Outlook

Fall 2006 77 Summer Street, 10th Fl. Boston, MA 02110 617 542-8010 www.nclc.org

NATIONAL CONSUMER LAW CENTER

Protecting Vulnerable Consumers and Promoting Marketplace Justice

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NCLC Calls for Reform of Student Loan Programs

According to a new report released by NCLC, the nation's student loan system is in dire need of repair. "No Way Out: Student Loans, Financial Distress, and the Need for Policy Reform," describes a system that does not promote access to higher education. Instead, the report paints a picture of student loan borrowers in greater financial trouble than ever before and calls for major policy reforms to build a better, more equitable system.

Written by staff attorney Deanne Loonin, the report confirms that student loan debt is

"...there is no statute of limitations for student loans. The government can literally pursue borrowers to the grave." - Deanne Loonin

rising at alarming rates as the cost of financing our nation's higher education system falls increasingly on students and their families. Debt levels for graduating college seniors with student loans have more than doubled over the past decade, rising from \$9,250 to \$19,200. Defaulting on a student loan can ruin a credit rating and cause long-term damage to a family's finances.

As a legal matter, student loans are treated unlike credit card debts or other typical loans. "The government has extraordinary powers to collect student loans, far beyond

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Deanne Loonin (right) met U.S. Senator Hillary Rodham Clinton (D-NY) who has introduced a bill to help student borrowers repay their school loans.

Cy Pres Supports California Initiative

Established with two cy pres awards from attorney Robert Goldstein, NCLC has launched the *California Economic Justice Initiative*, an effort to help enforce the rights of lowincome consumers in California by bolstering the practice of consumer law in the nation's most populous state.

The initiative will make NCLC's expertise more widely available to attorneys

Continued on page 11

Dear Colleagues:

The unbridled greed that is fueling abusive credit practices in today's marketplace is at an all time high. But these abuses are planting the seeds of enlightened reaction and with concerted effort NCLC and like-minded organizations and advocates can, and are, establishing new consumer protections.

Together, we face these marketplace challenges and opportunities with even greater strength. The number of consumer advocates is growing faster than ever. We gain power from that group dynamic and have a greater capacity to effect consumer justice and to right consumer wrongs.

The challenges before the National Consumer Law Center - and, indeed, all of us - are great and the possibilities exciting. That the Center approaches the future with more strength, greater expertise, and an exceptional staff, is in no small part a testimony to the support provided by its friends - as colleagues in the cause, in time and commitment, in contributions of money, and in *cy pres* awards.

On pages 8 and 9 we have listed those of you who have made financial contributions to the Center in the past year. Your contributions are helping us fight the gross predatory practices of today and work toward a more equitable marketplace in the future. Thank you.

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Outlook

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Sandler Foundation Offers Match If NCLC Raises \$200K

The Sandler Family Supporting Foundation has issued a challenge to NCLC that offers our donors a chance to multiply the impact of their contributions. NCLC must raise \$200,000 by the end of the year and the foundation will match it with \$100,000. The foundation will make a 50 percent match on a portion of a donation or cy pres to NCLC that is at least \$5,000 greater than the donor's largest previous grant.

Foundation has challenged us - and our supporters - in such a manner. Thanks to the generosity of our friends and colleagues, we've more than met the challenge each time.

"With additional help from our supporters, old and new, we expect to be equally successful this time," said Willard Ogburn, NCLC's executive director.

For more information on meeting the challenge, contact Suzanne Cutler at 617 542-8010.

This is the fourth time the

NCLC Updates Its Legal Manuals and Guides

NCLC has just released the Summer 2006 Updates to eight of our legal manuals:

- Consumer Class Actions (6th ed. 2006) with CD-Rom
- Consumer Warranty Law (3d ed. 2006) with CD-Rom
- Fair Debt Collection 2006 Supplement with CD-Rom
- ◆ The Cost of Credit 2006 Supplement with CD-Rom
- Credit Discrimination 2006 Supplement with CD-Rom
- Consumer Banking and Payments Law 2006
 Supplement with CD-Rom
- Automobile Fraud 2006 Supplement with CD-Rom
- Access to Utility Service 2006 Supplement with CD-Rom; and
- Consumer Law in a Box July 2006 (Two CD-Rom Set).

