

Stewardship

*Care
&
Responsibility*



INDIANA BAR
FOUNDATION

2009 Annual Report



The concept of stewardship has ancient roots, spanning many centuries with ties to many cultures and traditions. Broadly conceived, stewardship means care and responsibility; we have a *responsibility* to the proper *care* of the resources we receive. For the Indiana Bar Foundation, the principle of stewardship has come to the forefront as we weather the current economic storm. At the same time, we are mindful of the necessity to move forward with stronger pro bono and civic education programs to ensure that we help create stronger communities. Let stewardship never depart from an understanding of who we are.

The Indiana Bar Foundation is a charitable foundation dedicated to strengthening access to justice and appreciation for the rule of law in Indiana. To accomplish our mission, we:

1

Assist people who have difficulty accessing the justice system.

2

Provide law-related educational opportunities for all ages.

3

Improve Indiana's judicial system and the legal profession.

President's Message

During my term as President of the Indiana Bar Foundation, there have been many important accomplishments to mention: an updated version of our *Laws of Aging*, the production of a statewide, civil legal needs study, and the continued expansion of our nationally recognized civic education programs. One new initiative, however, that demands particular attention is an effort to create an endowment for the Foundation's newly renamed Justice Richard M. Givan Loan Repayment Assistance Program (Givan LRAP).

The Givan LRAP positively affects the ability of civil legal aid providers to provide legal care by increasing the number and retention of attorneys serving low-income people. It is a program the Foundation has sponsored since 2006, but because of shrinking IOLTA revenue, it was suspended in 2009. Fortunately, with the help of the Indiana Supreme Court's contribution of \$25,000 in October, the program has been reinstated for 2010.



"I encourage you to support the Givan LRAP by making a financial contribution that can be matched dollar-for-dollar per gift."

—Julie A. Newhouse
President, Indiana Bar Foundation

In addition to the Supreme Court's \$25,000 contribution, the Court agreed to match—up to \$175,000—donations that the Foundation raises for the Givan LRAP over a two-year period ending November 1, 2011. This matching effort is designed to create an endowment for the Givan LRAP. Fully realized, the Givan LRAP will provide a \$350,000 endowed fund to stabilize the program against future interest rate fluctuations.

I encourage you to support the Givan LRAP by making a financial contribution that can be matched dollar-for-dollar per gift. With the cost of law school increasing significantly each year, new lawyers face the daunting task of often having to repay student loans of more than \$100,000 on a starting salary of \$40,000. Due to this financial reality, civil legal aid organizations are at a severe disadvantage in hiring and retaining lawyers. This program offers a solution—by relieving a considerable portion of education debt, civil legal aid providers are more likely to attract and retain attorneys for long-term practice.

Yours,

A handwritten signature in black ink that reads "Julie A. Newhouse". The signature is written in a cursive, flowing style.

Julie A. Newhouse

IOLTA

A Good Steward The Interest on Lawyers' Trust Accounts (IOLTA) program is a critical ingredient in the recipe for sustainable access to the justice system for low-income people. The interest accrued from these accounts is the primary line of support for Indiana's pro bono programs. Among the many of banks with IOLTA accounts, one stands above the rest in terms of prescribed

“Keeping the 6% rate is merely a mindset. We look at this as a donation to a worthy cause, to help provide legal assistance to those in need.”

—**Richard E. Belcher**
Founder and President
First Federal Savings Bank



interest rates: The First Federal Savings Bank of Rochester. With a fixed rate of 6%, spanning the length of 6 years, The First Federal Savings Bank is an institutional exemplar of stewardship, signaling nothing short of excellence in generosity. To convey the significance of their contribution, the second highest IOLTA rate is 2.02%, following that are 10 banks that pay between 2.0% and 1.0%, and the other 131 banks with IOLTA accounts pay between 1% and .01%. The person behind this generously high interest rate is

Richard “Dick” Belcher, President and life-long owner of the bank for 44 years. Aside from running a bank of 160 employees with six different locations throughout Northern Indiana, Mr. Belcher has served as the president of many organizations within the community of Rochester. Among them are: Kiwanis Club, Chamber of Commerce, Fulton County Cancer Society, United Way, and Fulton County Library Holding Committee. He even assisted Toastmaster International in establishing the first Toastmaster Club in the Soviet Union in 1988. Among his other accolades, he was awarded the Rochester Chamber of Commerce Outstanding Citizen award in 1992 and received the Northern Indiana Financial Entrepreneur of the Year in 1997. He currently serves on the Board of Trustees of Ancilla College and Woodlawn Hospital. Mr. Belcher is a true partner to the Foundation in our mission to increase access to justice for the low-income people of Indiana.

