

- Good morning, good morning. You're listening to Ability Radio, you and your life. This program is brought to you by VI Lottery, Making a Difference. My name is Amelia Headley LaMont, I'm the Executive Director of the Disability Rights Center of the Virgin Islands and again, I'm happy to say, happy to say, happy. I need a, I need a tongue unwinding this morning. I'm joined by my co-host Iris Bermudez. Good morning, Iris.

- Good morning, Amelia.

- How are you?

- I'm fine, thank you.

- It is a very wet, cool morning here in Saint Croix but Ability Radio is here and I'm very pleased to say that we have a very special guest this morning. Ability Radio in addition to having had a series on health-related matters, we've expanded our program to include, your life. And you will hear and learn from individuals, groups, and programs that are working here in the US Virgin Islands trying to make it a better community. Our special guest today is the Executive Director and CEO of my old home, my old work home, Legal Services of the Virgin Islands, Attorney Richard Austin. Good morning, Attorney Austin.

- Good morning, Attorney LaMont and Ms. Bermudez. It's so good to be here with you this morning.

- Thank you.

- And thanks for joining us.

- Well, it's a pleasure.

- You know, Legal Services has been around for, whoo, since when?

- Since 1969, is when it was first started under the old OEO Office of Economic Opportunity Program as Community of Legal Services and then in 1974, it was incorporated as Legal Services, Legal Services of the Virgin Islands, Inc. So, we've been around about 45 years, more than that, really.

- Wow, that's a lot of people you've helped, huh?

- Yeah, you do that.

- You do the math.

- You do the math.

- Well, tell us what is, you know, give us, for some of us who don't know, what is the role of Legal Services? What, we now know that it started, it's been in this community for a long time. What is its genesis? What does it do?

- Thank you, LaMont and since we have such a long relationship, we were colleagues at Legal Services at one time, I'm gonna call you Amelia.

- Okay, please, yeah.

- And the Legal Services Program, it's a non-profit corporation, 501(c)(3) entity. It's not a governmental agency which a lot of people think it provides civil legal assistance and I must mention civil as opposed to criminal. The public defender provides the same services to indigent or low-income people in the criminal sector whereas Legal Services provide high quality civil legal assistance to low-income, disadvantaged, the elderly victims of domestic violence, and otherwise disadvantaged individuals in the territory free of charge. Our mission is to assess justice at, open up an opportunity for low-income people to access justice. And we say we are the equal opportunity, no, I'm sorry, the equal justice advocates in the territory. And Legal

Services, we put the emphasis on services. We're there to provide services in a legal context. We're, we provide services in civil areas such as family law and that would encompass guardianship, custody, divorce, and other matters in the family side, employment that's mainly under the wrongful discharge statute here in the Virgin Islands, the area of housing, that would be landlord-tenant matters mostly, both in terms of eviction and facilities, the types that the facility's being in proper accommodations. Also we do foreclosure prevention matters, we do a lot of transaction on law, meaning we draw wills, simple wills, we prepare [ inaudible ] of attorneys. This is something very common where people need some type of document to take a, send a [ inaudible ] off Allen for medical reasons or for education and we do one of our very important areas is domestic violence. We get credits from the Law Enforcement Planning Commission under the federal funding areas of Violence Against Women Act and Victims of Crime Act to provide services to victims of crime and to victims of domestic violence. We operate in offices on two, on both islands. We're a territory-wide agency. We have an office on Saint Thomas and an office on Saint Croix. Administrative office is located on Saint Croix.

- Uh-hmm.

- And we try to cooperate and have a cooperation with agencies such as the Disability Rights Center and the CASA program which came out of the Legal Services. We've worked very closely with agencies like Women's Coalition on Saint Croix, Family Resource Center on Saint Thomas, the, a Catholic Resource Center, the Lutheran Social Services. We, we're just there to provide the legal arm to assistance of low-income people. And I try to make that clear, people are coming, "Well, I don't have any housing." Well, we don't provide housing.

- Right.

