From Our Executive Director: Reflections on Five Years

Back in the early 2000’s, Steve Clay asked, “Why isn’t there a Georgia Appleseed?” The answer put him and five other founding directors, including current Board Chair Joe Loveland, on a path leading to this celebration of our 5th Anniversary. To appreciate this milestone, consider the story behind it.

National Appleseed was the brainchild of the 35th Reunion Class of 1958 Harvard Law School. Their idea in 1993 was to focus on broad systemic social initiatives, rather than the traditional model of providing legal services to individuals. And yes, the name is a reference to “Johnny Appleseed,” because their concept was “to plant a seed” in states throughout the nation from which public interest law centers could grow. When Steve asked his fateful question, several centers had already been “planted,” but not yet in Georgia.

Fast forward to 2005 when I was my chambers at Fulton County Juvenile Court. I received a call from national Appleseed’s Executive Director, who proceeded to fill my imagination with the possibilities for harnessing the vast energy of lawyers and other professionals for systemic justice in our state. With more than 15 years on the front lines, handling crisis situations both as a legal aid attorney and a juvenile court associate judge, I was ready to take a step back to look at the big picture – I was ready to join others in searching for systemic solutions to Georgia’s most pressing social justice problems.

After months of discussion, I accepted the invitation to become Georgia Appleseed’s first Executive Director. Many asked me: “Why leave the bench?” My response was simple: my own goal has never been to be a judge, but “to do justice.” Not surprisingly, that same goal motivates Georgia Appleseed’s hundreds of volunteers and supporters, its dedicated staff and its committed Board.

Since we opened our doors in November 2005, Georgia Appleseed has grown into a trusted partner in the pursuit of social justice. In that time, hundreds of volunteers have contributed almost $2 million dollars in pro bono legal and professional services. Such widespread support is a testament to the vision of Georgia Appleseed’s founding and current Board of Directors.

Five years have passed quickly. Though much has been done (see our milestones on the next page), more work remains to realize our shared goal of sowing seeds of justice throughout Georgia. Can we count on you to roll up your sleeves and join us?

Georgia Appleseed is a non-partisan not-for-profit devoted to law that serves the public interest. Utilizing the skills of scores of attorney volunteers and other professionals, our projects seek to change laws and policies that unfairly impact children, the poor and other large groups of marginalized people in our State. Georgia Appleseed is an independent affiliate of the national Appleseed network.

Mission of Georgia Appleseed

To listen to the unheard voices of the poor, the children, the marginalized; to uncover and end the injustices that we would not endure ourselves; to win the battles for our constituency in the courts of public opinion or in the halls of justice that no one else is willing or able to fight.

Sowing Seeds of Justice throughout Georgia

Help Celebrate our 5th Anniversary

Be a Core Supporter of Georgia Appleseed. It’s as easy as pie.

Donate securely online at www.GaAppleseed.org/donate

Fruit $1,000 • Roots $500 • Trunk $250 • Branch $100

All contributions are tax-deductible to the full extent of the law.

www.GaAppleseed.org
Sowing Seeds: Milestones in Our Growth

November, 2005 Georgia Appleseed launches under the guidance of Founding Board Chair, Steve Clay.

2006 Georgia Appleseed becomes a lead partner in JUSTGeorgia, a collaborative effort for adoption of a new Georgia juvenile code.

2006 Financial Access for Latino Immigrants Project launched to increase economic security and public safety through financial literacy for unbanked Hispanic immigrants in Georgia.


2007 With national attention on reauthorization, Georgia Appleseed presents a timely forum, “Parent Involvement Under No Child Left Behind”, featuring national and state authorities on parental involvement.

2008 Georgia Appleseed awarded prestigious Cousins Public Interest Fellowship from the University of Georgia School of Law as the cornerstone of the Young Professionals Council signature Heir Property Project. Crystal Chastain Baker, Esq. is named the Cousins Fellow.

May, 2008 Debut of eight-minute video showcasing the work of Georgia Appleseed.

November, 2008 Stakeholder input on improvements to the current juvenile code culminates in publication of Common Wisdom: Making the Case for a New Georgia Juvenile Code.

Fall, 2008 “It Takes a Parent: Parent Involvement Under NCLB” workshop is presented at 17 locations across Georgia to help parents utilize mandated school assessment tests to benefit their student and school.

January, 2009 Georgia Appleseed hosts national Appleseed leadership meetings, including the Executive Directors Council and the national Appleseed Board of Directors.

April 2, 2009 JUSTGeorgia collaborative effort takes a big step forward with introduction of the Child Protection and Public Safety Act (Senate Bill 292).