LRAP

Loan Repayment Fund Honors Former Chief Justice Richard M. Givan

The Indiana Bar Foundation has revived the Indiana Loan Repayment Assistance Program (LRAP) with the generous support of the Indiana Supreme Court. The Court gave the Foundation a \$25,000 grant for the immediate allocation to law graduates working in the civil legal aid field in Indiana. Additionally, the Court agreed to match new money raised—up to \$175,000—for the creation of a permanently endowed fund to support the Foundation’s LRAP. This matching opportunity, from now until November 1, 2011, maximizes the amount of funding available to law school graduates in the civil legal aid field and significantly contributes to the recruitment and retention of civil legal aid attorneys.

With the Supreme Court’s financial support, the Foundation renamed the LRAP fund to honor former Chief Justice Richard M. Givan. Justice Givan, who died in June 2009, was known for a lifetime of public service, including 26 years as a jurist on the Indiana Supreme Court, serving 13 of those years as Chief Justice. Justice Givan’s former law clerks were instrumental in renaming the fund and have already started the process of fulfilling the Court’s match opportunity. Please help make this opportunity fully realized.



—Justice Givan at the Indianapolis Motor Speedway.

LRAP

Retaining Attorneys a Struggle

John Floreancig, general counsel of the Indianapolis Legal Aid Society (ILAS), is committed to public service. In fact, he has dedicated his entire professional career to the cause of providing free legal services to low-income Hoosiers. But for many attorneys, the combined costs of high legal education debt, relatively low pay, and everyday

costs of living are often too much to sustain a long-term practice in this field. John sees this first-hand and has found that the education debt from law school is a significant reason attorneys leave the civil legal aid field.

Case in point, Clarissa Finnell of Jocham, Harden, Dimick and Jackson began her legal career with ILAS working in family law, but after eight

“Had there been a program like LRAP in place at the time, I would not have left.”

—Clarissa Finnell
Jocham, Harden, Dimick
and Jackson

years of extending the inevitable repayment of debt, she had to leave. With \$80,000 of unpaid loans, and the option of forbearance no longer available, she was forced to seek a more lucrative private practice. She said, “Had there been a program like LRAP in place at the time, I would not have left.” With the costs of law school continuing to rise, the option of a career in public-interest law is becoming more unattainable. Through the support of the Givan LRAP program, you can make public-interest law a feasible choice, enabling future lawyers to dedicate their careers to serving low-income Hoosiers.



—Richard M. Givan served 26 years as a jurist on the Indiana Supreme Court, serving 13 years as Chief Justice.

Civics

The Indiana Bar Foundation works with alumni in an array of programs to affect positive change in their communities.



Civics



Indiana's 23rd Annual We the People State Finals Intensified.

Continuing a tradition of innovation, Indiana *We the People* implemented a third round of questioning to the 2009 High School State Finals. For months, the Foundation staff worked with teachers designing a schedule that would fit the needs of the schools while maintaining its rigorous approach to civics education. This addition made Indiana's State Finals the nation's *only* four-day competition. Although grueling, the added round was enthusiastically received.

"Adding a third round to the *We the People* State Finals has kept Indiana at the pinnacle of perhaps the best civic education in the nation. The third round not only enhances the students' experience, it helps us determine the best overall team to represent us at nationals. My students and I are very appreciative of the Indiana Bar Foundation and the Bar Association's tireless support in promoting civic education as it should be done. I feel very lucky to teach *We the People* in this state." —Chris Cavanaugh, WTP teacher, Plainfield High School (Runner-up at 2009 State Finals)

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—Chris Cavanaugh, WTP teacher, Plainfield High School (Runner-up at 2009 State Finals)

Twelve teams competed in the first round on December 13. The next morning, they presented their responses to a second round of questioning on the historical and philosophical foundations of the U.S. Constitution and the Bill of Rights. At an awards luncheon, Chief Justice Randall Shepard announced the Top Five teams that would advance to the final round.

