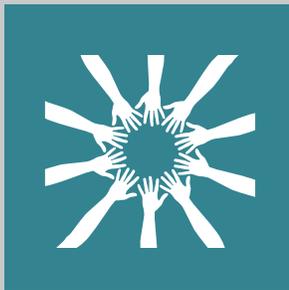


Results That Matter



ANNUAL REPORT 2013



Lawyers' Committee
for Better Housing

Dear Friends:

The year 2013 started out in an ironic twist for LCBH, we found ourselves facing eviction, just like most of our clients. We received an eviction notice from our landlord along with all the other tenants at 100 W. Monroe, with only 90 days to move. Suddenly, we were the renter looking for a new home!

Thanks to the incredible efforts of LCBH staff, Board, and many outside stakeholders, we were able to successfully make the move to 33 N. LaSalle while simultaneously continuing to provide legal and supportive services for our clients at usual levels.

Funding in 2013 increased and LCBH was able to hire several additional staff members to bring our foreclosure efforts on behalf of renters up to scale. The generous support of the State of Illinois, Cook County and a 3 year grant awarded to LCBH by the Office of Attorney General Lisa Madigan in 2012 continues to provide funding for legal assistance and education about foreclosure issues for Illinois renters. LCBH's staff has offered trainings and presentations, educating renters about their rights in eviction, and providing an advocate's strong voice representing the interests of renters who suddenly find themselves in eviction court, struggling with a legal system that can be intimidating and difficult to navigate. In foreclosure cases involving renters, LCBH has been on the move in Chicago, and communities around the state of Illinois, educating renters about how to determine if their building is in foreclosure, the timeline for a foreclosure case, and their rights in eviction proceedings.

In 2013, LCBH saw a time of great change as the agency expanded its policy efforts on behalf of renters. In May, Cook County passed a Human Rights Ordinance ensuring equal opportunity to housing on a non-discriminatory basis for renters using Housing Choice Vouchers. LCBH and other fair housing advocates have been advocating for this ordinance for more than ten years. Working with the Keep Chicago Renting Coalition, LCBH drafted an ordinance for the City of Chicago to help renters remain in their homes until their foreclosed building is sold to a third party purchaser, and to increase protections for renters. With the release of LCBH's 2012 Foreclosure Report, the agency continued to provide a premiere tool for those seeking information and updates about the foreclosure involving renters in Chicago. LCBH supported the efforts of the Sargent Shriver National Center on Poverty Law and Heartland Alliance to introduce an amendment to the Illinois Mortgage Foreclosure Law which codified the federal provisions of the Protecting Tenants at Foreclosure Act (PTFA), which was signed into law in August. November brought the passage of legislation which allows Limited Scope Representation, which makes it possible for LCBH (and other legal aid agencies) to file a limited appears in a case to perform a specific legal task for a client, such as arguing a motion for summary judgment, appearing at one court date, or negotiating a settlement. Grant funding received in 2014 will make it possible for LCBH to continue to expand its public policy efforts on behalf of renters.

Thanks to our generous supporters, LCBH moves into our 34th year continuing to provide a voice for those in need of sustainable housing, improve living conditions, and a thriving neighborhood. Everyone deserves a safe and decent place to call home. Thank you for supporting LCBH's efforts to help make that a reality for some of our Chicago neighbors.

Anthony G. Hopp
Board President

Cheryl L. Lawrence
Executive Director

Mission Statement:

The Lawyers' Committee for Better Housing promotes the rights of tenant access to safe, decent, and affordable housing on a non-discriminatory basis through legal representation, advocacy, education, outreach, and supportive services.

Client Story

Tamara Foster and her children moved into a modest house in the Galewood neighborhood of Chicago in early December 2008. The Foster's considered this home and rented the property for several years under a series of one year written leases, the most recent one expiring on December 31, 2011.

A mortgage foreclosure case was filed against her landlord in September 2010 which he did not disclose to Tamara. After the judgment of foreclosure against the landlord in April 2011, the lender, Fifth Third Mortgage Company, sent a property manager to Ms. Foster's home to inspect the property. As instructed, Ms. Foster faxed the property manager a copy of her lease. Then in early August 2011, Fifth Third, being the only bidder at the sheriff's auction, re-acquired the property and sent Ms. Foster a notice (as required by law) informing her that it owned the property and providing her with a contact in Cincinnati, Ohio that she could call if she had questions or needed repairs.

