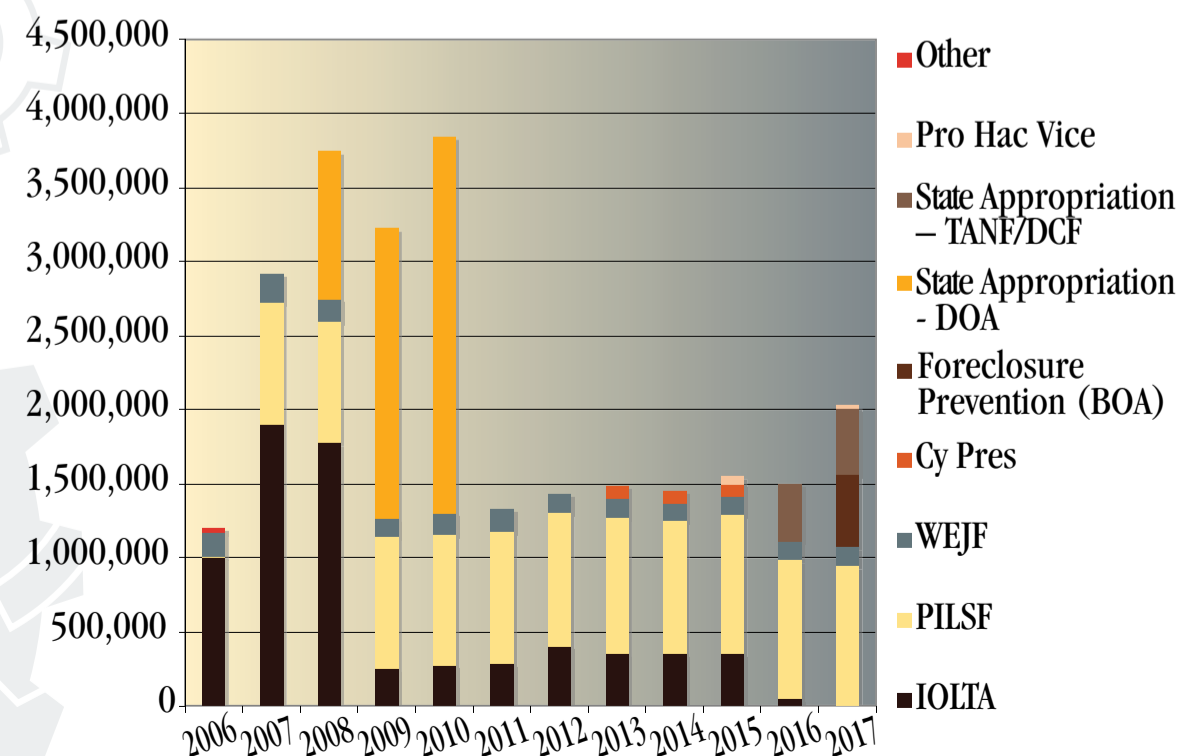
Public Interest Legal Services Fund (PILSF)

In 2005, the Wisconsin Supreme Court established the Public Interest Legal Services Fund (PILSF) in response to the state's growing need for civil legal services and to supplement IOLTA funding with a more stable revenue source. PILSF funds are directly attributable to Wisconsin's attorneys and judges, and are distributed throughout the ten state judicial districts. Since its inception, PILSF funds have helped low-income people in all Wisconsin counties.

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WisTAF Grants by Year (2006-2017)



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Cy Pres

Cy pres is a legal doctrine which commonly refers to residual funds left over from a class action lawsuit, but can also refer to funds from restitution, settlements, or penalties. Per Wis. Stat. section 803.08(10), not less than 50 percent of any residual funds from class actions filed in Wisconsin state court shall be disbursed to WisTAF to support direct delivery of legal services to persons of limited means in non-criminal matters. Occasionally, WisTAF receives settlement agreement residual funds to use in making grants supporting civil legal services.

Pro Hac Vice

In 2014, the Wisconsin Supreme Court amended the “pro hac vice” rule – increasing the fee paid by nonresident lawyers to participate in a particular action (with an active member of the State Bar of Wisconsin). The Court directed that a portion of the fee increase be allocated to WisTAF to help support the provision of civil legal services to low-income and indigent persons.

