

**BUDGET HEARING PRESENTATION  
OF  
ATTORNEY SHELBY KING GADDY  
EXECUTIVE DIRECTOR/CEO  
LEGAL SERVICES OF THE VIRGIN ISLANDS, INC.  
BEFORE THE  
35<sup>th</sup> LEGISLATURE OF THE UNITED STATES VIRGIN ISLANDS  
COMMITTEE ON FINANCE  
THE HONORABLE SENATOR DONNA A. FRETT-GREGORY,  
CHAIR  
JULY 6, 2023**

Good afternoon, Chairman Frett-Gregory and other members of the Committee on Finance of the 35<sup>th</sup> Legislature of the United States Virgin Islands. I am Attorney Shelby King Gaddy, the Executive Director and CEO of Legal Services of the Virgin Islands, Inc., (LSVI), commonly known as "Legal Services". I am accompanied by Attorney Dawn Dyer, Managing Attorney of the St. Croix Office and Mr. Kenneth Guye, Director of Finance and Administration and CFO.

We look forward to the opportunity each year to appear before this committee to present to you and the taxpayers the evidence of our efficient, effective and fiscally responsible stewardship over the funds entrusted to us by the Virgin Islands Government. LSVI continues to be a responsible steward of taxpayer dollars. Each year we receive and report the results of our annual audit, which again this year and has always been "unqualified" or a clean audit.

For FY 2023, the Governor's budget included \$2,007,700 for Legal Services and the FY 2024 request is the same or \$2,007,700. Legal Services, like all the Legal Aid entities in the United States are underfunded to meet the growing demand for our assistance.

Nevertheless, we are extremely grateful for the funds received, especially given the circumstances.

We are here today to support the sum of \$2,007,700, which is the amount that was included in the Governor's FY2024 budget for Legal Services. This sum will allow us to maintain the *status quo* at our present level of service delivery. Over the past five years 2018-2023, LSVI has been in a continuous "rebuilding" posture to replace the experienced attorney resources lost after the 2017 hurricanes, while simultaneously growing to meet the needs of the community. Presently, the total number of LSVI attorneys are seven (7), with four in St. Croix (not including the Executive Director), and three in St. Thomas. Additionally, the St. Croix office has an outstanding offer to an attorney awaiting VI Bar admission.

When we began FY 2023, LSVI was seeking to fill three attorney vacancies, and this body extended additional funds to pay competitive salaries to attract and retain attorneys. Over this year, we have filled two of those positions and have one outstanding offer. In addition, we are still in need of support staff to fill two positions to assist the attorneys. Finally, LSVI has pursued the engagement of development professionals to create and implement a development plan for increasing, diversifying and sustaining our funding. We have begun the process to engage a consultant to guide the process of creating a development plan and to the job duties for the development officer appropriate for our organization.

We implemented the Senior Medicare Patrol Project in 2018 to assist Medicare beneficiaries, families and caregivers to prevent, detect and report healthcare fraud, errors and abuse. As we have a rapidly increasing senior population who receive other legal assistance from LSVI, this program augments those services. We obtained federal funding for this program and hired a project director to coordinate the efforts. We are happy to report that we were again

awarded a new five-year grant for this project beginning June 1, 2023.

As COVID-19 has permanently changed our lives and the way we conduct business, employ professional services, etc. Legal Services uses technology extensively to streamline our delivery model and accommodate teleworking or remote working, when necessary. Further, through the SMP program in collaboration with the University of the Virgin Islands, we have been able to train 30 seniors who have successfully attained the necessary basic computer skills and knowledge, use of the internet and social media, etc. resulting in the issuance of 65 Certificates of Completion. This allows seniors to engage in the telehealth appointments now offered by health care professionals and continue to eliminate the social isolation that was experienced during the pandemic from not being able to participate in the in-person social activities.

While, we are cognizant of the government's financial challenges created by the circumstances of the COVID-19 pandemic, while still overcoming the effects of the 2017 hurricanes, the requested funds will only allow us to maintain the *status quo*. Simultaneously, we are continuing to seek and secure other sources of funding to meet the extraordinary costs associated with providing services to our community in a COVID-19 endemic environment. Additionally, Legal Services has been successful in obtaining funding from the Legal Services Corporation to assess, develop and implement a transformational pro bono program. The purpose of this program is to engage private attorneys to provide legal assistance to the eligible clients either free of charge or at a low rate which will also increase the attorney resources to meet the legal needs of our community.

