



ALABAMA APPLESEED

December 2009

www.alabamaappleseed.org

DR. REGINA BENJAMIN & MR. MIKE WARREN 2010 BREWER/TORBERT PUBLIC SERVICE AWARD CO-HONOREES

Alabama Appleseed will present U.S. Surgeon General Dr. Regina Benjamin of Bayou la Batre and Children's Health System's President and CEO Mike Warren of Birmingham as Co-Honorees of the 2010 Albert Brewer/Bo Torbert Public Service Award. The Brewer/Torbert Public Service Award is given annually to an individual in Alabama who has demonstrated a substantial commitment to public service. Regina Benjamin and Mike Warren were chosen as Co-Honorees for this award because they are two of Alabama's most dedicated public servants who have worked tirelessly to provide quality healthcare for Alabamians of all ages.

Regina Benjamin and Mike Warren will be presented with the Brewer/Torbert Public Service Award at a luncheon on Thursday, April 29, 2010, commencing at 12:00 P.M. (noon) at the Harbert Center in Birmingham. Attendance is open to the public provided a reservation is made with Alabama Appleseed by April 20th. Event sponsorship opportunities are available – see the Sponsorship Event Form in this newsletter.

Dr. Benjamin was born and raised in Mobile. She attended Xavier University of Louisiana in New Orleans. She received her medical training as a member of the second class of the Morehouse School of Medicine in Atlanta, her M.D. degree from the University of Alabama in Birmingham, and performed her residency in family practice at the Medical Center of Central Georgia. She later received an MBA from the Freeman School of Business at Tulane University. After receiving her medical training, Dr. Benjamin returned to the Mobile area, where she started a family practice in Bayou la Batre and worked in several area emergency rooms and nursing homes. She then converted her medical office into a small rural health clinic dedicated to serving the large indigent population in her community.



Dr. Regina Benjamin

Dr. Benjamin's clinic was destroyed in 2005 by Hurricane Katrina and in 2006 by a fire. She made headlines when she rebuilt the clinic both times.

Dr. Benjamin's extraordinary dedication and self-sacrifice have won her national recognition on several occasions. In 1995, she became the first African-American woman, and the first person under 40, to be elected to the American Medical Association Board of Trustees. She was named a Kellogg National Fellow and

a Rockefeller Next Generation Leader, and in 1998 was a Mandela Award Winner. Dr. Benjamin has served as President of the Medical Association of Alabama and served on numerous state-level boards and commissions. On July 13, 2009, Dr. Benjamin was nominated by President Barack Obama to the position of Surgeon General of the United States, to which she has now been confirmed by the U.S. Senate.

Mike Warren was born in Texas, but moved to Auburn at the age of five where he attended Auburn public schools. He received a B.A. degree with honor from Auburn University and his J.D. degree from the Duke University School of Law. He practiced law for 12 years in Birmingham with the firm of Bradley Arant Boulton & Cummings (formerly Bradley Arant Rose & White), and then in 1983 he joined the Alabama Gas Corporation. He became Alagasco's President in 1984 and Energen's President and CEO in 1997. In January 2001, the Birmingham News named Mike Warren Alabama CEO of the year.



Mr. Mike Warren

Improving education in Alabama has been one of Mike Warren's principal concerns. He served on the Alabama Education Study Commission, was chairman of the Alabama Commission on School Performance and Accountability, was a member for five years of the Mountain Brook School Board, and was chairman of Governor Riley's Commission on Efficiency, Consolidation and Funding. Mike Warren is also a former Trustee of Birmingham-Southern College and chairman of the UAB President's Council.

Mike Warren has served as chairman of numerous boards, including Children's Hospital, Birmingham-area American Health Association, Business Council of Alabama, United Way, Leadership Birmingham, and Leadership Alabama. He has also chaired the general campaign for the United Way twice and the United Negro College Fund. He currently serves as President and CEO of Children's Health System.

Alabama Appleseed is most pleased to present the 2010 Brewer/Torbert Public Service Award to Co-Honorees Regina Benjamin and Mike Warren, both of whom are outstanding Alabamians who have given of themselves unselfishly for the betterment of their communities and state.

Executive Director's Column

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Birmingham

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John Pickens

work without your financial support and the great pro bono work by the over 45 Alabama lawyers (representing 13 law firms) who have worked with us over the last few years. Alabama Applesed is clearly a partnership of the dedicated and willing who value justice and equality and want a better Alabama.