We also now have available the following new guide books:

- NCLC Guide to Surviving Debt (2006 6th ed.). Now with new and expanded changes to credit reporting, student loans, and bankruptcy advice for consumers.
- NCLC Guide to the Rights of Utility Consumers (2006). Key advice on electric, gas, and other utility services: shut-off protections, rights to restore terminated service, bill payment options, weatherization tips, rights to government assistance, and more.
- ◆ Combating Foreclosure Rescue Scams: A Practice Guide with CD-Rom (2006). A detailed roadmap for legal advocates confronting scams that strip homeowners of their equity while failing to save their homes.

For more information or to order visit <u>www.consumerlaw.org</u> or contact the NCLC Publications Department at (617) 542-9595, fax (617) 542-8028 or email publications@nclc.org.

NCLC Feeds the Hungry



Eleanna Cruz, NCLC administrative assistant, joined more than 20 of her Boston colleagues in an afternoon of volunteer work at the Greater Boston Food Bank. Together, NCLC staffers sorted, hauled, and packed 7,800 pounds of food. On average each of our NCLC volunteers sorted 195 pounds of food and made possible 150 meals for men, women, and children in the Boston area who might otherwise go hungry.

NCLC 24-7 www.nclc.org

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Advocates Gather for High Cost Credit Forum

Advocates and community groups discussed ways to protect consumers from predatory small loans at the day-long New England High Cost Credit Forum in Boston on May 18. Organized by NCLC, Consumer Federation of America, and MassPIRG, the forum brought together about 35 participants from the New England states and New York, including representatives from the Attorney General's office and the Division of Banks in Massachusetts

States in the Northeast have historically led the nation in protecting borrowers from usurious loan rates and risky terms. But that is changing as payday loan companies have gained legal status in New Hampshire and Rhode Island, as car title loan companies have taken advantage of no rate caps in New Hampshire, and as legislation has been introduced to open the doors for these lenders in Maine. Connecticut, Massachusetts. and New York.

Forum participants received a new report on the status of small lending in the New England states and the latest information on payday lending, tax refund anticipation loans, and car title lending. Experiences were shared from respective state legislative battles and strat-

egies were developed to protect borrowers.

NCLC's Elizabeth Renuart, who spoke at the conference, said that advocates were aware of the challenges posed by high cost small lenders. "All the advocates in the room recognize that the battles in each state will be fierce. But armed with the latest research and information on these predatory industries, consumer protections can be preserved or strengthened at the state level," said Renuart.

Debt Collectors Want Your Cell Phone Number

No consumer wants a call from a debt collector. This is doubly true if you had to pay for such a call made to your cell phone. But if ACA International (formerly the American Collectors Association) gets its way, debt collectors would be able to call your cell phone without your express consent.

The ACA has filed a petition with the Federal Communications Commission that would exempt debt collectors from federal rules on cell phone privacy. Approval of the ACA petition would mean that consumers would have to pay the charges for debt collection calls they received on their cell phones.

NCLC has urged the FCC to reject the ACA petition in comments submitted by Robert Hobbs, NCLC deputy director.

The comments point out that the Telephone Consumer Protection Act explicitly prohibits the placing of automatic dialed or prerecorded calls to a cell phone without the express consent of the person called. The Fair Debt Collection Practices Act restricts calls that result in charges to the consumer.

NCLC's comments also cite the pervasive level of abuse in the debt collection business.

Consumer complaints about debt collectors to the Federal Trade Commission grew for the 7th consecutive year in 2004.

The FTC reports that consumers complain about third-party collectors at a higher rate than any other specific industry.

The FTC 2004 report indicates that these complaints grew 34.9 percent in 2004.

Helping Gulf Coast with Katrina's Financial Consequences

One year after hurricanes
Katrina and Rita devastated the
Gulf Coast, area residents are
still struggling to rebuild their
shattered communities. An
often overlooked aspect of the
catastrophe is its financial
implications for low- and
moderate-income families.
Many homeowners are struggling to make mortgage
payments, even on reduced
payment plans, and are not yet
sure if they will be able to

Continued on page 5

Continued from page 4

afford to rebuild and maintain their house payments. Others are unable to pay their personal loans and are relying on credit cards and other shortterm loans to buy food, clothing, and other basics.

According to Alys Cohen, director of NCLC's Katrina Project, the outlook for many families is bleak. "We're seeing more and more people sliding deeper into debt and concerned about how they will make ends meet. In many ways, the massive debt problems of Katrina victims are the most overlooked part of the

"...the massive debt problems of Katrina victims are the most overlooked part of the rebuilding challenge, and a huge threat to stabilizing families and communities."

