



True Poverty: What It Takes to Avoid Deprivation in the Garden State

Number of Full-Time Minimum Wage Jobs (\$10 per hour) Needed to Meet TPL for Selected Family Compositions Living in New Jersey in 2019.		
Family Composition	# Full-Time Minimum Wage Jobs per Family Needed to Meet TPL	True Poverty Level 2019
	2.76	\$57,405
	4.77	\$99,112

Read the full report, to be released in July, for more details about True Poverty in the state.

LSNJ’s upcoming Poverty Research Institute (PRI) release, *True Poverty*, asserts that the cost of just getting by in New Jersey, with no frills, is at least three times more than the federal poverty measure—meaning the depth of poverty is far greater than what the U.S. Census reports. Estimates show that a family of three—one parent and two children—needs an average of \$70,372 annually to pay necessary bills, not the \$20,598 threshold set by the Census Bureau. By PRI’s revised measure, close to a third of the

state’s population lived in True Poverty in 2019.

Poverty negatively impacts every aspect of a person’s life. Individuals living in poverty face immediate harm associated with deprivation, such as not having enough to eat, struggling to pay bills, and facing eviction. Poverty also isolates individuals from essential resources. Those in poverty are more likely to live in unsafe, overcrowded, and poor quality housing; attend low-performing schools; lack access to

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True Poverty is dedicated to the memory of Melville D. Miller, Jr., who unexpectedly passed away in March of this year. “De,”

as he was universally known, was, at the time of his death, president emeritus of Legal Services of New Jersey (LSNJ) and continued to work on projects especially meaningful to him. True Poverty was among them. While he did not live to see its release, it is now part of his legacy.

“Society must no longer accept the status quo. We need to challenge the awful untruths about poverty. The stakes are high here.”

De Miller

A Special Message About New Jersey's Affordable Housing Crisis and the Continued Segregation in Our Communities



When Governor Murphy's eviction moratorium expires, hundreds of thousands of renters across New Jersey could face the life-shattering outcome of eviction. Without the means to hire a lawyer, and no right to legal representation, many will be forced to navigate this crisis alone.

Despite the moratorium, more than 50,000 eviction complaints were filed between March 2020 and April 2021; by 2022, NJ court officials anticipate more than 194,000 additional eviction complaints. Our attorneys report that most of these eviction actions are for nonpayment of rent, a result of the additional economic hardship the coronavirus pandemic wreaked on low-income families who already lacked access to quality, affordable housing.

The new PRI *True Poverty* report highlights housing as one of the most burdensome costs

for those living in poverty. For families with children, housing expenses are surpassed only by the exorbitant costs of child care. Housing costs in New Jer-

sey are among the highest in the nation, leading many families with limited resources to live in substandard, unsafe, or high-crime neighborhoods.

We recognize that housing justice is a matter of racial justice, and that we must redress a long-standing history of racist housing policies and practices, from redlining to racially-restrictive housing covenants. For centuries, structural racism has produced the over-surveillance, disinvestment in, and devaluation of Black and brown neighborhoods, as well as massive and persistent racial wealth disparities—driven in large part by inequality in homeownership. The same government programs that helped white families build and transfer wealth systematically denied benefits to Black families. As a result, most American communities and, by extension, schools, remain highly

segregated by race, with New Jersey consistently ranking among the most segregated states for both Black and Latinx students.

In New Jersey, which has one of the starkest racial wealth gaps in the nation, disturbing racial disparities persist across housing issues: in rates of eviction, homelessness, homeownership, housing discrimination, and more. Compared to 1 in 15 white women, for example, 1 in 5 Black women will experience eviction, and therefore eviction discrimination, in her lifetime.

In our 55-year history, LSNJ has directly assisted over 8 million individuals, many on critical matters related to housing, homelessness, and eviction. We have advocated for fairer housing laws, policies, and legal procedures, and played a leading role in dozens of landmark housing cases, including the Mt. Laurel decision. As moratoriums lift and we face an onslaught of evictions, the New Jersey Legal Services system will work to keep New Jersey families in their homes, and advocate for policies and opportunities that ensure access to quality, stable, and affordable housing for all.

