

## About WisTAF

The Wisconsin Trust Account Foundation, Inc., created in 1986 by the Wisconsin Supreme Court, is a nonprofit organization governed by a 15-member Board of Directors, with members appointed by the Wisconsin Supreme Court and State Bar of Wisconsin. WisTAF distributes funds to agencies providing civil legal services to Wisconsin's poorest and most vulnerable residents. WisTAF-funded grantees provide families and individuals with legal help addressing such issues as escaping domestic violence and abuse, foreclosure, bankruptcy, illegal eviction, and obtaining the medical benefits they are due — to name just a few. Grant money also funds law-related services such as legal education, indirect legal services or other community services approved by the Wisconsin Supreme Court.

## Staff

*Executive director*  
De Ette Tomlinson

*Program manager*  
Rebecca Murray

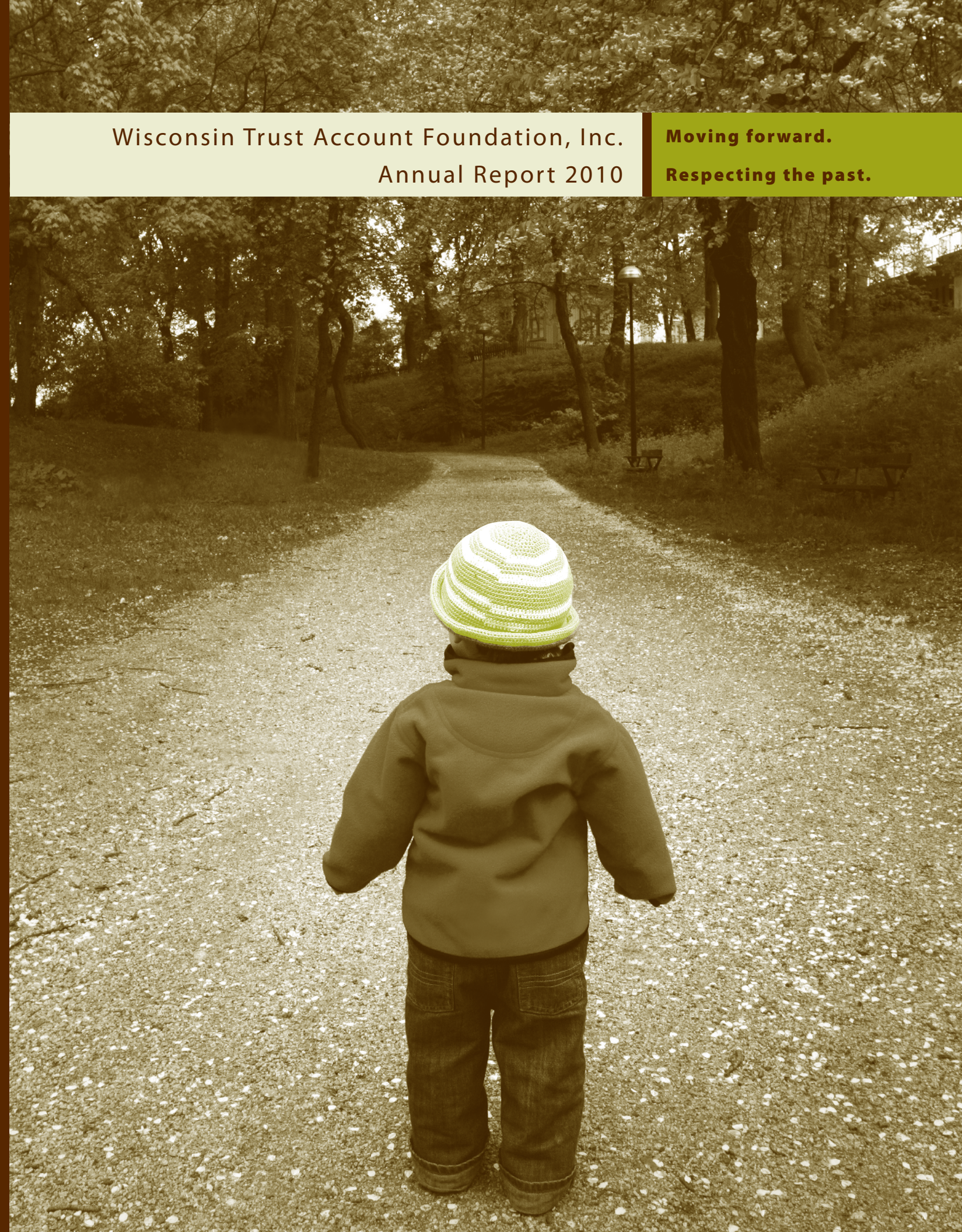
*Program assistant*  
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## Wisconsin Trust Account Foundation, Inc. Annual Report 2010