- But we can if your household or your property is roach-infested or, the word is skipping me, like, it's not accommodations, but habitability.

- Uh-hmm.

- If the property is not in proper means, then we can assist you in that regard but we can't, but we don't keep a property list to try to provide property for, housing for people but we are there to see that people are given adequate housing from those institutions such as the Virgin Islands Housing Authority and other governmental and non-governmental entities that provide housing to low-income people, and we try to see that they do it according to the rules and regulations that are provided for.

- Now, these lists of matters that the office handles, do you notice if there's an uptake or a greater demand for one type of service as opposed to another?

- Well, I would say and it's probably endemic to the class of people that we serve, family law matters are the, our greatest number of services. We would probably, if you had to put it on a scale, on a pie chart, we probably do about 40 to 50% of family law and then the next would probably be, and in that family law, high percentage of that is domestic violence.

- Hmm.

- We have attorneys that are specifically assigned to do nothing but domestic violence type of work. But family would be the first and then I think probably housing and then employment, and then it would drop down, maybe education, and that's mainly representing people at expulsion hearings and things of that nature. And then the transactional work, the drafting of wills and other documents that would probably be at the lower level.

- Hmm. I am looking you up. I'm googling you. We came across information that you had contributed to different articles and publications, and, like, what I saw was that you were, you wrote on different topics like school desegregation, affordable housing, community economic development. And I got interested in that

because facing what we're facing now, with the new administration, how can we, in the Virgin Islands, make economic development happen if we lose federal funds?

- That's a great question. And may I call you Iris, also?

- Of course. Of course.

- Well, I did have a life before I came to the Virgin Islands. And actually I've been here since 1985, I've been at Legal Services for 30, 32 years. I'm trying to work myself out of a job and going to retirement. I've been executive director for 18 years and I was the Managing Attorney and Litigation Director at the agency before that. But before I came to the Virgin Islands, I was in private practice mainly in Dayton, Ohio and I also was general counsel to a state university. So, and then in the private practice, I, well, let me give some context. I went to Howard University Law School and I think Amelia also went to Howard University Law School. And I was there back during the days when Thurgood Marshall actually came in to lecture from time to time and then the other great professors that we had. And there was a notion at Howard University that they, that they developed social engineers that we took the law and we were to go back to our home communities to make it a better place for minority individuals, specifically black individuals. So, that was how I was taught and that was how, matter of fact, I had a, an urban development seminar, a workshop from Patricia Harris...

- Oh, my goodness.

- ...who was the...

- HUD Secretary.

- HUD, yeah, HUD Secretary. I guess that was back in the '60s.

- Uh-hmm.

- Yeah.

- So, I'm really dating myself. So, when I got back to Dayton, I was involved first in the Model Cities Programs and those were programs for, where local people were attempting to develop capacity and develop various institutions in their community. Also, I got involved in Legal Services but it was more or less on a, on a board level. I started, was one of the founders of the Dayton Legal Services Program and Legal Aid. And at that time, there was, and then Civil Rights. If you went to Howard, you, you'll be at Civil Rights. I was involved with the NAACP. I was local counsel for the, a school desegregation case where we took the, where was that? You know, Brinkman v. Gilligan. Gilligan was a governor. Governors get to be in a lot of lawsuits. We may talk about Hosier v. Evans, and we see that Evans was the governor.

- [ inaudible ] was the governor at the time.

- At the time.

- We're gonna continue with that because I think we still should follow up on that economic aspect. We're gonna take a quick break and we'll be right back.

- Okay.

- We're back. You're listening to Ability Radio, you and your life. My name is Amelia Headley LaMont. I'm joined by my co-host, Iris Bermudez. And our special guest today is Richard Austin. He's an attorney and CEO of Legal Services of the Virgin Islands. If you have any questions, you can call us at 713-1079 or 779-1079. Iris, you had a question.

- Yes, before we went on the break, we're, we were, had asked you about how, community economic development and how that would, that would, if that would continue or if given the new administration in Washington and they reduce federal funds, what can we do as a community here to develop economically?

