

No Foreclosure of Access to Justice



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The rising rate of home foreclosure in Michigan has been inescapable lately, not only in the news, but also just by driving through neighborhoods. Empty windows and languishing for-sale signs have become a noticeable symbol of our state's troubled economy. Michigan has been hit especially hard, as job losses in our state compound the problem of adjustable-rate hikes felt by other mortgage holders in the rest of the country. It is no surprise that Michigan currently has the second highest mortgage foreclosure rate in the country.

The mortgage crisis is more than a news story. It's a legal problem, one that lawyers from all segments of the Bar have been called on to address. Leaders in our Real Property Law and Consumer Law Sections, for example, have produced written materials and provided "ask the lawyer" assistance to troubled homeowners.

While these efforts are important, I want to highlight a particular group of attorneys who have been on the frontlines of this crisis: Michigan legal aid attorneys. The rise in foreclosures is just the latest example of a legal problem that dispro-

portionately affects lower-income people. These folks are more likely to have unstable job situations, and are also more likely to have taken on mortgages beyond their means, thanks to the easy credit practices of lenders in the past several years. In response, Michigan legal aid programs around the state have increased their advocacy efforts for financially troubled clients facing foreclosure.

Legal Aid of Western Michigan, in partnership with the Kalamazoo County Treasurer's Department, staged two "Foreclosure Fairs" and a foreclosure/debt clinic in January and February in the Kalamazoo area. The purpose of these events was to provide consumers with legal information about the mortgage and tax foreclosure process and debt collection.

In southeast Michigan, the Michigan Poverty Law Project, a cooperative effort of Legal Services of South Central Michigan and the University of Michigan Law School, recently dedicated three sessions of its annual legal aid training conference to mortgage foreclosure, property tax foreclosure, and adjustable rate mortgages. This reflects a marked increase in foreclosure questions

legal aid lawyers in this part of the state are getting from clients.

Legal Aid of Western Michigan and the Michigan Poverty Law Project are both legal assistance efforts supported by the Access to Justice Fund. As I hope all members of the State Bar are aware, the Access to Justice Fund is a coordinated effort of the State Bar of Michigan, the legal aid providers, and the Michigan State Bar Foundation to fund civil legal services throughout Michigan. All contributions to the Access to Justice Fund are received and administered by the Michigan State Bar Foundation, a 501c(3) nonprofit corporation, which, in turn, annually distributes grants to qualified agencies throughout Michigan and evaluates the use of these grants and the services provided. The Access to Justice Fund is sustained by contributions from law firms, corporations, and individual State Bar members to supplement the (often meager) budgets of legal aid programs throughout Michigan.

The State Bar asks each lawyer in Michigan to donate 30 hours of pro bono legal services annually, handle three pro bono cases, or donate at least \$300 to a legal services provider. A contribution to the Access to Justice Fund is a perfect way to meet this challenge.

There will always be an economic issue in our state that affects lower-income people more than others. It's not often, however, that the economic issue takes the form of a legal problem. We, as lawyers, can lend our assistance by supporting those in our Bar who see an overwhelming number of clients affected by the foreclosure crisis. Please consider a contribution to the Access to Justice Fund to ensure that Michigan's legal aid attorneys are able to meet the ever-increasing demand for their services, for those affected by foreclosure and beyond. ■