

**THE NORTH CAROLINA ASSOCIATION OF
BLACK LAWYERS’
LAND LOSS PREVENTION PROJECT**

**DEPARTMENT OF COMMERCE
NATURAL and ECONOMIC RESOURCES
APPROPRIATIONS SUBCOMMITTEE
PRESENTATION REPORT**

**PRESENTED BY:
SAVONALA “SAVI” HORNE
EXECUTIVE DIRECTOR**

February 15, 2011

**THE NORTH CAROLINA ASSOCIATION OF BLACK LAWYERS’
LAND LOSS PREVENTION PROJECT
DEPARTMENT OF COMMERCE
NATURAL and ECONOMIC RESOURCES SUBCOMMITTEE
(State Aid to Non-State Entity)**

February 15, 2011

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**THE NORTH CAROLINA ASSOCIATION OF BLACK LAWYERS'
LAND LOSS PREVENTION PROJECT**

NER APPROPRIATIONS SUBCOMMITTEE PRESENTATION

February 15, 2011

MISSION

The Land Loss Prevention Project (LLPP) was founded in 1982 by the North Carolina Association of Black Lawyers to curtail epidemic losses of Black-owned land in North Carolina. The organization was incorporated in the state of North Carolina in 1983. The organization broadened its mission in 1993 to provide legal support and assistance to all financially distressed and limited resource farmers and landowners in North Carolina. The LLPP is unique in that it is the only non-profit law firm in the country that both provides expansive direct legal assistance to farmers and landowners in a variety of practice areas while maintaining a focus on agricultural law issues.

GOALS OF THE STATE GRANT

The goals for the state grant encompass protecting North Carolina's financially distressed and limited resource family farmers and landowners from actions that may result in the loss of homesteads, land, and livelihoods. The state grant also allows LLPP to provide free and/or reduced cost legal assistance to eligible North Carolinians.

ORGANIZATIONAL STRUCTURE

The LLPP is a non-profit corporation, tax exempt pursuant to Section 501(c)(3) of the Internal Revenue Code. A 13-member board of directors consisting of attorneys, farmers, laypersons, and community advocates governs the organization. The Land Loss Prevention Project consists of nine full-time staff members -- an executive director, six practicing attorneys including the deputy director, one paralegal, and an administrative assistant; one part-time attorney; and a law student intern. The LLPP

conducts its work through two units -- the Litigation Unit and the Sustainable Development and Environment Unit, which share staff. The Litigation Unit performs debt restructuring for farmers in crisis and multi-faceted legal work and educational outreach designed to preserve land tenure for traditionally underserved individuals and families. Encompassed within these efforts is the work of the SmartGrowth Business Center, an internal resource that is an initiative of the Litigation Unit that works with farmers on proactive approaches to maintaining their farm and enhancing risk management through the use of business law. The SmartGrowth Business Center's area of practice includes contract review, choice of business formation, development of cooperatives, and business negotiations. The Business Center also performs educational outreach on business law topics. The Sustainable Development and Environment Unit helps family farmers and landowners explore sustainable agricultural alternatives and works with state, regional and national coalitions and stakeholders that support sustainable agriculture practices and sustainable development through community education and public policy development.

SUMMARY OF SERVICES PROVIDED IN FISCAL YEAR 2009-2010

In the 2009-2010 State fiscal year, the LLPP addressed legal matters in the following areas: agricultural; environmental; real property; consumer protection; wills/estate planning; civil rights; zoning, municipal services; and bankruptcy as a last-resort alternative to foreclosures (farms and/or homes). The SmartGrowth Business Center addressed a variety of matters including those involving rural economic development and farmers' cooperatives. Persistently underserved counties in eastern and western North Carolina were targeted with technical and outreach support through workshops, forums and seminars conducted individually and in collaboration with other organizations. The bulk of the organization's direct legal assistance was provided to financially distressed farmers, farm families, and rural landowners and residents. For example, in fiscal year 2009-2010, the majority of the cases continued to be real property related including environmental, with some 233 cases. Discrimination/civil rights actions involving the United States Department of Agriculture constituted 37 cases. Thirty-six

were agriculture-related matters including issues involving rural economic development and cooperatives. Forty-one matters involved predatory lending, bankruptcy and consumer protection issues. Forty-seven matters involved wills and estate planning and miscellaneous matters involving such issues as tax-exempt status.

PERFORMANCE MEASURES AND ACCOMPLISHMENTS

Performance Measures and Benchmarks

The Land Loss Prevention Project's performance measures, benchmarks and evaluations are based on the following indicators:

- The LLPP provided increased access to legal representation and educational outreach to approximately 400 individuals and community-based organizations and legal assistance was provided in approximately 50% of North Carolina's counties.
- The staff conducts workshops and provides legal assistance on estate planning and will making.
- Direct legal assistance is provided to clients seeking services from the SmartGrowth Business Center's service.

*Farmers' investments are protected and businesses are bolstered from LLPP's legal consultation.