- I think community economic development is very important and even Amelia may remember here in, here at Legal Services, we were very much involved from a development aspect with the Valley Village Project and over on Saint Thomas with the housing aspect, with the Thomasville Coop Conversion. The whole idea was to try to give people more vested...

- [ inaudible ]

- Yeah, interest in things that they were involved in. So, economic development, my experience goes all the way back to the old MESBICs, that was Minority Development Enterprise something, something. That was part, a Small Business Administration and I was refer, relating to you all during the break what my, a very fond experience with a very great person, Reggie Lewis, who was a black attorney, a graduate of Harvard University who was one of the founders of the, of the MESBIC Program and he went on to be one of the developers in the buyout industry and he bought the Beatrice Food and became a millionaire, and I think that that's economic development at its highest level but what we go back to the Mom and Pop stores to try to bring about some type of, the dollar turning over in the community is the whole aspect of, rather than spending your money where you can't work or where you can't have some equity in the business, you spend your money in your own community, and the whole idea of community economic development is to try to enhance the economic stability of a community by having local businesses and by having, local people having equity in those businesses. And we've set up different legal mechanisms to do that, coops and et cetera.

- Uh-hmm.

- We also, Legal Services, we're very hard with the Harvey. [ inaudible ] you may remember that, that we were trying to get the Harvey Projects converted into a coop. Back then they had various HUD programs to allow you to do that, I don't know where HUD is gonna go now with the...

- Yeah, jeez.

- ...with the present and not disparaging anyone but since slaves were, came over here, all this hope maybe, then let's talk about our present director or secretary, Dr. Carson who we just prayed for. But economic development is very important and I think the local program, it appears to spend more of its energies on businesses that I consider that would be bankable anyway and the only reason they aren't bankable is they're risky. So, they come to the economic development program to get funding, which I think should be available for the smaller business and if you wanna take a risk, take it with them rather than someone who is not putting any money in the game, they don't have any skin in the game and they're getting millions of dollars to try to have ventures. The thought there is, well, they have employment. They give people jobs. But what, you're not gonna change the face of a community unless you could give people equity, unless they could have some ownership of, that the businesses in their community. So, that's why economic development is very important. I was very much involved in it when I was in Ohio. Matter of fact, and I don't wanna beat my own drum, but I've done everything from assisting in the start of banks, of a, black-owned automobile dealerships. Matter of fact, I represented a young man in Ohio that had the first Mercedes automobile dealership in the United States. We've been involved in cable TV. You see in my vitae that I did a lot of lecturing and writing in that area. Cable TV back in the early '70s was like, it was on the verge of breaking loose and we knew that, and we set up a, like a, Gary, Indiana was the first minority community to have a franchise, a cable TV franchise and Dayton, Ohio was the second one. I was the president of the citizen's cable corporation in Dayton which had a city, I mean had a franchise to provide cable TV in the City of Dayton. And of course, nobody wanted to give a group of 10 black guys \$10,000,000 back then. They wouldn't give it to us now less more than and we ended up, we were partnering with Time Warner.

- Oh, my goodness, okay.

- And we were trying to make the deal work and we, finally, we ended up selling our interest to Time Warner. But we saw the handwriting on the wall that cable TV was going to be a new industry in, particularly in the inner city, and if blacks can't get a piece of it, then nobody should get a piece of it and that was our position at that time. And I went about the country lecturing and giving speeches and I went to Florida, to California, to New York, to, I mean, just different places and this was also kind of connected with the National Bar Association which is a, which is the Black Bar, akin, it's the kin to the ABA and it was founded back in the, turn of the 19, of the 1900s because believe it or not, people of color could not be a member of the American Bar Association.

- Yeah, yeah.

- Is the National Bar Association, it's still active?

- Yeah, yes, it's still very active. Yes, it's still very active. And I'm a life member, to say, and I'm happy to say...

- Oh, okay. [ laugh ] Have you found of any individuals now who would have, go to Legal Services and say, "I'd like to start a business, will you assist in helping it..."