The U.S. Constitution guarantees a lawyer when someone is accused of a crime. However, there is no constitutional right to an attorney when someone faces a civil action. For example, unless you can pay for legal assistance you are on your own to try to rectify

unsafe rental housing, challenge a wrongful discharge from a job, obtain a protective court order against an abusive spouse, fight for custody of your children, or secure veterans benefits you earned by your military service. It is very challenging to navigate the legal system on your own. Having legal assistance is crucial to protecting the liberty and justice for all upon which our nation was founded.

LSVI is the “Equal Justice Advocate” in the territory. Its mission as stated in the mission statement is as follows: *“To access justice, protect rights and educate people in poverty in order to empower them to move toward self-sufficiency.”* LSVI is a non-governmental, 501(c)(3) not for profit corporation, whose primary purpose is to provide high quality civil legal assistance, free of charge, to persons of low income, the elderly, victims of domestic violence and other disadvantaged individuals in the territory. We are a “public interest” law firm, which must adhere to all of the Professional Responsibility and Ethics Rules and Codes as any other law firm.

LSVI has provided high quality civil legal services to the client community territory-wide for 54 years. LSVI is governed by a 15-member volunteer Board of Trustees. Its management staff is very efficient, creative and effective. Its attorney advocates and legal support staff, who have over 40 years of combined legal practice experience, have an excellent reputation in the bar, courts and community for providing high quality civil legal assistance to eligible clients.

Over the past year, LSVI has seen an increase in the number of evictions and domestic violence. These matters are in addition to the range of issues typically experienced by persons living in poverty circumstances like employment matters and a wide range of other family law related matters. A lot of these matters create housing instability. Since 2023, we developed an enhanced Eviction Prevention Services, obtained financial assistance and began to

provide housing stability legal services under the Emergency Rental Assistance Program.

LSVI is well into the third year of its strategic plan to chart the course for the next 3-5 years, given a number of scenarios. The strategic plan outlined a course that is currently being followed which “re-imagined” a service delivery model designed to maximize our resources by employing the best tools available for providing effective and efficient civil legal assistance in accordance with our mission. As part of the strategic planning process, a formal comprehensive needs assessment was conducted and we affirmed that there are still many unmet legal needs in our community. Since we cannot serve all of the clients’ unmet civil legal needs, based upon the results of the needs assessment, we set program priorities.

Based upon the findings in the most recent community needs assessment, the following were identified as the most pressing legal needs. 1. **Housing**: Low-income persons have problems with finding safe, decent, stable and affordable housing. 2. **Health**: There is a lack of access to health care, including mental health, for the low-income population. 3. **Safety**: Many low-income individuals suffer from spousal abuse and other forms of domestic violence, including human trafficking. There was also a great concern for community violence. 4. **Family**: Low-income persons have many family-related matters in the preservation, support, custody, safety and welfare of families and individual family members. 5. **Elderly and Disabled**: Individuals because of their advanced age or infirmities face civil legal needs in many areas. 6. **Economic Opportunity/Security**: Lack of decent paying jobs and the complex problems in keeping a job or income to sustain the family. 7. **Consumer Issue**: Low-income persons have many consumer problems, with far-reaching effects on a low-income person’s ability to meet their most basic needs. 8. **Education**: Low-income persons have matters related to adequate education and support, financial aid or services and vocational training. 9. **Transportation**: We live on a number of islands where

public and private transportation is limited for low-income individuals. The survey revealed many problems with access to public transportation. We are not certain how we can impact this problem by legal means. However, we re-invented our intake processes, policies and procedures to address many of the legal needs and overcome some of the challenges faced by the community.

The “re-imagined” service delivery system model that resulted from the strategic planning process is based upon the visionary theme of providing “Equal Access to Justice-Anytime, Anywhere”. LSVI has a variety of intake methods, procedures and policies, including in person, telephone and on-line intake (via our website). After the intake is completed in real time, clients will be contacted by an attorney within one business day, thus eliminating the need for scheduling an appointment to have an initial consultation which could be weeks later. The accessibility has been significantly expanded with the Mobile Justice Units (MJU) which are designed to operate as mobile offices taking attorneys into remote locations of the community to provide on-site legal assistance. The MJUs are at pre-scheduled locations in the community each week in both the St. Croix and St. Thomas/St. John districts on Tuesdays and Thursdays.