April 16, 2009 Georgia Appleseed hosts first Good Apple Award Dinner honoring Teri McClure, Esq. (UPS) and Frank Alexander, Esq. (Emory University School of Law).

Fall, 2009 Video workshop “It Takes a Parent: Strengthening Effective Parent Involvement” is released, featuring education expert Cathy Henson, explaining parent’s rights and responsibilities under No Child Left Behind.

Fall, 2009 YPC publishes Heir Property in Georgia, a concise overview of issues affecting heir property owners.


January, 2010 Joe Loveland becomes Georgia Appleseed Board Chair.


March, 2010 YPC-sponsored ‘SURVIVOR: POVERTY’ role-playing poverty simulation workshop attended by 45 Heir Property Project volunteers and friends.

April, 2010 The 2010 Good Apple Award Dinner honors John Rice, Vice Chairman of GE, with the newly-named A. Stephens Clay Good Apple Award.


November, 2010 Georgia Appleseed celebrates five years of success: 700+ volunteers contributing $1,700,000 of professional service.

www.GaAppleseed.org
Good Apple Award Dinner 2010 honors John Rice, Vice Chairman of GE

Two hundred community leaders joined Georgia Appleseed in honoring **John Rice, Vice Chairman of GE**, at the 2010 Good Apple Award Dinner held on April 20th at The Ritz-Carlton, Buckhead. **Steve Gates**, Co-Chair of the national Appleseed Board of Directors, was a special guest.

John Rice was recognized for his pursuit of systemic solutions to improve public education for Georgia’s students. Through his leadership of the Metro Atlanta Chamber of Commerce, John played an instrumental role in the creation of new legislation strengthening local school board operations. His work exemplifies Georgia Appleseed's vision to effect laws and policies that promote justice for all citizens of our state.

Another highlight of the evening was the naming of the Good Apple Award for Founding Board Chair, **A. Stephens Clay**, in appreciation of his vision and stewardship.

Thank you to our 2010 Good Apple Award Dinner Sponsors

Proceeds of the Good Apple Award Dinner provide essential operating funds for Georgia Appleseed.

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- Kilpatrick Stockton LLP
- King & Spalding LLP
- Sutherland Asbill & Brennan LLP

**Platinum**
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**Troutman Sanders LLP**
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**Gold**
- Alston & Bird LLP
BEARING FRUIT: ACCESS TO JUSTICE

JUSTGeorgia: Building Justice and Safety for Georgia’s Children

As a lead partner in the JUSTGeorgia coalition, Georgia Appleseed’s ongoing quest for a new Georgia juvenile code took an important step forward this year with hearings on Senate Bill 292, the Child Protection and Public Safety Act, before the state Senate Judiciary Committee chaired by Senator Bill Hamrick (R-Carrollton).

The legislation will revise Georgia juvenile code provisions that govern how the state responds to children and their families in cases of abuse, neglect, violations of criminal law by children, and other circumstances requiring court intervention.

Sharon Hill, Georgia Appleseed Executive Director, appeared before the Committee on August 9, 2010 to present expert testimony in support of Article 6, Children in Need of Services (CHINS), one of twelve articles within the Bill.

Under current Georgia law, children who skip school, drink alcohol or run away from home may be locked up for these and other ‘status’ offenses that would not be a crime if they were committed by an adult. Rather than confinement, CHINS would provide the option of services to such children and families in order to address the issues that are contributing to the problem behavior, a practice adopted in twenty-eight other states.

In her testimony, Sharon Hill drew upon her years on the bench as a Fulton County juvenile court judge, as well as relevant findings that appear in the Georgia Appleseed report, Common Wisdom: Making the Case for a New Georgia Juvenile Code. Regarding status offenders, the findings indicate stakeholders “support an approach that would enable children and their families to receive needed services without labeling the child a ‘status offender.’”

“Labels are not helpful,” Judge Hill told the Judiciary Committee members, “Labeling a child as a status offender, unruly, ungovernable, doesn’t get at what’s going on in that child’s life, that child’s family.” CHINS would create a family-focused approach to identify appropriate services and reach resolutions before the juvenile court hearing process is formally engaged.

Originally introduced by Senator Hamrick on April 2, 2009 as SB 292, the bill will be reintroduced in the new General Assembly in 2011, to seek passage in 2012.

To learn more, visit www.JUSTGeorgia.org

Common Wisdom chronicles feedback from hundreds of stakeholder interviews conducted statewide by more than 260 pro bono attorneys from 13 major law firms. The composite report, authored by Judy O’Brien (Sutherland Asbill & Brennan LLP) helped inform the content of the new legislation and is published online at www.GaAppleseed.org/children/reports.