- Alys Cohen

rebuilding challenge, and a huge threat to stabilizing families and communities," said Cohen.

NCLC is working with national and local organizations to lay the groundwork for effective rebuilding of the low and moderate income communities and elder services devastated by the storms. "Our primary role is to analyze complex consumer law and policy issues for local attorneys, housing counselors, and other advocates

on the ground," said Cohen.
"Advocates ask us how to
protect a client's credit score,
obtain relief from student
loans, avoid home improvement
fraud, and much, much more."

Over the past year NCLC has participated in a series of training workshops in Mississippi and Louisiana, including sessions that covered utility services, predatory lending, and the new bankruptcy law. The trainings are typically cosponsored with local legal services and advocacy groups.

At the federal level, NCLC has urged policymakers to ensure that assistance be directed to the most needy low- and moderate-income communities. In February, NCLC joined a remarkable coalition of community, civil rights and consumer organizations, labor unions, and the financial services industry in calling upon the federal government to increase aid to homeowners in the Gulf Coast region.

In a letter to President Bush and Congressional leaders, the alliance pointed out that many residents simply do not have access to the financial resources necessary to return and rebuild their homes or begin paying their mortgages. A coalition of groups also has promoted lengthy deferrals on mortgage payments for affected homeowners and affordable alternatives for paying back these amounts.

The Katrina Project has posted extensive resources for lawyers, advocates, and consumers on the project website at www.NCLC.org.

NCLC Hosts Dialogue on Mass. Debt Collection



Robert Hobbs (I.), NCLC deputy director, and Charles Delbaum (r.), staff attorney, led an August luncheon meeting for Massachusetts advocates. The dialogue focused on using litigation and regulatory approaches to help consumers abused by Massachusetts' debt collection system. The wide-ranging discussion included: court challenges to first class mail service of process on consumers at their former addresses; and increasing the property exempt from seizures by creditors. Funding for this meeting and for a report on the Massachusetts debt collection system and the use of Massachusestts' state courts by debt buyers is being funded by the George H. and Jane A. Mifflin Memorial Fund.

Building Fund Grows

At \$2.02 million on a goal of \$2.5 million, NCLC's Building for Marketplace Justice is well underway. "We appreciate that so many of our colleagues and friends have been so generous to our building campaign," said Bryan Kemnitzer, chair of the campaign and of NCLC's Partners Council which is spearheading the fundraising campaign.

"We began this campaign knowing that building ownership is the best thing we can do to assure NCLC's fiscal viability for the longterm," said Kemnitzer. "Nonetheless we hesitated asking so much of our friends, many of whom have already proven themselves loyal and generous supporters of NCLC. I'm happy to say our friends have been stepping forward and contributing in much higher numbers than we hoped for.

"I urge those who have not yet made a donation to be sure to do so," he added.

To make a donation or for more information, call Suzanne Cutler at 617 542-8010 or visit ourwebsite at www.NCLC.org.

Saving Homes Across America

The job of a housing counselor can be daunting. Faced with a client in the foreclosure process, her job is to save the family's home and shelter. In these circumstances, it is vital she knows how to stop a foreclosure – quickly.

"The foreclosure process is so fast, counselors don't often see the client until right before the foreclosure sale is scheduled," said Odette Williamson, director of NCLC's Sustainable Homeownership Initiative. "Counselors must know how to get through to the right person at the mortgage servicing company, postpone the sale, and negotiate a workout

agreement."

To make sure that counselors have all the tools to save their clients' home from foreclosure, NCLC is traveling the country, teaching a series of substantive workshops on foreclosure prevention and stopping predatory mortgage lending.

In many regions, homeowners are struggling to keep up with their mortgage payments. Rising interest rates are increasing the cost of borrowing and skyrocketing energy prices are squeezing the family budget. And subprime loans, often saddled with predatory and abusive terms and charges, have

much higher delinquency rates than conventional mortgages.

During 2006 NCLC has presented nine workshops for housing counselors in Dallas, Boston, Greensboro, N.C., Manchester, N.H., and Kansas City, Mo. Conducted in partnership with Neighbor-Works America, many more sessions are planned for the coming months. Attendees have given rave reviews to the trainings, which are packed with information about a homeowner's rights and teach counselors how to be effective advocates for their clients.