State Appropriation Funding

On occasion, the Wisconsin State Budget has included an appropriation of funds to be administered by WisTAF in the form of grants to civil legal service providers assisting low-income Wisconsinites. Between July 1, 2008 and June 30, 2011, the State of Wisconsin invested \$5,504,700 in civil legal aid for indigent persons. In return, legal aid attorneys received or recovered over \$50,000,000 for low-income clients over that same period, and served nearly 24,000 people in all 72 counties of the state. In 2011, the State of Wisconsin ended all state funding for indigent civil legal services. However, the 2015-16 State Budget allocated \$500,000 in federal TANF funding to be administered by WisTAF (via the Wisconsin Dept. of Children and Families) for domestic violence and sexual abuse civil legal services. This funding was again appropriated at the same levels in the 2016-17 and 2017-18 budget cycles. During 2017, 14 different legal aid groups and women’s shelters from around the state were part of this program.

Wisconsin Equal Justice Fund, Inc.

From 1998 through 2017, WisTAF dispersed annual grants funded by the Wisconsin Equal Justice Fund, Inc. (WEJF) – a nonprofit agency formed by attorneys to help increase funding for Wisconsin’s civil legal services programs. Individual attorneys, law firms, Wisconsin corporations and non-attorney individuals support WEJF’s members through donations and the annual Howard B. Eisenberg Lifetime Achievement Award Dinner. To date, nearly \$2.3 million has been granted to civil legal service providers serving individuals and families throughout Wisconsin.

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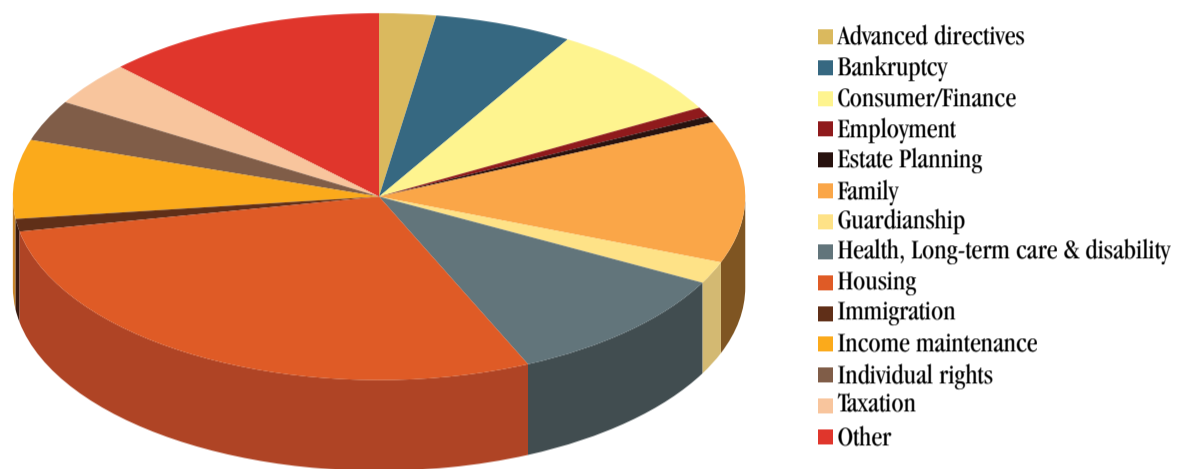
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Legal Aid Changing Lives *Who Benefits?*

In 2017, legal aid organizations continued to make a significant difference in the lives of Wisconsin's most vulnerable residents. Families and individuals from the Northwoods, to the Lake Michigan and Mississippi River shorelines, to the State Line and countless communities in between received the legal expertise needed to help solve complex problems in areas such as domestic violence, home foreclosure, and health benefits eligibility to name just a few. The following is a snapshot of the services provided by WisTAF grantees in 2017, along with real-life examples of people who were helped by legal aid.

Types of cases closed in 2017



Legal aid helps prevent homelessness.

“Jamie” was making payments to eventually buy the house he currently was leasing. Or at least he thought he was. Then he was evicted by the company to which he had been making payments - a company that did not even own the house. Sound like a mess? It was, and without legal representation, Jamie would have been lost. Fortunately, he found his way to a staff attorney at the Legal Aid Society of Milwaukee who began to unravel the predatory scheme that put Jamie in his life-challenging predicament. What the Legal Aid staff attorney discovered is that Jamie had been lured into a lease-to-own/rent-to-own game with a promise to eventually own the home if City-mandated repairs were made. He paid \$570 per month, of which \$41 went towards the purchase price.