When My Child is Disciplined At School; A Guide for Families

Available in English and Spanish

Early discipline problems at school can quickly escalate to sidetrack a child’s education and culminate in suspension, expulsion, referral to juvenile court or the decision to give up and drop out. When My Child is Disciplined at School; A Guide for Families (2009) helps parents to be informed advocates for their child and for fair, equitably applied school discipline policies.

Now available in a Spanish edition, Cuando Mi Hijo es Disciplinado en la Escuela; Una Guía para las Familias (2010) alleviates the language barrier for Spanish speaking parents and enables more parents to join school administrators and the local community in “keeping kids in class.”

We extend sincerest thanks to Alston & Bird LLP for their support of the translation project.

Download the guide at www.GaAppleseed.org/docs/schooldiscipline_espanol.pdf

Our newest project

Life Long Justice: Elder Competency Project

Georgia Appleseed’s newest project under development addresses the growing population of senior citizens in our state. Georgia has the 9th fastest growing 60+ population and the 18th fastest growing 85+ population in the United States. The Elder Competency Project is exploring legal protections for older Georgians who have not executed a valid end-of-life directive and who become incompetent to give informed consent to health care providers.

Alston & Bird LLP will lead a comprehensive analysis of Georgia and federal law on elder guardianship options, with focus on (a) surrogate provisions for the un-befriended elder who has outlived relatives and friends and (b) resolution of disputes when family members with equal surrogate status do not agree. The project will include interviews with stakeholders statewide and a detailed report of findings and recommendations. State and national elder law experts are serving as project advisors.

Learn more at www.GaAppleseed.org/initiatives/elder
Effective School Discipline: Keeping Kids in Class

When an 11-year old Cobb County girl was suspended from school for bringing a Tweety Bird key chain to class in apparent violation of school rules, it drew national headlines questioning the efficacy of the policy. But the tragedy at Columbine reinforces that there is another end to the spectrum that demands diligence.

As the findings of our JUSTGeorgia report, Common Wisdom: Making the Case for a New Georgia Juvenile Code, and other research reveal, schools are increasingly turning to the juvenile court system to deal with problem school behaviors, even minor infractions.

How do schools achieve the necessary balance between discipline policies that maintain a safe and effective learning environment with respect for the right of every student to have a reasonable chance to complete a quality high school education? How may the so-called ‘school-to-prison pipeline’ be rerouted to keep kids in class and on the path to a better chance at a successful future?

These questions are the genesis of the two-phase research project, “Effective School Discipline: Keeping Kids in Class”, spearheaded by Director of Legal Affairs Rob Rhodes. The project goal is to objectively assess Georgia public school discipline and safety policy, enforcement and outcomes and to effect systemic responses that will ultimately contribute to increased graduation rates and a reduced flow in the ‘pipeline.’

Phase I Report

Completed in June, 2010, Phase I reviews current law and policy and preliminarily assesses student discipline data reported by all Georgia school districts to the Georgia Department of Education.

Key preliminary findings in the Phase I Report include:

• There is wide variability among school districts as to discipline incidence rates.
• Graduation rates in twenty school districts with the highest incidence of out-of-school suspension (OSS) were almost all below the state average.
• African-American students, special education students and students eligible for the free or reduced lunch program are disciplined at rates well in excess of their percentage within the public school population.

Phase II

In Phase II, the goal is to dig deeper. More than 100 pro bono legal volunteers are interviewing frontline school discipline and safety stakeholders in select Georgia public school districts to identify concerns, needs and possible responses. The stakeholders include state Department of Education staff, district level staff, principals and other administrators, teachers, school resource officers, juvenile court judges, probation officers, prosecutors and defense counsel.

Parent and student perspective on public school disciplinary programs is being surveyed in collaboration with the PTA and other organizations.

Nelson Mullins Riley & Scarborough, the lead pro bono firm for the project, has primary responsibility for coordinating, collecting, and collating the interviews, under the leadership of Taylor Daly, Esq.

A Final Report of findings will be published in December, 2010, for use in the next General Assembly.

“Effective School Discipline: Keeping Kids in Class” Participating Pro Bono Law Firms

Volunteers from more than ten law firms are conducting stakeholder interviews and will contribute to a report of findings.

