



# ALABAMA APPLESEED

September 2007

<http://alabama.appleseeds.net>



## Appleseed To Hold Open House At New Offices

Thursday, September 13th • 5:30 PM  
309 N. Hull Street - Montgomery

As we reported in our last newsletter, Alabama Appleseed moved into new offices on June 1<sup>st</sup> in the Old Alabama Town Section near downtown Montgomery. Through the generous donations of furniture and furnishings by one of our Board members and a local bank that had relocated, we were able to fully furnish our new offices with a beautiful conference table and matching chairs, office desks and chairs, cadenzas, lamps, rugs, couches, bookcases, and paintings. All of this was right on time as we had two summer interns with us over the summer and we will be adding a fourth staff person on our immigrant policy project right

after Labor Day. After the three of us had our offices in the same room for 10 months, having our own separate offices now is really nice. We are most grateful for your support that made this move possible and for the above-mentioned donations of furniture and furnishings.

**Mark your calendars for Thursday, September 13<sup>th</sup> at 5:30 P.M.** At that date and time we are holding an Open House Reception at our new offices to celebrate our move and to say thanks to all our supporters for their generous support that made it all possible. **If you are in Montgomery on the 13<sup>th</sup> or are willing to drive to Montgomery.** we hope you will be able to join us on the 13<sup>th</sup> for this very special occasion. The building we are in marks the spot from where we so our work, but the move and our presence here symbolically mark another stage in the on-going development and maturing of Alabama Appleseed as an organization.



## Appleseed At Annual State Bar Meeting

For the fourth year in a row Alabama Appleseed has had a presence at the Annual Meeting of the State Bar. In July, Appleseed staff members Shay Farley and Craig Baab attended the Annual Meeting in Point Clear by hosting our informational booth. Many of the attendees stopped by our booth and talked with Shay and Craig. We participate at the State Bar meetings in this way to inform and educate our colleagues about Alabama Appleseed as an organization and about our public advocacy projects and to let them know we welcome and encourage their pro bono involvement with us. In addition to hosting our informational booth, Shay and Craig were able to attend several of the section meetings and were able to share about some of our work.

Over the past five years we have worked with the State Bar on numerous issues and look forward to our continuing work with the State Bar and its members. We would also welcome the opportunity to meet and talk with local bar associations about Appleseed. Just let us know if your local bar association would like us to come and speak at one of your regular meetings.

# Executive Director's Column

**Brannon J. Buck**

Attorney, Birmingham  
Maynard, Cooper & Gale

**John L. Carroll**

Dean & Professor,  
Cumberland School of Law  
Birmingham

**Herman Cobb**

Attorney, Dothan  
Cobb, Shealey & Crum, P.A.

**William D. Coleman**

Attorney, Montgomery  
Capell & Howard, P.C.

**Patricia C. Diak**

Attorney, Birmingham  
Haskell, Slaughter, Young &  
Rediker, LLC

**Bryan K. Fair**

Law Professor, University of  
Alabama School of Law  
Tuscaloosa

**A.H. "Nick" Gaede, Jr., Chair**

Attorney, Birmingham  
Bradley, Arant, Rose & White, L.L.P.

**Merceria Ludgood**

Attorney, City of Mobile  
Mobile

**David Marsh**

Attorney, Birmingham  
Marsh, Rickard & Bryan, P.C.

**Dudley C. Reynolds, Secretary**

President, Alabama Gas  
Corporation  
Birmingham

**Roman Shaul**

Attorney, Montgomery  
Beasley Allen

**Janie L. Shores**

Associate Justice, Alabama  
Supreme Court (Retired)  
Birmingham/Montrose

**David L. Silverstein**

Principal, Bayer Properties  
Birmingham

**Sharon G. Yates**

District Court Judge, Montgomery

Founders/Advisory Board

Albert P. Brewer – Birmingham  
Gregory S. Cusimano – Gadsden  
J. Mason Davis – Birmingham  
John H. England – Tuscaloosa  
C.C. Torbert - Opelika



**John Pickens**

## Striving for Greatness

In preparation for a recent strategic planning meeting of our Board of Directors, I read a small pamphlet that a friend said might be helpful given Alabama Appleseed's stage of development. It was called Good to Great (and the Social Sectors), by a business organizational consultant named Jim Collins. The pamphlet was a shorten adaptation for non-profit organizations of his successful organizational book for

businesses by the same name. From the outset I was struck by his central, yet simple, idea of "Good to Great" - meaning that all organizations should strive not simply to be good but to be great. In the pamphlet he lays out a number of principles and ideas that he says, if followed with discipline by an organization's board and staff, the organization will become a great organization that lasts and has a meaningful and substantial impact.