The house had been purchased by Kaja Holdings 2 LLC at a sheriff's sale for approximately \$8,000. The purchase price offered to Jamie was \$40,000 plus the cost of repairs, totaling \$60,000. Kaja was supposed to be paying the property taxes on the home with a portion of the money Jamie was paying per month but when it did not, the City of Milwaukee seized the property. Despite losing the title to the House, Kaja filed to evict Jamie and his two teenage sons, claiming payments had been missed. At that point, Jamie had spent \$20,000 on repairs. After Legal Aid stepped in, Kaja agreed to drop the eviction proceeding and the court agreed to remove Jamie's name from the case summary in CCAP. Jamie stayed in the house, and now makes payments to the City, not the predatory lender.

~ Legal Aid Society of Milwaukee

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Legal Aid helps protect against persecution and violence.

One of the most significant needs in the Milwaukee area that the Catholic Charities of the Archdiocese of Milwaukee helps to meet is the need for legal representation for low-income asylum seekers. These men and women flee their countries for safety, often leaving behind family members and financial resources to find safety in the United States. Asylum cases are labor intensive, as they involve crafting a client affidavit, gathering supporting evidence, and writing a legal brief. There is also a one-year filing deadline from the date of entry to file the claim. Therefore, private attorneys must charge high fees for this type of case. "Sara" was the victim of Female Genital Mutilation (FGM) in her home country of Burkina Faso. She then began to speak out against FGM and became the target of threats and violence. She came to the United States with no money or resources, and with the help of Catholic Charities, she applied for asylum. Attorneys at Catholic Charities prepared an affidavit and legal brief and obtained evaluations from psychologists at Catholic Charities Behavioral Health. In the summer of 2017, Sara attended her asylum interview, accompanied by one of Catholic Charities' attorneys, and a few weeks later, her asylum was granted. Sara can now petition for her children to come and live with her in the United States. In one year, she will be able to apply for her green card. Without legal help, Sara likely would not have been able to successfully file and ultimately win her asylum claim. Sara is now ready to start her life in the United States, where she is safe and free from persecution and violence.

~ Catholic Charities of the Archdiocese of Milwaukee



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A Solid Foundation of Quality Legal Service Provision

In 2017, WisTAF awarded over \$2 million in grants to 23 agencies. While the funding is significant, it is woefully inadequate in addressing the estimated \$30 million-plus that would be needed *each year* to meet the civil legal service needs of Wisconsin's low-income families. The following 2017 grant recipients continue to share their dedication, skill, and innovation in providing help to the most vulnerable members of our society in the face of these challenging economic times.

ABC (Advocacy and Benefits Counseling) for Health, Inc. is a nonprofit public interest law firm serving families throughout Wisconsin on legal issues related to health care access and financing.

AIDS Resource Center of Wisconsin provides help to individuals and families living with HIV/AIDS, so they can find the legal help they need to live with dignity.

Catholic Charities of the Archdiocese of Milwaukee, Inc. is a nonprofit charitable organization serving over 13,000 families annually in the areas of Adult, Family & Children, and Social Ministries.

Catholic Charities of the Diocese of La Crosse, Inc. provides programming in the areas of immigration services, emergency support services, adoption services, financial counseling, domestic abuse services, services for children with disabilities, and ministries including the HIV/AIDS Ministry Project.

***Center Against Sexual and Domestic Abuse (CASDA)** provides free services to individuals hurt by domestic, sexual or child abuse, as they advocate for a community effort to end violence.

***Centro Legal por Derechos Humanos** is a nonprofit corporation whose primary purpose is to provide legal representation to the poor and those with limited resources for a reasonable and accessible price in the Milwaukee area.

***Community Justice, Inc.** is a nonprofit corporation that provides legal services to Madison-area low-income families and individuals on a sliding-fee scale based on federal poverty guidelines.

***Disability Rights Wisconsin** defends the rights of people residing in Wisconsin's public and private institutions, and represents individuals under the Americans with Disabilities Act through information and referral, direct legal representation, and in limited situations, class action litigation.

***End Domestic Abuse Wisconsin – RISE Law Center** provides quality, affordable direct legal representation to low income survivors of Domestic Violence & Sexual Abuse, primarily immigrants and refugees with limited English proficiency, in an effort to prevent and eliminate violence in intimate partner relationships.

***Golden House** is a private, nonprofit agency that provides safety and support for victims of domestic abuse, while leading community efforts to end domestic violence in Brown County.

***HAVEN, Inc.** (Household Abuse Victims Emergency Network, Inc.) is a free community service providing a safe and confidential environment to empower all survivors of domestic violence and sexual assault through sheltering, advocacy and education.

