



**ALABAMA APPLESEED**  
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# ALABAMA APPLESEED

March 2009

www.alabamaappleseed.org

## ODESSA WOOLFOLK

### 2009 BREWER/TORBERT PUBLIC SERVICE AWARD HONOREE



#### Alabama

Appleseed will present Odessa Woolfolk of Birmingham. Founding President and Chair Emerita of the Birmingham Civil Rights Institute, with the 2009 Albert Brewer/Torbert Public Service Award. The Brewer/Torbert Public Service Award is given annually to an individual in Alabama who has demonstrated a substantial commitment to public service. Odessa Woolfolk was chosen for this award as

one of Alabama's most endearing, committed and effective civic leaders. For many years she has been an exceptional and exemplary civic leader both in the Birmingham/Jefferson County area and statewide. As Founding President and Chair Emerita of the Birmingham Civil Rights Institute, she has been a champion for justice for the African American community and people of color not only in Alabama but also worldwide.

Ms. Woolfolk will be presented with the Brewer/Torbert Public Service Award at a luncheon on Thursday, April 30, 2009, commencing at 12:00 P.M. (noon) at the Harbert Center in Birmingham. To attend, reservations need to be made with Alabama Appleseed by April 20th. Event sponsorship opportunities are available – see the Sponsorship Event Form in this newsletter.

Ms. Woolfolk grew up in the Titusville community near Birmingham and attended Birmingham public schools. She received BA in History and Political Science from Talladega College, an MA in Urban Studies from Occidental College (California), and additional graduate studies in Political Science at the University of Chicago and as a National Urban Fellow at Yale University with a concentration in urban and regional community development.

Ms. Woolfolk's professional experience includes senior level administrative positions with The Urban Reinvestment Task Force, Washington, DC; the New York State Urban Development Corporation; the YWCA of Utica, New York; and the Arbor Hill Community Center

and Inter-racial Council, Albany, New York. She served as Executive Director of the Birmingham Opportunity Industrialization Center and as Associate Executive Director of the Jefferson County Committee for Economic Opportunity. For twenty-one years Ms. Woolfolk served the University of Alabama at Birmingham (UAB) in several positions, including Director of the Center for Urban Affairs; Adjunct Lecturer in political science and public affairs; Staff Associate for the Center for International Programs; and Assistant to the President for Community Relations. Upon her retirement from UAB in 1993, the University established the Odessa Woolfolk Presidential Community Service Award given annually to a UAB faculty member. The UAB National Alumni Society gave her its Honorary Alumni Award in 2000, and in 1994 the Mayor and City Council of Birmingham selected her as an inductee into the Gallery of Distinguished Citizens. In 1998 she was awarded the UAB President's Medal.

During the 1980's and 1990's Ms. Woolfolk was frequently cited in Birmingham-area newspapers as one of the city's most influential citizens for her community service efforts. During that period, and continuing today, she has served on the Boards of numerous Birmingham and statewide organizations, including the YWCA, Region 2020, Community Foundation of Greater Birmingham, UAB African American Studies Program, Regional Planning Commission of Greater Birmingham, UAB Educational Foundation, Birmingham Museum of Art, Birmingham Urban League, and the Birmingham Civil Rights Institute (having chaired the Task Force that planned and directed the development of the Institute and was its opening administrator). Ms. Woolfolk was also the founding co-chair of the Martin Luther King Unity Breakfast and a founding member of both Leadership Birmingham and Leadership Alabama.

For her extraordinary and extensive public and community service Ms. Woolfolk has been bestowed numerous awards and honors, including the Lifetime Achievement Award from Operation New Birmingham; Honorary Doctor of Law by Birmingham-Southern College; Humanitarian Award by the Alabama Humanities Foundation; Leadership Alabama's Alumni Award; the Mildred Johnson Service Award by the Cahaba Girl Scouts Council; and the Outstanding Alabama Civic Leader Award by the Alabama Chapter of Fundraising Executives. She was inducted into the Alabama Tourism Hall of Fame. In recognition of her devoted and long-standing service and commitment to the Birmingham Civil Rights Institute, the Institute's Board of Directors named a gallery at the Institute in her honor.