"As most homeowners will tell

you, dealing with mortgage servicing companies can be frustrating and confusing. We really try to give counselors as many practical tools as possible to help their clients," said Williamson.

The trainings, which have been made possible by a grant from the U.S. Department of Housing and Urban Development, are being conducted by NCLC's Williamson, Elizabeth Renuart, Annie St. John, and John Van Alst, and consultants Mark Benson, Mal Maynard, Maeve Elise Brown, and Nancy McCloud.

NCLC Proposes Student Loan Reforms

Continued from page 1
those of most unsecured
creditors," explained Loonin.

To most people's surprise, the government can garnish a student loan borrower's wages without a judgment, seize a tax refund (even an earned income tax credit), seize portions of federal benefits such as Social Security, and deny him eligibility for new education grants or loans. Even in the bankruptcy process, most student loans must be paid.

"Unlike any other type of debt, there is no statute of limitations for student loans," said Loonin. "The government can literally pursue borrowers to the grave," she added. While collecting funds is important for the government and taxpayers, Loonin says there is a point at which the government's ceaseless efforts to collect no longer make sense. Even borrowers who are

"We owe it to the next generation of students to improve these policies."

- Deanne Loonin

able to make affordable payments often end up defaulting because of an overly complicated system and the lack of effective communication between collectors and borrowers.

In July, Loonin was invited to

meet with a group of senators and higher education experts in Washington, D.C. to discuss the financial barriers to higher education and possible policy solutions. Loonin also met Senator Hillary Rodham Clinton (D-NY), who has introduced a bill to help student borrowers repay their loans, the Student Borrower Bill of Rights (S. 3255). The bill would, among other things, eliminate origination fees on subsidized loans, once again allow student loans to be discharged in bankruptcy, and limit collection fees. It would also increase education for students and parents on their rights as borrowers.

NCLC's report proposes a host of specific changes to the way

student loans are administered. Among its recommendations are: developing more effective counseling programs; giving struggling borrowers accessible, affordable and flexible repayment options; allowing student loans to be discharged in bankruptcy; allowing an explicit private right of action to enforce the Higher Education Act; and giving borrowers the right to appeal an adverse decision regardless of whether the decision is made by a guaranty agency, lender, or government agency.

"The goal of the paper is to spark discussion among analysts, higher education and industry leaders, students, and their advocates," said Loonin. "We owe it to the next generation of students to improve these policies."

Disturbing Trend Shows Older Consumers Piling Up Credit Card Debt

A new report from NCLC reveals that older consumers are joining their younger counterparts and sinking under the weight of credit card debt. "The Life and Debt Cycle Part One: The Implications of Rising Credit Card Debt Among Older Consumers" documents the rising levels of elder credit card debt and its causes, and calls for reforms.

"This report highlights the vulnerability of older consumers to credit card borrowing," says the report's principal author and NCLC attorney Deanne Loonin. "There is little margin for error with older populations. Those who lose income over time or who slip in and out of poverty have fewer working years, if any, to replace resources and save for retirement."

The increase in credit card borrowing is linked to a host of other social and economic policies. In rapidly increasing numbers, elders are using credit to pay for basic needs like groceries, prescription drugs, and urgent home repairs. Others fall into traps set by credit card companies and borrow at an unaffordable pace. Even small setbacks can send these older consumers into a spiral of late fees and increased rates that is impossible to escape. Credit cards provide a great convenience for many consumers, including

elders, who increasingly use charge cards for many products and services. The danger comes from the borrowing features of credit cards, the exorbitant costs of borrowing, and the downward spiral that hits consumers once they get into trouble.

The report makes policy recommendations that are aimed at stemming credit card debt, not necessarily credit card use, among older consumers. It calls for reinstating substantive limits on the terms of credit and the cost of credit, including the interest rate and all fees and charges.

"It's not just that older consumers have more debt than before, but that many are buried in unaffordable debt. The danger, as we document, is that older consumers that get into trouble will lose their security in order to service their debt," said Loonin.

A second, related report, to be released in September 2006 will focus on the types of programs and resources available to help older consumers with credit card problems. Both reports have been made possible by a grant from the Retirement Research Foundation.

\$5,844

Average credit card debt in 2001 for Americans between 65 and 69 years of age

"They gotta let people have a little slack when they run into trouble."

