

MESSAGE FROM THE NEW DIRECTOR

The year 2006 marked a major milestone in the history of Kansas Legal Services. Roger McCollister, who began as Executive Director at the founding of KLS in 1977, left to pursue other opportunities. Under Roger's leadership, KLS flourished. Building on the core program of legal services to low income people, KLS embraced many different ways of serving Kansans. Disabled people found advocates at KLS to help them secure federal disability benefits. Victims of domestic violence found lawyers to pursue legal strategies to protect them from further violence and ease their road to survival. Farmers found knowledgeable staff to protect their plans to remain on family farms. Senior citizens found access to legal services in a broad range of areas from the statewide network of Senior Citizen's Law Projects to the Kansas Elder Law Hotline, both projects of KLS. Kansans of modest means found a lawyer through the Reduced Fee program developed by KLS and the Kansas Bar Association. Children in the foster care system found their lawyers had improved skills due to the training provided by KLS' Children's Advocacy Resource Center. Thousands of Kansans with legal needs found resources, lawyers and access to the justice system through KLS.

In 1986, Kansas Legal Services laid the groundwork for a mediation program that became Midland Mediation Services, to assure that this alternative to litigation was available to low income Kansans and others seeking this method of dispute resolution.

In 1996, KLS began its Employment Training Program (ETD) as another route for persons on the road out of poverty. In 2006, the programs in ETD helped 1,080 Kansans develop or improve their job skills. Many had never been in the workforce or were trapped in chronic homelessness. Others needed basic education in the use of technology so that jobs which involved computer skills would be available to them. Farmers, looking for alternative sources of off-farm income, trained for those jobs with resources found for them through a KLS program called WORKs.

In 29 years, KLS grew - from offices in three metropolitan areas serving about 4,000 clients a year - to a statewide network of zealous advocates providing hope and access to justice for many thousands of Kansans. KLS is a nationally recognized model, a statewide legal services program, that encourages ongoing zealous advocacy and continually adapts to meet the changing needs of our clients.

I am delighted to carry forward the work of KLS. I have been with KLS since 1979, starting as a staff attorney in a satellite office in Wichita. My passion for using the legal system to remove roadblocks for those seeking a path out of poverty has guided my work throughout my career. I appreciate the work of the KLS staff, often fighting for justice for clients against difficult odds.

In 2006, we asked the lawyers of Kansas to help KLS improve access to justice in a number of ways. Some choose to help by directly representing clients. Others choose to contribute to our technology fund, an effort to upgrade the computer technology available to KLS staff. Contributions to that program have been gratifying and will certainly help us reach our fundraising goal.

I appreciate the opportunity provided to me by the KLS Board of Directors to provide leadership to this great organization. If you have thoughts about how we might better meet the needs of those we serve or would like to support us in our efforts, I hope that you will contact me directly.

Marilyn Harp
Executive Director

OVERVIEW

PROGRAM HISTORY

During the 1920s, the American Bar Association acknowledged the need for special assistance to the poor by creating a committee on legal aid. Early legal services supporters recognized that the pledge of “equal justice under the law” cannot be realized as long as people with limited resources do not have access to the justice system. Legal aid societies were formed in Topeka, Wichita and Kansas City by lawyers and community members concerned about the poor. From the 1960s until 1974, the three Kansas legal aid societies, with the support of local bar associations, operated under the authority of the Office of Economic Opportunity and Office of Legal Services. The courts became a key battleground in the War on Poverty and Legal Services lawyers were the advocates and defenders of the poor throughout America. Along with Head Start and the Community Action Program, Legal Services is one of the enduring programs from that era.

Authority for the legal services program was transferred from the Community Services Administration (successor to the Office of Economic Opportunity) to the newly formed Legal Services Corporation during 1975. Through all of these changes in administrative authority and funding, the Kansas legal aid societies continued to provide free legal services to the poor in Kansas.

In 1977, the Kansas City, Topeka and Wichita legal aid societies merged to form Kansas Legal Services, Inc. Kansas was the second state in the nation to become a single, statewide entity. Building on this strength, Kansas Legal Services now has fourteen legal services field offices and two mediation offices located across the state, and maintains an extensive retainer contract system with cooperating members of the Kansas Bar Association.

GOALS

Kansas Legal Services has progressively focused its efforts on special needs individuals, such as victims of domestic violence, the homeless, children in foster care, the elderly, farmers, those with disabling conditions, individuals seeking access to health care, those seeking mediation services and persons who need basic life skills and employment training

The one mission of Kansas Legal Services is to provide equal access to justice for persons not able to pay for legal and other essential services. Kansas Legal Services is also a vehicle for keeping many low income people from falling permanently into the category of chronically poor. It serves as a conduit by which many low income people successfully get back on their feet and become self-sustaining.