***Indianhead Community Action Agency** is a private, nonprofit agency that assists individuals in achieving self-sufficiency by providing the resources, education and services necessary to develop healthy families, sustainable communities and strong local businesses.

***Kids Matter, Inc.** provides legal services and other advocacy for children in foster and kinship care in the greater Milwaukee area.

***Legal Action of Wisconsin, Inc.** serves low-income clients in the areas of family law and domestic violence, housing, public benefits, special education and economic development.



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Legal Aid Society of Door County is a volunteer organization that operates primarily as a screening and referral source to coordinate legal services through local pro bono attorneys.

***Legal Aid Society of Milwaukee** provides family law, public benefits, landlord-tenant, consumer, municipal ordinance defense and civil rights law to low-income people in Milwaukee.

Metro Milwaukee Mediation Services, Inc. assists homeowners and their mortgage services in avoiding preventable foreclosures, and facilitates an informed and respectful transition in those instances where foreclosures are not avoidable.

Portage County Legal Aid Society is a volunteer attorney legal service that addresses the need for pro bono civil legal services for indigent persons in Portage County.

***Rainbow House Domestic Abuse Services** provides prevention, education and information to communities, families and schools with the goal of obtaining safety and empowerment for all victims of domestic abuse.

* **The Women's Center** provides safety, shelter, and support to all affected by domestic violence, sexual assault, human trafficking and child abuse in Waukesha County.

Winnebago Conflict Resolution Center, Inc. provides mediation services and training in mediation and conflict resolution statewide.

***Wisconsin Judicare, Inc.** provides civil legal assistance, information and education to low-income people, Native Americans, and others who might otherwise be denied access to justice.

***Women's and Children's Horizons** provides services to survivors of domestic abuse and sexual assault that enhances their safety, well-being, and self-sufficiency.

**Agencies with an asterisk preceding their names received Domestic Violence & Sexual Abuse Civil Legal Services State Appropriation (TANF) funding in 2017.*

Portfolio of Grants Disbursed During 2017

Grantee	Location of Primary Office	PILSF	Pro Hac Vice	2016-17 DVSA State Appr.	Foreclosure Prevention (Bank of America)	WEJF	Total
ABC for Health	Madison	\$33,700	\$0	\$0	\$0	\$0	\$33,700
AIDS Resource Center of Wisconsin	Milwaukee	\$16,200	\$0	\$0	\$0	\$0	\$16,200
Catholic Charities of the Archdiocese Milwaukee	Milwaukee	\$10,000	\$0	\$0	\$0	\$0	\$10,000
Catholic Charities of the Diocese of La Crosse	La Crosse	\$10,000	\$0	\$0	\$0	\$0	\$10,000
Center Against Sexual & Domestic Abuse (CASDA)	Superior	\$13,500	\$0	\$37,691	\$0	\$0	\$51,191
Centro Legal por Derechos Humanos, Inc.	Milwaukee	\$19,700	\$0	\$50,000	\$0	\$0	\$69,700
Community Justice, Inc.	Madison	\$9,000	\$0	\$47,645	\$27,500	\$0	\$84,145
Disability Rights Wisconsin	Madison	\$73,000	\$0	\$1,925	\$0	\$26,300	\$101,225
End Domestic Abuse Wisconsin	Madison	\$0	\$0	\$17,489	\$0	\$0	\$17,489
Golden House, Inc.	Green Bay	\$0	\$0	\$44,269	\$0	\$0	\$44,269
HAVEN, Inc.	Merrill	\$0	\$0	\$34,496	\$0	\$0	\$34,496
Indianhead Community Action Agency	Ladysmith	\$0	\$0	\$50,000	\$0	\$0	\$50,000
Kids Matter, Inc.	Milwaukee	\$12,800	\$0	\$15,000	\$0	\$0	\$27,800
Legal Action of Wisconsin, Inc.	Milwaukee	\$518,400	\$18,300	\$47,606	\$233,500	\$84,614	\$902,420
Legal Aid Society of Door County	Sturgeon Bay	\$9,000	\$0	\$0	\$0	\$0	\$9,000
Legal Aid Society of Milwaukee, Inc.	Milwaukee	\$73,000	\$0	\$15,000	\$54,500	\$0	\$152,500
Metro Milwaukee Mediation Services, Inc.	Milwaukee	\$0	\$0	\$0	\$77,500	\$0	\$77,500
Portage County Legal Aid Society	Stevens Point	\$11,800	\$0	\$0	\$0	\$0	\$11,800
Rainbow House Domestic Abuse Services, Inc.	Marinette	\$0	\$0	\$22,500	\$0	\$0	\$22,500
Winnebago Conflict Resolution Center, Inc.	Oshkosh	\$0	\$0	\$0	\$18,000	\$0	\$18,000
Wisconsin Judicare, Inc.	Wausau	\$132,700	\$4,470	\$42,057	\$64,500	\$20,586	\$264,313
Women and Children's Horizons	Kenosha	\$0	\$0	\$20,549	\$0	\$0	\$20,549
Totals		\$942,800	\$22,770	\$446,227	\$485,500	\$131,500	\$2,028,797