Remembering De Miller



Melville "De" Miller, Jr., president emeritus of Legal Services of New Jersey, revered in the world of legal aid organizations in the state and nationally, died on March 1, 2021. De led LSNJ for five decades as its president and general counsel, was one of LSNJ's incorporators back in 1971, and was instrumental in establishing the statewide Legal Services system that exists today. Until last year, he was the only CEO LSNJ ever had.

"There are no words that will adequately describe the pain and profound sorrow we are all feeling," said current LSNJ President

"There is no one whom I revere more than De Miller both for what he has done in New Jersey and for his unique contributions to LSC and the national civil legal aid movement."

Alan Houseman, Former Executive Director
The Center for Law and Social Policy

"He not only guided, nudged and showed the way for the legal aid system over the decades, he was also its principal protector."

John Tull, Retired Consultant and Former Director
Office of Program Operations, Legal Services Corporation

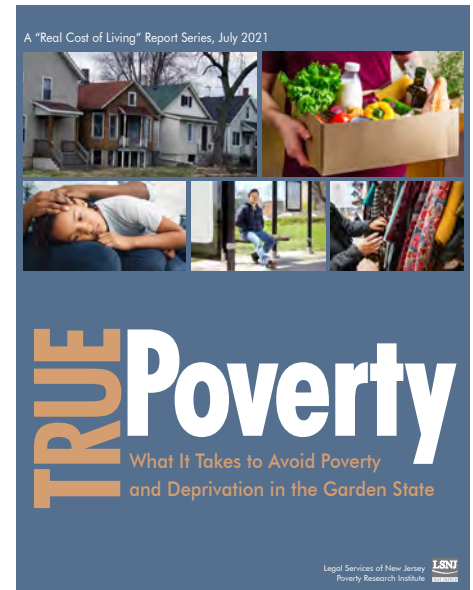
Dawn K. Miller in announcing the news. "He has been the backbone of our organization since its inception, and he certainly has left a remarkable legacy of helping the poor in our state. It was his lifelong focus. It is a legacy that we will embrace and continue to grow in his honor. His visionary leadership and unparalleled achievement on behalf of the Legal Services community and low-income clients in New Jersey has been conducted with brilliance, courage, creativity, commitment, and a relentless pursuit of justice and desire to improve the lives of the poor.

Learn more about De, his life, and his legacy.

Leave a comment or share a memory.

Make a donation in memory of De.

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gainful employment; and live in communities without healthy food or market options. Together, the circumstances of poverty have a devastating, lasting impact on the individuals, families, and society as a whole. Given the broad spectrum of human harm directly and indirectly caused by poverty, it is essential for policymakers to address the devastating consequences. The first step in this regard is accurately defining and measuring poverty.

"Below the bare bones TPL threshold, you are living in actual or True Poverty. You are forced to go without, sometimes trading off one critical need for another."

Shivi Prasad, Director
Poverty Research Institute

Protecting Seniors From Foreclosure

Cora relies on her walker and a monthly Social Security check to get by. In 2016, the 85-year-old fell behind on the property taxes on her Newark home of 50 years and was threatened with foreclosure. “I didn’t know which way to go,” she says. “I can’t afford a lawyer.” Legal Services helped Cora apply for an At Risk Extension (ARE), and subsequent annual renewals for the next several years, until her health required her to transition to a senior residence.

Kate is 84, widowed, and has limited mobility, but remains in her Camden County home of 48 years and hopes to stay there. “I have such good neighbors. They take care of me. They put my garbage and recycling out every week; they do my shopping.” When Kate contacted Legal Services in 2017, she was the sole caretaker for her disabled husband and had fallen behind on property taxes while recovering from surgery. Legal Services helped her prevent foreclosure through the ARE program.