**Moving forward.  
Respecting the past.**





*We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.*

2010 Board of Directors

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Wausau

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Brookfield

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Milwaukee

Our Mission

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), State of Wisconsin Low-Income Civil Legal Services Appropriation, and other sources.

Greetings friends and colleagues,

A review of last year’s activities suggests a slow and steady move forward while current funding challenges point to a profound need to respect the past.

As Wisconsin’s largest private funding source for civil legal aid programs, WisTAF exists to ensure that low-income people with non-criminal legal problems have access to information, advice and representation. In 2010 WisTAF was able to put more dollars into grantee programs than ever before. Grant disbursements to 15 civil legal aid programs across the state totaled more than \$3.8 million – largely the result of a diversification in funding sources and the implementation of the newly added comparable interest provisions to the Wisconsin Supreme Court rule governing IOLTA accounts.

WisTAF’s newest funding source, the State of Wisconsin low-income civil legal services appropriation – approved as part of the state’s 2007-2009 biennial budget – was achieved through the combined efforts of legal services providers, the State Bar of Wisconsin, the Wisconsin Supreme Court, and others. Collectively, these parties recognized the gaping hole in funding civil legal services and its impact in restricting equal access to justice.

Moving forward in the wake of the economic crisis of 2008

As you are likely aware, economic indicators at the close of 2010 pointed to a slight national economic recovery from the financial crisis of 2008. Growth in gross domestic product, stock prices, and consumer spending has raised expectations that the U.S. economy will slowly return to normal.

But even a return to “normal” provides limited solace as pre-recession normal was far from adequate in meeting the civil legal service needs of Wisconsin’s low-income residents. At a time when fallout from the economic crisis is continuing to create even greater needs for legal services, proposals to cut critical funding at both the federal and state levels threaten to jeopardize justice in the immediate future.

Respecting our past in the face of an ever-widening justice gap

Our founding fathers wisely identified the establishment of justice as the very first prerequisite to creating a “more perfect union” in the preamble to the United States Constitution. This criterion was mentioned even before providing for a common defense or insuring domestic tranquility. Sadly, now more than ever, the concept of equal justice under law is becoming frighteningly unattainable to large portions of our population.

Current efforts to curb the federal budget deficit have placed already inadequate legal aid to the poor on the chopping block, crippling providers’ ability to make basic legal services available across the country. Compounding that loss to providers here in Wisconsin is the Governor’s 2011-2013 biennial budget proposal, which eliminates \$5 million in civil legal service appropriation funding relied on by WisTAF grantees and their clients.

Unfortunately, the laudable goal of fiscally responsible budgeting is at odds with respecting the historical mandate of establishing justice under the law – a progressive concept in 1787 which remains vitally important today.

It is my sincere hope that ongoing collaboration with our partners and stakeholders will result in continued progress toward our mission of making sure that all Wisconsin residents have equal access to the civil justice system in accordance with the supreme law of the United States put forth and adopted by its People.

Dean Dietrich, President

2010 year in review

WisTAF Revenue: An Overview

In 2010, WisTAF revenue for grants came from three main sources: the Interest on Lawyers Trust Accounts (IOLTA) program, the Public Interest Legal Services Fund (PILSF) program, and the State of Wisconsin low-income civil legal services appropriation. In addition to these three main sources, WisTAF once again disbursed grants on behalf of the Wisconsin Equal Justice Fund, Inc.