Indiana's top five high school teams were: Munster High School, Plainfield High School,

Fishers High School, Castle High School (Newburgh) and Homestead High School (Fort Wayne). Munster won the high school title and will travel to the National Finals in Washington, D.C., April 23–26, 2010. Plainfield (2nd) and Fishers (3rd) achieved their highest finishes ever, and two new schools joined the competition for the first time: Northrop High School (Fort Wayne) and Highland High School (Anderson).

At the Middle School State Finals, Indiana Supreme Court Associate Justice Theodore Boehm awarded St. Richards School (Indianapolis) first and third place, with Thompkins Middle School

(Evansville) placing second. At the Elementary State Showcase, the judges were shocked with the students' poise and content knowledge.

"The elementary showcase is probably the purest form of *We the People*. The children are just as enthusiastic, just as well prepared, just as influenced by the Constitution and comprehend the constitutional concepts in context of their station in life. The difference is that the elementary students are not reluctant to voice their opinions in terms they understand. They are unfettered by the pressures of high school and middle school. No concern about whether what they say is "cool," politically correct or socially acceptable. They call it as they see it."—Roderick H. Morgan, President, Indiana State Bar Association.

To become involved, contact Erin Braun, Director of Civic Education, at ebraun@inbf.org or 800-279-8772.

We congratulate **Munster High School** for winning the high school title at the *We The People* State Finals. They will travel to the National Finals in Washington, D.C.



Civics

Indiana Bar Foundation Staff to Run *We the People—Frontiers National Finals*.

The partnership with Frontiers International, launched in 2006, has continued to produce spectacular results with an increase in participation from six students

to more than 300 in only three years.

This growth is a strong testament to Frontiers International's commitment to their new mission statement: "...to promote an enlightened and responsible generation of young citizens in urban communities, who understand and are committed to democratic principles; and who are actively engaged in the practice of democracy in their local communities."

The Indiana Bar Foundation administered the first National Finals competition in 2008, bringing together 40 Frontiers club students, their coaches and facilitators. In 2009, the National Finals moved to Birmingham, Alabama, so students could experience the Birmingham Civil Rights Institute and give context to the material they had been studying. The Foundation was then asked to administer the 2010 *We*



While the event has a maximum number of 250 participants, five months before the competition **more than 300 students have signed up!**

the People—Frontiers National Finals. While the event has a maximum number of 250 participants, five months before the competition more than 300 students have signed up! The Foundation is honored and excited to continue working with Frontiers—a dedicated organization that enhances citizenship education opportunities for inner city and urban youth.

Anyone interested in becoming involved with this flourishing partnership should contact Kyle Burson at kburson@inbf.org.

Awarding Indiana’s Civic Education Leaders—“*We the People*” program recognizes excellence in civics literacy.

John F. Kennedy once remarked, “Democracy is never a final achievement. It is a call to an untiring effort.” This call was certainly heard by Brandon Cosby and Bill Jonas, who received the John J. Patrick and William G. Baker Civic Education Awards on December 13 for their exemplary dedication to citizenship education. Brandon Cosby, principal of the Shortridge Magnet School for Law and Public Policy, shouldered the challenges of implementing extensive civics curriculum that far exceeded the hopeful expectations of the Director of Civic Education, Erin Braun: “Everything I have seen from working with Brandon has shown that my initial impressions were only scratching the surface of how far he’s willing to go to give his kids civic education...Brandon embraces an intellectually rigorous curriculum.”

The William G. Baker Award recipient, named after co-founder and benefactor of *We the People*, was Bill Jonas, South Bend attorney and immediate past president of the Indiana State Bar Association. Jonas’ involvement with *We the People* extends far beyond vocal support, having judged numerous competitions while working hard to continue the financial support of civic education in Indiana. Bar Foundation Executive Director, Chuck Dunlap, commented, “He has literally done everything asked of him, and much that he was not asked, to give civics to as many students as possible. He is deeply committed to the *We the People* program and children’s education in Indiana.”



—2009 Civic Education Awardees:
Brandon Cosby, Principal, Shortridge Magnet School for Law and Public Policy;
and **Bill Jonas**, immediate past president of the Indiana State Bar Association.

Civics

Delegation from Burundi Visits A delegation of officials from Burundi, a small country located in East Central Africa, visited the Foundation to learn about American approaches to civics education. The Burundi delegation included Ezekiel Nibigira, Commissioner of Customs and National Chairman of the Youth League, and Eric Sindayigaya, Secretary General of the Youth



League. The delegation was referred to the Foundation by U.S. Senator Evan Bayh.

