

20
23

Annual Report

DELAWARE BAR FOUNDATION



Delaware Bar
Foundation

ABOUT US

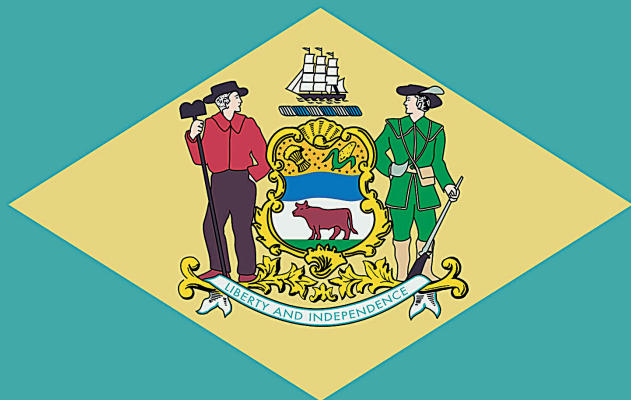
FOUNDED IN 1981
THE CHARITABLE ARM OF THE DELAWARE BAR



OUR MISSION & VISION

The Delaware Bar Foundation's mission is to improve the administration of justice in Delaware by:

- Providing funding for legal services for those less fortunate
- Promoting study and research in the field of law
- Fostering knowledge of citizenship rights and responsibilities
- Enhancing public respect for the rule of law



DECEMBER 7, 1787

Our FY2023 Board

President: Kelly Farnan
President-Elect: Denise Nordheimer
Secretary: Clarissa Chenoweth
Treasurer: David A. Felice

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The Hon. Bonnie W. David
The Hon. Kyle E. Gay
Rebecca A. Guzman
The Hon. Karryl Hubbard
Samuel D. Pratcher, III
Jeffrey Young

Megan S. Greenberg, Executive Director

to be best in an
point of view.

Justice

rights of juris
laws and prin
honesty; rect

The IOLTA Program

Since 2010, Delaware has required attorneys to pool short-term or nominal deposits made on behalf of clients or third parties into one account. The interest generated by these accounts is remitted to the Foundation for use in grant-making to support legal aid in Delaware.

As the Supreme Court's designated administrator of the IOLTA Program, the Foundation tracks these accounts, analyzes interest rate adjustments and fluctuations in the market, analyzes bank reports and ensures that financial institutions participating in Delaware's IOLTA program offer rates on IOLTA accounts that are comparable to rates offered on similar bank products. The Foundation also manages investment of IOLTA funds through non-volatile, secure instruments, like certificates of deposit.

IOLTA accounts may only be maintained at "eligible" financial institutions (i.e., those which offer interest rate comparable IOLTA accounts and maintain a physical presence in Delaware.)

The Foundation certifies institutions eligible to hold IOLTA accounts and maintains a list of such eligible financial institutions in this report as well as on our website at the www.delawarebarfoundation.org.

IOLTA Eligible Financial Institutions

Prime Partner Banks

These banks have elected to offer a premium rate on IOLTA accounts in Delaware and generate additional funds to provide civil legal services to citizens in need in Delaware:

Artisans Bank
First Shore Federal Savings and Loan
Franklin Mint Federal Credit Union
First Citizens Community Bank
M&T Bank
Provident State Bank

Other Eligible Financial Institutions

Bank of America
The Bank of Delmarva
Bank of Ocean City
Citizens Bank
County Bank
Fulton Bank, N.A.
JP Morgan Chase
PNC Bank
Santander Bank
Shore United Bank
Taylor Bank
TD Bank
Wells Fargo Bank
WSFS

Where you bank matters

Funding Sources

Each year, the Foundation recommends to the Delaware Supreme Court an allotment of IOLTA funds which the Court then authorizes. **The grantees receiving IOLTA funds are:** Community Legal Aid Society (CLASI), Legal Services Corporation of Delaware (LSCD) and Delaware Volunteer Legal Services (DVLS).

Since 1983, the Foundation has granted **over \$35 million** for legal services to Delaware's neediest residents. In FY2023 the Foundation disbursed over \$1 million in IOLTA funds. Our civil legal aid grantees served 15,000 Delawareans last year. The need of Delaware's low-income families, however, far surpasses the aid provided.

For example, less than 2% of households facing eviction have representation. The Foundation continues to collaborate with CLASI, LSCD and DVLS to seek to expand aid and encourages any Delaware attorney who is able to assist with pro bono by reaching out to DVLS.