The IOLTA and PILSF programs were established by the Wisconsin Supreme Court to make Wisconsin’s justice system accessible to all, regardless of income. The IOLTA program is supported by participating financial institutions across the state, while all practicing Wisconsin attorneys and judicial members support the PILSF program.

The newest funding source, the State of Wisconsin low-income civil legal services appropriation, was a product of the state’s 2007-2009 biennial budget. Prior to 2008, Wisconsin was one of only six states in the U.S. that did not fund legal services to enable the state’s low-income residents to access the civil court system. While Wisconsin has funded legal representation for low-income residents

accused of criminal offenses through the Office of the State Public Defender for decades, similar court access for low-income civil victims of unlawful activities such domestic violence, illegal evictions and consumer fraud remained financially inaccessible to over half a million Wisconsin residents. Through strong bipartisan support of prior elected officials in the legislative and executive branches, the void in state funding for *civil* legal services was reduced by over \$5.5 million during the past three years. It should be noted that this funding was eliminated from the current governor’s 2011-2013 budget proposal and it remains to be seen whether vital state funding will again be made available.

The far-reaching effects of the economic crisis of 2008 held 2010 IOLTA revenue to a shadow of its former annual average as the Federal Reserve Board kept the federal funds target rate at unprecedented low levels throughout the year. This resulted in IOLTA income of roughly half that of 2008. However, 2010 IOLTA income – at just over \$500,000 – was 48 percent higher than the amount of income earned in 2009. The increase was due in large part to the impact of WisTAF’s comparable interest project, which resulted in a

change to the Wisconsin Supreme Court Rule governing Interest on Lawyers Trust Accounts. The increase also is attributed to the dedicated partnership between WisTAF and its Prime Partner financial institutions which choose 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.

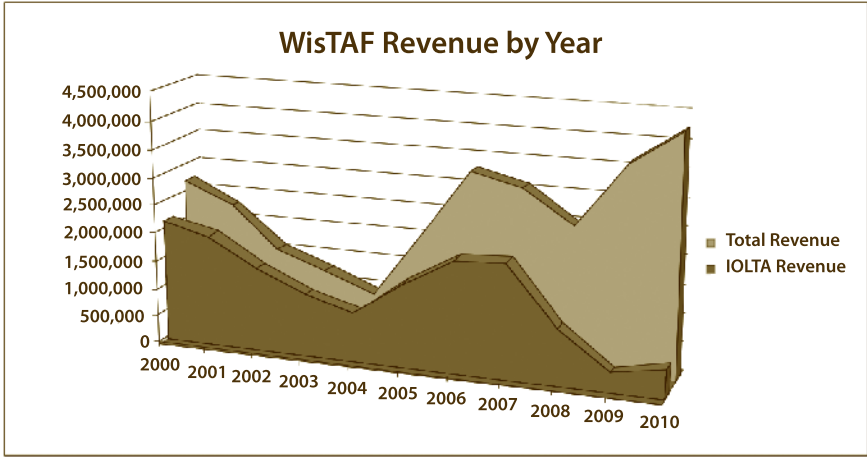
Together with WisTAF’s more stable PILSF income and the civil legal services state appropriation funding, the Foundation realized its highest total annual revenue of the past decade – in excess of \$4.2 million. As a result, 2010 grant disbursements amounted to the highest annual total in WisTAF’s history.

On a further positive note, at the close of 2010 WisTAF’s investment portfolio had regained 95 percent of its pre-economic crisis value.

Over the years, the WisTAF Board of Directors and staff have worked diligently to identify and evaluate potential new income sources in an attempt to diversify grant revenue sources. The Board will continue to pursue this goal in an effort to mitigate future economic uncertainty.