Although there are many insightful, profound and helpful ideas in this pamphlet, the principle he labeled "The Hedgehog Concept" seemed particularly meaningful. But, before I get to that, perhaps you are wondering, like I did – What is a hedgehog? Is it as elusive of meaning as that proverbial "widget" that many of us encountered in law school? Webster defines a hedgehog as "1. A small nocturnal, insectivorous mammal having stout spines on the back and sides; 2. The porcupine; 3. An obstacle made of barbed wire on frames." In a layman's understanding perhaps, breaking it down into two parts, a "hedge" is like a barrier or fence around our yards, and a "hog", as in ground hog, is a small furry animal that can dig under and around any barrier one erects. So, I guess he might mean that an organization following the "Hedgehog Concept" can overcome any barrier – specifically any barrier keeping it from achieving greatness.

Now the "Hedgehog Concept" as applied to non-profit organizations. It is comprised of three inter-connected principles: 1. Understanding what your organization stands for and why it exist; 2. Understanding what your organization can uniquely contribute to the people it touches, better than any other organization on the planet; and 3. Under - standing what best drives your resource engine, broken into three parts – time, money and brand. In application I think this means that an organization should be clear on what it's mission/ purpose is; its work should further and reinforce the mission and the organization should figure out what is distinctive and unique about the work it does; and the main source/s of volunteers and financial support should be interested in and connected with the organization's mission and its distinctive impact. By doing this the organization will be fulfilling its mission in its own distinctive way and at the same time building a base of support that understands and believes in what the organization is doing.

As with many things in life, all this is easy to say but hard to do. As I see it, over the next several years striving for and achieving greatness is the challenge for myself, our staff and our Board. I believe we are now a really good organization, but we can and will be great. Thanks so much for the many ways that you support Alabama Appleseed.

# Appleseed Briefs...

## Immigrant Justice Project

Our Immigrant Justice Project is now underway. Funded by a generous foundation grant, which we share with our sister Appleseed centers in Georgia and South Carolina as well as National Appleseed, our work will focus on improving law and promoting positive policy and practice on immigrant issues at the state and local level. This capacity building grant allowed us to hire an additional staff person to focus on this work. As such, we are pleased to announce and welcome Zayne Smith, a recent graduate of Jones School of Law, to our staff. Zayne is from Dallas, Texas, and came to Alabama to attend college at the University of West Alabama (B.A. History) on a women's softball team scholarship. She is of Native American heritage and brings a real passion for public interest advocacy.

In the upcoming year, in addition to continuing our financial literacy education sessions, we will assist in the coordination and leadership of state- and local-based advocacy initiatives; will focus on policies that impact fundamental fairness, due process and access to justice; and will help develop proactive, positive policy initiatives to counter anti-immigrant efforts and promote greater civic engagement and integration of new immigrants. One of our priorities for 2008 is to help respond to anti-immigrant ordinance and statutory activity at the state and local levels, while monitoring the national reform debates and state strategies.

According to the 2000 Census data, Alabama is home to 75,830 Latinos. It is widely believed that this is a gross underestimate of the actual numbers of Latino immigrants in the state. In 1990, the Hispanic population in Alabama was only 24,629. This growth in the Hispanic population in Alabama represents an increase in this ten-year period of over 200 percent. According to a recent study by the Pew Hispanic Center, that was the seventh highest growth rate in the nation.

There is a great need for organized immigrant policy work in Alabama. Although there are a few Latino interest groups across the state, the major interest groups are centered in the Birmingham area and the more rural areas of the state appear to have less organized voices. We believe we can play a coordinating role to bring these various groups, organizations and church congregations together for unified action and policy development. We believe we can help them become a more effective and visible coalition and voice for the growing Hispanic population in Alabama. We envision that this coalition group will

be a key effective vehicle for developing sound and supportive public policy.

As we do in each of our advocacy areas, we will leverage our local resources with the experience, expertise and influence of not only our community partners but also engage, as necessary, the pro-bono assistance of lawyers. We welcome you to contact us if you would like additional information as to how you may lend your knowledge and assistance to our efforts.

## Katrina's Second Anniversary Highlights Continuing Challenges

Alabama Appleseed marked the passage of two years since the August 29, 2005 landfall of Katrina by expanding its advocacy on behalf of the thousands of low-income, elderly, disabled survivors who continue to live as they did a month after the storm. To date, not one house has been rebuilt with Mobile County's allocation of some \$16.9 million in federal Community Development Block Grant (CDBG) funds. Approximately 350 Alabama families remain living in unhealthy FEMA travel trailers.