Extra Charges

With 8 kids, 13 grandkids and 10 great-grandkids, Elaine had a lot of gifts to buy and she really enjoyed buying them. She didn't mind working to pay for those gifts, either. She was going strong at age 71, working as a cleaning lady and sewing wedding gowns at home on the side. There was enough money to keep current on 10 credit accounts, each with small balances that she mostly used for gift buying. Eight of those accounts were credit cards.

"I had no plans to retire," she says. Then she had a stroke.

It ended her 59-year working career. Simultaneously, it launched her on an all-too-familiar credit card trap even though the total owed on all 10 accounts was little more than \$8,000.

The big culprit in Elaine's case was a tidal wave of extra charges once she fell behind on her payments.

The amount owed is going up fast even though there are no new charges on most of these. One typical credit card tacks on a \$30 late fee, a \$30 over-limit fee and a \$3.50 account maintenance fee every month. The annual interest rate on that card, issued by Orchard Bank, is 27.74%.

The average interest rate on seven cards was over 26%, with none lower than 22.5%. A Chase card carrying a 28.99% interest rate adds a late fee of \$39, an over-limit fee of \$35 and a finance charge of \$20.93 on a recent bill. That's \$94.93 in new debt on that one card in a single month, even with no new purchases added.

Elaine glances at a Capital One card statement for November 2005, listing \$66.96 in new penalty charges plus a "monthly member fee" of \$4 to go with its 27.74% interest rate. A Sears card statement shows a 29.15% rate. Penalty charges on all her accounts are tacking on hundreds a month in new debt.

Elaine says she managed to pay off two of her cards in full but was paying \$400 a month in minimum payments to keep the others going. She was on the verge of getting ahead on another card's balance when a \$69 annual fee put her back behind. On a fourth card a \$59 annual fee put her over her credit limit, triggering additional penalty charges.

In any event, payments of \$400 a month that weren't denting her balances clearly weren't going to be sustainable on her \$735 monthly Social Security check, her only income after the stroke. She has only \$70 in assets, and she's paying \$200 a month to live with her kids.

Asked if she'd do anything differently if she could start all over again with her cards, Elaine says: "I'd tell them that when I took your card I was aware of what I was doing, but they've gotta let people have a little slack when they run into trouble."

From "The Life and Debt Cycle Part One: The Implications of Rising Credit Card Debt Among Older Consumers"

THANK YOU

We Appreciate Your Support

We are grateful to those listed here who have so generously donated to our advocacy fund during the past year. We couldn't do without your help.

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We extend special thanks and appreciation to the following people who have directed cy pres funds to NCLC over the past year:

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Retirement Research Foundation Sandler Family Supporting Foundation U.S. Administration on Aging

U.S. Department of Housing and Urban Development

NCLC Welcomes New Staff



Lauren K. Saunders



John W. Van Alst



Ava Morgenstern



Mallory SoRelle

Rarely does NCLC welcome so many stellar new staff members at any one time. We're pleased to introduce you to the newest members of our expanding staff, each with outstanding experiences, exceptional talents, and a commitment to low-income consumer justice:

Lauren K. Saunders is the new Managing Attorney for the Center's Washington, DC office. She joins us from the National Senior Citizens Law Center, where she handled litigation and legislative efforts to preserve the enforceability of laws protecting the health, financial security, and civil rights of individuals. Prior to that, Saunders spent nine years at Bet Tzedek Legal Services in Los Angeles, where she developed innovative litigation strategies to address slum housing and spearheaded the writing of Los Angeles's new Housing Code.

Saunders clerked for Judge
Harry Edwards of the D.C.
Circuit Court of Appeals and is
a 1988 magna cum laude
graduate of Harvard Law
School, where she served as
Executive Editor of the Law
Review. She also holds a
Masters in Public Policy from
Harvard's Kennedy School of
Government.

John W. Van Alst joined NCLC this June as a staff attorney at the Center's Washington, DC office. Before for seven years as an attorney with Legal Aid of North Carolina. While there he focused primarily on consumer issues, building an impressive consumer law practice and expertise otherwise missing from the program. He also chaired the North Carolina Consumer Law Task Force. As Visiting Clinical Supervisor at the University of North Carolina School of Law's Civil Clinical Program, he spent a year supervising law students representing low-income clients.

Van Alst is a 1998 graduate of the University of North Carolina School of Law.