While we operate the MJUs to provide service in the community, our physical facilities are also used to meet with clients, stakeholders, etc. along with performing our administrative duties. We are in the process of temporarily relocating the St. Croix staff in some leased space while we undertake a project to complete major repair and mitigation of the damage caused by the hurricanes of 2017.

Madame Chairwoman, Attorney Dawn Dyer will give a summary presentation of an Overview of Cases and Other Matters handled by LSVI, as well as some success stories. (See Attachment “A”).

In closing, as we go forward, LSVI will continue to seek ways to maximize our efficiency, effectiveness, and quality of service while serving as many clients as possible. The requested funding in the

sum of \$2,007,700 will help LSVI meet the critical needs of our client community. We look forward to working with you to ensure that LSVI is properly funded and able to meet the goal of providing equal access to justice for all of the residents of the U.S Virgin Islands.

We thank you for the opportunity to make this presentation to this Committee and the observing public, and we would be most happy to answer any questions.

Respectfully Submitted,

Legal Services of the Virgin Island, Inc.

Shelby King Gaddy, Esq.

Executive Director/CEO

## ATTACHMENT A

### LEGAL SERVICES OF THE VIRGIN ISLANDS, INC. PRESENTATION TO THE LEGISLATURE

July 6, 2023

#### 2022 STATISTICS

During the year 2022, with the COVID-19 pandemic lessening, LSVI has resumed in-home visits for our housebound senior citizens. Intakes are occurring by telephone, on-line, in-person, and at the Mobile Justice Units. LSVI has increased community education and outreach to the territory's most vulnerable citizens. Additionally, LSVI has made substantial progress to increase the number of community stakeholders and partners with whom we have participated in collaborative activities.

A comparison of LSVI's case numbers for 2022 with 2021 shows a continued increase of client cases opened in 2022. During the 2022 calendar year the St. Croix office had 585 cases while the St. Thomas office had 270 cases for a total of 855 cases for the year. This represents an increase of 24 cases over the 2021 calendar year. However, a look at 2023 year-to-date case numbers when compared to 2022 shows a significant increase of 30%. This is likely due to the hiring and retention of qualified attorneys as well as streamlined intake processes.

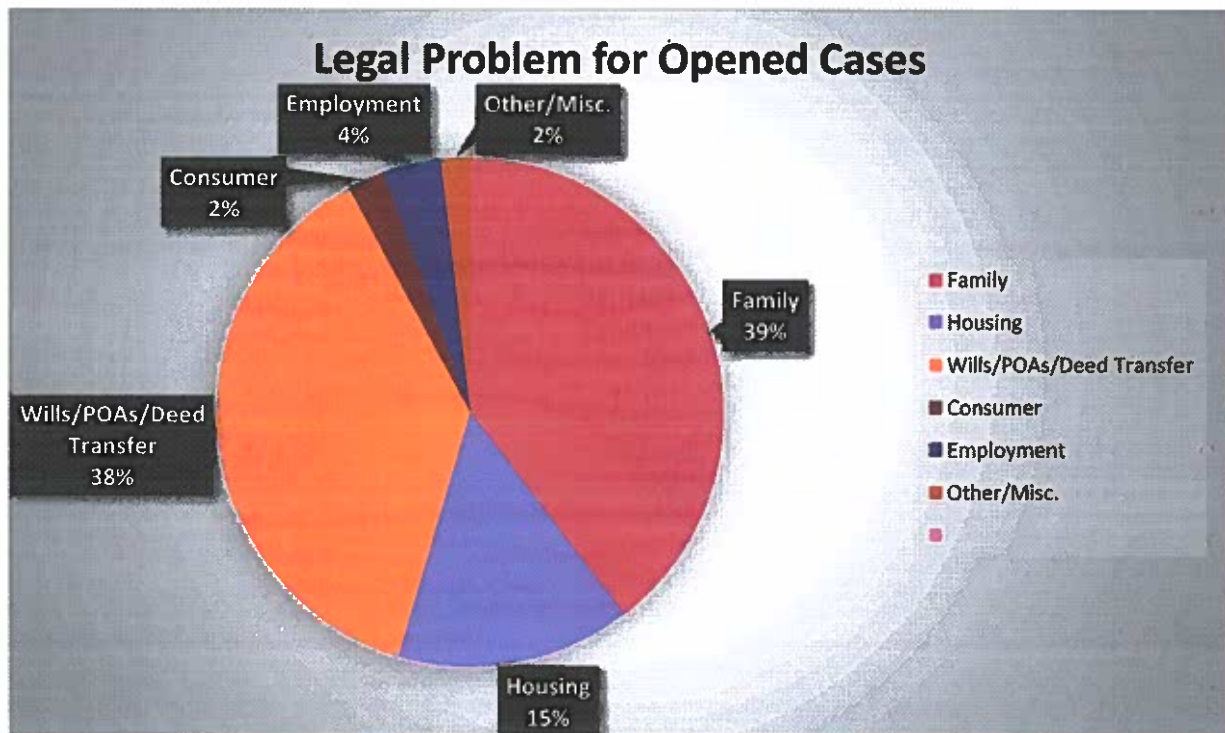
In 2022, LSVI continued to see a large number of family law cases (39%). These cases include domestic violence, divorce, custody, and child support. Estate planning closely followed representing 38% of all cases. These cases include Powers of Attorney, Last Will and Testaments, Deeds of Gift, and Revocable Transfer of Death Deeds. Next, was Housing issues representing 15% of total cases, which is an increase from 11% in 2021. These cases include foreclosures, evictions, and addressing substandard rental conditions.