Since its inception in late 2015, LSNJ’s Foreclosure Defense Project (FDP) has assisted in more than 1,750 cases. FDP staff help clients defend against foreclosures whenever possible in New Jersey state and district courts, often use the bankruptcy process to come up with an affordable repayment or sale plan, and protect clients’ rights through the foreclosure process

when saving the home is not possible. Every year, the project hosts law school volunteers from Duke University School of Law and Rutgers Camden Law School to train and mentor future public interest lawyers.

One of the most vulnerable populations in the foreclosure area is senior citizens. Due to a variety of factors including limited income, age-related health issues, and increasing property taxes, seniors struggle to keep up with regular mortgage payments. They also struggle to maintain homeowner insurance and property tax payments owed under reverse mortgages. In 2020, FDP closed 145 foreclosure cases in which the client was age 60 or

My attorney “was wonderful. She came to the house to get papers signed while Charlie was in rehab ... and then she went to the hospital to get his signature. They did a wonderful job, and I expect to hear from them next year!”

Kate
Foreclosure Defense Project Client

older, representing 272 household members.

Fortunately, senior citizens in reverse mortgages can benefit from the protections of a little known program called the At Risk Extension, or ARE. This federal option is discretionary, according to HUD Mortgagee Letter 2015-11, and is only available to senior citizens who already have a reverse mortgage, are over the age of 80, and can substantiate at least one critical circumstance (for example, a supported terminal illness, long-term physical

disability, or unique occupancy need). An ARE prohibits the lender from filing a new foreclosure case or from taking any actions to pursue judgment or sale in an existing foreclosure case. FDP attorneys represent clients with initial ARE applications and follow up with them for representation on annual renewal applications. The FDP is in its fourth year of representation for some seniors. This important program is just one way Legal Services ensures that seniors in our community are not left out in the cold.

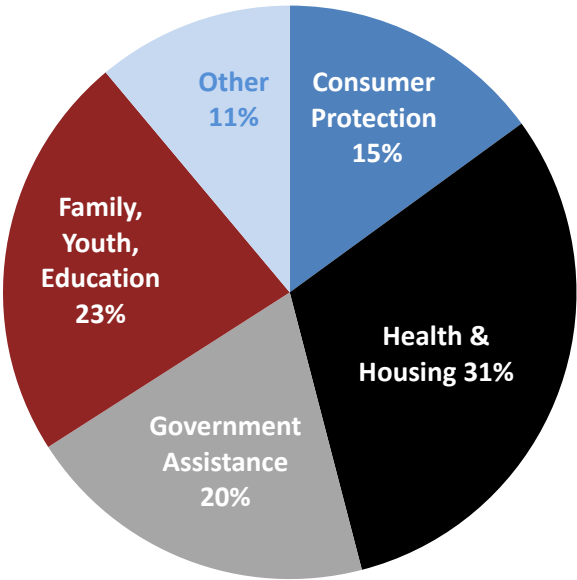


In her role as chief counsel of the Foreclosure Defense Project, Vice President Maryann Flanigan has vast experience with elderly clients who have been subject to financial exploitation and other forms of abuse. Ms. Flanigan was recently selected to be LSNJ's designee to the New Jersey Judiciary's newly formed Working Group on Elder Justice.

"I am humbled by the ability to devote my legal career to serving those most in need of help, whether it be a low-income parent, a disabled individual, or a senior citizen—to work on the right side of justice for some of the most historically underrepresented groups in this country."

Maryann Flanigan, Vice President and Foreclosure Defense Project Chief Counsel

2020 Annual Legal Services Cases By Type



In 2020, LSNJ assisted in 145 foreclosure cases in which the client was age 60 or older.

Reentry—Moving Forward After Years of Advocacy

The past 18 months have brought many positive changes in the area of expungement in New Jersey, beginning with “clean slate” legislation, sponsored by Senator Sandra B. Cunningham and others, and signed by Governor Murphy in December 2019.