2006: A YEAR OF CHANGE

KLS names new executive director, department heads



At the departure of organization co-founder Roger McCollister, Kansas Legal Services named longtime employee Marilyn Harp as its new Executive Director.

Prior to Harp assuming the position, the organization had been led by McCollister for its entire 29-year history. Leadership changes also included new Director of Research and Development Theresa K. Shively, following longtime director Wayne White's departure, as well as new Director of Employment Training Lea Vincent.

As executive director, Harp brings a fresh focus that includes enhancing existing services and upgrading outdated office technology.

"We want to continue making services available to low income and other people with barriers in accessing the legal system," says Harp, who since 1979 has served KLS as a staff attorney, managing attorney in Wichita and regional director. In that time, she has championed accessibility of legal services by founding and directing the Elder Law Hotline, Lawyer Advice Line and Central Intake Line. She was also instrumental in developing Kansas Support Services for Elders and the Juvenile Detention Program.

Harp holds a Juris Doctorate from the University of Kansas School of Law and a Bachelor of Social Work from the University of Kansas School of Social Welfare. She served as a board member of the Kansas Bar Association, Step Stone (a housing program for domestic violence victims) and Alternative Gifts (a fundraising agency for worldwide relief efforts), for whom she is the current board president. In addition, she served as chairman for Operation Holiday and co-chair for the Women's Equality Coalition, which named her Woman of the Year in 1990.

Her honors also include three Outstanding Service Awards from the Kansas Bar Association; the Liberty Bell Award from Butler County Bar Association; the YWCA



Marilyn Harp, Executive Director

Women of Valor Award; the Louise Mattox Attorney of Achievement Award from the Wichita Women Attorneys Association; the Elizabeth Ferguson Excellence Award from KLS; and the Wichita Bar Association President's Award. Harp also has taught a course on women and the law as adjunct faculty at Wichita State University.

Soon after taking the helm, Harp began a fundraising campaign to replace old, inefficient office computers. She also aims to strengthen the relationship between KLS and private attorneys.

"We need to get more lawyers involved in helping meet the great need for legal services," Harp says. "I'm excited for the future of Kansas Legal Services."

CIVIL LEGAL ASSISTANCE

WHAT IS CIVIL LEGAL ASSISTANCE?

Civil legal assistance is advice and representation in cases that are not punishable by imprisonment. They involve suits over money, property and other individual rights. Such cases might include consumer, finance, education, employment, family, health, housing, juvenile issues, income assistance, Indian law and individual rights.



HOW DO KANSANS QUALIFY?

- Must have a problem that has a legal remedy
- Must have a legal problem that can be resolved through the Kansas courts
- Must be eligible for free or reduced fee legal assistance (call for details)
- Must call **1-800-723-6953** to apply

Thanks to Our United Way Partners Across Kansas:

United Way/Atchison
United Way/Bourbon County
United Way/Coffeyville
United Way/Crawford County
United Way/Dodge City
United Way/Ellis County
United Way/Flint Hills
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United Way/Johnson County
United Way/Junction City

United Way/Greater Kansas City
United Way/Labette County
United Way/Leavenworth
United Way/Reno County
United Way/Riley County
United Way/Salina
United Way/Seward County
United Way/Shawnee County
United Way/Wyandotte County
Combined Federal Campaign

TYPES OF CASES KLS DOESN'T HANDLE:

- Criminal cases*
- Traffic cases*
- Accident claims
- Personal injury or wrongful death suits
- Representation to prisoners (though legal advice may be given to prisoners in civil matters)

WHAT IF SOMEONE DOESN'T QUALIFY FOR KLS SERVICES?

Those with needs outside KLS services (criminal and traffic) may want to ask the District Court to appoint an attorney.

Individuals who wish to have an attorney may call the Kansas Bar Association's Lawyer Referral Service (1-800-928-3111). Staff of the Lawyer Referral Service will provide names and contact information of area attorneys who specialize in the area of law at hand.

WHAT ABOUT VICTIMS OF CRIME?

The Victims' Rights Program of the Kansas Attorney General's Office (1-800-828-9745) has many helpful resources.

Victims of sexual or domestic violence can call 1-800-799-7233 or visit the website of the Kansas Coalition Against Sexual and Domestic Violence (www.kcsdv.org).

* Criminal and traffic cases may be handled by court appointment or government contract.