## Appleseed Welcomes Distinguished Class of New Board Members – Class of 2011

We are most pleased to announce and welcome the following newly-elected members of Alabama Appleseed Board of Directors, the Class of 2011. These new board members add to the stature, distinction and diversity of Alabama Appleseed's statewide Board of Directors:

- |  |   |   |
|--|---|---|
| <b>Cassandra W. Adams, Birmingham</b><br>Director, Comm. Mediation Ctr.,<br>Cumberland School of Law | <b>A. Jerome Dees, Montgomery</b><br>Professor, Jones School of Law               | <b>Mark LaGory, Ph.D., Birmingham</b><br>Professor/Chair, Dept. of Sociology, UAB         |
| <b>Lisa W. Borden, Birmingham</b><br>Pro Bono Shareholder, Baker Donelson,<br>PC                     | <b>Samuel H. Franklin, Birmingham</b><br>Partner, Lightfoot Franklin & White, LLC | <b>Stephen C. Olen, Mobile</b><br>Partner, Cunningham Bounds Crowder<br>Brown & Breedlove |
| <b>Henry A. Callaway, III, Mobile</b><br>Partner, Hand Arendall, LLC                                 | <b>Joe A. Joseph, Birmingham</b><br>Partner, Burr & Forman, LLP                   | <b>Robert D. Segall, Montgomery</b><br>Partner, Copeland Franco Screws & Gill,<br>PA      |

## ALABAMA APPLESEED ESTABLISHES LAW STUDENT BOARD

Last fall as part of our new effort at Appleseed to reach out and interact with law students throughout the state, we held informational receptions about Alabama Appleseed for the law students at the UA School of Law, Cumberland School of Law, and Jones School of Law. These receptions were very well attended and enabled our staff to tell the law students about our work and organization. To build upon what we did at these receptions, we initiated and formed the Alabama Appleseed Law Student Board. The purpose of this

Board is to engage law students in our public interest work in order to obtain their unique perspective on contemporary public interest issues and their input on the particular advocacy projects of Alabama Appleseed. This Board will meet at least twice a year. The first meeting, as shown in the above photo, was held at our office in Montgomery on Saturday, November 8, 2008. Currently, we have twenty law students on our Law Student Board, all of whom we proudly recognize herein and sincerely thank for their interest in our work.



- Tim Allen – UA Law
- Rachel Bedingfield – UA Law
- Andrew Brashier – Cumberland Law
- Dan Bruno – UA Law
- Frances Cade – Cumberland Law
- Laura Cade – Cumberland Law
- Margaret Enfinger – UA Law
- Jennifer Erwin – Cumberland Law

- Dusty Farned – Jones Law
- Emily Fisher – UA Law
- Jason Hicks – Jones Law
- Kendall Krajicek – UA Law
- Mark LaQuire – Jones Law
- Melony Lockwood – UA Law
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- Leroy Nix – UA Law
- Russ Prickett – Jones Law
- Clayton Tartt – Jones Law
- Rachelle Toomey – UA Law
- Matt Tully – Cumberland Law

### ALABAMA APPLESEED'S STAFF



Shay Farley, J.D.  
Legal Director



Craig Baab, J.D.  
Senior Fellow/Policy & Development



Zayne Smith, J.D.  
Immigrant Policy Staff Associate

## ALABAMA APPLESEED BRIEFS

### APPLESEED'S HEALTH INSURANCE COVERAGE PROJECT ON THE MOVE

Health care/health insurance coverage is one of the hottest topics in the public arena these days. President Obama has made health care reform one of his top priorities, and therefore in the coming months the U.S. Congress will be very busy considering and debating the President's health care proposals. Additionally, the economic stimulus package passed by Congress a few weeks ago contains numerous provisions which will send federal dollars to the states (including Alabama) for new health care and health coverage initiatives. Some of those federal dollars have already arrived. Over the next few weeks and months we will be monitoring these federal stimulus monies for health care coming to Alabama and will be advocating that those monies be used for health care and health coverage initiatives, and not diverted to other uses. We will also be monitoring the developments at the federal level and encouraging our Congressmen and Senators to support the President's health care reforms. Watch for our email alerts for details on what you can do to support health care reform.

Last month we concluded the collaboration with our pro bono law firm partners on the research and analysis project about state-specific health

insurance coverage options. At the February 10th statewide Health Care Access Conference in Birmingham, jointly sponsored and coordinated by Alabama Arise and Appleseed, we presented and distributed to those attending the conference a report entitled: "Report on Alabama's Uninsured & Major Coverage Options." This report contained the written reports of our five teams of pro bono lawyers analyzing the following coverage options: Expansion of Medicaid for Low Income Families; Insurance Purchasing Pools; Employer Buy-In Plans; Pay or Play Plans; and Health Savings & Reimbursement Accounts. The analyses and explanations contained in these reports will serve as a good foundation to formulate the appropriate health insurance expansion options, for individuals and small businesses that will be needed to fully implement any federal reforms that are enacted. We greatly appreciate and thank the teams of pro bono lawyers who helped us on this project from the following law firms: Adams Reese; Baker Donelson; Maynard Cooper & Gale; Bradley Arant; Haskell Slaughter; and Sirote Permutt.