To expedite the rebuilding, Appleseed is working closely with the Mobile County Commission, FEMA's Office of General Counsel, Area Agencies on Aging, numerous advocacy groups and the Alabama Department of Economic and Community Affairs.

Appleseed's series of city reports and the national report issued a year ago highlighted lessons learned and necessary improvements in how disaster victims are assisted in receiving cities outside the immediate storm area. These reports were prescient in observing, for instance, that disaster victims often do not immediately require legal services. However, two years later there is a pronounced demand for lawyers to assist lower-income survivors who appeal FEMA's continuing denial of emergency benefits to qualified families.

The provision of pro bono legal services on a variety of post-disaster fronts is a pressing need. One of Appleseed's pro bono partners, the Birmingham office of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, has prepared a user-friendly step-by-step Guide for lawyers helping storm victims obtain clear title to their property and, thus, qualify for rebuilding grants. Authored by senior partner Anne Mitchell, the Guide summarizes Alabama real property and probate law and suggests clear steps to aid people living on their property destroyed by Katrina.

What Appleseed did not envision was that a year after issuing its report, "A Continuing Storm – The On-Going Struggles of Hurricane Katrina Evacuees: A Review of Needs, Best Practices, and Recommendations," the report's name would remain eerily timely. For example, the report called on the federal government to transfer most long-term rental and associated emergency housing programs from FEMA to HUD. The former is structured only to provide short-term emergency housing, and Katrina has taught us that the extremity of the damage it caused created long-term emergency housing needs.

Such a transfer, finally, is in the works, as the two federal agencies have established the Disaster Housing Assistance Program (DHAP), under which HUD will assume responsibility for paying the disaster housing rent for low-income families whose rebuilding funds have not yet been received. As noted above, until the federal CDBG funding is converted into actual housing, these families must continue to rely on the DHAP housing support.

However, FEMA will retain control of the ill-fated travel trailer program. An estimated 60,000 families across the Gulf Coast still live in these formaldehyde-infused temporary homes. FEMA began selling these dangerous trailers in May at bargain basement prices in an apparent effort to get the trailers and their occupants off FEMA's roles. This effort in south Alabama had such high FEMA priority that additional staff was transferred to Mobile to sell the trailers. Appleseed's intervention with FEMA finally ended the practice August 1.

## Alabama Appleseed's Staff

**Shay Farley, J.D.**  
*Advocacy Staff*



**Craig Baab, J.D.**  
*Katrina Fellow*

**Zayne Smith, J.D.**  
*Immigrant Policy Staff Associate*



## Alabama Appleseed Developing Pro Bono Network for Public Interest Advocacy and Research

A few years ago a national legal periodical wrote an article about the Appleseed network and in that article coined the descriptive phrase for our network of state public interest advocacy centers: “Appleseed – Pro Bono’s New Frontier”. The author had captured the uniqueness of Appleseed and the essence of how our Appleseed network goes about its public interest work – harnessing the pro bono power, resources, talents and abilities of the nation’s best lawyers and law firms in focused research, investigation and advocacy on the major public affairs issues of our day. The Appleseed Katrina Advocacy

Project is a shining example of this – where 8 regional and national law firms committed the time and talents of over lawyers whose time on the project equated to over \$4 million in legal services. My engaging America’s best lawyers in important public interest projects Appleseed, with relatively small center staffs, is leveraging many times over the time and resources of it centers.

Over the past three years we have started to build our own Alabama pro bono network of lawyers and law firms that we can call upon for help on our public interest advocacy projects. The list of our pro bono partners is set out above. These firms have helped us with research, brief writing and data gathering on a diverse range of projects from payday loan reform, banking services for Hispanic immigrants, legal rights of immigrants, legality of living wage laws, an “heir property” legal guide and related Alabama law manual for Hurricane Katrina victims, forced property tax sales law, constitutional reform, and landlord/tenant law reform. We are just now asking our pro bono partners to keep track of the pro bono



Shay, Sam Crosby, Alabama State Bar President, and Craig

*Bradley Arant Rose & White  
Maynard Cooper & Gale  
Haskell Slaughter  
Baker Donelson  
Adams Reese  
Whatley Drake  
Johnston Barton*

hours they are giving to us, but even without an exact figure the financial value of their pro bono service is huge and growing daily.

We want to tap to an even greater degree the vast legal talent of Alabama’s lawyers and law firms. One’s pro bono service with us can range from being available to answer a single legal question, to a specific and detailed legal research project, to an engagement in the planning, development and implementation of an entire advocacy project. Just let us know if you want to join us in this important work. We have found in our work over the last five years that the legal experience, training and perspective of lawyers can have a distinctive and substantial impact on public interest advocacy. Indeed, we are entering “pro bono’s new frontier”.

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