IOLTA Initiatives

In 2010, WisTAF implemented a number of administrative changes designed to improve efficiency in processing and collecting IOLTA remittances. Mandatory electronic remittance reporting and ACH transfer of IOLTA income resulted in a reduction in staff hours and direct costs necessary to process IOLTA revenue. These important tasks were made possible by the overwhelmingly positive cooperation of WisTAF’s eligible participating financial institutions.



Going forward, WisTAF will monitor financial institutions’ ongoing alignment with the rule and update its published *List of IOLTA Participating Financial Institutions* periodically, as well as conduct a comprehensive annual review of all the institutions, as required by the rule. WisTAF will work with any institutions that might fall out of alignment to ensure their opportunity to continue participation in the IOLTA program, if desired.

Grant Management Initiatives

In 2010 WisTAF undertook several projects as part of the Grants/Evaluation Committee’s ongoing commitment to continuously improve the grant process. The development and implementation of an online grants management system allowing grant

applications and reports to be completed, submitted, and stored online has resulted in a streamlined process for grantees and staff, alike. Throughout the process, grantees provided invaluable feedback used in development and implementation.

Grant Awards and Service Delivery

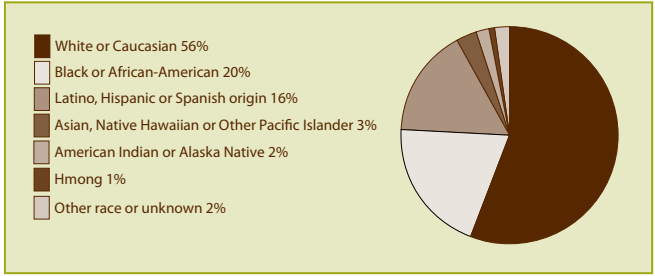
In 2010 WisTAF granted more than \$3.8 million to 15 legal services agencies. These grants included \$273,100 from WisTAF’s IOLTA program, \$881,800 from the Public Interest Legal Services Fund (PILSF), and \$2,546,100 in state appropriation funding. WisTAF also was honored to disburse \$144,600 from the Wisconsin Equal Justice Foundation.

It should be noted that while 2010

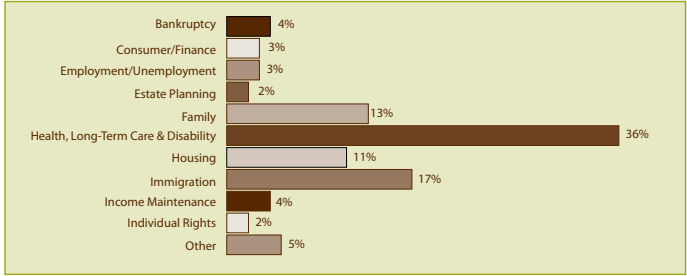
total grant disbursements were the most awarded since WisTAF’s inception, funding fell short of the total amount requested by grant applicants by nearly \$2.7 million – continuing evidence of the growing need for civil legal service funding in Wisconsin.

Between January 1 and December 31, 2010, WisTAF-funded legal services programs provided assistance to low-income clients in nearly every Wisconsin county. Grantees report that over 18,000 individuals directly benefitted from legal assistance provided with WisTAF grant funding in 2010. These figures do not take into account numerous others who received helpful legal information and education but were not engaged as clients.