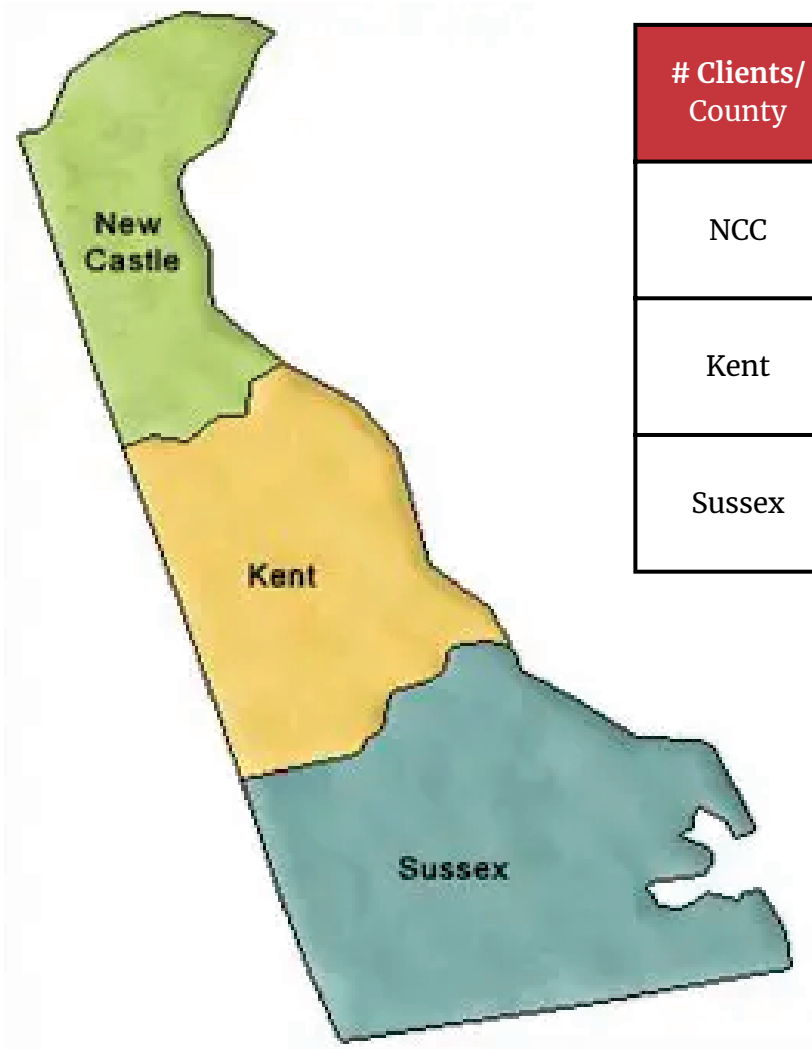
State Appropriation

Since 2004, additional funds to provide legal services for low-income citizens have been sought through the State's budget process. That support rose to \$600,000 until 2018 when it was reduced to \$540,000. The Foundation is grateful that state support returned to \$600,000 in FY2020, 2021, 2022 and 2023.



LSCD represented a used car buyer. At the time of purchase the dealer failed to provide a required written disclosure that the car's engine had been rebuilt after being totaled. Unable to obtain title or insurance, when the car broke down, the owner could not even sell it for salvage. LSCD filed a civil case and earned a judgment of \$15,000 for the client.

IOLTA IMPACT



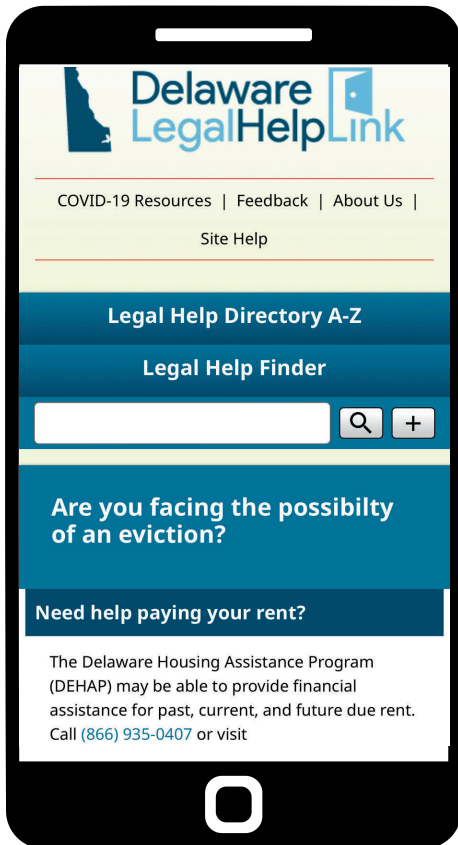
# Clients/ County	CLASI	DVLS	LSCD
NCC	2670	451	815
Kent	679	87	233
Sussex	108	112	171

7852
clients supported
with IOLTA Funds



A volunteer attorney assisted a client in obtaining a protection from abuse order against the father of the client's two year-old child. After years of abuse, attempts to kill her, and beatings in front of the child, the volunteer secured a 2-year PFA order.