The Foundation staff presented the *We the People* programs in their natural environment—the classroom. Working with Matt Worland of Franklin Middle School, the delegation observed the *Project Citizen* program in action and met with students for their reaction to the program.

The delegation left Indiana packed with books and materials, eager to start an international partnership with the Foundation for the development of Burundi civic education program. **For more information on this burgeoning partnership, e-mail Eric Steele (esteel@inbf.org).**

Inaugural Project Citizen Equal Justice Teachers Institute The *Project Citizen: Equal Justice Institute*, June 21-25, 2010, will be the first of its kind in Indiana. In addition to instruction on the *Project Citizen* program, teachers will attend lectures on human rights, public policy, and state and local laws. This Institute is modeled after the Idaho Human Rights Education Center and their Human Rights *Project Citizen* Institute. To recommend a teacher, e-mail Eric Steele (esteel@inbf.org).

Hour For Civics Campaign: May 1–June 30 The Indiana Bar Foundation is calling on lawyers who care deeply about Hoosier students' abilities to be engaged and enlightened citizens, to help raise the necessary funds to implement the *We the People* and *Project Citizen* programs. The support that Indiana's legal community gives civic education is praised throughout the country. To get involved with this effort please visit www.anhourforcivics.org for details or contact Theresa Browning (tbrowning@inbf.org).

Pro Bono

Medicaid client delivers insight *By Christianne Brock, District 6 Plan Administrator*

While most pro bono volunteers have law degrees or legal experience, Gordon Stafford, community-at-large representative for the District 6 Access to Justice, provides District 6 with insight from the client's point of view.

Stafford grew up on his family's farm. One morning, he woke up planning to start the day's work as usual, but he found he couldn't get his foot into his work boot. That afternoon, doctors had to amputate his leg due to complications from diabetes. After the surgery, Stafford started the process to receive Medicaid support. He couldn't afford to hire a lawyer at the time, so he worked pro se—he represented himself in his case. Despite his best efforts, he was denied help.

When Angie Dorsey, formerly with Indiana Legal Services in Anderson, met Stafford, he had already represented himself in his original hearing to obtain Medicaid support. "Typically, I didn't represent clients on appeal pro bono," said Dorsey. "But Gordon impressed me. He convinced me to look at his documents and his record. He presented a great case. He had taken his case as far as he could, and it would be very difficult to qualify for Medicaid without legal representation. I took his case on appeal, and we won."

"Gordon is someone I've always admired," said Dorsey. "He went from what he thought would be a normal work day to a life-altering medical situation. Yet he remains positive. He was a great advocate for himself, and now he is a great advocate for others who experience similar hardship," said Dorsey. She recommended Stafford for participation in pro bono advocacy when District 6 Access to Justice, Inc., got started in 2000.

"The Board very much appreciates Gordon's active participation in pro bono in District 6. His perspective and input as someone who has been through all aspects of the process as a client are

"People tell me about their struggles and their need for legal assistance. My goal is to have the legal help there for them when they need it."

—**Gordon Stafford**
Community-At-Large Representative
6th District

Pro Bono

invaluable,” said Judge Marianne Vorhees, District 6 judicial appointee. “I was one of the original board members,” said Stafford. “I’ve been involved for about nine years. I try to help people out and let lawyers know what’s going on. I give my perspective to the lawyers. People tell me about their struggles and their need for legal assistance. My goal is to have the legal help there for them when they need it.”

For the most part, Stafford said he has been very pleased with the efforts of District 6. However, true to Stafford’s tenacity, he constantly strives to improve the program. “I would like to see more participation in some of the smaller, rural counties. There’s a lot of need in those areas. People I talk to have real issues. They’ve felt like they’ve had the short end, but they can’t afford a lawyer to resolve the situation. This is a program that would help. We just need to get the word out, and let them know what’s available.”



Pro Bono Commision awardees: **Ida Coleman-Lamberti** took 314 pro bono cases and donated over 750 hours of service in 2008 for the Neighborhood Christian Legal Clinic and their Immigrants in Crisis program. **Donald Leicht** worked to develop a family law arbitration program for low-income families and in recruiting attorneys to work pro bono in District 5. Additionally, the Indiana Bar Foundation awarded the 2009 Pro Bono Publico awards to the following law firms and individuals: Baker & Daniels, Dechert Law Office, Van Gilder & Trzynka, Judge Wayne Trockman, Damian Gosheff, Traci Twait, Indiana State Rep. Trent Van Haaften, Michael Woody, and Scott Wylie.