- Well, right now, I don't think that they know that we provide that type of services and I think that we begin to spend so much of our time on family, and this one I'm thinking maybe in my retirement, I might try to bring about some civility in the community because we just have so much, so many problems that, and people can't, a lot of these matters ought to be mediated, you know. If you'd, if you could just sit down and take yourself out of self, and not being selfish and look at what's in the best interest of the child or of the family, and then we wouldn't have all of these tying up the court with nonsense and using lawyers to do what social workers should be doing. And so, we've just really gotten over into the, as I say, we're doing, we're doing more family, because that's what comes through the door.

- And you know what an idea comes to mind when Amelia just asked you that question because I see our local farmers trying to develop themselves.

- Hmm.

- And I think that the community needs to support their efforts to help them become more economically stable. I mean, maybe they can go to your agency.

- We've done a lot, and some of the services that we could provide is, like, draft in the [ inaudible ] incorporation, assisting them with getting their 501(c)(3) exemption, if they are non-profit.

- Yeah.

- If they are profit and at the, we basically could help them like if they're trying to get an ADC loan or something, we could assist in packaging their project. But one of the problems is Legal Services, we have federal restrictions and we represent clients based upon their income. So that would restrict us to some degree. But then there is a way, we got what was called Bank of America, so Bank of America Funds. I don't know if you kept up, but when the Federal Government settled with Bank of America, there was a lot of money in, like, fines and penalties that Bank of America had to pay that went to Legal Services Programs throughout the nation.

- Excellent.

- And the local agency got some funds and those funds were supposed to be used specifically for foreclosure prevention and community econ, not economic, community development type projects. So we could, kind of, if some people, if a client came in and it was, we could put it in under community development portion of our work, then maybe we could get it out of the requirements to be funded by a, or at least gonna

be funded by Legal Services or some of the other restrictive funding agencies that we have to look at the income of the client to be able to provide services.

- Well, we're gonna spend some time talking about the future of Legal Services as well after this brief break. We're back. You're listening to Ability Radio, you and your life. My name is Amelia Headley LaMont and I'm joined by my co-host, Iris Bermudez. Let me let you be aware that if you miss anything in today's broadcast, these programs are recorded and they are posted on our website which is located at drcvi.org. This program is brought to you by VI Lottery, Making a Difference. And I know we have a call this morning. Let's see who's calling us. Good morning.

- Yes. Good morning. It's Archie.

- Hey, Archie. Good morning.

- Oh, boy. Good morning, Archie.

- Yeah.

- Legal Services alone.

- Oh, I feel left out.

- Yes, yes.

- Yeah, I'm a [ inaudible ] right there in the Virgin Islands, out here doing some [ inaudible ] outreach this morning.

- Okay.

- And I was able to pick up the station. Richard, how are you doing? [ inaudible ]

- I'm great. Archie, I'm gonna have to call you and give you some humor. Humor, man, it, yes, sir.

- Oh, it's like déjà vu, Richard. It's like [ inaudible ] of year.

- Yes, sir. Yeah, yeah, yeah, yeah.

- [ inaudible ] but [ inaudible ] back then.

- Exactly. Look like they snatched it all away again.

- But I was, I was also listening to the show and we talked about, or Iris brought up Legal Services did try during the years that, between you, yourself and myself and Austin were there. Oh, Fishermen's Co Op and [ inaudible ] Health Cultural Co Op.

- Exactly.

- [ inaudible ] Co Op on Saint Croix.

- Yeah.

- I thought I had let it up in the air when I left the program but there have been attempts over the years to get involved and more cooperatives. A matter of fact, Legal Services really was the beginning of what, not only council but Pearson Gardens has a co-op.

- All right.

- So the paperwork with regards to that really was a product of the Legal Service. There was an amount of economic development that's not out in the open but Legal Services, they had lead the way in many aspects in the community of getting that expanding cooperative and little alternative mechanisms for even home ownership where you, where you, where you attack the, you know, the bank make sure that they were making low interest loans to the veterans and attack the issue with regarding to knowledge about mortgage loan in the community.