The majority of the clients represented by LSVI are senior citizens over the age of 60. These clients are typically estate planning clients. This is followed by clients ages 26-45. The large majority of these clients are family law clients.

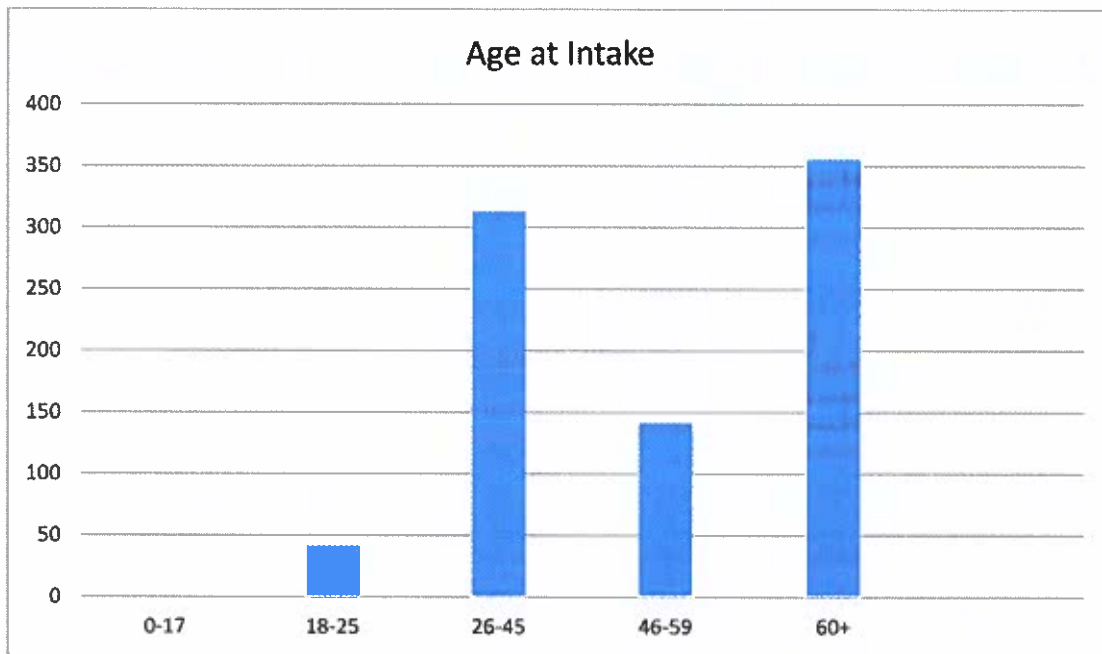


At LSVI we continue to maximize our resources and offer advice and counsel or brief services to the large majority of the clients. LSVI will engage in full representation when necessary to ensure that the rights of our clients are protected. The LSVI team works hard to make sure that there is equal access to justice, anytime, anywhere!