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The Indiana Bar Foundation is deeply thankful for the following men and women who fulfilled their pledge commitment.

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The 2009 **Legendary Lawyer Award** recognized a heralded Ft. Wayne litigator, **William F. McNagny**, of Barrett, Barrett & McNagny. A fellow of the American College of Trial Lawyers, McNagny is widely regarded among his peers and colleagues as one of the preeminent courtroom orators of his time. Daniel Roby, Roby & Manges, remarked, “In the courtroom Bill had no equal. He was nothing short of genius. He would take my arguments and adroitly turn them around to his own advantage, a trait I greatly feared, admired and coveted.” The Indiana Bar Foundation is accepting nominations until May 1 for the 2010 Legendary Lawyer Award. Please contact Chuck Dunlap at cdunlap@inbf.org or (317) 269-2415. Applications are available on the Foundation website: www.inbf.org.

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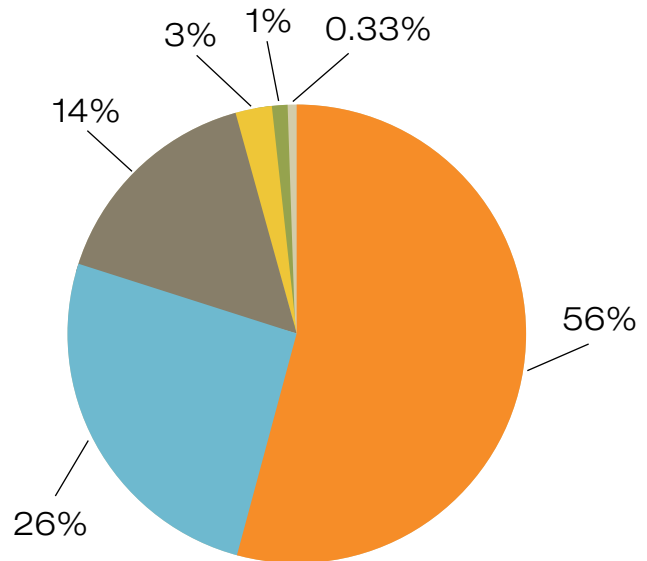
—Great effort has been taken to ensure the accuracy of the names listed. Should you find an error or an omission, please accept our apologies and contact our office at (800) 279-8772.

Financials

Revenue **\$2,306,059**

■ IOLTA Interest Income	\$1,329,877
■ Contributions	\$622,729
■ Indiana Bar Center	\$328,329
■ Investments	\$64,650
■ Laws of Aging	\$25,010
■ Events	\$7,850

Graph does not include \$72,386 lost in realized and unrealized investments.

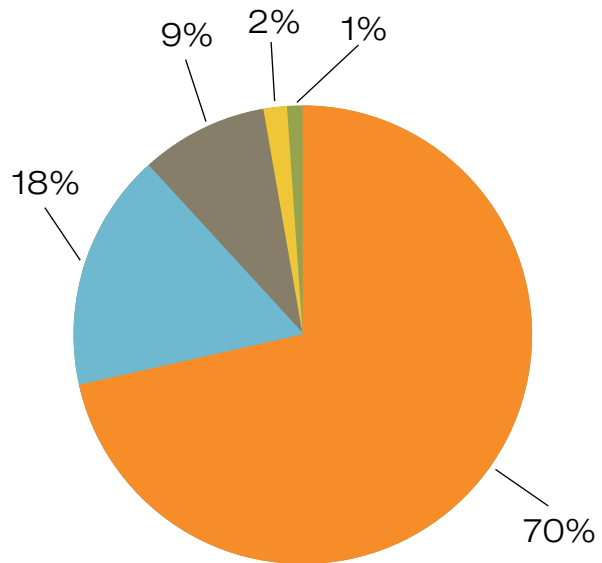


Expenses **\$3,148,841**

■ Program*	\$2,202,764
■ Administrative/Payroll	\$569,131
■ Building	\$291,779
■ Fundraising/Events	\$61,519
■ Other**	\$23,648

*Program includes: Grants, Civics & IOLTA expenses

**Other includes: Capital Depreciation & Miscellaneous



The difference between total revenue and total expenses for FY2009 is due to significant decline in IOLTA revenue (~100% from FY2008 to FY2009), fewer contributions and loss in realized and unrealized investment income.

