

20
22

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 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

Our FY2022 Board

President:	Kelly Farnan
President-Elect:	Denise Nordheimer
Secretary:	Clarissa Chenoweth
Treasurer:	Michael Houghton

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C. Malcolm Cochran, IV
Bonnie W. David
David A. Felice
The Hon. Kyle E. Gay
The Hon. Karryl Hubbard
The Hon. Laurie S. Silverstein
Jeffrey Young

Megan S. Greenberg, Executive Director

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

Other Eligible Financial Institutions

Bancorp Bank
Bank of America
The Bank of Delmarva
Bank of Ocean City
Citibank
County Bank
Fulton Bank, N.A.
HSBC
Malvern Bank
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 each year 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 \$34 million for legal services to Delaware's neediest residents. In FY2022 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.

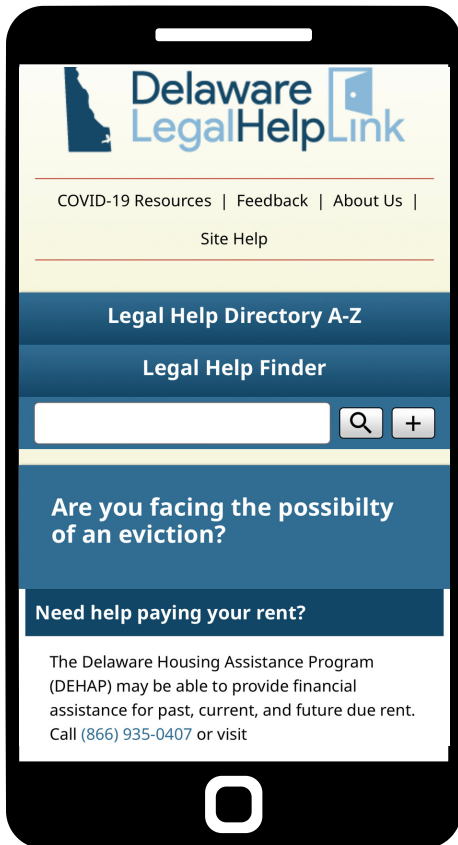
For example, less than 2% of households facing eviction have representation. The Foundation continues to collaborate with CLASI, LSCD and DVLS to seek to expand aid and encourages any Delaware attorney who is able to assist with pro bono by reaching out to DVLS.

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 and 2022.



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 15,000 visitors in 2021. The Foundation continues to work with CLASI, LSCD, DVLS and Pro Bono Net to refine, maintain and further develop these resources and this platform.

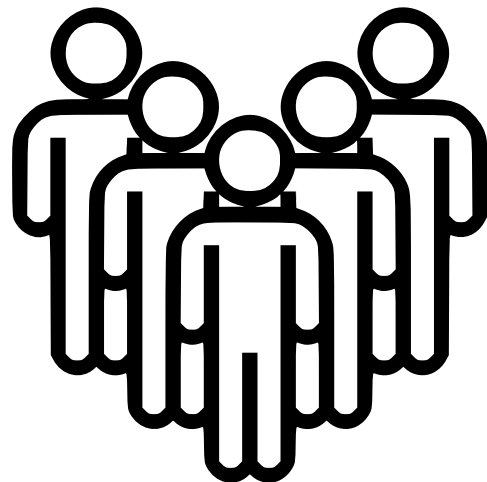
Please visit www.DELegalHelpLink.org to explore these services.

"The opposite of poverty is not wealth;
the opposite of poverty is justice."

-Bryan Stephenson, *Just Mercy: A Story of Justice and Redemption*

Our Community Grants

The Foundation funded various programs in FY2022 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 is proud to support the efforts of two partners, the Delaware Center for Justice and Partners 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. The Foundation recognizes that a record can impact a Delawarean's ability to access employment, housing, educational opportunities and more.