### APPLESEED FIGHTS CONSUMER DEBT TRAPS

As described in our October 2008 newsletter, we are developing solutions to curtail annual interest rates among deferred presentment transactions (commonly known as payday loans) that reach 45%. However, this is not the only practice which traps borrowers in a cycle of debt via predatory rates and, thus, is not the only needed reform to protect Alabama's consumers; title pawn transactions and refund anticipation loans (RALs) also prey on cash-strapped borrowers.

The practice of car title lending risks repossession of a major family asset. Car title loans are typically single payment loans secured by title to the family vehicle owned free and clear. Over half of these loans are for \$500 or less and

typically cost 300% APR. In addition to allowing such exorbitant interest rates, Alabama law does not require a lender to return any excess value – the difference of the vehicle's worth and the amount actually loaned – to the borrower. While other states are engaged in litigation, led by Attorney General's offices, Alabama remains blind to the perils caused by this unscrupulous practice.

Refund anticipation loans (RALs) drained approximately \$900 million in loan fees from 8.67 million taxpayers in 2007. Bank loans secured by taxpayers' anticipated tax refunds cost 50 to over 500% effective APR and are repaid in less than two weeks by deposit of tax refunds from the IRS. Nearly two-thirds

### Alabama Appleseed Board of Directors

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## Executive Director's Column

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**John Pickens**

### STAYING THE COURSE DURING TIMES OF ECONOMIC UNCERTAINTY

The last six months have not been easy for anyone – for any law firm – for any business – for any non-profit organization. These times of economic stress make us all uneasy. Few are immune from such feelings. I admit that I, too, have had my hours of questioning and worrying. However, as I read about the hardships of many and empathize with them, I have come to reflect and focus upon how our work here at Alabama Appleeed becomes even more important in these difficult times, and such reflections have led me to equally prevalent thoughts of gratitude for the financial resources we still do have and what we do with those resources. For sure we are looking at our operational and project budgets and making cuts where we can. We are determined to stay the course, and indeed to thrive, for the good of the people of Alabama.

Appleeed's systemic policy reform advocacy now is more important than ever. The issues we are working on intersect directly with the lives of Alabamians impacted by the economic downturn. As many Alabamians are losing their jobs – thereby losing their source of income and often their health insurance – predatory lenders like payday loan companies step up their advertising, luring many into their stores for easy emergency loans, only to find that the road out of this quick source of money is difficult. As many remain without any health insurance and others face either losing their health insurance or having to pay exorbitantly high COBRA payments, health care costs continue to rise. We will need strong advocates for the uninsured in Alabama to make sure the federal economic stimulus monies designated for Medicaid and health care are so used and not diverted. As many tenants find themselves with dwindling monthly income insufficient to regularly pay their rent, landlords will be looking for easier and quicker ways to evict tenants who get behind in their rent, though often it will not be their fault. Many low-income, minority landowners in rural areas living on inherited property known as "heir property" will face

increasing pressures that put their land ownership in jeopardy. Your Appleeed Board, staff, and pro bono partners are currently working on each of these issues, as well as the over-arching issue of state constitutional reform, an issue that touches such important needs as education, public safety, child care, and health care.

We apply the valuable resources you so graciously invest with Appleeed prudently and responsibly to expand our outreach and impact and thereby leverage our resources to make the greatest impact. We have made a very intentional effort over the last year to expand the number of pro bono lawyers/law firms working with us on our advocacy projects. We have had teams of pro bono lawyers from over 10 law firms working with us on health care, payday loans, heir property, immigrant policy, and constitutional reform. We have reached out to law students and involved them in our work as part of our Law Student Board on our constitutional reform project. We have expanded our Board of Directors with the addition of nine distinguished new members. Culminating extensive work over the last six months, in February we launched our immigrant policy "Welcoming Campaign" with the placement around the state of 25 billboards with welcoming messages and we also jointly hosted and held (with Alabama Arise) a major health access conference at Birmingham-Southern College. In July at the annual State Bar meeting in Point Clear, we will make a major presentation on constitutional reform. Our activity/advocacy glass is continuously being replenished to assure the needs of all Alabamians remain our highest purpose.