A short time later, Ms. Foster received a notice from Fifth Third's attorneys asking Ms. Foster to move within 90 days and advising her of Fifth Third's intent to file an eviction case in court if she did not move within that time frame. In October 2011, Ms. Foster contacted Fifth Third's attorneys and informed them that she had a lease through December 31, 2011, which she had given to the property manager back in July. The law firm asked her to fax them a copy of the lease, which she did.

Eleven days before the Foster's lease expired, Fifth Third filed a court eviction case against the Foster family. Despite the fact that Fifth Third had received copies of the lease in July and October, their court complaint alleged that the Fosters were living in the property "...without plaintiff's permission and without a lease...." Ms. Foster secured the legal services of a Chicago non-profit law office that zealously represented her interests at the Daley Center. Her attorneys argued that the foreclosure did not automatically terminate Ms. Foster's lease and, therefore, Fifth Third could not file an eviction against the family until their lease ran out on December 31, 2011. In late February 2012, the circuit court judge ruled against the Foster family and an eviction order was issued by the court.

On her own and without legal assistance, Ms. Foster filed an appeal from her judgment of eviction and wrote requests to "stay" the eviction to both the circuit court and the court of appeals so that the sheriff would not lock them out of their home while the appeal was being considered. However both requests were denied and the family was evicted from their home. Ms. Foster went into a shelter with her children and later went to stay with relatives. Ms. Foster filed her appellate brief with the three-judge panel at the court of appeals. Fifth Third filed its response brief. Approximately two months later she came to LCBH for assistance with her appeal.



Frank Avellone, Supervising Attorney-TFIP

While it is fairly unusual for LCBH to accept a case this late in the process, after evaluating the case, LCBH attorneys believed that their assistance could help Ms. Foster seek the justice she deserved and, if successful, the ruling might also assist future tenants with leases that are being grossly dishonored by financial institutions. LCBH staff attorney, Frank Avellone noted, "This case may provide an opportunity to re-affirm what, prior to the foreclosure crisis, had been long standing precedents regarding when leases survive a transfer of property." After securing the court's permission, Frank, along with an LCBH legal intern, Michael Griffin, filed a "reply brief" on behalf of Ms. Foster.

The Foster family was reunited in late April 2013. Ms. Foster is no longer in the shelter and her children are now with her in a new apartment. On May 14, 2013, Ms. Foster won her case when the court of appeals ruled in her favor. The court agreed with Ms. Foster's assertion that the foreclosure case did not automatically terminate her lease and, consequently, Fifth Third's eviction was premature when the case was filed before the lease ended. This win for Ms. Foster was really a symbolic one, as a decision in her favor would benefit those who faced similar situations in the future. To effectuate her hope, and extend this victory, LCBH filed a motion with the court of appeals to request that it publish this important decision. While the mortgage company opposed the publication, the court approved LCBH's motion and the decision was published on June 28, 2013 as "Fifth Third Mortgage Company v. Foster, 2013 IL App (1st) 121361" and may now be used as precedent in other court cases around the state, holding that the trial court lacks subject matter jurisdiction where an eviction action is filed after the expiration of the 90-day notice but before the expiration of the lease. This reinforced LCBH's contention that foreclosure does not automatically extinguish leaseholds. The decision in Fifth Third Mortgage Co. v. Foster is available at <http://www.state.il.us/court/Opinions/AppellateCourt/2013/1stDistrict/1121361.pdf>. LCBH has since had a number of eviction actions dismissed based on the "Foster Defense."

Following the appellate court decision, LCBH continued to assist Ms. Foster by providing services which LCBH regularly seek on behalf of their clients in eviction court. A motion was filed in the trial court to have Ms. Foster's court records sealed, as it allowed in a post-foreclosure eviction case. The court sealed Ms. Foster's court record, which will help Ms. Foster preserve her credit report and credit score, and her ability to rent in the future.

How LCBH Impacted Renters in Chicago

How does LCBH contribute to a better Chicago?