- And I remember, Archie, I'm sure you recall as well a case involving a home owner in Williams Delight, it was on soft soil and the building was literally sinking into the ground. That was a USDA case if I'm not mistaken.

- Yeah. I think you mentioned that just the other day was a [ inaudible ] Day.

- Okay.

- Yeah, yeah. They have built some homes on cement slabs. The slabs [ inaudible ]

- Yup. Yup.

- Oh, and [ inaudible ]

- So we have, there was a lot of, a lot of issues that we're able attack on those days [ inaudible ] he [ inaudible ] so [ inaudible ]

- [ laugh ]

- [ inaudible ]

- Let me mention something else that, and this is [ inaudible ] to the structure of Legal Services. We, we are governed by a 15-member volunteer Board of Directors that provide the policy under which the agency operates and a portion of those directors have to be client-eligible.

- Hmm.

- And there was a time that we didn't have a problem getting individuals who were client-eligible because we had so many what we call client groups.

- Uh-hmm.

- We have the tenets groups, we have the elderly groups, even the disabilities groups that we're able to feed people into the Legal Services to serve as board members. Now we're having a difficult time because we don't have those groups and that's something that I think we, has been a breakdown in our community.

- Uh-hmm.

- Like now, I don't even know whether there is a tenets group in the territory at all. But, and then one of the reasons why we weren't able to have those tenet groups because [ inaudible ] provided resources to fund those groups and also, they were mandatory in the housing authority's operations that they also support these groups. So that that's something that I think we could get back to, that it really helps our community when they are involved in, other than voting for a member in the legislature every two years. When they're involved in making policy and so far for their everyday living, things seem to go more suitable and efficient and effective. But when they have no input in their lives, it makes it a lot, more difficult.

- Uh-hmm.

- Yeah. It's a good point.

- Yeah. Yup. Well, I really wanna go. I just wanna make, I didn't know if you also mentioned that out of Legal Service [ inaudible ] maybe in [ inaudible ] that we have such a [ inaudible ]

- That's right.

- Yeah.

- That's right. That was back in 1984, initially brought by Joe Zuiker and Archie Jennings.

- Right. Yeah.

- And it was a case involving making what was then called the Education of Handicapped Children applicable to the US Virgin Islands. And this was a young child really who did not have what we called free and appropriate public education. She was, you know, denied basic rights with respect to her educational, you know, services.

- Uh-hmm.

- And...

- Yeah. Actually there's three. There are three [ inaudible ] at this time.

- Okay.

- [ inaudible ] than the other one. But I'm going to go because I'm out here trying to pack up and go in and you guys have a good show. And, Richard, you're gonna be here [ inaudible ] and keep up the good work.

- Archie, I'm going to call you with that. I'm going to put this humor right on the radio. I was interviewing a young attorney. She's in our office now, Atty. Kimberly Simmons from Columbus, Ohio and I called the Columbus Legal Aid. She had decent work for them. I called them to, as a checkup, a reference checkup. And the lady that answered the phone was a managing attorney at that agency and I told her I was from Legal Services with the Virgin Islands, she said, "Oh, you know Archie Jennings?" I said, "Yes." And she said, "I bought his car from him when he went to the Virgin Islands." I said, "Man, you are dating yourself."

- Wow.

- Oh.

- Archie, I don't remember her name but that was a long time ago.

- [ inaudible ]

- I, I'll call you and give her name. I got it in my, in my notes.

- Oh, that's it. [ inaudible ] all right. Take care.

- Okay.

- You too, Archie. Thanks for calling. Well, you know, education is an issue, a very, a big importance not only, you know, in Legal Services but in Disability Rights.

- Yeah.

- And one of the things that I say, and Richard, I know you recall there was an event commemorating 30 years of Legal Services assistance to, you know, US Virgin Islands. And one of the monumental cases that was brought by Legal Services was a case called Hosier versus Evans. And you wanna to tell us a little bit about that?