LEGAL SERVICES PROGRAM OVERVIEW

COOPERATIVE PROGRAMS WITH THE PRIVATE BAR

Kansas Legal Services, Inc., continues to operate cooperative programs with the Kansas Bar Association (KBA) and local bar associations in the state. Current programs for increasing and improving the availability of legal services to low income Kansans:

- **Interest on Lawyer Trust Accounts (IOLTA) Program** allows KLS to address two areas of need. IOLTA funds were used during 2006 to provide advice and representation to victims of domestic violence and as matching funds for the Kansas Human Rights Commission Voluntary Mediation Project.
- The **Reduced Fee Plan** provides legal services to people living on lower incomes who might not otherwise be able to hire lawyers or qualify for free services. The program was designed by the KBA and assists clients with routine legal matters at reduced fees.
- **Pro bono** panels have been organized in cooperation with many city and county bar organizations throughout the state to extend free services to low income Kansans who may not qualify for services through KLS.
- The **Lawyer Referral Service** is administered by KLS for the KBA and is operated from our Central Intake. Lawyer Referral matches individuals throughout the state with participating KBA attorneys in their area.
- **Private Bar Retainer Contracts** are used by KLS to supplement staff service statewide. Private Bar Contracts are essential to expanding service availability and controlling costs, especially in sparsely populated rural counties.

The **Elder Law Hotline** operates through a partnership of KLS staff and private attorney volunteers. With a single phone call, all Kansas seniors can receive legal information and advice.

ACCESS TO JUSTICE

Administered by the Office of Judicial Administration and overseen by the Supreme Court of Kansas, the Access to Justice Fund is designed to improve access to legal assistance for low income Kansans who need advice, representation or mediation services. The program is also intended to assist the Kansas courts in providing service to *pro se* litigants. KLS was awarded Access to Justice funds for the first time in 1996. Access to Justice funding has made it possible to create a statewide Access to Justice Advice Line and to greatly expand the ability of Kansas Legal Services to provide advice and representation in family law matters, the area of need that is historically the most underserved. The Access to Justice program allows Kansas court personnel to directly refer low income individuals to KLS offices statewide.

FAMILY LAW

Through Access to Justice, Legal Services Corporation, United Way, Interest on Lawyers Trust Accounts (IOLTA), Victims of Crime Act, Department of Justice and other funding, KLS represents thousands of low income persons—primarily women and children—each year in domestic law matters. The demand for legal assistance in family law matters continues to far exceed the capacity of KLS to provide direct representation. Priority is placed on cases of spousal or child abuse and protection from abuse orders.

- **Access to Justice Funding (ATJ)** has nearly doubled the number of family law clients KLS has been able to serve. Due in large part to ATJ funding, KLS is assisting more low income Kansans with domestic law matters than ever before in its 29-year history.
- The **Guardian *Ad Litem* Support Center (GALSC)** is a statewide program that provides training, advice and other supportive services to guardians *ad litem*, those who represent children in court proceedings. KLS GALSC staff attorneys also provide direct advice and representation in child welfare cases.
- **Legal Assistance for Victims Grant Program** funds from the U.S. Department of Justice's Office of Justice Programs continued in 2006. The statewide grant supports legal services for victims of domestic violence/intimate partner violence, stalking or sexual assault.
- **Victims of Crime Act Grants (VOCA)** are administered by the Governor of Kansas to assist victims of domestic violence. KLS in Emporia, Hays, Hutchinson, Kansas City, Pittsburg, Salina, and Topeka were awarded VOCA grants in 2006 to provide legal advice, representation and referrals to families fleeing abuse.
- The **Foster Care Helpline**, part of the GALSC, is a toll-free hotline that provides accurate and timely information to more than 400 foster children, foster parents and other concerned individuals who called with questions about the foster care system.

PUBLIC BENEFITS AND DISABILITY LAW

The primary goal of KLS' public benefits advocacy is to assist low income individuals in accessing state and federal public benefits programs. By maximizing this access, KLS staff work to ensure that low income Kansans have necessary income, health care, food and shelter.

- The **Disability Law Project** is funded through a contract with the Kansas Health Policy Authority (KHPA). The Adult Social Security Advocacy Project is designed to assist adults receiving General Assistance. KLS provides legal advice and representation to individuals receiving cash assistance to assist them in becoming eligible for federal Social Security Disability Insurance or Supplemental Security Income (SSI).
- The **Children's Social Security Advocacy Project** seeks to obtain SSI for disabled children. The project is focused on children who are receiving services from SRS. Obtaining SSI cash and medical benefits for children often makes home placement possible.

- The **Kansas Homeless Outreach Project and Evaluation (K-HOPE)** started in 2004 to help eligible homeless Kansans apply for Social Security Disability benefits. Funded by the Social Security Administration, K-HOPE conducts outreach and provides case management for homeless individuals in addressing barriers to employment, housing and essential services.

E L D E R L A W

KLS cooperates with the Kansas Department on Aging and the Area Agencies on Aging as an integral part of the state aging network. Older Americans Act funds are combined with Legal Services Corporation and other private funds to address this growing area of need.