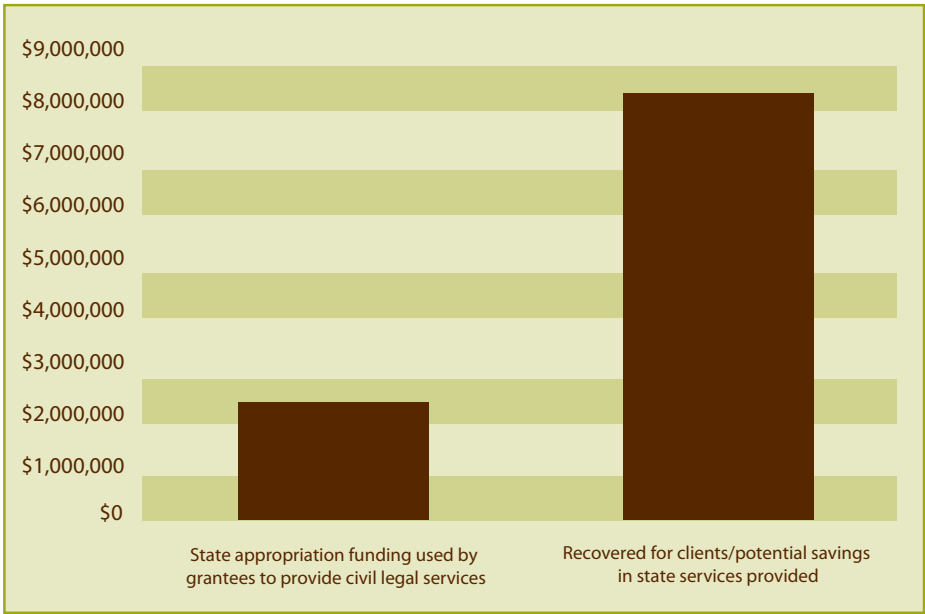
Who used WisTAF supported legal services?



Types of cases closed in 2010



Return on Investment of State Civil Legal Services Appropriation (7/1/10-12/31/10)



For every \$1 of State of Wisconsin civil legal services appropriation funding received, grantees reported they were able to recover \$3.27 on behalf of their clients during the six month period from July 1, 2010 through Dec. 31, 2010). This 227 percent return on investment translates into savings in services the state otherwise would likely provide.





Ellen, a 91-year-old woman was the unfortunate victim of predatory lending. She was granted an unconscionable loan in which the mortgage broker fraudulently inflated her income and the value of her home. Legal Action of Wisconsin was able to assist Ellen by seeking to have the note and mortgage declared void on the grounds that both Ellen and her bank acted on mutual mistake caused by the mortgage broker’s fraud. Ultimately, the case was settled and dismissed. Ellen entered into a reverse mortgage and the bank reduced her debt, enabling her to continue living in her home.

*Legal Action of Wisconsin, Milwaukee*

**Did you know?** In 2010, Wisconsin averaged one foreclosure case for every 91 housing units – a 340 percent increase from 2000. Home foreclosures remain a serious issue for many areas of the state, with low-income residents facing the highest risk. *Legal Action of Wisconsin, Milwaukee*

## Our partners

WisTAF wishes to thank its many partners in 2010 – from Wisconsin’s financial institutions and practicing attorneys and judges on the funding side – to grantee agencies and individual providers on the service side – for their dedicated efforts in this great collaborative effort.

### Wisconsin’s Financial Institutions

Financial institutions provide the substance of the IOLTA program. Their commitment to the communities they serve is reflected in their participation in IOLTA. The interest earned on attorney IOLTA accounts is helping our friends and neighbors across Wisconsin.

We would like to take this opportunity to thank the more than 230 financial institutions that maintained IOLTA accounts in 2010 – many of which generously waived service fees on IOLTA accounts, allowing all interest earned to go directly to their neighbors in need. A full listing of eligible IOLTA participating financial institutions can be found on our Web site at [www.wistaf.org](http://www.wistaf.org).

### Prime Partners

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 go 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. The additional interest results in more funding for civil legal aid in communities throughout Wisconsin and, in return, Prime Partners receive special recognition from WisTAF.

- Alliance Bank (New Ulm/Eau Claire)
- BLC Community Bank
- First American Bank, N.A.
- First Bank Financial Centre
- First Business Bank (Madison)
- First Business Bank (Milwaukee)
- First National Bank of Hartford
- Integrity First Bank
- Mound City Bank
- Peoples State Bank (Prairie du Chien)
- PNC Bank NA
- River Valley Bank
- Spring Bank
- State Bank Financial

We are honored that these outstanding financial institutions have chosen to work with WisTAF to make an even larger positive impact on the lives of their neighbors in need.

Attorneys, law firms, and other legal professionals can help sustain IOLTA and civil legal aid to low-income Wisconsinites by banking at a Prime Partner financial institution or encouraging your nonmember institution to become a Prime Partner by contacting the financial institution directly.