Aiding Delawareans In Need



Committed to facilitating access to justice, in 2018, the Foundation worked with Pro Bono Net to develop and launch a website to perform intake services.

The Foundation continues that annual IOLTA support. The site had more than 19,000 visitors last year. The Foundation continues to work with CLASI, LSCD, DVLS and Pro Bono Net to refine, maintain and further develop these resources and this platform.

Please visit www.DELegalHelpLink.org to explore these services.



"CLASI helped a 71-year old woman who suffered multiple debilitating chronic illnesses preventing her from work. She was denied disability benefits. After fifteen years of legal service, Covid-related delays, and multiple hearings, in October a judge issued a fully favorable decision.

IOLTA IMPACT - Domestic Violence

The Foundation funded various programs in FY2023 to meet its mission to improve and facilitate the administration of justice by providing support for legal services including supporting work on behalf of victims of domestic violence. Free legal services have been recognized as being essential to domestic violence victims. CLASI and DVLS continue to explore ways to expand that work and the Foundation is proud that its funding supports those efforts.

VOLUNTEERS NEEDED

The Foundation is proud to have helped fund a new volunteer portal to make it easier for Delaware attorneys to identify opportunities with DVLS. Attorneys who sign up can access past trainings, review the training calendar and register for CLE courses. These volunteer attorneys change lives when they help victims of domestic violence seek protective orders and navigate custody orders. The COVID pandemic, significantly impacted the delivery of domestic violence programs. Previously many of the volunteers were retired attorneys who contributed to the program. Over the last three years, these volunteers have paused their service out of concern for their physical health. Help is needed to explain the Protection From Abuse petition process, help petitioners complete forms, accompany them to hearings and connect them to resources. DVLS works to provide meaningful support to its volunteers with training, mentoring and shadowing. Please consider becoming a volunteer and helping a fellow Delawarean in need.



21,955

Reported domestic violence incidents in Delaware last year

3200

PFA petitions processed each year

477

DVLS pro bono volunteers since 2018

Our Community Grants

The Foundation funded various programs in FY2023 to meet its mission to improve and facilitate the administration of justice by providing support for legal services to the poor, enhancing public respect for the law, fostering knowledge of citizenship rights and responsibilities, and promoting study and research in the field of law. This year the Foundation continued to forge new partnerships and support several programs to meet these objectives.



Criminal Expungements

The Foundation again supported the efforts of the Delaware Center for Justice to fund expungement applications for those unable to cover application expenses. **Up to 400,000 Delawareans have a criminal record; over 200,000 are eligible for mandatory expungement of those records.** Without expungement these Delawareans often face a "paper prison" even after they have served their time. With its support of this program, the Foundation recognizes that a record can impact a Delawarean's ability to access employment, housing, educational opportunities and more.

DELAWARE CENTER FOR JUSTICE

400,000
Delawareans
have a criminal
record

20% increase
in income
in year after
clearing a record

80,000 residents
with low level
crimes
preventing
employment

Additional Community Grants



Safe Haven and Safe Passage programs at the Community Education Building to offer Wilmington students programming after school and safe transport home.



A virtual citizenship course for immigrants residing in Sussex County who seek citizenship.



"The Law must respect and preserve the dignity, equality and human rights of all persons...."