- **Senior Citizen Law Project (SCLP)** provides services in a wide range of civil legal issues to persons age 60 and older. Its objective is to target the more vulnerable elderly population who are in the greatest social and economic need. Priorities include assuring that seniors obtain the cash and medical assistance essential to their well being and stopping financial, physical or psychological abuse of elders. SCLP also has an extensive community education program through which elders and workers serving them are educated about elders' rights and protections under the law.

One point of access is the Elder Law Hotline, a program that links KLS staff and private attorneys to provide the broadest range possible of legal advice and information.

KLS has a program in Topeka (Jayhawk Support Services for Elders) that provide persons age 60 and older with financial management services. This service makes it possible for many seniors to stay in their own homes. A similar program in Wichita was transferred to the Central Plains Area Agency on Aging in early 2007.

- **Prevention of Elder Abuse Neglect and Exploitation (PEANE)** funds from the Kansas Department on Aging in 2006 allowed KLS staff to conduct workshops for senior advocates on legal issues surrounding elder abuse and co-host a conference for caretakers of those with Alzheimer's disease.

F A R M L A W

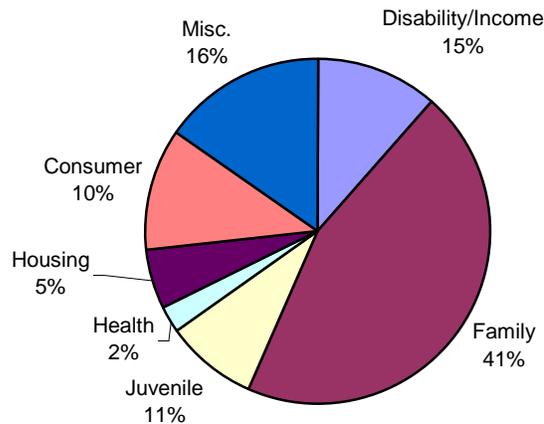
- The **Farm Mediation Legal Counseling Program** is operated through a contract with Kansas State University. KLS provides legal assistance to Kansas farmers and ranchers through referrals from the Kansas Agricultural Mediation Service (KAMS). KLS farm specialist attorneys provide both advice and legal representation to KAMS clients in every county of the state. When legal assistance helps farmers retain their farms, the economies of local communities and the state benefit.

M I G R A N T L A W

- The **Migrant Project** allows KLS to work with a variety of organizations on a Legal Services Corporation Migrant Project to improve outreach efforts to the migrant community. A specialized intake system for migrants includes toll-free numbers in Garden City and Kansas City. KLS provides wage claim, public benefits, education, work contract and domestic violence assistance to this community.

CASE TOTALS

2006 CASE DISTRIBUTION



ADVICE AND REPRESENTATION

	2006	2005	2004	2003	2002	2001	2000
Consumer Protection							
Advice & Brief Service	1,772	2,166	2,551	2,943	3,064	3,435	4,192
Representation	410	523	632	558	382	385	486
Total	2,182	2,689	3,183	3,501	3,446	3,820	4,678
Family							
Advice & Brief Service	5,136	6,300	8,086	10,061	10,247	10,026	11,299
Representation	4,239	4,454	4,474	4,900	4,009	4,160	4,323
Total	9,375	10,754	12,560	14,961	14,256	14,186	15,622
Juvenile							
Advice & Brief Service	28	28	102	186	191	211	298
Representation	2,364	2,007	2,054	1,708	1,584	1,325	891
Total	2,392	2,035	2,156	1,894	1,775	1,536	1,189
Health							
Advice & Brief Service	415	457	594	745	877	1,073	1,099
Representation	147	131	96	126	115	264	775
Total	562	588	690	871	992	1,337	1,874
Housing							
Advice & Brief Service	1,161	1,262	1,495	1,452	1,893	2,268	2,043
Representation	47	49	73	50	52	67	100
Total	1,208	1,311	1,568	1,502	1,945	2,335	2,143
Disability/Income Maint.							
Advice & Brief Service	556	593	691	1,542	2,032	1,644	1,404
Representation	2,748	2,111	1,632	1,664	1,942	1,828	1,714
Total	3,304	2,704	2,323	3,206	3,974	3,472	3,118
Miscellaneous*							
Advice & Brief Service	1,914	1,849	1,919	1,880	1,784	1,984	2,082
Representation	1,673	1,832	1,417	1,504	1,010	1,089	766
Total	3,587	3,681	3,336	3,384	2,794	3,073	2,848
TOTAL CASES	22,610	23,762	25,816	29,319	29,182	29,759	31,472

*Individual rights, Indian law, employment law, wills, other.