### Wisconsin’s Legal Practitioners and the State Bar of Wisconsin

While banks provide the substance of the IOLTA program, attorney participation provides the backbone.

In addition, funding for the Public Interest Legal Services Program (PILSF) is directly attributable to Wisconsin’s attorneys and judges. The PILSF program has proven successful at providing legal services where they’re needed across the state. Areas of the state with a large number of attorneys and a relatively low poverty population provide funding for areas of the state with few attorneys and many poor people – ensuring that rural populations share in PILSF funds. Since its inception six years ago, PILSF funds have helped low-income people in all Wisconsin counties.

Deserving special recognition are the State Bar of Wisconsin’s Legal Assistance Committee, which studies and recommends methods for making civil legal services more accessible to low-income persons, and the Public Interest Law Section, which provides a forum for public interest lawyers to discuss common issues and concerns. These groups also provide education opportunities by sponsoring seminars at State Bar conventions, and encouraging law students at Wisconsin’s two law schools to consider employment in public interest law.

### Wisconsin Equal Justice Fund, Inc.

The Wisconsin Equal Justice Fund, Inc. (WEJF) is 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 in Milwaukee.

The Equal Justice Fund has raised nearly \$2 million for civil legal services programs that serve Wisconsin’s low-income families.

### Wisconsin Supreme Court

Since creating WisTAF in 1986, the Wisconsin Supreme Court has entrusted WisTAF to identify income sources to be used for improving access to the civil justice system. When WisTAF identified improved IOLTA management options, the Court heard and approved WisTAF’s petition to amend the Supreme Court Rule governing trust accounts. Implementation of the rule change means additional resources will be available for those needing civil legal help as interest rates rise, nationally, in the years ahead.



Anna is a woman with multiple disabilities who was hospitalized for surgery. Her managed care organization planned to discharge her to a nursing home with a history of health and safety violations. Disability Rights Wisconsin (DRW) advocated successfully for her right to move into a nursing home of her own choosing, and for more home health aide hours when she returned home, to assist her through her period of recovery.

*Disability Rights Wisconsin, Madison*

**Did you know?** An estimated 702,000 people in Wisconsin have a disability, or 14% of the population age 5 and over.

Our grantees

2010 Grant Recipients

In 2010, WisTAF granted more than \$3.8 million to 15 legal services agencies. 2010 grants included \$273,100 from WisTAF’s IOLTA program, \$881,800 from the Public Interest Legal Services Fund (PILSF), and \$2,546,100 in state appropriation funding. WisTAF also was honored to disburse \$144,600 from the Wisconsin Equal Justice Foundation. These grants have boosted WisTAF funding to over \$40 million over the past 24 years. But as the following grantee agencies would affirm, more is needed. In fact, it’s estimated that more than \$30 million would be needed *each year* to meet the civil legal services needs of Wisconsin’s low income families.

WisTAF is honored to support our grantees’ continued dedication, skill, and innovation in providing legal services in the face of inadequate funding and 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 Network** provides advocacy, legal assistance and referrals to help persons with HIV/AIDS find access to public benefits, housing, medical benefits/access to medical care, family law and other legal issues.

**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.

**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** 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.

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

**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.

**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.

**People Against Sexual and Domestic Violence of Jefferson County** provides legal advocacy and representation to victims of domestic and sexual abuse in Jefferson County.

**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.

**Wisconsin Judicare, Inc.** provides civil legal services to nearly 3,000 low-income northern Wisconsin residents each year with the help of 400 private practice attorneys and eight staff attorneys.