Arnall Golden & Gregory LLP
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
DLA Piper
Jones Day
Kilpatrick Stockton LLP
King & Spalding LLP
McKenna Long & Aldridge LLP
Nelson Mullins Riley & Scarborough LLP (Lead pro bono firm)
Smith Gambrell & Russell LLP
Troutman Sanders LLP

Meet Rob Rhodes, Georgia Appleseed Director of Legal Affairs

Rob Rhode's interest in public education first brought him into the sphere of Georgia Appleseed as a volunteer in our Parent Involvement Project. Now, his legal expertise and commitment to social justice intersect in his role as Director of Legal Affairs. In fact, his first year with Georgia Appleseed, Rob generously served in a pro bono capacity.

A graduate of Emory University and the University of Virginia School of Law, Rob enjoyed an esteemed thirty-two year career at Holland & Knight, specializing in environmental law and serving in many distinguished executive leadership positions. He is also a graduate of the Leadership Atlanta Class of 2007.

Rob explains his new professional course, “I always supported my firm’s commitment to pro bono but had little time to pursue it myself. I have a pent-up connection to efforts that benefit the greater good. My work at Georgia Appleseed is an opportunity to make a contribution.”
BEARING FRUIT: ECONOMIC SECURITY AND PUBLIC SAFETY

Helping Georgians Preserve Their Property Rights

When the two-year UGA School of Law Cousins Public Interest Fellowship in Heir Property was awarded to Georgia Appleseed in 2008, it launched a project whose impact continues to spread across the state. While the Fellowship concluded in August, the Heir Property Project continues. Crystal Chastain Baker, Esq., formerly the Cousins Fellow, continues her role as Project Manager and is now a member of the Georgia Appleseed staff. Conceived as the signature project of the Georgia Appleseed Young Professionals Council, YPC members retain their pro bono involvement in all aspects of its activity.

The project originated in the aftermath of Hurricane Katrina when many property owners learned they were ineligible for federal aid programs because they could not provide clear title to the homes they had been living in for generations. These real properties had been passed down to heirs without benefit of a will or probate process. Georgia law on descent and distribution fractionalizes such property ownership among children and siblings, a problem that compounds over successive generations. It is hard to develop or to sell such land and the ability to maximize it as an asset to economic gain and security is undermined by the absence of title. Property tax lapses and partition sales are common contributors to land loss.

In Georgia, heir property is prevalent in rural areas and urban settings alike; whatever the location, the loss of such property often has negative social, cultural and economic impact on the surrounding community. As Sharon Hill, Georgia Appleseed Executive Director noted, “The phrase, ‘an end to poverty begins with property rights’ describes perfectly our motivation in bringing the Heir Property Project to Georgia.”

Evaluating Outcomes

As the project enters a third year, it is timely to review the project’s founding goals, survey accomplishments and assess future steps.

The Heir Property Project originated with three goals:

**GOAL 1.** To provide disadvantaged heir property owners with the necessary tools to protect their property rights and prevent land loss while generating economic value;

**GOAL 2.** To increase the capacity of pro bono service providers to address and remedy problems associated with heir property; and

**GOAL 3.** To find sustainable solutions through systemic responses, including legislation.

**GOAL 1 Outcomes: Provide heir property owners with the tools to secure their property rights**

Though many people own heir property, few know they do until it is too late.

Georgia Appleseed’s education tool kit for property owners includes several strategies:

- *Heir Property in Georgia*, published by Georgia Appleseed in 2008, is a user-friendly manual that supports our community seminar, “Heir Property in Georgia: How to Preserve Your Family’s Land.”

- Seminars are organized in partnership with local community groups around the state. Topics include property basics, steps to protect one’s land and the importance of a will. The presentations are informational only and do not provide specific legal advice.

  Download *Heir Property in Georgia* at [www.GaAppleseed.org/heir](http://www.GaAppleseed.org/heir)

**GOAL 2 Outcomes: Increase the capacity of pro bono service providers to address heir property associated problems.**

To transform our project research and education into substantive action on behalf of landowners, Georgia Appleseed:

- Published the *Heir Property in Georgia Attorney Training Manual*, an education guide for non-real estate attorneys developed by the Young Professionals Council;

- Trains attorneys to provide direct pro bono service to heir property clients, including a CLE, “Heir Property in Georgia” attended by 28 attorneys as part of the Atlanta Bar Association Pro Bono March Madness 2010;

- Ultimately seeks to create a self-sustaining, independent Heir Property Clinic to serve Georgia citizens on a state-wide basis offering legal representation, mediation, title search, financial education and more.