**PARTNERS
FOR JUSTICE**

***"I don't have to allow my past
to dictate my future."***

**-Angela,
Delaware resident**

400,000
Delawareans
have a record

20% increase
in income
in year after
clearing a record

290,000
eligible for
mandatory
expungement

Additional Community Grants

An overhaul of the website of Delaware Volunteer Legal Services to create a pro bono portal for volunteering Delaware attorneys

Funds for new bunk beds for Camp Barnes, a summer camp owned and operated by the Delaware State Police that welcomes over 600 campers each summer

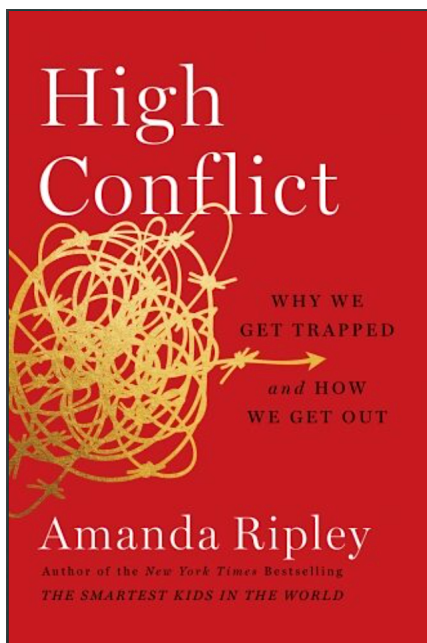
A virtual citizenship course for immigrants residing in Sussex County who seek citizenship

An eight-week program of workshops to supplement the commercial bar preparation course for civil legal aid attorneys sitting for the 2022 bar examination



"The Law must respect and preserve the dignity, equality and human rights of all persons...."
- Retired Justice Anthony M. Kennedy

The Stargatt Speaker



The Foundation was proud to partner with the Joint Inns Committee and the Family of Bruce M. Stargatt to present New York Times bestselling author Amanda Ripley as the keynote speaker of the Joint Inns' 2022 gathering.

Ms. Ripley is the first “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.

The 2022 Stargatt Speaker, Amanda Ripley, writes about human behavior and change. Ms. Ripley provided attendees with a unique perspective on conflict, discussing elements from her most recent book *High Conflict: Why We Get Trapped and How We Get Out*. Her research and insights suggested ways to maintain more productive and civil behavior in legal representations (and society). Each attorney who attended the event received a copy of Ms. Ripley’s *High Conflict* book.

The Foundation thanks Mackenzie Wrobel for her work in organizing and coordinating the event.

"Persuasion requires understanding,
and understanding requires listening."

- Amanda Ripley, *High Conflict*

Our Supporters

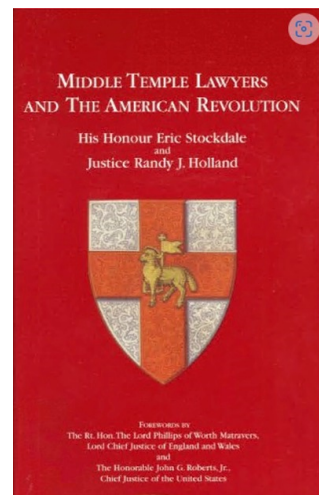
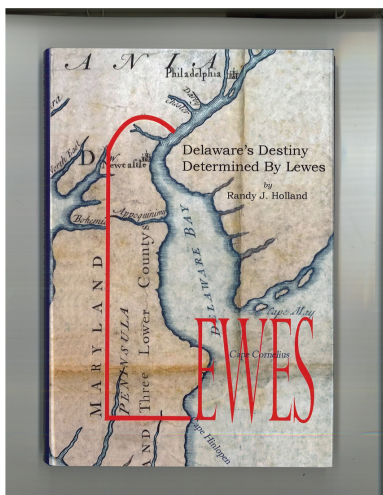
The Foundation seeks support annually from Delaware attorneys and this year, directly from law firms. The response from the Bar continues to be generous.

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 2022. We were pleased to 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.