- Retired Justice Anthony M. Kennedy

Pipeline Program with Howard High School

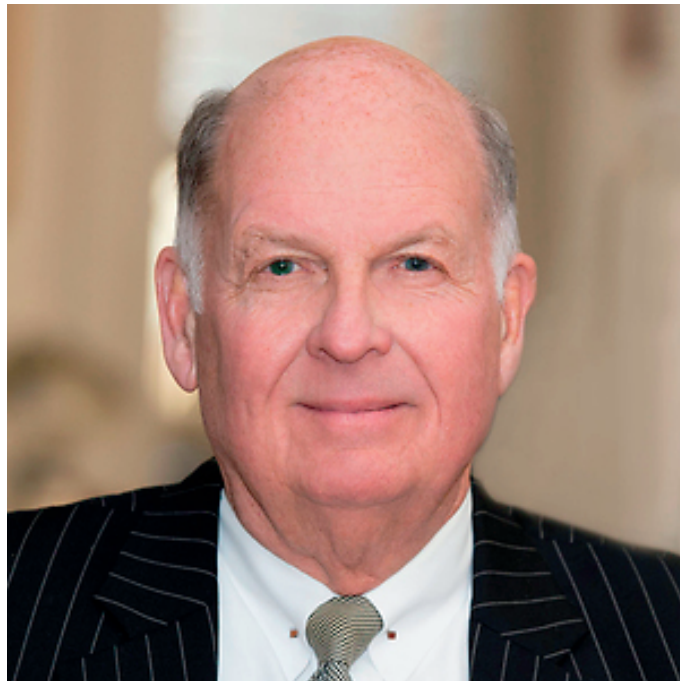


The Foundation was proud to partner with Howard High School paragraph to sponsor, plan and coordinate visits for students in its Law Administration Program. During the school year, fifteen tenth grade students visited eight law offices. They met with attorneys along with members of all of the administrative teams that help make the offices function. We are grateful for our host partners.

COMMUNITY LEGAL AID
DELAWARE VOLUNTEER LEGAL SERVICES
LEGAL SERVICES CORP. OF DELAWARE
MORRIS NICHOLS ARSHT & TUNNELL

OFFICE OF DEFENSE SERVICES
RICHARDS, LAYTON & FINGER
SKADDEN ARPS SLATE MEAGHER & FLOM
POTTER ANDERSON & CORROON

The Stargatt Speaker



The Foundation was proud to partner with the Joint Inns Committee and the Family of Bruce M. Stargatt to present former Chief Justice Myron T. Steele as the keynote speaker of the Joint Inns' 2023 gathering in March.

Chief Justice Steele is the second “Stargatt Speaker” – selected to honor the legacy of Mr. Stargatt, one of the Delaware Bar’s preeminent practitioners and leaders in the second half of the 20th Century. Thanks to the generosity of his late wife Barbara and his family the Foundation received funding to sponsor the Stargatt Speaker, hoping to keep alive the professionalism and civility elements that have long been hallmarks of the Delaware bar.

This year's presentation explored the connection between Delaware's leadership in the corporate law field and its leadership in the professional responsibility field. In a world where more and more push is given to conformity among state bars, such as pushes for a national bar exam, Chief Justice Steele highlighted the importance of Delaware seeking solutions that are tailored specifically to this state.

The Foundation thanks
Caleb Johnson and Caroline Kaminski
for their work in organizing and coordinating the event.

Our Supporters

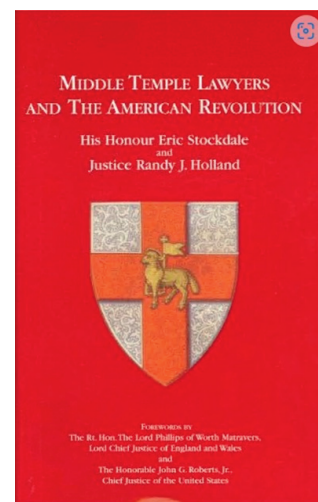
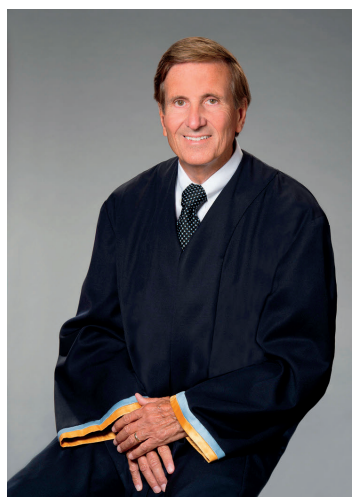
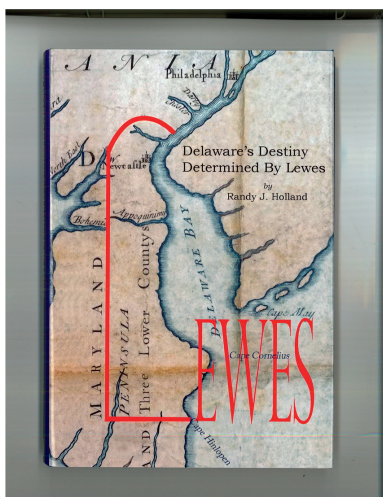
The Foundation seeks support annually from Delaware attorneys and this year, directly from law firms. The response from the Bar continues to be generous.