We trust you will continue to recognize the importance of Alabama Appleeed and will continue to include us in your charitable donations. Our 2009 Brewer/Torbert Public Service Award Luncheon is upcoming on April 30th. Please consider becoming a sponsor of this event, as it is our only annual fundraising event. A sponsorship donation/pledge form is included in this newsletter. We hope you will join us at the luncheon to honor Odessa Woolfolk and celebrate Alabama Appleeed's 10th Anniversary.

## Become A Sponsor of THE APRIL 30TH BREWER/TORBERT AWARD LUNCHEON

Alabama Appleeed  
4th Annual Award Event  
Brewer ~Torbert

*Public Service Award*  
*Honoring: Odessa Woolfolk*

Thursday, April 30, 2009  
The Harbert Center, 2019 4th Avenue North, Birmingham, AL 35203  
Luncheon 12:00pm to 1:15pm

- Platinum: \$10,000
  - Recognition on website
  - Special recognition from podium
  - Listing in event program and invitation
  - Listing on event signage
  - 20 Luncheon Invitations
- Gold: \$7,500
  - Recognition on website
  - Special recognition from podium
  - Listing in event program and invitation
  - Listing on event signage
  - 15 Luncheon Invitations
- Silver: \$5,000
  - Special recognition from podium
  - Listing in event program and invitation
  - Listing on event signage
  - 10 Luncheon Invitations
- Bronze: \$2,500
  - Listing in event program and invitation
  - Listing on event signage
  - 5 Luncheon Invitations
- Pewter: \$1,000
  - Listing on event signage
  - Program acknowledgement
  - 2 Luncheon Invitations
- Individual: \$250
  - Program acknowledgement
  - Luncheon Invitation

Name: \_\_\_\_\_ Firm/Company: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Email: \_\_\_\_\_

For more information and/or to RSVP, please contact Anna Holmes at 205-915-6265 or John Pickens 334-263-0086 or e-mail: john.pickens@alabamaappleseed.org Please make checks payable to Alabama Appleeed and mail to P.O. Box 4864 Montgomery, AL 36103-4864

This donation is tax-deductible to the extent allowed by law.

## ALABAMA APPELEED BRIEFS (contd.)

of RAL borrowers are the working poor who receive the Earned Income Tax Credit, the largest federal anti-poverty program which is distributed through the tax system. RALs drained over \$600 million in loan fees from the EITC program in 2006. These are risky loans, as well. If the tax refund or credits are denied or reduced, the RAL borrower still owes the bank for the loan and may face late fees, debt collection harassment, and a damaged credit history.

Senator Quinton Ross (D - Montgomery) sponsored a bill, drafted by Stephen Black of Impact Alabama, this year that seeks to help protect consumers from certain tax preparers. The bill (SB 201) would curtail the proliferation of fly-by-night tax prep businesses, which are typically found in urban and high

poverty areas, offering to prepare taxes for consumers. The services are often rendered by untrained professionals who do a mediocre job and also encourage cash-strapped customers to take short-term advances on expected tax refunds at high interest rates. While Alabama regulates food vendors and hair stylists, no such regulation exists for those who prepare tax returns. Unfortunately, after the bill passed easily through the Senate, opponents quickly organized (and formed the National Independent Tax Preparers Association) to rally opposition. So far, their efforts have been successful in stalling the bill's momentum in the House. We support Senator Ross' bill and encourage you to contact your Representative and express your support of this necessary reform measure.

### IMMIGRATION POLICY PROJECT

On February 16, 2009, Alabama Appleeed unveiled its state-wide Welcoming Campaign, which we have developed collaboratively with the Appleeed Centers in Nebraska and South Carolina. The goal of this campaign is to shift attitudes toward immigrants to a friendlier and positive light while opening up dialogue between cultures. We were able to place 25 billboards in 11 different cities around the state reading "Thank You Alabama for Making My Family a Part of Yours" and "Embracing Alabama." This "Welcoming Message" campaign is directed at non-immigrant citizens of the state to create in their minds a positive image of immigrants and their contributions to American society and the state of Alabama.



In 2009, we will continue our advocacy for and work with the Hispanic population in Alabama. We are opposing anti-immigrant legislation that seeks to target and punish the immigrant population. A number of anti-immigrant bills have already been filed, and we anticipate the filing of several more due to the defeat of all 26 anti-immigrant bills introduced in the 2008 session. Shay Farley and Zayne Smith will continue to hold social service events around the state to educate immigrants on the importance of building a financial foundation, how to access and use banking services, and distribute our "Know Your Rights" brochure developed by Alabama Appleeed earlier in 2008.