- Yeah. Yes, exactly. We like to big up Legal Services a little. This was a 1970 case but this case still has far ranging implications even though it was decided in, I'm sorry, 1970, a 1970 case. And it was decided by the honorable Almeric Christian in the Federal District Court here in the Virgin Islands. A lot, a lot of people are still were contemporaries at that time and they know what this case was all about. And to some, substance-wise, what they called at that time was aliened. Alien children were not able to go to public schools based upon Virgin Islands statute. The law, the case was brought into the district court, challenging that, asking the court for injunctive and declaratory relief and the court found that public education was a fundamental right protected by the Equal Protection Clause of the United States Constitution. Therefore, the territory could not deny people who were, or students who were legally in the territory from going to a public school. And that was the Hosier case and that case is still precedent. You probably heard a lot about precedent if you listen to the Supreme Court hearings that's going on now. It's still good law throughout the United States. And as a matter of first resorts when there are alien rights cases, the Hosier versus Evans case which was first decided in the United States Virgin Islands Federal District Court and a case brought by the Legal Services of the Virgin Islands is still a good law and is cited for the proposition that people who are legally in the United States cannot be denied fundamental rights that are protected by the Equal Protection Clause. And we think that's something that our agency can really feel very proud of.

- Absolutely, absolutely. In fact, one of the things I learned from that is prior to the deciding of that case, children who are from other eastern Caribbean islands or other islands, wherever, had to go to what was referred to rather disparagingly I think is the alien school and that building I'm told is now occupied by the [ inaudible ] school. That's what, that's where the kids went because they did not have the right to go to a public school.

- Right. That was the case.

- So, you know, and you brought the lawyer who brought the suit.

- Yeah. Yeah. Oh, yeah.

- Yeah.

- We...

- So, that was, that was really, really, really cool.

- Yeah. We were really happy to do that. That was in 1999 where we were celebrating the 30th anniversary of the Legal Services program. And the attorneys on that case was Leroy Mercer, who was at one time the Attorney General of the Virgin Islands, he's a very distinguished legal scholar, a native Virgin Islander and a person who Richard Unruh, U-N-R-A-H, who was a Legal Services attorney at that time and they worked very hard to get the decision that they got in that case.

- That's excellent.

- Yeah.

- Now, you, one of the things that I recall, again, under the, looking at history, is whether or not, because Iris and I had this conversation whether Legal Services can do class actions, is that restriction or, what's the story on that?

- Unfortunately, and maybe just to let the public know what a class action is, it's a legal remedy where when you bring a case that has similar facts and circumstances, rather than 100 individuals or 100,000 individuals

bringing separate cases is brought under what's called a class action. And then all of the people who alleged and harmed are members of the class. The congress back doing Gingrich days and we can go back to what Archie said, he was at Legal Services doing the Reagan days which they tried to kill the Federal Legal Services Corporation which is one of the funders of our local Legal Services. They tried to do it again under the Newt Gingrich Days contract on America Days. And they're trying to do it again today under Reagan, I mean, under Trump.

- Yeah.

- But it's not going to happen because there are enough even Republicans in the congress who feel that Legal Services access to justice is a fundamental right that people should have even though it has not risen to the level of the, what's the criminal case, criminal right to, right to attorney?

- Gideon versus Wainwright.

- Gideon, yeah, yeah, Gideon.

- Uh-huh.

- It hasn't risen through the level of Gideon right, which on the criminal side is a person who's in criminal court has a right to an attorney. But in a civil matter, a person even though like if a mother was going in to try to get custody, the government is trying to challenge custody or something to a child, that mother does not have a right to an attorney presently under United States Law. So, we are, we are trying to bring about the whole concept of civil Gideon. But getting back to some of the [ inaudible ] regulations that were put on Legal Services, the congress at that time is one of the compromisers to keep Legal Services inexistent. They put about 10 very honest restrictions on the Legal Services program. And the restriction that we cannot use the legal strategy mechanism that any other lawyer could use to represent their client a class action, we cannot do that on Legal Services. But we have a very brilliant and scholarly attorneys at our local Legal Services office and we tend to manage to not, we don't violate the regulations but we get the job done.

