This report celebrates all that the National Center for Law and Economic Justice has achieved for low-income Americans over the past two years. Of particular note to the two of us signing this letter, who were both here in 1970, our success continues to build upon NCLEJ’s landmark Supreme Court victory that year in *Goldberg v. Kelly*.

In a profoundly moving decision by Justice William J. Brennan, Jr., the Court ruled that public agencies could not terminate vital public benefits until they had provided a fair hearing consistent with the due process requirements of the United States Constitution. The *Goldberg* decision remains good law, which we rely upon today, even though the sensibility of many courts has changed profoundly. Consider the following lines from Justice Brennan’s opinion:

> Thus the crucial factor in this context... is that termination of aid pending resolution of a controversy over eligibility may deprive an eligible recipient of the very means by which to live while he waits. Since he lacks independent resources, his situation becomes immediately desperate...

> From its founding, the Nation’s basic commitment has been to foster the dignity and well-being of all persons within its borders. We have come to recognize that forces not within the control of the poor contribute to their poverty. Welfare, by meeting the basic demands of subsistence, can help bring within the reach of the poor the same opportunities that are available to others to participate meaningfully in the life of the community.

We were both actively involved in the Center’s work on *Goldberg*, Henry as a Reginald Heber Smith Fellow who helped draft the original papers, and Paul as the Columbia Law School faculty director during the time the case was developed and moved to the Supreme Court. And we remain committed today to securing through NCLEJ’s ongoing work the effective realization of the principles articulated in *Goldberg* by Justice Brennan.

The 40th anniversary of *Goldberg* finds NCLEJ’s clients enduring the hardest times in recent history. Millions of Americans have recently been forced to rely on the SNAP (formerly known as food stamp) program to meet basic nutritional needs. Millions more have had to rely on the Medicaid program, in many cases for their very survival. If there were ever any doubt that, in Justice Brennan’s words, “forces not within the control of the poor contribute to their poverty... Welfare, by meeting the basic demands of subsistence, can help bring within the reach of the poor the same opportunities that are available to others to participate meaningfully in the life of the community,” there can be none now.

Yet, despite the undeserved plight of so many Americans, our governmental institutions have been slow to respond to their needs and in many cases even attempted to constrict their support of the poor, as the accompanying report plainly shows. And so we resolve to redouble our efforts to assure fair and dignified treatment for all in need.

We pledge to our board of directors, staff, colleagues, friends, and supporters that NCLEJ will remain loyal to its economic justice mission in these challenging times, and look forward to working with you in that effort.

**Justice William J. Brennan, Jr.**

**Mission**
Advancing the cause of economic justice for low-income families, individuals, and communities across the country.

**Values**
Because NCLEJ’s Board and staff believe that this nation should strive to ensure that no one lives in poverty, we subscribe to the following values:

- **Income Security:** Income security is a basic goal and fundamental defense against poverty.
- **Access to Employment:** Low-income people should have full opportunity to participate in all forms of education, training, and services to help them secure and retain living wage jobs.
- **Fair Treatment:** Fairness must be the foundation of government administration.
- **Public Accountability:** Governmental decision-making and administration should be open, accessible, and responsive to constituents.
- **Access to Justice:** Low-income people must have effective access to the justice system to challenge violations of their rights, secure effective relief, and gain greater public accountability.
- **Fair and Safe Workplace:** All workers should be assured a safe workplace, a living wage, and full protection from discrimination.
- **Community Action:** Community action and coalition building should be encouraged at the local, state, and national level as powerful strategies for social change.
- **Civic Participation:** Low-income individuals and their communities should have a voice in shaping the public policies that affect their lives.

From the **CHAIR** and **EXECUTIVE DIRECTOR**

This report celebrates all that the National Center for Law and Economic Justice has achieved for low-income Americans over the past two years. Of particular note to the two of us signing this letter, who were both here in 1970, our success continues to build upon NCLEJ’s landmark Supreme Court victory that year in *Goldberg v. Kelly*.

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We pledge to our board of directors, staff, colleagues, friends, and supporters that NCLEJ will remain loyal to its economic justice mission in these challenging times, and look forward to working with you in that effort.

Paul M. Dodyk
Chair, Board of Directors

Henry A. Freedman
Executive Director
How we help
PEOPLE IN NEED

NCLEJ carries out an ambitious agenda of litigation and policy advocacy to advance the cause of economic justice for low-income families and individuals throughout this country. NCLEJ attorneys litigate in courts across the country and partner with national public interest advocates, private law firms, legal services lawyers, and grassroots groups. We acknowledge and thank our recent partners (see pages 8 and 9).

Our work focuses on two main areas:

- **Litigation** NCLEJ is a national leader in using class action litigation to protect the legal rights of low-income families and individuals to public benefits and to hold government agencies accountable for their administration of these vital programs.

- **Policy Advocacy** NCLEJ uses its expertise to identify and promote the adoption and proper implementation of creative and effective policies to improve the delivery of public benefits to low-income families and individuals.