In the past ten years, the Foundation has raised over \$280,000 for its community programming.

This year, the Foundation again participated in **DoMore24**, an online giving day that was held in March 2023. We were pleased to engage new donors, raise additional funds and elevate the Foundation's profile in the community.



The Foundation is honored to benefit from the generosity of the late **Justice Randy J. Holland**. Justice Holland established an ongoing fundraiser for the Foundation by offering us the proceeds from sales of two of his books: *Delaware's Destiny Determined by Lewes* and *Middle Temple Lawyers & the American Revolution*. Since 2015, sales of the books have exceeded \$17,000. The Foundation greatly appreciates this lasting legacy of Justice Holland, who passed away in March of 2022. **Copies remain available for purchase.**



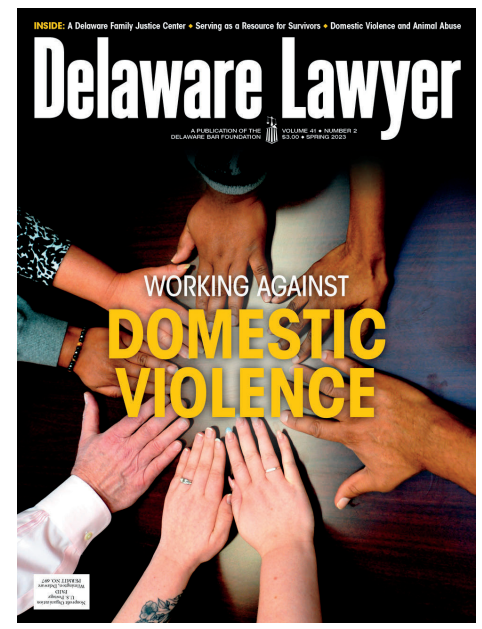
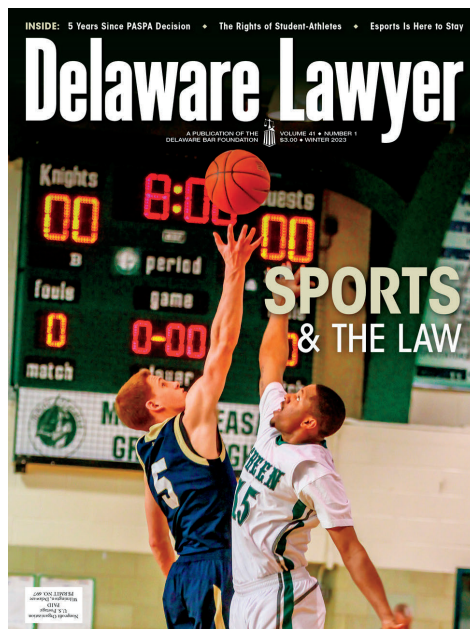
The Delaware Lawyer

Established in 1982, the *Delaware Lawyer*, the Foundation's quarterly journal, celebrated its 41st anniversary of publication this year. The board of editors, chaired by Charles Durante, strives to address issues of interest to members of the Delaware Bar.

Over the past year, topics addressed Delaware Bench and Bar Diversity Project, Corporate Law, Sports and the Law and Working Against Domestic Violence.

2023 Board of Editors

Chair: Charles J. Durante
Hon. Thomas L. Ambro
Lawrence S. Drexler
Dominick T. Gattuso
Gerald J. Grant, Jr.
Candace E. Holmes
Carla M. Jones
James H.S. Levine
Richard A. Levine
David C. McBride
Jesse L. Noa
Karen L. Pascale
Gregory W. Werkheiser
Robert W. Whetzel
Hon. Loretta M. Young



Fundraising

The Foundation is proud to partner with the Delaware State Bar Association for an annual seminar. The Twelfth Annual Seminar was held on November 17, 2022. Addressing *Data Privacy and Data Security*, the event reflects the ongoing collaboration between the Delaware State Bar Association and the Foundation.

We thank the Honorable Monica A. Horton and the Honorable Kyle E. Gay for their leadership in organizing the seminar and the Delaware State Bar Association for coordinating and hosting. To date, the Foundation has received over \$39,000 as its share of the net proceeds from the annual seminar.



Stay Tuned!