Financial Statement

For the fiscal year ended June 30, 2009

	Year Ended June 30, 2009			Totals for the Year Ended	
	Unrestricted	Temporarily Restricted	Permanently Restricted	June 30, 2009	June 30, 2008
Revenue					
Contributions:					
Fellows	\$ 68,950	\$ -	\$ -	\$ 68,950	\$ 79,750
Checkoff	72,115	-	-	72,115	78,060
Endowment	-	5,200	12,600	17,800	7,368
Civics	322,428	-	-	322,428	276,220
CLEO summer institute	-	130,000	-	130,000	-
Golf outing, net of expense totaling \$0 and \$13,509 for the years ended June 30, 2009 and 2008 respectively	80	-	-	80	8,959
Other	11,106	-	-	11,106	79,598
Total contributions	<u>474,679</u>	<u>135,200</u>	<u>12,600</u>	<u>622,479</u>	<u>529,955</u>
Grant revenue	-	-	-	-	30,000
Fellow dinner/reception	4,850	-	-	4,850	9,000
Laws of aging income	-	25,010	-	25,010	2,726
Indiana Bar center income	328,329	-	-	328,329	355,231
Investment income	54,006	-	10,644	64,650	60,805
IOLTA revenue	-	1,329,877	-	1,329,877	2,874,334
J. Philip & Barbara Burt	-	250	-	250	-
ICLEO 10th Anniversary	-	-	-	-	10,200
Legendary lawyer luncheon	3,000	-	-	3,000	2,675
Realized loss on sale of investments	(4,578)	-	(67,145)	(71,723)	12,538
Unrealized loss on investment	(663)	-	-	(663)	(67,922)
Net assets released from restrictions	<u>2,176,564</u>	<u>(2,105,097)</u>	<u>(71,467)</u>	<u>-</u>	<u>-</u>
Total revenue	<u>3,036,187</u>	<u>(614,760)</u>	<u>(115,368)</u>	<u>2,306,059</u>	<u>3,819,542</u>
Expenses					
Program services:					
Grants and scholarships	\$ 76,591	\$ -	\$ -	\$ 76,591	\$ 62,092
IOLTA Pro Bono grants	1,712,556	-	-	1,712,556	1,378,451
CLEO administrative expenses	-	-	-	-	360
Civic expenses	292,402	-	-	292,402	346,712
IOLTA administrative expenses	121,215	-	-	121,215	148,378
Total program services	<u>2,202,764</u>	<u>-</u>	<u>-</u>	<u>2,202,764</u>	<u>1,935,993</u>
Other expense:					
Indiana Bar Center expenses	291,779	-	-	291,779	308,441
Payroll expenses	464,289	-	-	464,289	331,924
Professional services	18,319	-	-	18,319	52,425
Marketing and fund raising	40,502	-	-	40,502	18,575
Fellows dinner/reception	20,399	-	-	20,399	36,107
Office expense	48,155	-	-	48,155	44,649
Annual report	618	-	-	618	15,253
Trustee fees	3,382	-	-	3,382	2,455
Conferences, meals, and travel	34,986	-	-	34,986	29,322
LEROY expenses	-	-	-	-	122
Depreciation	16,462	-	-	16,462	9,178
Miscellaneous	7,186	-	-	7,186	6,968
Total other expense	<u>946,077</u>	<u>-</u>	<u>-</u>	<u>946,077</u>	<u>855,419</u>
Total expense	<u>3,148,841</u>	<u>-</u>	<u>-</u>	<u>3,148,841</u>	<u>2,791,412</u>
Changes in Net Assets:	(112,654)	(614,760)	(115,368)	(842,782)	1,028,130
Beginning Net Assets	<u>1,530,631</u>	<u>4,075,972</u>	<u>216,709</u>	<u>5,823,312</u>	<u>4,795,182</u>
Ending Net Assets	<u>\$1,417,977</u>	<u>\$3,461,212</u>	<u>\$101,341</u>	<u>\$4,980,530</u>	<u>\$5,823,312</u>



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The Indiana Bar Foundation maintains an IRS classification as a 501(c)(3) charitable organization. All contributions are tax deductible.

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