How Your Investment Makes a Difference for Renters in Chicago Neighborhoods and Renters in Foreclosure Across Illinois

You Provide an Advocate's Voice in Court.

Thanks to generous supporters, dedicated pro bono attorneys, and LCBH staff attorneys, the LCBH **Attorney of the Day Eviction Defense (AOD) Program** provides free quality legal representation to Chicago's most vulnerable renters facing eviction, including many elderly, disabled, or single mothers. More than 90% of renters facing eviction in Cook County are not represented by a lawyer, and most experience eviction trials lasting less than three minutes, on average, regardless of any valid legal defenses. In 2013, LCBH represented over 473 families in court, resulting in \$1,017,336 in back rent waived or damages awarded in favor of renters. There were 3,453 tenants who received LCBH brief services or referrals.

You Protect the Vitality and Affordability of Chicago's Neighborhoods.

With your support of LCBH, the **Affordable Housing Preservation Program (AHPP)** helps preserve and protect safe, accessible, and affordable housing in Chicago by providing legal assistance to individuals, and groups of renters, living with building code violations, or other unsafe conditions due to deterioration or foreclosure. In 2013, LCBH worked with renters in 207 rental buildings, resulting in improving or preserving 1,797 rental units.

You Deliver Emergency Assistance for Renters.

The **Tenant Advocacy Project (TAP)** provides pre-eviction assistance to renters whose utilities have been illegally shut off, have been locked out of their homes by the landlord, or experienced other serious life-threatening issues. Coordinated through our Pro Bono Project, the work is done almost entirely by volunteer attorneys who generously donate their valuable time and legal skills to help renters in our Chicago neighborhoods facing very serious housing problems that cannot or have not been able to be resolved with the landlord without legal intervention. This intervention is important to maintain the quality of life for renters in Chicago, preserve rental units, and keep buildings in Chicago neighborhoods occupied. In 2013, LCBH provided legal representation, without litigation, for 184 client families.

You Protect the Rights of Renters in Foreclosure.

Since 2008, the **Tenants in Foreclosure Intervention Project (TFIP)** has worked to ensure that the laws protecting renters are upheld throughout the foreclosure process. LCBH provides legal representation, advocacy, and educational workshops for a variety of stakeholders including attorneys, community advocates, and renters. TFIP works diligently to preserve affordable housing units that are being lost to foreclosure throughout the neighborhoods of Chicago, in the suburbs and other impacted areas of Illinois. LCBH is the only legal aid agency in the Chicago area that focuses solely on the issues facing renters living in foreclosed buildings.

Your support makes it possible for TFIP to offer:

- ▶ Individualized foreclosure counseling for renters, offering information that is building specific, as well as general information about the foreclosure process and referrals to appropriate resources. Our goal in 2013 was to assist 330 renters. We actually provided assistance to over 650 renters.
- ▶ LCBH provided 76 renter families with legal representation that involved litigation. Additionally, the TFIP team provided 871 renter families with referrals.
- ▶ The TFIP help desk at the Daley Center to answer renters' questions about their rights. In 2013, 44 renters received help at the help desk.
- ▶ A toll-free helpline for Chicago (312-784-3507) and statewide (855-207-8347) to serve Illinois renters experiencing housing issues due to foreclosure.
- ▶ The fourth annual foreclosure report: *Housing Instability for Renters Continues: Chicago Responds with Adoption of New Tenant Protection*.
- ▶ Workshops about renters' rights and the foreclosure process offered to renters, advocates, and community based organizations. In 2013, 67 seminars/workshops were offered, with a total of 1,530 attendees.

You Ensure Everyone has Access to Housing Free from Discrimination.

The **Fair Housing Project (FH)** of LCBH heads up the Fair Housing Education Consortium (FHEC). Funded by the Chicago Department of Housing and Economic Development, FHEC provides fair housing training to housing providers, tenants, community organizations, and the general public, creating awareness of and combating discrimination in housing. In 2013, there were 28 FHEC fair housing trainings offered, with 616 attendees.

You Connect Renters to Lasting Solutions Promoting Housing Stability.