Sowing seeds of justice in Darien, Georgia

As civic leaders in Darien, Georgia vigorously pursue community revitalization, they turned to Georgia Appleseed for help with heir property hurdles. As part of her ongoing work with local government officials, Project Manager Crystal Chastain Baker, Esq. held two local education seminars which led to the first two direct representation cases undertaken by trained attorney volunteers from DLA Piper.
GOAL 3 Outcomes: Find sustainable solutions through systemic responses, including legislation.

Adoption of Uniform Partition Law

Holders of heir property are vulnerable to partition laws that allow any co-owner of a property to force the sale of the property to secure the value of their own share. The unanimous adoption of the Uniform Partition of Heirs Property Act by the National Conference of Commissioners on Uniform State Laws (NCCUSL) on July 16, 2010 adds an important tool to Georgia Appleseed strategy to change these laws in Georgia.

The act establishes a number of protections, including improved notification practices before forced sales, extended legal alternatives to such sales, and broadened judicial consideration before forcing low-income families out of their homes.

Crystal Chastain Baker explains, “We have begun comparing current Georgia law with the uniform law and to strategize for adoption in our state. Work can now begin to increase awareness of these issues above the grass roots level – at the grass tops level – and to support the call for systemic change.”

The measure is before the American Bar Association House of Delegates for consideration in February, 2011.

Original Research Supports Systemic Change

The findings of Georgia Appleseed’s 200+ volunteers at work on the county tax database research project are being transformed into a report that will help state legislators understand the need for reform of Georgia’s current partition law. Volunteers from 17 organizations, including 8 law firms, have gathered quantitative data suggesting that hundreds of millions of dollars of heir property exist across the state. The report will inform advocacy efforts and aid in development of an independent Heir Property law clinic.

Special thanks to YPC Chair Jessica McKinney (GE Energy), YPC Heir Property Committee Chair Avril McKean Dieser (UCB, Inc.) and our dedicated YPC volunteers for their support of this project.

To volunteer or to learn more about training opportunities, contact Crystal Chastain Baker at ccbaker@gaappleseed.org or 404.477.HEIR (4347).

From my lifetime of living and working in rural Georgia, I surmise that Heir Property…is one of the largest obstacles to individual and community wealth-building in Georgia. It is also one of the most abundant legal issues for low-income Georgians and because of its spiraling complexity, was one of the most overlooked legal issues in Georgia.

– Skipper G. Stipe-Maas, Esq.
Georgia Legal Services Program Central Office
Athens, Georgia
A Picture Perfect Evening for Volunteer Appreciation: The 3rd Art of Justice Event

A mime, a caricaturist and a human statue walk into a law firm… all featured as performance artists at the third Art of Justice on November 17, 2009, hosted by Sutherland Asbill & Brennan. Judy O’Brien, Pro Bono Partner, Mark Wasserman, Managing Partner, and the Sutherland staff created a memorable evening showcasing the firm’s wonderful fine art collection and other more whimsical expressions of art. This tribute to Georgia Appleseed volunteers included special recognition of Founding Board Chair, Steve Clay.

We Appreciate Support of Our Work.

Thank You to Our Generous Funders 2009-2010!
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- The Lawyers Foundation of Georgia
- The Sapelo Foundation, Inc.
- W. K. Kellogg Foundation

Our thanks for in-kind support to Jackson-Spalding and to Alston & Bird LLP.

Did You Know? A Georgia Appleseed-authored grant application and project case study, written by Theresa Brower, were selected for inclusion as examples of excellence in the highly acclaimed Foundation Center publications, The Grant-seeker’s Guide to Winning Proposals (2008) and After the Grant: The Nonprofit’s Guide to Good Stewardship (2010).

SURVIVOR: Poverty

To give further dimension to our Heir Property Project, forty-five young professionals and volunteers experienced living below the poverty line in a simulation exercise hosted by the YPC on March 11, 2010 and facilitated by Sharon Gibson of UGA College of Family & Consumer Services.

Divided into households, participant ‘family members’ sought social services, applied for jobs, juggled child care, negotiated title loans from the ‘quick cash’ purveyor, were victims of crime in their neighborhood and much more.

The goal was to enhance understanding of the daily challenges encountered by the poor and the potential impact volunteers’ pro bono involvement may have in helping heir property landowners rise above poverty.

“I now realize how hard those who live in poverty work on a daily basis to make ends meet and how quickly problems can compound. Just surviving a week requires an immense amount of energy and then you have to wake up and do it again with no end in sight.”

– A poverty simulation participant

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Please consider Georgia Appleseed’s good work whenever you have the opportunity to make a cy pres recommendation or distribution.

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Be an AppleBytes subscriber and receive periodic online updates on our activity. Sign up at www.GaAppleseed.org

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