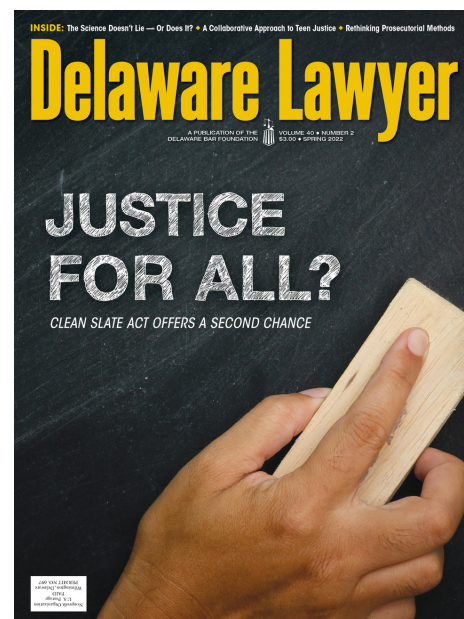
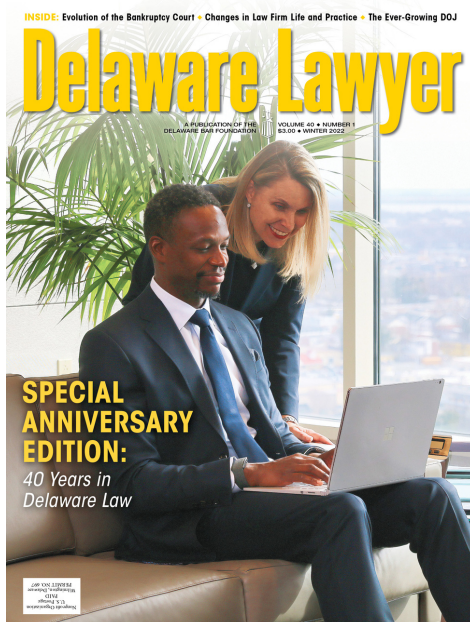
The Delaware Lawyer

Established in 1982, the *Delaware Lawyer*, the Foundation's quarterly journal, celebrated its 40th 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 the Delaware Constitution, a Special Anniversary Edition honoring 40 years in Delaware Law, and Justice for All – Clean Slate Act Offers a Second Chance.

2022 Board of Editors

Chair: Charles J. Durante
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Lawrence S. Drexler
Dominick T. Gattuso
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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 virtually on November 16, 2021. Addressing *Delaware and Covid 19 - A Retrospective*, 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.



Save the Date
2022 Seminar

November 17

Data Privacy Policy & Practice!

Our Supporters

In FY2022, the Foundation proactively worked to develop new funding partners among Delaware's legal community.

We are proud to thank the following Law Firm Partners who stand with us to improve the administration of justice throughout Delaware:

Armstrong Teasdale LLP
Bailey Glasser LLP
Connolly Gallagher, LLP
Duane Morris LLP
Faegre Drinker Biddle & Reath LLP
Gordon Fournaris & Mammarella, PA
Morris Nichols Arsht & Tunnell LLP
Potter Anderson & Corroon LLP
Richards, Layton & Finger, PA
Skadden, Arps, Slate, Meagher & Flom LLP
Troutman Pepper Hamilton Sanders LLP
Young Conaway Stargatt & Taylor, LLP

Our Supporters

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 to the following donors for their cumulative gifts (since 2002):

Serjeants-At-Law

Delaware State Bar Insurance Services, Inc.
Harvey Bernard Rubenstein
Harold Schmittinger**
Daniel and Kimberly Stargatt
Hon. Karen L. Valihura



Justice Partners

Chesapeake Utilities Corporation
William M. Lafferty
William J. Martin, III
Elizabeth M. McGeever
Wendie C. Stabler
William H. Sudell, Jr.
Thomas P. Sweeney

Justice Fellows

Bayard P.A.
Kelly E. Farnan
Michael Houghton
Kathi A. Karsnitz
David C. McBride
Hon. Andrew G.T. Moore**
Francis J. Murphy, Jr.
Hon. E. Norman Veasey

**Deceased

Foundation Fellows

Anonymous Friend of the Foundation

Carol J. Antoff

Armstrong Teasdale LLP

Victor F. Battaglia, Sr.