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WISTAF PARTNERS

A COLLABORATION FOR EQUAL ACCESS TO JUSTICE

Financial institutions provide the substance of the IOLTA program. Their commitment to the communities they serve is reflected in their participation in IOLTA – and to an even greater degree, by those electing Prime Partner status.

Prime Partner Financial Institutions

Membership in the Prime Partner program allows banks to fulfill the corporate value of *supporting the community*. And, Prime Partners understand that a stronger community is good for business.

Prime Partner institutions, listed below, are IOLTA participating financial institutions that, during 2017, went above and beyond IOLTA participation requirements by choosing to pay interest rates on IOLTA accounts that are at least 50 basis points (0.50 percent) higher than required under the Wisconsin Supreme Court's IOLTA interest rate comparability requirement.

2017 Prime Partners

Citizens Bank

Citizens Community Federal

Farmers State Bank (Hillsboro)

First Bank Financial Centre

First Business Bank

First National Bank of Hartford

Home Savings Bank

Mound City Bank

Peoples State Bank (Prairie du Chien)

State Bank Financial

IOLTA Participating Financial Institutions

More than 200 financial institutions maintained IOLTA accounts in 2017 – three-quarters of which generously waived service fees, allowing 100% of the interest earned to help support their community members in need. A full listing of eligible IOLTA participating financial institutions can be found on our Web site at www.wistaf.org.



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Statement of Financial Position

ASSETS	2017*	2016
Cash	\$1,227,093	\$865,524
Certificate of deposit	1,600	1,600
Accounts receivable	52,114	48,223
Grants receivable	86,568	114,507
Prepaid expenses	8,661	13,468
Investments	6,301,712	6,666,066
Equipment	7,556	7,556
Less accumulated depreciation	(7,556)	(7,556)
Total assets	<u>\$7,677,748</u>	<u>\$7,709,388</u>
LIABILITIES		
Accounts payable	\$1,431	\$220
Grants payable	1,399,425	1,066,513
Accrued expenses	12,156	8,963
Total liabilities	<u>1,413,012</u>	<u>1,075,696</u>
NET ASSETS (unrestricted)	<u>6,264,736</u>	<u>6,633,692</u>
Total liabilities and net assets	<u>\$7,677,748</u>	<u>\$7,709,388</u>

Statement of Activities

REVENUE		
Trust account interest income (IOLTA)	\$374,355	\$321,875
Public Interest Legal Services Fund (PILSF)	1,080,750	932,800
Bank settlements	0	5,458,119
Grant revenue	517,713	551,771
Wisconsin Equal Justice Fund (WEJF)	131,500	120,000
Pro hac vice fees	58,500	60,300
Investment return	136,629	105,219
Other	419	60
Total revenue	<u>\$2,299,866</u>	<u>\$7,550,144</u>
EXPENSES		
Program services (grant awards program)	\$2,545,530	\$1,725,552
Supporting activities	123,292	150,189
Total expenses	<u>2,668,822</u>	<u>1,875,741</u>
Change in net assets	(368,956)	5,674,403
Net assets – beginning of year	6,633,692	1,886,052
Cumulative effect from change in basis of accounting	0	(926,763)
Net assets – end of year	<u>\$6,264,736</u>	<u>\$6,633,692</u>

**These are audited figures for the period ending December 31, 2017. Audit available upon request.*

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The Wisconsin Trust Account Foundation, Inc. (WisTAF) is dedicated to equal access to the civil justice system, funding legal services for low-income persons through the fair and effective administration of Interest on Lawyers' Trust Accounts (IOLTA), Public Interest Legal Services Fund (PILSF), and other sources.

Staff

Executive Director

Rebecca Murray

(De Ette Tomlinson, Jan-Oct 2017)

IOLTA Program/Office Manager

Tehmina Islam

Grants Program Manager

Carlos Arenas