Among other things, the changes that took effect in February 2020 expanded expungement eligibility for many more people who have demonstrated their rehabilitation.

“I’m at the point where I think that if a person has not had any personal criminal activity at all over, let’s say a six-to-ten-year period, I think that their record should automatically be expunged,” said Cunningham during an LSNJ interview discussing the legislation before it passed. “I think we need to give

“I’m in disbelief, extremely lost for word[s], with tears rolling down my face.”

people a real opportunity to go out and to change their lives ... I still see people standing on street corners because when they were in their 20s (now they are in their 70s), they did some ridiculous things and made mistakes ... we need to do better.”

In January 2021, the statewide eCourts expungement system was launched, enabling filers to complete the process online. LSNJ’s Reentry Project is currently collaborating with the New Jersey Court system to ensure that

visitors to the court website are aware of LSNJ’s resources, such as Clearing Your Record Online. Likewise, visitors to LSNJLAWSM are informed of the option to file their expungement through the new eCourts system.

More recently, in February, 2021, the legalization of marijuana included a number of critical protections with regard to young offenders, unwarranted search, use of body cameras, and racial bias training. LSNJ applauds these developments and looks forward to greater collaboration with the courts around implementation.

“Every few years, it felt like we were getting better in terms of eligibility—who can expunge—and expanding that net,” said Akil Roper, vice president and chief counsel for LSNJ’s reentry project. “What we’re seeing now is a shift of focus in making the process itself better for those who are going through it.”

One recent case illustrates the importance of this sort of collaboration to change lives for the better. The client was initially referred to LSNJ by Senator Cunningham, and subsequently referred to a



Visit www.lsnjlaw.org/Pages/Expunge.aspx to learn more about our interactive expungement program.

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Congratulations and Thank You to Pro Bono Attorney Sue Vinci!

Sue Vinci, senior managing associate general counsel at Verizon, successfully expunged the



record of a woman charged with disorderly conduct and obstructing the administration of law. The incident occurred while the client was grieving publicly after learning of her father's death. The client pled guilty to an amended charge of disturbing the peace in violation of a municipal code, and the obstruction charge was dismissed, but she was concerned that the matter would affect her search for employment. Ms. Vinci is part of the pro bono expungement project between Verizon and LSNJ. The cooperative project, developed as part of Verizon's corporate-wide pro bono criminal justice initiative, involves several Verizon attorneys.

"There is a great need for direct legal representation for those in poverty. Since we do not have the resources to represent every client that comes to our doors seeking assistance for an expungement, the help we get from our pro bono partners is vitally important."

Akil Roper
Senior Vice President
and Chief Counsel for Reentry

Reentry *Continued from page 6*

Verizon pro bono attorney who helped the client obtain an expungement.

"I'm in disbelief, extremely lost for word[s], with tears rolling down my face," wrote this client after learning his expungement had been granted. "Although I

paid my debt to society a long time ago, I still had to live with this for 23 plus years ... that doesn't negate my feelings at this moment which are of joy, peace and happiness. Thank you guys for all you've done for me. THIS IS UNBELIEVABLE!"



www.LSNJLAW.org – A legal information website to help you learn more about your civil legal rights in New Jersey and access materials to help you represent yourself pro se.

www.LSNJ.org – An organizational website where you can learn about the work of Legal Services.

www.PROBONONJ.org – A site where attorneys can learn about and sign up for pro bono opportunities.

www.NJEJLA.org – The New Jersey Equal Justice Library and Archive is an educational resource that includes a history of Legal Services in New Jersey, interviews with current and former staff, and tributes to major contributors to social justice.

POVERTY to JUSTICE

A Quarterly Report from
Legal Services of New Jersey

To be added to the mailing list for this newsletter, email development@lsnj.org.

Poverty to Justice quarterly newsletter includes updates on our work, our clients, and our volunteers as we move together toward the shared mission of justice.



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