With your help, LCBH is able to provide **Supportive Services** for LCBH's most vulnerable clients, offering holistic solutions that go beyond the short term housing crisis. The Supportive Services team provides tenants with assessment, assistance in locating alternative affordable housing, applying for emergency funding, screening for public benefits, and linkage to other essential services. There were 94 families, with 282 individuals including 121 children, who were successfully assisted by the Supportive Services department in 2013.

LCBH: A Year in Review



SEPTEMBER 24—KCRO goes into effect to preserve, protect, maintain and improve rental property and prevent occupied buildings from becoming vacant after foreclosures.

SEPTEMBER 24—LCBH attends press conference

OCTOBER 9—LCBH hosted the Annual Reception and Awards Ceremony. More than 180 attendees including Chief Justice Thomas L. Kilbride joined LCBH, Governor of Illinois Pat Quinn and Access to Justice Chairman Jeffrey Colman to honor the exceptional contributions of volunteers, law firms, and other housing advocates in the areas of affordable housing and access to justice.

- a. Law Firm of the Year – Jenner & Block
- b. Friend of LCBH – Albany Park Neighborhood Council, West Cook Pro Bono Network
- c. Volunteer of the Year – Sean Mines
- d. Interns of the Year:
 - i. Kira Wilpone-Jordan – AHPP Intern of the Year
 - ii. Michael Griffin – AOD Intern of the Year
 - iii. DuJuan Dixon – Paralegal Intern of the Year
 - iv. Rachel Castleman – Supportive Service Intern of the Year
- e. Barbara Grau Tenant Advocate of the Year – Brendan Saunders of Open Communities.

December



JANUARY 29—LCBH received an eviction notice, along with the rest of the offices in the high-rise where the organization's offices were located in the Chicago Loop. The organization was given 90 days to move and the entities that purchased the building the year prior were very aggressive and motivated to empty the building.

MAY 8—In partnership with other fair housing advocates, LCBH achieved a victory ten years in the making with an amendment to Cook County's Human Rights Ordinance which ensures the protection of Housing Choice Voucher holders (over 50,000, including low-income, elderly and disabled individuals) from discrimination based on their source of income, ensuring equal opportunity to housing on a non-discriminatory basis.



JULY 1—A Supreme Court order amending the IL rules of professional conduct allowing Limited Scope Representation (LSR) went into effect. LSR allows legal aid agencies like LCBH to file a limited appearance in a case to perform a discrete task for a client. This can range from appearing at one court date to argue a motion for summary judgment to negotiating a settlement to stepping up on a trial date.

JULY 12—LCBH Staff Outing at Timberlanes. LCBH staff took time to enjoy an afternoon of bowling at Timber Lanes bowling alley.

APRIL 26—LCBH successfully moves into the new office on 33 N. LaSalle.

January



MARCH 8—the 8th annual Hearts for Housing fundraiser Hearts for Housing presented by LCBH's Young Professional Board. Kirkland & Ellis has generously hosted this event for the last four years and they really outdo themselves in support of safe and decent housing in Chicago. Their beautiful conference space was bursting with a sold-out crowd! Todd Maynes, LCBH Board Vice-President and Kirkland & Ellis partner personally sold \$14,000 in raffle tickets! Thanks to the hard work and contributions of the Young Professionals Board, LCBH Board of Directors, sponsors, raffle donors, staff and you LCBH was able to raise over \$43,000 to support program services that assist those most vulnerable in our Chicago community who are facing debilitating housing issues.



JUNE 5—Working in conjunction with the Keep Chicago Renting Coalition, LCBH spearheaded the drafting of a City ordinance designed to increase renter protections and help renters remain in their homes until the foreclosed building is sold to a third party purchaser. The Ordinance was passed with a 44-4 vote.

JUNE 5—the City of Chicago took a big step in solving the bed bug problem by passing an ordinance aimed at clarifying landlord/tenant responsibilities. LCBH provided testimony at the Joint Committee Meeting - Health and Environmental Protection & Housing and Real Estate regarding the proposed bed bug ordinance and its impact on Chicago renters.