CLIENT PROFILES IN 2006

ETHNICITY	
Asian	214
Black	2,528
Hispanic	2,216
Native American	346
White	16,035
Unknown	<u>1,254</u>
TOTAL	22,593*

GENDER	
Female	14,510
Male	<u>8,083</u>
TOTAL	22,593

AGE				
Ethnicity	Under 18	18-59	60 and over	Total
Asian	22	156	36	214
Black	492	1,579	457	2,528
Hispanic	544	1,510	162	2,216
Native American	16	271	59	346
White	1,309	10,898	3,828	16,035
Unknown	<u>333</u>	<u>897</u>	<u>24</u>	<u>1,254</u>
TOTAL	2,716	15,311	4,566	22,593

* Total clients for whom demographic information was available.

STAFF EXCELLENCE: THE ELIZABETH FERGUSON AWARD



Dorothy Burgess

KLS paralegal **Dorothy Burgess** is the recipient of the 2006 Elizabeth Ferguson Award, which honors excellence in service by KLS staff members. Burgess' innovative work with at-risk youth has gone beyond the call of duty and improved the lives of her clients.

Burgess began in the Wichita KLS office as a receptionist in 1978. Her abilities, creativity and hard work moved her to her current position as paralegal for the Detention Advocate Program and children's Social Security program.

Through the Detention Advocate Program, Burgess monitors the behavior of about 100 youth who have been arrested and charged with a crime, and thus are at high risk for further criminal behavior.

By working with youth and their families to provide structure and prevent further trouble prior to trial, Burgess helps to reduce the high rate of minority youth confined in a correctional facility prior to trial.

Burgess has gone beyond her job description to ensure that these youth have opportunities to improve their lives. When clients asked her for ideas about summer jobs, Burgess recognized that they faced special challenges in securing employment as minority youth facing criminal charges.

With limited resources and the help of a volunteer, Dorothy conducted resume-writing classes and mock interviews. She found rewards – like a new shirt – for youths who applied for five or more jobs. She set up a series of weekly activities, providing a support system in which youth could share frustrations and be rewarded for progress. She helped organize transportation and contact assistance for young job applicants with no vehicle or phone number to provide employers. And for those who couldn't find a job in four weeks, she helped them develop volunteer employment so that they would be armed with experience and references for the next summer.

The youth involved in Burgess' program have responded with excitement, even begging for end-of-summer pizza parties to share their success stories.

*Kansas Legal Services
staff: Going the distance
to make a difference!*

EMPLOYMENT TRAINING

Since 1996, Kansas Legal Services has provided employment and life-skills training to low income Kansans, helping them acquire and maintain family-supporting employment. KLS offers a variety of training services and works closely with clients in a one-on-one, supportive and nurturing environment to ensure that individual goals are met. KLS currently has employment training programs in five locations across the state. **At any moment, 200 students are enrolled in these programs.**



Who is served by employment training programs?

Individuals enrolled in Kansas Legal Services' employment training programs are generally classified as "economically disadvantaged." More specifically, this group includes

- Those on TAF (cash assistance) who are required to be enrolled in job-related activities as a prerequisite for cash assistance.
- People considered "Dislocated Workers," or those who have lost jobs through no fault of their own (such as plant closings or permanent layoffs).
- Farmers and ranchers seeking transition to non-farm employment.
- Individuals with disabling mental or physical conditions.
- Low income individuals seeking to upgrade their skills in order to obtain a higher paying job.
- Other individuals eligible under the federal Workforce Investment Act.
- People whose employers wish to have them trained in a particular software application.
- People considered "Dislocated Homemakers," or those (generally) women who were reliant upon a spousal income for financial support, but who no longer have that support due to some form of separation.
- Persons who are chronically homeless and need assistance in overcoming persistent barriers to obtaining employment and housing.

EMPLOYMENT TRAINING PROGRAM OVERVIEW

Job readiness is vital to independence from long-term public assistance. In 2006, KLS Employment Training served nearly 1,100 people. KLS will continue to build its capacity to meet the training needs of its client community.

- **Work Opportunities for Rural Kansans (WORKs)** began at KLS in 1995. WORKs assists displaced farmers and their families with training, education and non-farm job placement. The program is funded by the Kansas Department of Commerce and serves as a valuable complement to KLS work in farm law. In 2007, its role puts more emphasis on outreach to potentially eligible farmers.

- **Job Success** was created in 1999 by KLS. Job Success provides job readiness and life-skills training to recipients of long-term cash assistance and other persons entering the workforce for the first time. Job Success classes are located in Topeka, Garden City, Dodge City, Liberal and Great Bend.

- **Custom Computer Training (CCT)** was created in 2001 to provide specific job related computer skills. CCT provides wide-ranging services, from a month-long introduction to computers to specialized one-on-one training

in particular software applications. This program is used by private employers, SRS, Vocational Rehabilitation and other training agencies.