As many of you know, Applesed has numerous exciting and interesting advocacy projects - from advocating for a new state constitution - to trying to eliminate payday lending - to working hard to support comprehensive health care and immigration reform - to helping low-wealth, rural Alabamians unravel generations of heirs to get clear title to their real property. These are important matters that are detrimentally and unfairly affecting many Alabamians. In today's uncertain world it is imperative that we continue to strive for systemic reforms.

Seven years ago, former Governor Albert Brewer wrote: "Constitutional reform is the most fundamental and compelling issue facing Alabama today." That remains true today as we look toward 2010. Alabama's 1901 constitution created the very definition of structural inequality and racism and perversely dictates how the state educates our children, limits democracy for local governments and communities, and regressively taxes its citizens without generating sufficient revenues to adequately provide for essential government functions. Just last month, as a follow up to our constitutional reform presentation at the July State Bar meeting in Point Clear, we held organizational meetings in Mobile, Montgomery, Birmingham and Huntsville of a cadre of pro bono lawyers who have committed to work with us on constitutional reform. In these four cities and surrounding counties, Applesed's staff and our

ADVOCACY CHALLENGES FOR 2010

As we approach the New Year, our staff has been planning our course of advocacy for the coming year. 2010 is shaping up to be a very busy year for us and one filled with important challenges. We could do none of this

pro bono lawyers will begin discussions with local leaders in the fields of education, local government and business/economic development in an effort both to understand better how our constitution negatively affects these three areas of interest and identify local leaders who can stand with us for constitutional reform and articulate from first-hand experience the real life consequences of continuing under the current state constitution. We believe that at some point we will reach a tipping point of people calling for a new constitution - reform will then happen and Alabama will be better for it.

Following our successful state-wide forum on payday lending reform in late September, we have organized a state-wide coalition of advocates who are committed to eliminating any form of predatory lending in Alabama. Payday lending, with its 450% APR interest rates, is the most egregious practice, trapping thousands of low-income working families and elderly citizens in a cycle of debt that leads to financial crisis and/or bankruptcy. In the coming months we will be developing strategies to eliminate payday lending in Alabama and to develop alternative small loan products at reasonable interest rates.

Two of the most pressing national issues are also very important for us here in Alabama - healthcare and immigration. With over 600,000 Alabamians uninsured, it is imperative that health insurance coverage be expanded and that every Alabamian have access to quality, affordable health care. With an expanding Latino and Asian immigrant population in the state, it is likewise critical that there be comprehensive immigration reform at the national level, not piece-meal anti-immigrant state legislation that we have experienced in recent years in Alabama. On both of these important issues Applesed's staff is following the national debate and networking with other Alabama advocacy groups to lay a foundation to support the proper implementation of any national reforms. As we come to the end of 2009, we sincerely ask you to make a year-end donation to Alabama Applesed. It is only through your support that we are able to do this important work. If you would like to make a donation on-line, you can do that at our website www.alabamaapplesed.org.

Alabama Applesed Founders Advisory Board

Gov. Albert P. Brewer (Ret.) - Birmingham
Dean John L. Carroll - Birmingham
Gregory S. Cusimano - Gadsden

J. Mason Davis - Birmingham
Judge John H. England - Tuscaloosa
Dudly C. Reynolds - Birmingham

Justice Janie L. Shores (Ret.) - Montrose
Chief Justice C.C. Torbert (Ret.) - Opelika

ALABAMA APPLESEED BRIEFS

DEFENSE INITIATED VICTIM OUTREACH (DIVO)

This project originated out of the Federal Defenders' Office for the Middle District of Alabama (through its Alabama Post Conviction Relief Project) in order to expand its ability to communicate with families of murder victims in the state capital habeas cases that office handles. In partnership with Alabama Appleseed (in an effort to expand upon the restorative justice work for the last three years) and Cumberland School of Law's Community Mediation Center, this collaborative endeavor will create an outreach program to families of murder victims whose homicides resulted in an Alabama death sentence for the offender. We are currently involved with two cases.

The objective of this particular effort is to provide a channel of communication, assisted by trained facilitators and outside of the adversarial context of our criminal justice system, open to surviving family members of homicide victims and their offenders serving a death sentence. Shay Farley and Cassandra Adams (Alabama Appleseed board member) attended the Federal Defenders'-hosted DIVO training in Santa Clara, CA in August.