### HEIR PROPERTY PRO BONO NETWORK EXPANDS; APPELEED PRESENTS AT TUSKEGEE, SAMFORD

Appleeed's advocacy on behalf of low-wealth owners of tenancy-in-common land – heir property – grew with the New Year. The earlier pro bono commitment of the Maynard Cooper & Gale law firm has resulted in associate Mel McElroy organizing legal and tax file research in Calhoun County. This work will identify the extent of "wealth" that heir property owners own, but can't access due to clouded title.

The importance of this work is highlighted in recent research undertaken in Macon County by Auburn University's Janice Dyer. She located land owned as heir property appraised at a total value of some \$55 million. Since the owners do not have clear title to the land they are unable to access its equity. Appleeed's partnership with Maynard Cooper & Gale will work to identify

the extent of heir property ownership in other counties and help those living on the land to keep their land and access its value.

Appleeed's Craig Baab participated in a discussion of heir property in Alabama's low-wealth communities during the Annual Thurgood Marshall Lectureship at Samford School of Law, co-sponsored by Appleeed. A number of students responded to Appleeed's call for student pro bono assistance. There were comparable offers of assistance following Mr. Baab's presentation at a Tuskegee University symposium. This program earlier was discussed during an interview on the Carolyn Hutcheson public affairs program on Troy University's National Public Radio station.

## ALABAMA APPELEED STARTS ITS ANNUAL LAW SCHOOL LECTURE SERIES

As part of our continuing effort at Appleeed to reach out and interact with law students throughout the state, we initiated this year an annual lecture series at the University Of Alabama School Of Law in Tuscaloosa and the Cumberland School of Law in Birmingham. Next year we will also have a lecture at Jones School of Law in Montgomery. In this year's lectures we partnered with the Public Interest Law Center at UA School of Law and the Black Law Students' Association at Cumberland to jointly sponsor the lectures. Both lectures were excellent and for a first time lecture series, attendance was fairly good.



At the UA School of Law on Wednesday, February 11, 2009, our lecturer was Douglas B. Ammar, (pictured above), the Executive Director of the Georgia Justice Project in Atlanta. Doug Ammar is a very dynamic and energetic speaker and person. He is known regionally and nationally for his public interest work for indigent criminal defendants and has lectured throughout the United States and internationally. He has received numerous awards for his public interest work, including most notably the Annie E. Casey Foundation's National Fellowship Award. At our lecture Mr. Ammar presented a unique one hour CLE Presentation that he developed entitled "Lost Lessons from Groundhog Day". Using the film Groundhog Day (which starred comedian Bill Murray) as a metaphorical launching point, he discussed the potential for personal and relational transformation through public engagement and service to the poor. In his talk he highlighted the unique position of service and power that lawyers have and focused on how lawyers can use their unique position for transformation for both client and the attorney. Mr. Ammar's presentation was a unique and inspiring way to address the need for lawyers to be engaged in public interest law work.



At the Cumberland School of Law on Thursday, February 12, 2009, the lecturer for the annual 2009 Thurgood Marshall Symposium was Damon T. Hewitt, (pictured above in the middle), the Director of the Katrina-Gulf Coast Project of the NAACP Legal Defense & Educational Fund in New York City. The Symposium Lecture this year was jointly sponsored by the Cumberland Black Law Students Association and Appleeed. Mr. Hewitt is a nationally recognized civil rights litigator, having handled numerous civil rights actions throughout the south, and has lectured extensively on civil rights in the south, post-Katrina property and recovery issues, and the loss of African-American lands in the south. Mr. Hewitt's presentation was entitled "Racial Justice in the Obama Era". Against the backdrop of showing the PBS documentary film "Banished" about the dispossession of African-American lands (during which blacks in the south were forced off their lands and out of town and their lands thusly stolen) and highlighting several contemporary examples of continuing racism, Mr. Hewitt persuasively rebutted the contemporary notion that we are now living in a "post-racial" United States. Following a luncheon reception, Mr. Hewitt and Alabama Appleeed's Craig Baab made a joint presentation to a first year property law class focusing on the dispossession of African-American lands and the little recognized, but widely prevalent, legal problem of "heir property", a topic on which Craig Baab has become an expert.