- **Topeka Moving Ahead Program (T-MAP)** provides comprehensive employment, housing and other assistance to homeless persons in Topeka. Funding is provided by the U.S. Department of Housing and Urban Development, the City of Topeka and other community partners. The Topeka Rescue Mission provides housing to many program participants.

- **Case Management Services** for youth and adults have been provided by KLS under the Workforce Investment Act. In 2006, KLS provided one-on-one case management services to youth, disadvantaged adults and dislocated workers in the 62 counties of western Kansas and to disadvantaged in- and out-of-school youth in the Topeka area. These services helped youth and adults overcome barriers to employment, and obtain and retain employment.

OUTSTANDING CLIENT: CINDY WASHINGTON



“It gave me something to get up for.”

—Cindy Washington, 2006 graduate of the Topeka Moving Ahead Program at Kansas Legal Services

When Cindy Washington entered a Topeka battered women’s shelter in 2006, she had reached an all-time low. She was recently widowed, abusing alcohol and drugs and existing in a violent relationship. The mother of two teenage sons, she was now homeless and seeking refuge at the shelter, unsure how to help herself despite decades of employment in factory and truck-driving industries.

“I didn’t have any motivation to get a job, because I was up half the night using,” Washington says.

Washington was referred to Kansas Legal Services’ Topeka Moving Ahead Program (T-MAP), a nationally recognized initiative to get people off the streets and equip them with skills promoting self-sufficiency.

For Washington, the program was a sorely needed boost to her morale and a motivation to stay away from drugs and alcohol.

“It gave me something to get up for,” Washington says. “To go to T-MAP clean—other people there were clean.”

Washington gained important personal and professional tools from the 13-week program to start the next chapter of her life. She enjoyed the positive, supportive environment and was thrilled to learn computer skills, in particular.

“I was computer illiterate,” she says. “Most jobs now require computer skills, and I didn’t know how to run one.”

Washington admits that she still faces the psychological difficulties that led her to substance abuse and abusive relationships. But she plans to utilize the resume she developed at T-MAP. She has considered applying for a position at an area motel, which appeals to her high-energy personality. She has a dream to open her own restaurant some day. She attends church and does volunteer work. And she stays in touch with Kansas Legal Services staff, despite having completed the program. Washington knows she can always turn to them for a listening ear or practical assistance.

“People that aren’t gonna do you wrong,” she says. “People that want to help.”

MEDIATION

What is mediation?

Mediation is a voluntary process in which a trained mediator facilitates communication and negotiation between parties in dispute. The goal of mediation is to reach an agreement that settles the dispute in a mutually satisfactory manner. Mediations are conducted at a neutral location and in an informal and non-threatening environment.

During the mediation process, all participants have the opportunity to share their thoughts and feelings regarding the matter in dispute. With the mediator, all individuals collectively create an agenda, identify the issue in dispute, define each individual's interests and create an agreement.

What are the benefits of mediation?

- **Mediation is non-judgmental.** Mediators do not act as advocates, render any opinion or decide how the dispute should be resolved. The mediator does not assess fault or take sides.
- **Participants control the outcome.** Individuals involved in mediation create their own agreement. The mediator's role is to help develop a realistic, workable solution that takes everyone's thoughts and feelings into consideration.
- **Mediation is confidential.** Kansas law (with some exceptions) makes mediations confidential. All notes made by mediators are destroyed after an agreement is reached. No participant can subpoena the mediator, and no information specific to the mediation is admissible in court.
- **Mediation can resolve issues quickly.** Mediation can resolve disputes in a matter of days, as opposed to the months or years it may take in traditional legal proceedings.
- **Mediation can preserve relationships.** Mediation can help build a positive framework for future interactions between individuals. Mediation also models problem solving, listening and negotiation skills that can benefit participants long-term.
- **Mediation gets results.** Depending on the type of dispute, between 40 and 80 percent of disputes taken to mediation result in agreement.

How do people access mediation services?

KLS provides mediation in a wide variety of cases including insurance disputes, special education, employment discrimination, public accommodations and domestic matters such as custody and visitation. In 2006, more than 1,000 Kansans received mediation assistance from KLS, which receives referrals from local district courts, the Kansas Human Rights Commission, the Kansas Insurance Department and others. KLS also offers fee-based mediations on a sliding scale. Contact Randy Hershey, Director of Mediation, at 785-232-5348.

MEDIATION SERVICES PROGRAM OVERVIEW

The KLS mediation program has twelve approved mediators providing civil rights, employment, domestic, truancy, permanency, juvenile, insurance and other mediation services throughout the state. Mediation services complement the work of KLS by providing a non-adversarial dispute resolution method for appropriate cases.