**Recent Litigation Efforts**

NCLEJ's litigation improves the lives of hundreds of thousands of vulnerable families and individuals. We help to ensure their access to Medicaid, food stamps, and cash assistance, protect their civil rights, and improve their opportunities to move out of poverty.

When government agencies fail to administer programs fairly and in accordance with the law, low-income people may have to turn to the courts to secure their rights. Litigation is a critical tool – sometimes the only effective tool – to ensure that agencies comply with the law. Litigation promotes government accountability by checking agencies that have lost sight of their legal obligations.

NCLEJ's national litigation program includes the following:

- Leading or co-counseling successful impact litigation in New York, Colorado, Maryland, Indiana, California, the Gulf Coast region, and across the country;
- Shaping winning legal strategies to secure fair and lawful administration of benefit programs;
- Marshaling resources in the private bar and public interest communities to pursue impact litigation and representation; and
- Educating and supporting colleagues engaged in similar advocacy.

**Policy Advocacy Activities**

NCLEJ uses its expertise to identify and promote the adoption and proper implementation of creative and effective policies and programs to support individuals and families in their efforts to move out of poverty.

Recent efforts include:

- Working with Arizona, Kentucky, New Jersey, New York, Virginia, Minnesota, Texas, and other states to modify state policies affecting public benefits for persons with disabilities. While the Americans with Disabilities Act requires a wide range of reasonable accommodations for people with disabilities, most public benefits programs around the country fall short.
- Assuring that youth aging out of foster care in New York City are ensured continuation of health care and other benefits required for them to safely transition into independent living – a result achieved after several years of advocacy. Work to improve access to housing and other benefits is underway.
- Assuring that mothers needing child care subsidies for employment will no longer have to take days off work in futile efforts in court to collect child support payments, by achieving a change in New York law enacted in 2009 after years of advocacy by many organizations.

“[NCLEJ staff members’] depth of expertise, national perspective, and strategic sense were absolutely critical to our collective success... The Center’s commitment to remain involved and see that the legal victory becomes a reality for Maryland’s poor demonstrates both the quality of lawyering and the heart of these new friends. We are deeply appreciative of your contribution to our mission.”

John Nethercut and Debra Gardner
Public Justice Center (Maryland)
Partners in Thompson v. Donald

**Focus on: VICTORY IN MARYLAND SECURES FOOD ASSISTANCE AND HEALTH CARE FOR THOUSANDS**

*Thompson v. Donald litigation team members: Marc Cohan, NCLEJ Director of Litigation; Laura Redman, NCLEJ Staff Attorney; and Philippa Scarlett, Partner at Kirkland & Ellis’ Washington, DC, office.*
NCLEJ: Advocating for Low-Income People in 27 States in 2008 and 2009

LEGEND:

ADA Advocacy – Advocacy to make public benefits programs comply with the Americans with Disabilities Act
Application Delays – Litigation focused on delayed processing of a range of public benefits applications
Systems Failure – Litigation focused on faulty computer systems

– Board advocate working in this state
No activity in Alaska and Hawaii
NCLEJ: Making a Difference

Maryann, the named plaintiff in Maryann C. v. DeMarzo, NCLEJ’s case against Suffolk County, was a full-time phlebotomist and EKG technician until she had to resign because of a child’s emergency. She lost her medical insurance, and could not get other employer health insurance despite holding two part-time jobs. Fortunately, she was eligible for Medicaid. While federal law requires Medicaid applications to be processed within 45 days, her application had been pending for more than 70 days when she filed this case in August 2008. She wanted to help change the system so other parents in Suffolk County would not be left without medical coverage as she had been.

In June 2009, the federal court approved a comprehensive settlement under which Suffolk County must abide by federal and state deadlines for processing Medicaid and food stamp applications. The Empire Justice Center is co-counsel in this case.
In 2008, we presented the James Corman Award for public service to the Mayor of Newark, New Jersey, Cory A. Booker for his outstanding service to the people of Newark. This award honors individuals in public service who have devoted their lives to the cause of economic justice.

For many years, James Corman was an outstanding leader in Congress in the struggle for economic justice. After leaving Congress, he joined NCLEJ’s Board.

James Corman was an inspiration to us, and exemplified the kind of leadership America needs today to assure economic justice for all.

Prior recipients of the Corman award include Senators Chuck Schumer and Ted Kennedy, Congressman Charles Rangel, Peter Edelman, and Wendell Primus.