With the addition of Mallory SoRelle as Research Assistant and Ava Morgenstern as Development Assistant, NCLC is joined by two of the very best of the 2006 crop of college graduates.

A cum laude graduate of Smith College, SoRelle is well acquainted with all aspects of public policy research. Most recently, as the 2005-06 Smith Fellow for the Center for the Study of the Presidency, she conducted a year-long research project on international family planning policy. In addition to many academic and campus leadership roles,

College Orchestra.

Before joining NCLC in
August, Morgenstern, was in
The Netherlands as a fellow in
the human rights program,
Humanity in Action. She is a
summa cum laude graduate of
Brandeis University concentrating in Sociology and the
Peace, Conflict and Coexistence Studies Program. She
plans a career focusing on
poverty reduction through the
tools of policy and non-profit
work



Also new to NCLC is Eleanna Cruz (pictured on page 3) who, in addition to various administrative responsibilities, is our first responder for answering phones. She is a member of the Massachusetts Legal Assistance Corporation Diversity Coalition that is exploring opportunities for support staff from legal services programs statewide to network and share experiences.



Frances Jones has recently joined our staff as the Administrative/Technical Assistant. She comes with substantial technical skills as well as experience in teaching various computer applications. She provides administrative and technical support to NCLC's advocacy efforts, its listserves, and databases. (Not pictured.)

BY THE NUMBERS

NCLC Counts

Current staff at NCLC	37	
In Boston headquarters	31	
In Washington, D.C. office	6	
Working at NCLC for 20-33 years	4	
At NCLC for 10-19 years	3	
For 5-10 years	16	
Attorneys on staff	20	
Median years of experience of attorne	eys 27	
Volumes in NCLC's Consumer Credit		
and Sales Legal Practice Manuals	17	
Attendees at 15th Annual Consumer Rights		
Litigation Conference	645	
Attendees at first conference	80	
Workshops and trainings in past year	65	
Projected 2006 operating expenses	\$5,750,000	
1984 operating expenses	\$1,097,800	
Web hits per year (www.NCLC.org)	3.2 million	



Annie St. John



Sarah Byrnes

Annie St. John is Project Coordinator for the Foreclosure Prevention Project. She brings to NCLC a wonderful background in housing work, most recently at Better Neighborhoods in Schenectady, NY, where she conducted pre- and post-purchase counseling and foreclosure prevention counseling.

Sarah Byrnes is Campaign Manager for Americans for Fairness in Lending. She has worked in a variety of educational and faith-based nonprofits in the past, including the Thomas Merton Center, the Center of Concern, the Vincentian Service Corps, and Bidwell Training Center.

NCLC Launches California Initiative

Continued from page 1
representing low-income
consumers in California. A
broad array of services will be
provided, such as training
workshops, case consulting
services, updated legal
publications, and a Californiaoriented e-mail listserve.

"Our goal is to expand the pool of consumer law resources for victimized consumers in California."

- Willard P. Ogburn

"As in other states, there is a tremendous demand for California attorneys who can handle complex consumer matters. Our goal is to expand the pool of consumer law resources for victimized consumers in California," said Willard P. Ogburn, executive director of NCLC. "This is a long-term but critical undertaking that will ultimately protect the assets of lowincome families and their communities. We're deeply grateful to Bob Goldstein for his support."

The initiative will be directed by NCLC's Lauren Saunders, a former attorney at Bet Tzedek Legal Services in Los Angeles. "As the housing market cools down in California we're especially worried about increased home foreclosures and 'rescue' scams. But no matter what the consumer issue, we have the expertise to help with legal research, brief writing, litigation strategy, and much more."

NCLC is teaming with Housing and Economic Rights Advocates, a legal services and advocacy organization based in Oakland, to help coordinate the initiative. HERA will coordinate training events and strengthen links among consumer attorneys and lay advocates. HERA's codirectors, Heidi Li and Maeve Elise Brown, will spearhead work on the initiative.

Attorneys in California are encouraged to consider this initiative when selecting an appropriate recipient for cy pres. All funds awarded to the initiative will be used exclusively for California activities and will comply with state rules for the use of cy pres. Similar projects have been established by NCLC in Washington State and Massachusetts.

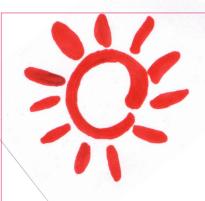


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