- **Access to Justice Mediations (ATJ)** are funded by the Office of Judicial Administration under the direction of the Kansas Supreme Court. ATJ funding enables court personnel to refer clients directly to KLS offices for mediation services at no cost to participants. Most ATJ mediations involve post-divorce custody issues.
- **Human Rights Mediations** offer voluntary mediation to individuals involved in employment, housing and public accommodation complaints filed with the Kansas Human Rights Commission. The Kansas Bar Foundation with Interest on Lawyer's Trust Accounts funding, provides the support to this program.
- The **Sedgwick County and Sumner County Juvenile Dependency Mediation Projects** use mediation to resolve child welfare matters in a manner that is less divisive and time consuming than traditional court proceedings. The Department of Social and Rehabilitation Services area offices continue to support these programs.
- The **Wichita Truancy Mediation Pilot Project** works with the Sedgwick County District Attorney's Office to address truancy problems in Sedgwick County through mediation. The project was first piloted under a grant from the Wichita Community Foundation and is currently funded by a grant from the Office of Judicial Administration.
- **Kansas Insurance Department Mediations** are provided to consumers and insurance companies who are in dispute over property and casualty claims in matters referred to the Kansas Insurance Department.



KLS MEDIATION: IMPROVING LIVES

When a 53-year-old man was fired for leaving work before the end of his shift, he suspected age discrimination. He had been a well-regarded employee for nearly 19 years, but believed he had been denied opportunities for promotion until his ultimate, confusing termination.

After the man filed an age discrimination claim, mediation between employer and employee helped reveal that miscommunication, not discrimination, had led to the termination. As both parties worked together in good faith, the man returned to employment with no loss of seniority and at the same pay rate. The termination was expunged from his personnel file, and he proceeded with full ability to pursue future promotions with a better understanding of the process.

A condominium association would not build a ramp in front of its building to accommodate a wheelchair-bound elderly woman. KLS mediation took place and was complicated by changing association board members, construction requiring a government agency working with a grant, and the necessity of an automatic door installation not covered by the grant or agency. These challenges extended both the mediation process and tried the patience of involved parties, most particularly the woman simply wanting to get in and out of her home. Fortunately, through the mediation process, the association learned of its obligations under fair housing law, and an accessibility ramp has been constructed.



FUNDING AND STAFF FIGURES

**YEAR ENDED DECEMBER 31, 2006
WITH COMPARATIVE TOTALS 2003-2005**

	2006	2005	2004	2003
Legal Services Corporation	2,145,503	2,171,599	2,208,752	2,305,530
Department of SRS	1,165,931	1,065,801	934,677	518,441
Access to Justice	1,157,463	922,687	954,092	913,302
US Department of HUD	223,774	232,768	247,007	139,956
Hospital Patient Assistance	0	204,583	150,000	130,000
IOLTA & Bar Sponsored	899,202	1,010,337	1,000,790	918,902
City/County Grants	1,069,377	897,675	903,226	923,131
Area Agencies on Aging	285,958	313,194	297,324	288,207
OTAP / CCT	181,747	222,318	271,239	322,932
Mediation Contracts & Fees	198,848	187,230	146,314	173,570
United Way	270,108	264,673	261,125	287,384
WORKs	140,068	237,467	298,323	279,609
Office of the Governor & Department of Justice	483,576	299,527	261,429	314,674
Farm Counseling	115,253	121,303	124,873	130,346
Office of Judicial Administration - GALSC	150,000	150,000	150,000	150,000
Social Security Administration	124,294	175,105	71,528	0
Elder Law Hotline	0	0	0	0
Job Success	228,951	182,850	422,417	486,078
Foundation Grants	100,000	121,911	90,000	89,998
Court Awards	12,267	22,139	0	0
Interest Income	12,033	9,204	5,243	1,121
Other Miscellaneous	423,479	259,748	55,346	68,854
Total Revenues	<u>9,387,832</u>	<u>9,072,119</u>	<u>8,853,705</u>	<u>8,442,035</u>

STAFF TOTALS

	2006	2005	2004	2003
Full-time equivalent employees	165	154	154	170

EXPENSES

YEAR ENDED DECEMBER 31, 2006
WITH COMPARATIVE TOTALS FOR 2003-2005

Expenses	2006	2005	2004	2003
Salaries	6,039,497	5,855,160	5,678,285	5,585,129
Employee Benefits and Payroll Taxes	1,240,273	1,300,183	1,151,226	1,050,637
Rent, Parking, Utilities and Maintenance	684,498	658,331	689,390	692,145
Equipment Rental and Maintenance	104,023	123,275	134,314	125,831
Office Supplies, Printing and Postage	256,008	248,432	220,695	239,655
Telephone	174,827	177,332	182,564	225,707
Travel	169,393	171,675	152,089	162,229
Training	97,564	104,789	92,332	56,374
Library Upkeep	46,332	56,374	67,734	61,895
Insurance	67,760	70,308	70,420	69,347
Litigation Expenses	54,496	38,480	21,366	14,159
Audit, Consulting and Contract Services	255,502	117,292	108,491	133,494
Private Attorney Retainers	70,046	59,294	117,776	80,377
Kansas Bar Foundation Subgrant	46,000	46,000	46,000	46,000
Depreciation	42,634	52,303	76,925	92,069
Other	126,395	156,925	110,188	195,348
Total Expenses	<u>\$9,475,248</u>	<u>\$9,236,153</u>	<u>8,919,795</u>	<u>\$8,830,396</u>