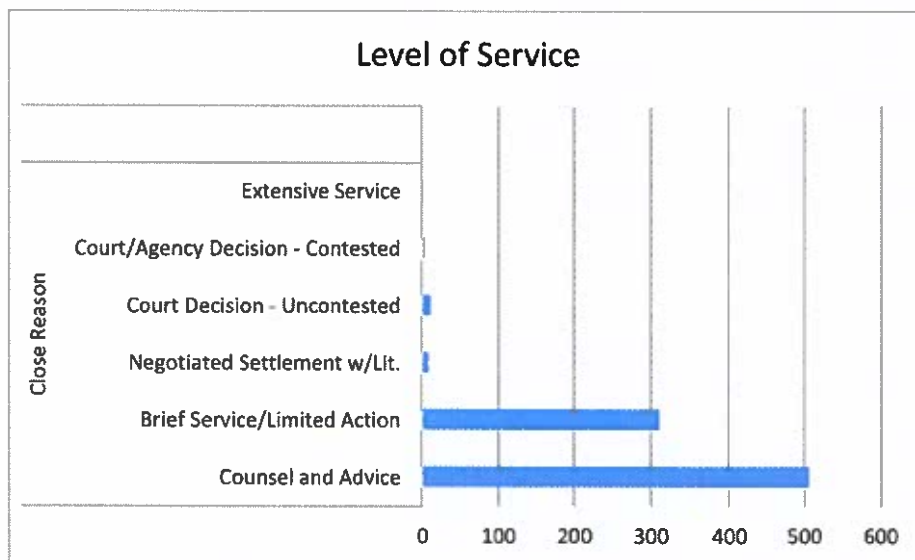
## 2022 Open Cases by Legal Matter



## 2022 Intake Ages



The following chart indicates the level of service provided to each client:



## Client Stories

Client came to LSVI seeking assistance after receiving a notice to quit from her landlord. Client had an ongoing dispute with her landlord after discovering that her water and electricity were supplying another dwelling unit other than her own. Unable to reach a resolution with the landlord, client began deducting one-half of the WAPA and water delivery bills from her rent payments. She was concerned that she would be evicted from the home before she was able to find alternative housing arrangements. LSVI advised her that eviction could only occur if the landlord pursued the matter in court. This brought immediate relief to the client who did not know her rights and was fearful that she would be thrown out on the street. LSVI was able to negotiate with the landlord for a reimbursement to the client an amount equal to three months' rent and her security deposit (\$4800.00), in exchange for her vacating the apartment by a date certain. The additional money helped the client to find a new apartment quickly and the situation was resolved without the need for court involvement.

Client came to LSVI seeking assistance with a permanent restraining order hearing. Client is a young mother of four children. She had recently separated from her abuser. During an exchange of the children, the parties got into a verbal altercation. The client tried to remove herself from the situation and her abuser followed her into her bedroom. He cornered her, blocking the doorway, and she started demanding that he move and let her out. He grabbed her by the throat and strangled her until she lost consciousness. When she came to, she was able to call for help. She was transported to the hospital and later discharged. Her abuser was arrested and she filed for a temporary restraining order. She received many threats from people in the community about what would happen to her if she moved forward as a witness in the criminal proceedings. Prior to the hearing, we assisted her with safety planning. At the time of the hearing for the PRO, she was still terrified, but was empowered by standing up to her abuser in court. LSVI was able to adequately prepare her for the hearing and she was awarded a two-year PRO at the conclusion.

Elderly client came to LSVI seeking assistance after her WAPA was shut-off. She went to the WAPA office and discovered that her step-children had taken a copy of their deed and requested that the power and water be turned off. The client's husband had recently died, but prior to this time, the elderly client had no knowledge

of the deed that transferred the property from her late husband to her step-children upon his death. She had been living in the home for more than ten years. The step-children also gave the client a notice of eviction. LSVI was able to intervene to quickly get her water and power restored. LSVI was also able to negotiate with opposing counsel to allow the client ample time to relocate herself and her property without court action.