HONORING CHAMPIONS of Economic Justice

NCLEJ’s annual economic justice awards dinner provides the opportunity to honor those individuals and institutions whose efforts have made a difference in improving the lives of low-income people. During 2008 and 2009, we were pleased to honor the following individuals for their outstanding contributions to the cause of economic justice and the practice of law:

2009

Michael D. Fricklas
Executive Vice President, General Counsel, and Secretary, Viacom

John DeWitt Gregory
Sidney and Walter Siben Distinguished Professor of Family Law, Hofstra University School of Law

Sondra Youdelman
Executive Director, Community Voices Heard

2008

Gordon Bonnyman, Jr.
Executive Director, Tennessee Justice Center

Honorable Cory A. Booker
Mayor, Newark, New Jersey

Richard Cotton
Executive Vice President and General Counsel, NBC Universal

Jill Shinn
Northeast Missouri Clients Counsel for Human Needs

Thanks to the law firms that provided pro bono assistance to the matters described in this report:

Bryan Cave LLP
Dewey & LeBoeuf LLP
Hogan & Hartson LLP
Kirkland & Ellis LLP
Lynn Sanders (private attorney)
Simpson Thacher & Bartlett LLP
Sonenschein Nath & Rosenthal LLP
Steptoe & Johnson LLP
Weil Gotshal & Manges LLP

Advocacy Center (LA)
ARISE (NY)
Bay Area Legal Aid (CA)
Center for Civil Justice (MI)
Center for Independence of the Disabled, New York
Center for Law and Social Policy (DC)
Center for Public Policy Priorities (TX)
Coalition of California Welfare Rights Organizations, Inc.
Colorado Center on Law and Policy
Committee for Hispanic Children and Families (NY)
Community Health Law Project (NJ)
Community Service Society of New York
Community Voices Heard (NYC)
Direct Action Welfare Group (NV)
Disabled in Action of Greater Syracuse, Inc.
The Door (NYC)
Economic Justice and Social Welfare Network (NYC)
Empire Justice Center (NY)
Equal Justice Works
Federation of Protestant Welfare Agencies (NYC)
Florida Legal Services
Homeless Persons Representation Project (MD)
Hunger Action Network of New York State
Independent Living Center of the Hudson Valley (NY)
Kentucky Equal Justice Center (formerly Office of Kentucky Legal Services)
Lawyers for Children (NYC)
Legal Aid of West Virginia
Legal Aid Service of Broward County (FL)
Legal Aid Society (NYC)
Legal Aid Society of Middle Tennessee and the Cumberlands
Legal Momentum
Legal Services of New Jersey
Legal Services of Northern California
Legal Services of Southern Piedmont (NC)
Legal Services New York City
Manhattan Legal Services
Medicaid Matters New York
Mississippi Center for Justice
Morris Institute (AZ)
National Employment Law Program
National Health Law Program
National Law Center on Homelessness and Poverty

Thanks to our colleagues in the fight for economic justice!
### Financial Information

#### Public Support and Revenue

<table>
<thead>
<tr>
<th>2009</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contributions</td>
<td>$293,887 $291,304</td>
</tr>
<tr>
<td>Grants</td>
<td>$323,000 $314,000</td>
</tr>
<tr>
<td>Special Events</td>
<td>$500,206 $655,875</td>
</tr>
<tr>
<td>Donated Services</td>
<td>$120,887 $147,747</td>
</tr>
<tr>
<td>Total Public Support</td>
<td>$1,237,990 $1,428,826</td>
</tr>
<tr>
<td>Revenue</td>
<td>$1,444,406 $1,982,049</td>
</tr>
<tr>
<td>Attorney Fees</td>
<td>$184,066 $535,410</td>
</tr>
<tr>
<td>Interest and other</td>
<td>$22,350 $37,713</td>
</tr>
<tr>
<td>Total Revenue</td>
<td>$206,416 $573,123</td>
</tr>
</tbody>
</table>

#### Expenses

<table>
<thead>
<tr>
<th>2009</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program Services</td>
<td>$1,254,675 $1,406,942</td>
</tr>
<tr>
<td>Management and General</td>
<td>$317,506 $377,662</td>
</tr>
<tr>
<td>Total Expenses</td>
<td>$1,571,191 $1,884,274</td>
</tr>
</tbody>
</table>

| Increase (decrease) in net assets before realized and unrealized gain on investment and interfund transfer | $307,093 $4,212 |
| Increase (decrease) in net assets | $308,938 $22,987 |
| Net assets, beginning of year | $1,450,123 $1,427,136 |
| Net assets, end of year | $1,141,185 $1,450,123 |

Full report may be obtained by request from State of New York, Office of the Attorney General, Charities Bureau, 120 Broadway, New York, NY 10271.

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- Direct Action Welfare Group
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- Brian S. Weinstein
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- Vicki Henderson
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- Mary R. Mannix
- Program Director/Senior Attorney
- Michelle Peeples
- Secretary
- Laura Redman
- Staff Attorney
- Teresa Tashoff
- Senior Attorney
- Daniel Yuhas
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- Denise Soffel

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- Cravath, Swaine & Moore LLP
- Robert Trissotto
- Cahill Gordon & Reindel LLP
- Peter Urias
- Bryan Cave LLP
- Adam Young
- Wiley Rein LLP

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- Harvard Law School
- Erik Bryan
- Harvard Williams University School of Law
- Diana Chang
- Boston College Law School
- Walther Chen
- Northeastern University School of Law
- Heather Cochran
- Savannah & Burton LLP
- Tenisha Cummings
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*As of January 2010.