O. Francis Biondi

Jack B. Blumenfeld

John S. Campbell

Edmund N. Carpenter II**

Todd Victor Clark

Mary E. Copper**

Mark Desgrosseilliers

Steven R. Director

DLA Piper LLP

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L. Vincent Rammuno

B. Wilson Redfearn

Nicholas H. Rodriguez

John F. Schmutz

Carl Schnee**

John H. Small

Bruce M. Stargatt**

Barbara H. Stratton

Hon. William J. Sweet

Robert L. Thomas

Robert Valihura

Gregory P. Williams

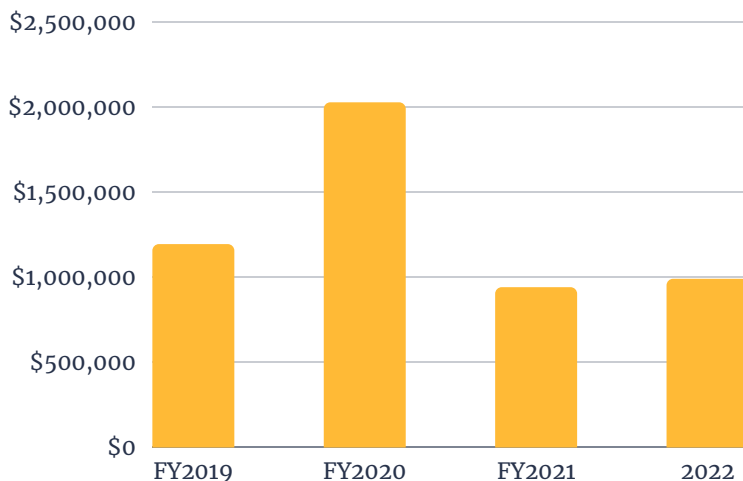
John Legare Williams

Hon. Robert B. Young**

Jeffrey A. Young

Financial Highlights

IOLTA Income

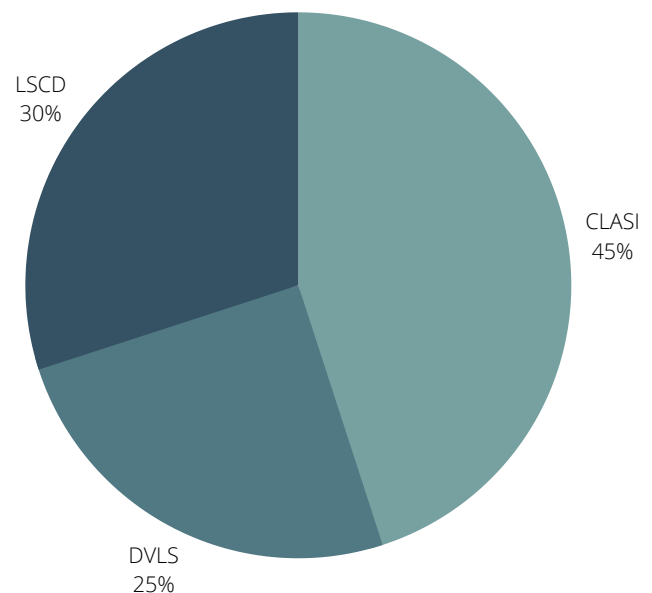


AUDITOR'S REPORT

These financial highlights are derived from unaudited financial results through June 30, 2022. The Foundation's auditor, Papaleo, Rosen & Chelf annually reviews the Foundation's finances.

DIRECTOR'S OVERVIEW

Despite a challenging interest rate environment, the Foundation was able to generate IOLTA revenue and dip slightly into reserves to maintain civil legal aid funding. As the Federal Funds Rate is increased, the Foundation hopes that more robust rates by our partner eligible financial institutions will boost revenues. The Foundation is well-positioned for the future with over \$2,370,000 in equity. We have worked to mitigate operating expenses as increased costs related to data security and technology.



\$34M

IOLTA Funds Distributed
For Legal Aid Since 1981

#21

IOLTA Eligible Financial
Institutions

15,155

Delawareans Explored
Resources at
DELegalHelpLink.com