EDUCATION PROJECT

Our Education Project is a pilot effort focused on resource allocation within Montgomery Public Schools (MPS). Over the summer, in preparation for the current phase of this project, we interviewed MPS stakeholders including school administrators and area education experts, conducted demographic research on MPS and investigated resource allocation practices of other U.S. school systems. During the next few months, in conjunction with the Montgomery Education Foundation (MEF) and the Public Affairs Resource Council of Alabama (PARCA), we will participate in a comprehensive study of the MPS system. We expect that this study will provide helpful data on current resource allocation practices and trends within the MPS system. With this data, we will work with MEF and PARCA to identify any disparities in resource allocation currently existing among schools and then work with administrators and stakeholders to develop strategies for eliminating such disparities. Additionally, we hope that these efforts will provide a useful framework or "model" that may be used to improve other school systems within the state and around the country.

HEALTH INSURANCE REFORM PROJECT

In recent months, we have closely monitored Congress' comprehensive health care reform efforts, and we have worked to keep Alabamians and Alabama health system stakeholders informed about changes and trends in national health reform. Most recently, we prepared op-ed articles for major metropolitan areas around the state exploring district-specific health reform impacts of the proposed legislation, and we have continued to provide regular policy updates to the Covering Alabama Kids and Families coalition. In October, Appleseed staff attended the Public Welfare Foundation's Southern Health Partner's Conference in Atlanta where we participated in meetings and discussions with other healthcare advocates working on health reform from all over the southern United States. In late summer, we also developed videos featuring the dramatic stories of two young Alabama men who struggled with cancer under the current health care system and shared these stories with members of Alabama's congressional delegation. These videos, op-ed publications and policy updates are now available on our website. As national health reform appears to be moving toward final legislation, we have begun to discuss and plan-for post reform, state level advocacy in the coming year.

IMMIGRATION POLICY PROJECT

While the push for comprehensive immigration reform (CIR) strengthens at the national level, Alabama Appleseed is actively organizing and preparing to support reform both statewide and regionally. We continue to strengthen our advocacy efforts here in Alabama by expanding the Alabama Coalition for Immigrant Justice (ACIJ) membership and by providing training for coalition members to become more active in their individual communities. Our trainings covered the legislative process and terminology, writing for local media outlets, spokesperson training and organizing. We are also hard at work with regional partners. As a steering committee member, Alabama Appleseed will be attending the Southeast Immigrant Rights Network (SEIRN) annual conference in December that will cover law enforcement issues, the 2010 census, immigrant healthcare disparities and CIR.

ALABAMA APPLESEED'S STAFF



Shay Farley, J.D.
Legal Director



Craig Baab, J.D.
*Senior Fellow/Policy
& Development*



Zayne Smith, J.D.
*Immigrant Policy
Fellow*



Vaughan Branch, J.D.
*Healthcare Policy
Fellow*

Alabama Appleseed
5th Annual Award Event
Albert Brewer ~ Bo Torbert

Public Service Award

Honoring:

Dr. Regina Benjamin & Mr. Mike Warren

Yes, I will support Alabama Appleseed by becoming a sponsor of the April 29, 2010 luncheon honoring Dr. Regina M. Benjamin & Wm. Michael Warren at the sponsorship level indicated below.

- | | |
|---|--|
| <input type="checkbox"/> Platinum: \$10,000 <ul style="list-style-type: none">• Recognition on website• Special recognition from podium• Listing in event program and invitation• Listing on event signage• 20 Luncheon Invitations | <input type="checkbox"/> Bronze: \$2,500 <ul style="list-style-type: none">• Listing in event program and invitation• Listing on event signage• 5 Luncheon Invitations |
| <input type="checkbox"/> Gold: \$7,500 <ul style="list-style-type: none">• Recognition on website• Special recognition from podium• Listing in event program and invitation• Listing on event signage• 15 Luncheon Invitations | <input type="checkbox"/> Pewter: \$1,000 <ul style="list-style-type: none">• Listing on event signage• Program acknowledgement• 2 Luncheon Invitations |
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Date: Thursday, April 29, 2010

Location: The Harbert Center, 2019 4th Avenue North, Birmingham, AL 35203

Time: Luncheon 12:00pm to 1:15pm

We are unable to attend the luncheon, but wish to contribute \$ _____

Name: _____ Firm/Company: _____

Address: _____

Phone: _____ Email: _____

For more information and/or to RSVP, please contact John Pickens 334-263-0086 or e-mail: john.pickens@alabamaappleseed.org
Please make checks payable to Alabama Appleseed and mail to P.O. Box 4864 Montgomery, AL 36103-4864

This donation is tax-deductible to the extent allowed by law.