2023 Seminar

Will be November 16!

Our Supporters

The Foundation continues to seek new funding partners among Delaware's legal community.

We are proud to thank the following Law Firm Partners who joined us in 2023 to improve the administration of justice throughout Delaware:

**Armstrong Teasdale LLP
Bailey Glasser LLP
Bernstein Litowitz
McDermott Will & Emery
Richards, Layton & Finger, PA
Skadden, Arps, Slate, Meagher & Flom LLP
Troutman Pepper Hamilton Sanders LLP**

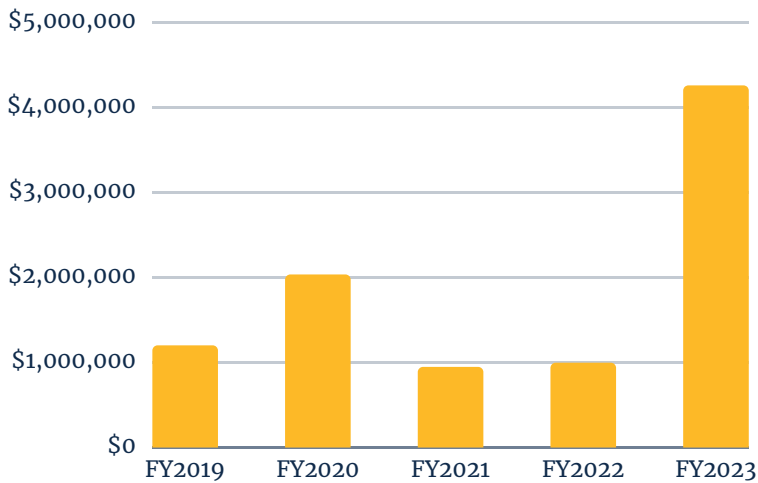
The Foundation has established categories of giving to recognize those who contribute substantially to the Foundation:

- 1) Serjeants-At-Law honors those who contribute gifts that meet or exceed \$10,000;
- 2) Justice Partners honors those who contribute gifts that meet or exceed \$5,000;
- 3) Justice Fellows honors those who contribute gifts that meet or exceed \$3,000; and
- 4) Foundation Fellows honors those who contribute gifts that meet or exceed \$1,000.

The Foundation is grateful for these and all donors for their ongoing support. Please visit our website for an up-to-date listing of them.

Financial Highlights

IOLTA Income



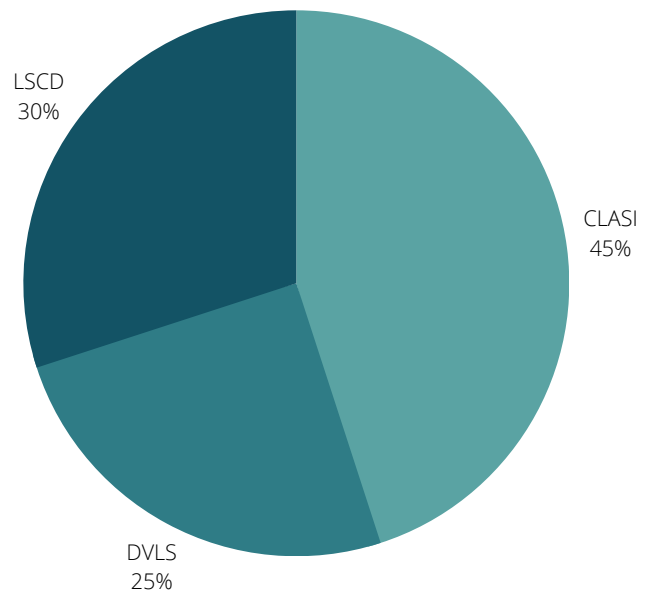
AUDITOR'S REPORT

These financial highlights are derived from unaudited financial results through June 30, 2023. The Foundation's auditor, Papaleo, Rosen & Chelf annually reviews the Foundation's finances.

DIRECTOR'S OVERVIEW

As the Federal Funds Rate has increased, the Foundation has worked with its Eligible Financial Institutions to ensure that all are paying comparable interest rates on their Delaware IOLTA accounts.

The Foundation is well-positioned for the future with over \$5,547,000 in equity. We have worked to mitigate operating expenses as costs related to data security and technology continue to increase.



\$35M

IOLTA Funds Distributed
For Legal Aid Since 1981

#19

IOLTA Eligible Financial
Institutions

303%

Increase in IOLTA
Revenue Over FY2022