### Community Outreach

Generally, LSVI advocates are available to attend and make presentations at public forums, for which our presence is requested on matters of community legal education. In 2022, LSVI participated in the following outreach activities:

#### **January:**

LSC Board Presentation (virtual), Shelby King Gaddy Panelist.

#### **February:**

Disability Radio Interview (virtual), Shelby King Gaddy.

VIHA – PCC Meeting, Shelby King Gaddy.

#### **March:**

LSC Forum – Access to Justice Digital Divide (virtual), Shelby King Gaddy.

#### **April:**

Movie Event for Sexual Assault Awareness at UVI St. Thomas, Attorneys Kirschenheiter and Payton, and support staff Krystal Isaac.

**May:**

Celestino White Senior Outreach on St. Thomas, Attorneys Kirschenheiter and Parker.

Flamboyant Gardens Senior Outreach on St. Croix, Attorney Parker and SMP Volunteer Coordinator Tiffany Henry.

AARP Senior Motorcade on St. Croix, Attorney Parker and SMP Volunteer Coordinator Tiffany Henry.

Agricultural Fair on St. Croix, Attorney Parker.

**June:**

VIHA Health and Wellness Fair on St. Thomas, Attorney Parker and SMP Volunteer Coordinator Tiffany Henry.

**September:**

Sip & Learn Medicare Fraud Errors and Abuse at Sunny Isles Housing Community on St. Croix, SMP Director Jennifer Logie.

Sip & Learn Medicare Fraud Errors and Abuse at Wilfred Pedro Housing Community on St. Croix, SMP Director Jennifer Logie.

Sip & Learn Medicare Fraud Errors and Abuse at Joseph E. James Community Housing on St. Croix, SMP Director Jennifer Logie.

Sip & Learn Medicare Fraud Errors and Abuse at Louis E. Brown Villas on St. Croix, SMP Director Jennifer Logie.

Pro Bono Work to Empower and Represent Act of 2018 (virtual), Shelby King Gaddy.

**October:**

DV Awareness Light Up the Territory Purple, St. Croix and St. Thomas with all staff participating.

Wear Purple for Domestic Violence Awareness, St. Croix and St. Thomas with all staff participating.

Sip & Learn Medicare Fraud Errors and Abuse at Ebenezer Gardens on St. Thomas, SMP Director Jennifer Logie.

Sip & Learn Medicare Fraud Errors and Abuse at Lucinda Millin Homes on St. Thomas, SMP Director Jennifer Logie.

Dog Walk Against Domestic Violence at Emancipation Gardens on St. Thomas, Attorneys Beighle and Franko.

Sip & Learn Medicare Fraud Errors and Abuse at Flamboyant Gardens on St. Croix, SMP Director Jennifer Logie.

Sip & Learn Medicare Fraud Errors and Abuse at Yellow Cedar Housing Community on St. Thomas, SMP Director Jennifer Logie.

Sip & Learn Medicare Fraud Errors and Abuse at Celestino White Senior Center on St. Thomas, SMP Director Jennifer Logie.

Domestic Violence Awareness Month Motorcade on St. Croix, Attorneys Gaddy, Parker, Sanders, and Dyer, and support staff Yadira Tirado.

Senior Conference on Aging on St. John, Attorneys Gaddy and Parker, and SMP Staff Jennifer Logie and Tiffany Henry.

Take Back the Night Domestic Violence Walk on St. Croix, Attorneys Parker, Gaddy, and Dyer. Support Staff Tiffany Henry and Yadira Tirado.

Candlelight Vigil and March Against Domestic Violence at Emancipation Gardens on St. Thomas, Attorney Beighle.

Sip & Learn Medicare Fraud Errors and Abuse at Rotary West on St. Croix, SMP Director Jennifer Logie.

Justice Matters with Attorney General (virtual – radio and television), Shelby King Gaddy.

**December:**

**Legal Consequences of Fighting/Bullying in Schools at John H. Woodson on St. Croix, Attorney Dyer.**

**Additionally, LSVI staff participates in weekly virtual meetings with the Women’s Coalition and DVSAAC. Staff also participates in regular virtual meetings with VIHA’s program coordinating committee. LSVI regularly pays for radio advertising to promote our SMP program and Mobile Justice Unit schedule. Mobile Justice Units are currently out in the community twice weekly in both districts.**