- Okay.

- I saw that when I was, you know, looking up information about Legal Services and when I saw how this president is thinking of cutting funds for Legal Services, I said, "Oh, my God. What are all these people going to do?" So it's good to hear what you just said that there's a lot of attorneys in the senate and, you know, that...

- And I don't think President Trump has really looked this through. This is what his people put out there. And it's the American BAR has come forward very strongly, the Council of Chief Justices which our local Chief Justice Hodge is a member of, the Council of State Court Administrators, just many, there was about a hundred and fifty legal councils for the, for the Fortune 400. Corporations wrote a letter to the President and to that Federal OMB. And by the time, it, the budget comes around, Legal Services will be in the budget, and the question is for how much.

- Okay.

- Okay.

- Okay.

- That's very confident. That's good.

- Well, I'm a confident person.

- I love that.

- No, that makes a whole of sense, really. Any other funding streams that Legal Services can...
- Well, our main funder is our local government and we're just so happy that our senate see the wisdom of funding Legal Services at a level where it can provide adequate services to our client community. Unfortunately we are at our lowest staffing level in the history of the agency but we're not grumbling because we're still trying to maintain, but we probably need two more lawyers in each of our offices and more support staff. We probably need, probably from a quarter million to \$300,000 more to our budget. We are budgeted at 1,184,000 local government funds. Our total budget is about 1.5 million.
- Uh-hmm.
- And the other funds come from the LAPC, mainly from Cochrane Power, and we get some funds from Department of Human Services under our elderly.
- Uh-hmm.
- Right.
- That's [ inaudible ] I think through older American Act moneys that comes with the territory. So we, we're very frugal with the funds that we have. We're prudent. We spend them wisely. And, I heard you, I'm gonna, I'm gonna pre-empt you because you said we're gonna talk about the future of Legal Services and I was gonna say at, off the, during the break but I'm gonna say it now. You mean, post-Austin or [ inaudible ] Austin, is the question though because I think I, I'm trying to make it pretty clear, I'm trying to retire.
- Yeah.
- And so the future of Legal Services after my retirement is one thing. The future right now, we, I might say that we are, we're finishing a strategic plan that we will look to see exactly what the community says and what the strengths and weaknesses of our agency and what the funding aspects look like to guide our agency for the next five, ten years, and that really would determine exactly where our agency would be. I, I've told my board and my staff all along, I said, "Right now, even though we are smaller but we have to be leaner and meaner."
- Yup.
- We have to look at the, we have to try do impact litigation.
- Uh-hmm.
- We have to try to do things that will have a greater impact on the maximum number of people with the funding that we have and really make, continue to make Legal Services of the Virgin Islands a relevant agency. And I tell people that our purpose is to provide access to justice, not equal justice, because justice itself connotes that it's equal.
- Right.
- Uh-hmm.
- As justice has to be equal, if it's not, if it's not equal...
- It's not justice.
- ...it's not justice. So what we are there for is to try to provide access to the legal means to the courts, to the administrative agencies, the proper settlement modalities like arbitration and mediation for low-income people. And I don't wanna get caught up in that access conundrum because like they were saying with the

Affordable Care Act and a new Trumpcare that they want people to have access to medical care. Access to medical care and having medical care are two different things.

- That's right.

- Right.

- So we really want to be able to see that the low-income people and disadvantaged people in the territory of Virgin Islands can have an equal opportunity for justice as anyone else.

- Right. I'm gonna play the devil's advocate now. When talking about evictions, what is it that the landlords have to know so that their person doesn't end up in your office, if they, if they feel the need to evict their client?

- Okay. One of the things that they have to know is that the laws of the Virgin Islands prohibit what's called a self-help eviction, meaning that you're gonna turn the water off, take the door off. I mean we've had all of these, to take the door off, turn the water off. If you are providing the power, the electricity, turn the electricity off to make, to try to make the client move. That's what's called self-help. And if you wanna get Legal Services on you real fast, the client comes in and say that this is what happened because, I mean, we have our forms already ready to go to the court to get an injunction.