JUNE 19—LCBH released the 2012 Foreclosure Report: Housing Instability For Renters Continues: Chicago Responds with Adoption of New Tenant Protection. The report found that, according to available data from 2012, foreclosure filings will continue to have a significant and detrimental impact upon renters for the foreseeable future and drive the rapid loss of affordable rental stock in the city.

JUNE 24—LCBH welcomes Michael Stumpf as the third consecutive AmeriCorps VISTA in the Legal Department.

JUNE 28—Following a substantial legal victory in the court of appeals for our client, Tamara Foster, LCBH's Legal Team successfully advocated for the case to be published, allowing it to be used as precedent in other court cases around the state.



AUGUST 8—LCBH and the Young Professional Board hosted the inaugural "LCBH in the Park" event at Goose Island's Beer Garden in Millennium Park with over 90 attendees.

AUGUST 15—Governor Quinn signed the Access to Justice Act into law. This new law establishes two pilot projects: one creating a statewide military personnel and veterans' legal assistance hotline and a program to provide court-based legal assistance within a circuit court in each of the five Appellate Court districts in the state.



AUGUST 21—LCBH supported the efforts of housing advocates, particularly the Sargent Shriver National Center on Poverty Law and Heartland Alliance, to introduce an amendment to the Illinois Mortgage Foreclosure Law codifying the federal protections of the Protecting Tenants at Foreclosure Act (PTFA) which was signed into law by Governor Quinn.

2013 Contributors

\$100,000 and Up

The City of Chicago
Lawyers' Trust Fund of Illinois
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\$50,000-\$99,999

The Chicago Community Trust
Polk Bros. Foundation

\$10,000-\$49,999

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Every effort has been made to accurately acknowledge our donors' contributions for the period of January 1, 2013 - December 31, 2013. We apologize for any errors. You can donate to LCBH through our secure online giving page at www.lcbh.org, by phone (312/784-3515), or by mailing a check to LCBH, 33 N. LaSalle Street, Suite 900, Chicago, IL 60602. LCBH is a 501(c)(3) non-profit organization. Contributions are tax-deductible to the extent allowed by law.

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Legal Interns

Saad Abid – University of Illinois College of Law
 Jordan Carey – Notre Dame Law School
 Emily Coffey - Loyola University Chicago School of Law
 Michael Griffin - Chicago-Kent College of Law
 Erin Grotheer – DePaul University College of Law
 Cynthia Herrera - Loyola University Chicago School of Law
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 Samuel Keen - DePaul University College of Law
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 Erin Sostock - DePaul University College of Law
 Benjamin VanGelderren - Loyola University Chicago School of Law
 Kira Wilpone-Jordan - DePaul University College of Law
 Faye Zhao – University of Virginia School of Law

Paralegal Volunteers/Interns

DuJuan Dixon, Westside Health Authority
 Katie Cicero, Roosevelt University
 Chelsea Morrison, Roosevelt University
 Michelle Kowaluk, Northwestern College
 Jacob Mulrenin, Moraine Valley Community College
 Daryl Waszak, Truman College
 Jason Weinberg, Truman College
 Selassie Torkornoo, Truman College
 Maria Reyes, Truman College

LCBH Fellows

Kira Devin – Cornell Law School
 Katrice Hall – Justice Entrepreneurs Project (JEP)
 Eunice Lee – Attorney at Law
 Joanna Long – The John Marshall Law School
 John Norkus – Justice Entrepreneurs Project (JEP)

Supportive Services Interns

Evelyn Buehler, University of Chicago SSA
 Elizabeth Buehler, UIC Jane Addams College of Social Work
 Rachel Castleman, University of Chicago SSA
 Grace Choi, UIC Jane Addams College of Social Work
 Anais Cotillas, University of Chicago
 Caitlin Cubbon, University of Chicago SSA
 Graham Dimmick, UIC Jane Addams College of Social Work
 Katy Fohrman, UIC Jane Addams College of Social Work
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 Sally Walstrom, University of Chicago SSA
 Blake Wilkinson, UIC Jane Addams College of Social Work

Type	# of Volunteers or Interns	Hours Donated
Attorneys	65	2,654
Law students/interns	20	5,143
Paralegals	9	1,226
Other	35	4,786
TOTAL	129	13,809