PROCLAMATION
BY
ALABAMA APPLESEED CENTER FOR LAW & JUSTICE
CELEBRATION OF PUBLIC INTEREST PRO BONO SERVICES

WHEREAS, Alabama’s lawyers over the years have demonstrated a great commitment and dedication to providing pro bono legal services to the state’s most vulnerable citizens who cannot afford legal representation; and

WHEREAS, Alabama Appleseed works to strengthen public policies that affect all Alabamians and to develop and advocate for systemic solutions to root causes of injustice and inequality; and

WHEREAS, Alabama Appleseed seeks to broaden and deepen the pro bono spirit and service of Alabama’s lawyers by affording Alabama’s lawyers opportunities to use their legal expertise to solve some of Alabama’s most difficult and challenging problems; and

WHEREAS, over 45 individual lawyers representing 13 law firms have given thousands of hours of pro bono service to Alabama Appleseed on its public interest advocacy projects in order to build in Alabama a society in which opportunities for all are genuine, access to justice is universal and equal, and government advances the public interest.

NOW, THEREFORE, the Board of Directors of Alabama Appleseed publicly recognizes and most sincerely thanks the following Alabama lawyers who have rendered outstanding pro bono service on Appleseed’s advocacy projects and therefore have advanced the public good and made Alabama a better place to live and work, this the 16th day of October, 2009.

ALABAMA APPLESEED’S PRO BONO LAWYERS:

Bethany Bolger – Montgomery
Gray Borden – Birmingham
Lisa Borden – Birmingham
Scott Boykin – Birmingham
Joan Budd – Birmingham
Ray Carle – Birmingham
Chris Christie – Birmingham
Ross Cohen – Birmingham
Eric Cromwell – Mobile
Luther Crull – Birmingham
Lauren DeMoss – Birmingham
Laura Dunning – Birmingham
Brian Faughnan – Memphis
Linda Flippo – Birmingham
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ALABAMA APPLESEED'S HEIR PROPERTY PROJECT GOES NATIONAL

One of our legal system's fault lines that Hurricane Katrina exposed to Alabama Appleseed was the fact that a large amount of land is "heir property," land conveyed without a will from one generation to the next. Since 2006, Alabama Appleseed's Craig Baab has identified many of the problems associated with this type of ownership and is working with other Appleseed centers and organizations to help low-wealth, rural families unravel generations of heirs to get clear title to their land. The result is land that can be used productively for the benefit of its owners and not lost in tax or other forced sales or adverse possession. In conjunction with the Alabama Cooperative Extension Service, Craig and pro bono lawyers have presented heir property education programs in over 50 of Alabama's 67 counties. Cumberland and Alabama law school interns have begun documenting the value of heir property in Alabama. For example, research in Calhoun County found over 700 parcels of heir property with a tax-assessed value of over \$30 million.

Craig is an Official Observer to the work of the national Uniform Law Commission's drafting committee that is writing a uniform state law to help lower-wealth families retain their heir

property and protect it from abusive takings. This proposal is intended to be adopted in those states whose laws are deficient on this issue. Since a number of Appleseed centers around the country are working on this issue, the national Appleseed executive director and board have asked Craig to be the Appleseed Heir Property Project Director. One of the first efforts on the national level is the preparation of comparisons between the draft model law and the laws in various states, to clarify needed law changes in that state. With the help of national Appleseed's Executive Director Betsy Cavendish, pro bono lawyers from eight law firms and a corporate law department are preparing analyses in 22 states. Ultimately, Appleseed will advocate for the adoption of the resulting uniform law throughout the country.

These initiatives are generously supported by the Mary Reynolds Babcock Foundation, JPMorgan Chase, the AARP Foundation, the Alabama Bar Foundation, AT&T Alabama and the W.K. Kellogg Foundation.



For the latest news and updates, please join Alabama Appleseed's Facebook group page at <http://www.facebook.com/s.php?q=alabamaappleseed>, or visit our website at www.alabamaappleseed.org.