- Injunction.

- Yeah. Against the landlord for those, for, so they need to know that they can't use self-help, they need to know that their notice requirements, that first rule, you have to have a reason if there's a lease. If there's a lease, that's an agreement that binds both parties and if one party breaks the lease, then the landlord, if the tenant breaks the lease, the landlord has the right to evict that, well to ask the, ask the tenant to vacate the premises, to leave. If the tenant does not leave voluntarily, then the landlord has the legal right to go into court and get what's called forcible eviction of that party. And we tell our clients, we save landlords a lot of grief because when the client comes into the office, they say, "Oh, well, we don't wanna move. The landlord told us we had to move." I say, "Why?" "Oh, they say we're not paying rent." I say, "Well, how much do you owe?" "Oh, about \$5,000." You know, haven't paid in a year. Oh, yeah. I say, "Well, listen, ma'am or sir, you need to find another place to live because there's no need of you putting the landlord through the grief and task of having to go to court to evict you when you're wrong."

- Uh-hmm.

- At Legal Services we do not stick up for what's wrong.

- Okay.

- Right.

- If the client does not have a valid defense then we are not going to take the case, well, I'll say that sometimes we'll take the case to try get them time.

- Uh-hmm.

- Uh-hmm.

- Time to get out. Because they'll say [ inaudible ] the weekend, well, there's no place to go. I got five kids and what am I gonna do?" I say, "Well, look, we're gonna talk to the landlord and see if they'll give you 30 days or maybe 60 days but you're gonna have to start trying to get out of there because there's no need, we're not gonna go before Judge Willocks or and any of other judges and be embarrassed.

- Right. So that's something indefensible.

- I said, yeah, right, I said, "Well, what are you here for because your client is wrong, now you and your client, get out."

- Get out.

- Judge, judgment for the [ inaudible ] you know.

- We're gonna be back in a little bit. You're listening to Ability Radio, You and Your Life. We're back. You're listening to Ability Radio, You and Your Life. This program is brought to you by VI Lottery, Making a Difference. Our special guest this morning is Richard Austin, Attorney and Executive Director of Legal Services. And we were talking about some of those wonderful stories we would get if you had a client who was unable to quite identify priorities with respect to housing and the like. Before we leave, Richard, how can an individual who's interested in your services get in touch?

- Very good. We serve the entire territory. We have two offices, the Saint Thomas office is located on Kongens Gade, I think it's called Education Street because we're right next to the Department of Education down the hill from government house. We have a wonderful state-of-the-art new office built from the ground up at that side. And the phone number is 774-6720. And that office is managed by Attorney Tina Gillespie La Borde who is the managing attorney there. The Saint Croix office is in Golden Rock, it's up behind [ inaudible ] giving you a number because you won't find it by the number but it's next to the community theatre. And the phone number there is 718-2626. And that office is managed by Attorney Shelby Gaddy.

- Okay.

- All right. Is there anything else that you'd like the public to know, Richard, you've been talking about the future and frankly, I'm a little surprised to hear that you're thinking about moving onto greener pastures.

- Well, I hope you're happy [ laugh ] surprised by, but, yeah, I think it's been a good run in my board and other people. I go to, I go to national meetings and I'm one of the elder persons there now and I tell them, "Well, I'm gonna retire." They say, "Richard, you've been saying that for 10 years." So now I think, and my wife, she's been retired for about 10 years and she wants, she'd be happy if I was there to, where she and I could spend more time and I could maybe, you know, I'm an ordained minister. I'm a pastor, the Beulah AME Zion Church. And I think I would be able to spend more time in the ministry being retired. Then I've also told my bishop there that I want to retire from that position also. So I'm really trying get in a retirement state of mind. But I think the agency right now we have a wonderful staff, members. And it would be well even in my absence.

- Well, thank you for all your years of service to the territory.

- Yes.

- You're listening to Ability Radio, You and Your Life. This is brought to you by VI Lottery. Thank you and have a great day.

- Thank you.