ABC for Health met Sam in the hospital shortly after his pancreatitis and other medical conditions had taken over his body. Sam, who had been doing all he could to stay employed while caring for his ailing mother, was suddenly unemployed, uninsured, and fighting for his own life. As a single, low-income adult with no children, Sam had applied for the newly created BadgerCare Plus Basic Program, a self-funded insurance plan administered by the State of Wisconsin. ABC for Health advocates reviewed Sam’s medical and financial situation to help Sam successfully challenge a variety of administrative hoops and hurdles that resulted in a wrongful denial of his insurance coverage. Thanks to his enrollment in BadgerCare Plus Basic, Sam could afford his extended inpatient recovery, subsequent home health care, and regularly filled and regulated prescriptions. ABC for Health then connected Sam to other agencies, including the Department of Vocational Rehabilitation, so he could re-enter the job market. Sam considers ABC for Health and the state’s BadgerCare Basic program his lifesavers.

*ABC for Health, Madison*

**Did you know?**  
There are over 1 million Wisconsinites who rely on Medicaid-related programs, including 775,000 through BadgerCare alone.





Schedule of Grants – January 1 through December 31, 2010

	IOLTA Grants	PILSF Grants	State of Wisconsin Low-Income Civil Legal Services Appropriation	Wisconsin Equal Justice Fund Grants
ABC for Health, Inc.	-	32,600	130,400	-
AIDS Network	-	8,500	28,500	-
AIDS Resource Center of Wisconsin	-	12,000	17,600	-
Catholic Charities of the Archdiocese of Milwaukee, Inc.	-	15,000	21,900	-
Center Against Sexual & Domestic Abuse, Inc.	23,100	18,000	11,900	-
Centro Legal	-	33,700	56,300	-
Community Justice, Inc.	-	10,500	29,500	-
Disability Rights Wisconsin	35,300	51,900	247,340	28,924
Kids Matter, Inc.	10,000	-	-	-
Legal Action of Wisconsin, Inc.	131,660	484,270	1,375,650	90,684
Legal Aid Society of Door County	-	4,900	-	-
Legal Aid Society of Milwaukee	36,700	54,100	247,340	-
People Against Sexual & Domestic Abuse	-	7,200	-	-
Portage County Legal Aid Society	-	12,600	-	-
Wisconsin Judicare, Inc.	36,340	136,599	379,670	25,014
Totals	273,100	881,869	2,546,100	144,622

Summarized Financial Information

Statement of Financial Position	2010*	2009
Assets		
Total Current Assets	\$792,372	\$809,613
Fixed Assets	\$680	\$1,958
Investments	\$1,494,198	\$1,335,811
Total Assets	\$2,287,250	2,147,382
Liabilities and Net Assets		
Total Liabilities/Line of Credit	\$150,000	\$150,000
Total Net Assets	\$2,137,250	\$1,997,382
Total Liabilities and Net Assets	\$2,287,250	\$2,147,382
Statement of Activities		
Revenues	\$4,249,090	\$3,628,640
Expenditures		
Grants Awarded	\$3,845,691	\$3,222,771
Support Expenses	\$262,790	\$226,556
Total Expenditures	\$4,108,480	\$3,449,327
Increase (Decrease) in Net Assets	\$140,610	\$179,313
Net Assets – Beginning of Period	\$1,997,382	\$1,818,069
Net Assets – End of Period	\$1,970,488	\$1,997,382

\*These are unaudited figures for the period ending December 31, 2010. Audit available upon request.



Ms. Z immigrated to this country within the last five years. Instead of starting a better life here, she found herself shut out of her home by an abusive husband. For nearly two years she was denied access to her children. Ms. Z sought the assistance of a local women’s support group and was directed to Centro Legal. The agency accepted the case for full representation and filed a divorce on her behalf. The process took nearly 15 months to complete as her husband refused any compromises. Finally, the matter was set for trial. Ms. Z put in hours of preparation with her Centro Legal attorney and presented strong and persuasive testimony at trial. Moved by the evidence, the Judge found that the interest of the children was best served by awarding Ms. Z primary placement. Reunited with her family, Ms. Z has placed herself in a position to realize the dreams she first had when she came to America.

Centro Legal, Milwaukee

Did you know?

In 2009, 4.5 percent of Wisconsin’s total population was foreign-born. Of these quarter of a million immigrants, nearly 16 percent lived below the poverty threshold.