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CONTACT INFORMATION

ADMINISTRATIVE OFFICE

712 S. Kansas Ave., Suite 200
Topeka, KS 66603
785-233-2068 telephone
785-354-8311 fax
785-233-4028 TDD

Executive Director: Marilyn Harp

LEGAL ASSISTANCE OFFICES

Dodge City

100 Military Plaza, Suite 101
Dodge City, KS 67801
620-227-7349 telephone
620-227-8001 fax
Managing Attorney: Paul Shipp

Kansas City

707 Minnesota Ave., Suite 600
Kansas City, KS 66101
913-621-0200 telephone
913-621-3817 fax
Managing Attorney: Marc Berry

Seneca

1500 Community Dr.
Seneca, KS 66538
785-336-6016 telephone
785-336-6429 fax
Managing Attorney: Gabrielle
Thompson

Emporia

527 Commercial, Suite 521
Emporia, KS 66801
620-343-7520 telephone
620-343-6898 fax
Managing Attorney: Ty Wheeler

Lawrence

600 Lawrence Ave., Suite 1E
Lawrence, KS 66049
785-838-3401 telephone
785-838-3404 fax
Managing Attorney: Tom Stratton

Topeka

712 S. Kansas Ave., Suite 201
Topeka, KS 66603
785-354-8531 telephone
785-233-2096 fax
Managing Attorney: Tom Stratton

Garden City

120 Grant
Garden City, KS 67846
620-275-0238 telephone
620-275-4999 fax
Managing Attorney: Paul Shipp

Manhattan

104 S. 4th St., 2nd floor
Manhattan, KS 66502
785-537-2943 telephone
785-537-2927 fax
Managing Attorney: Gabrielle
Thompson

Wichita

Orpheum Building
200 N. Broadway, Suite 500
Wichita, KS 67202
316-265-9681 telephone
316-265-5902 fax
Regional Director: Shannon Crane

Hays

2017 N. Vine
Hays, KS 67601
785-625-4514 telephone
785-623-4262 fax
Managing Attorney: Kerry Wasinger

Pittsburg

408 N. Walnut
P.O. Box 1509
Pittsburg, KS 66762
620-232-1330 telephone
620-232-1344 fax
Regional Director: Eric Rosenblad

Hutchinson

206 W. 1st St.
Hutchinson, KS 67501
620-694-2955 telephone
620-663-2519 fax
Managing Attorney: Shannon Crane

Salina

1000 Westchester Dr.
Salina, KS 67401
785-825-8147 telephone
785-825-2250 fax
Managing Attorney: Kerry
Wasinger

EMPLOYMENT TRAINING

Director: Lea Vincent

Great Bend Golden Belt One Stop Career Center

1025 Main Street
Great Bend, KS 67530
620-793-8825 telephone
620-793-8826 fax

Great Bend-Job Success

1305 Patton Road
Great Bend, KS 67530
620-792-7390 telephone
620-792-2250 fax

Hays-Job Success/WORKs

2017 N. Vine
Hays, KS 67601
785-625-4514 telephone
785-623-4262 fax

Manhattan-WORKs

Kansas Legal Services-Manhattan
104 S. 4th St., 2nd Floor
Manhattan, KS 66502
785-537-2943 telephone
785-537-2927 fax

Topeka-Custom Computer Training

Topeka Workforce Center
1430 S.W. Topeka Blvd.
Topeka, KS 66612-1853
785-235-5627 telephone
785-233-5899 fax

Topeka-Job Success

712 S. Kansas Ave., 4th Floor
Topeka, KS 66603
785-270-5695 telephone
785-270-5698 fax

Topeka - T-MAP

712 S. Kansas Ave., 4th Floor
Topeka, KS 66603
785-270-5690 telephone
785-270-5698 fax

Topeka-WORKs

712 S. Kansas Ave., Suite 200
Topeka, KS 66603
785-233-2068 telephone
785-354-8311 fax

MEDIATION SERVICES

Director: Randy Hershey

Wichita

200 N. Broadway, Suite 450
Wichita, KS 67202
316-265-7697 telephone
316-290-8255 fax

Topeka

712 S. Kansas Ave., Suite 400
Topeka, KS 66603
785-232-5348 telephone
785-233-5932 fax