Pro Bono Accomplishments

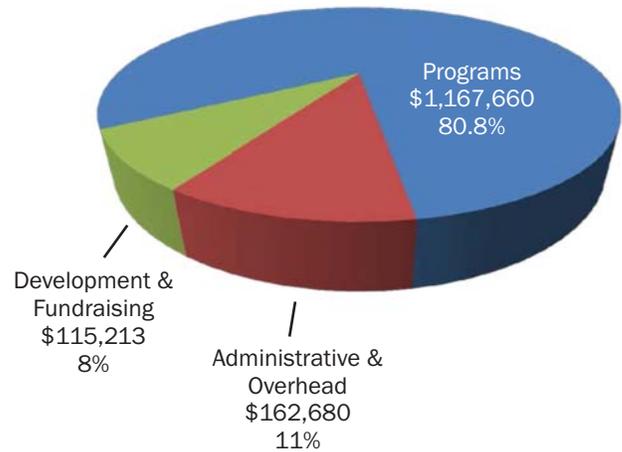
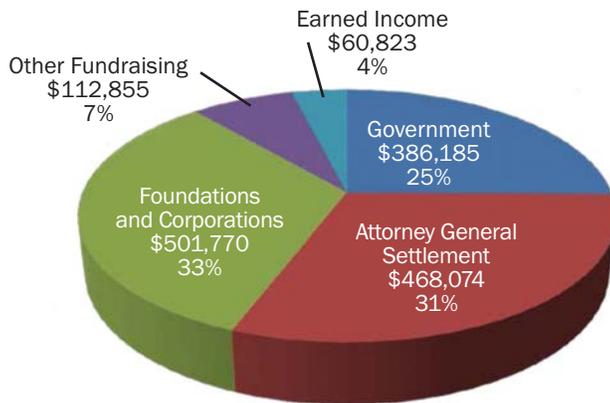
The support of pro bono attorneys and law student interns is critical to LCBH’s ability to deliver low-cost, high-impact legal services to families facing housing instability. By strengthening and expanding the Pro Bono program, LCBH builds capacity to reach a greater number of individuals and to provide a higher quality of service for its clients.

This year, LCBH has further developed and enhanced important relationships with area law firms and law schools, expanding the volunteer program to include over 100 newly recruited volunteers. Extensive training and support provide attorneys, both new and experienced, with the tools they need to meet the needs of LCBH clients.

- ▶ *Increased Volunteer Numbers:* In total, 115 new law students and attorneys signed up to volunteer with LCBH in 2013 (increased from 44 in 2012).
- ▶ *Active volunteers retained:* At year end, LCBH had 66 active attorney volunteers (a substantial increase from 32 in 2012).
- ▶ *Increased % of experienced volunteers:* 88% of LCBH’s “active” non-law student volunteers are experienced attorneys (increased from 66% in 2012).
- ▶ *Conducted Volunteer Training Events:* The Pro Bono Program conducted 18 training events for pro bono attorneys and volunteers with 172 attendees. In 2012, LCBH provided 18 trainings to 87 attendees.
- ▶ *Increased Volunteer Resources:* The Pro Bono Program has created several resources for new and returning volunteers, including: “LCBH Guide to Appearing in Eviction Court”, an updated Eviction Defense training presentation, and a library of sample motions for LCBH attorneys and pro bono volunteers to use.

2013 Expenses

2013 Revenue



2013 Revenue

Government	\$854,259.00	56%
Foundations and Corporations	\$501,770.00	33%
Other Fundraising	\$112,855.00	7%
Earned Income	\$60,823.00	4%
Total	\$1,529,707.00	100%

2013 Expenses

Programs	\$1,167,660.00	81%
Administrative & Overhead	\$162,680.00	11%
Development & Fundraising	\$115,213.00	8%
Total	\$1,445,553.00	100%

Surplus **\$84,154.00**

2013 In-Kind Donations

Fundraising Events	\$10,283.50	0.6%
Professional Services		
Attorneys	\$1,061,700.00	57%
Law Students	\$575,388.00	31%
Paralegals	\$140,990.00	7.6%
Accounting	\$2,000.00	0.1%
Social Services	\$70,170.00	3.7%
Total	\$1,860,531.50	100%