- Expanded educational resources removed legal barriers and access to federal farm programs and agricultural opportunities are provided.

Accomplishments

- The LLPP staff handled 394 legal matters between 7/1/09 and 6/30/10. The LLPP served 74 of the 100 counties in North Carolina and it secured \$2,049,429 in debt relief, loan modifications, and awards for clients. In addition, LLPP reached more than 825 people through in-person community outreach conducted on topics ranging from intergenerational transfer of property

through wills and estate planning and successful utilization of governmental resources as well as the North Carolina Agricultural Mediation Program.

To serve clients more effectively, the Land Loss Prevention Project's collaborative with the following entities: (1) the North Carolina Sustainable Food System Coalition, which supports family and organic farmers; (2) the North Carolina Sustainable Local Food Advisory Council, whose mission is to contribute a local food economy. LLPP's participates as a voice for low-income and minority landowners within the Council as it determines priorities; (3) North Carolina Bar Association's Environmental Law Section Council where LLPP works diligently to encourage members of the bar in private practice, to accept more *pro bono* cases and to expand the members' understanding of environmental justice issues. The Land Loss Prevention Project worked with the *pro bono* project to develop "white papers" addressing rural land and environmental justice issues; (4) National Family Farm Coalition which works to promote food security and economic viability and policy equity for small farmers; and (5) N.C. A & T's annual Small Farms Week in which LLPP traditionally participates.

- The Land Loss Prevention Project was involved in the multi-prong policy advocacy of the Farm and Food Policy Project Diversity Initiative over the span of two years. The Land Loss Prevention Project co-led the Diversity Initiative whose work resulted in a variety of gains in both the 2008 Farm Bill and subsequent USDA policy. The Diversity Initiative was composed of a range of civil rights and land-focused organizations throughout the U.S. working to improve equity for people of color within the food system. The LLPP with its national small farmers and farm workers policy partner, the Rural Coalition, the facilitator of the Farm and Food Policy Diversity Initiative, developed strategies and issued comments in response to USDA's program rulemaking. In September and October 2009, Natural Resources Conservation Services (NRCS) comments were issued to assist the Agency in determining its priorities, program approaches and conservation needs of small farmers, minority and socially-disadvantaged

producers. In April 2010, based on the invited input of members of the Farm and Food Policy Diversity Initiative, the NRCS allowed funding for high tunnels or hoop houses for their economic and environmental benefits. This funding was secured through a cost share program piloted by this initiative. The NRCS can pay up to 90% of the cost of conservation practices for socially-disadvantaged and beginning producers and to advance up to 30% of that amount, which will benefit N.C.'s low-resource and growing population of beginning farmers.

Legal Assistance: Selected Case Summaries

The following summaries present a sample of the cases/matters handled by the LLPP staff:

- In the last half of 2009, the Land Loss Prevention Project assisted a Sampson County client facing foreclosure of her home and 17-acre farm. The LLPP was successful in obtaining a dismissal of the foreclosure action based on procedural defects on the part of the lender. Subsequently, the lender filed a new foreclosure action, and the LLPP was successful in negotiating a loan modification agreement with the lender in the amount of \$74,309.56.
- In the first quarter of 2010, the Land Loss Prevention Project prevailed in the representation of a Cleveland County farmer in *Pigford* Black farmer class action lending discrimination claim against the USDA. The LLPP's work on behalf of the farmer resulted in a reversal of the prior negative decision and awarding of relief the sum of \$1,093,500. In addition, the farmer was forgiven the debt incurred in relation to the Farm Ownership and Operating Loan Programs from April 7, 1981 forward; and a return of any monies collected from the farmer for debt payments by those loan programs from April 7, 1981 forward. The Litigation Unit's involvement with the client is ongoing in order to arrange the orderly provision of relief by the government and assist the client in accessing appropriate professional resources to address various estate planning needs. Thus far, the client has received the first deposit of over one million dollars.

- The Land Loss Prevention Project assisted a Granville County couple in averting property loss due to questionable business practices. The couple had entered into a contract to purchase a modular home to be built on land that they owned and valued at approximately \$10,000. In order to get financing for the home, the couple was told by the modular home builder that they had to deed the property to the builder so that the builder could get financing. When the builder was unable to get credit approval for the couple/buyers, the builder attempted to evict the couple from the land that they had deeded to the builder. The LLPP contested the eviction action and brought counterclaims based on fraud and unfair business practices. The builder agreed to a settlement whereby the builder financed the purchase of the home and deeded the property back to the client.
- The Land Loss Prevention Project has been working with a historically Black community, local government officials, and service providers exploring extending water and sewer amenities to an underserved neighborhood.
- Through negotiation with the lender, establishing sufficient cash flow as a result of agricultural product diversification in collaboration with a Farm and Home Planner from a local partner organization, the LLPP preserved a Franklin County farm against USDA foreclosure. The farmer contacted the LLPP in June 2009 regarding a default on a USDA Farm Service Agency (FSA) Loan. Initially, the client was denied primary loan servicing from the FSA due to FSA's calculations that the farmer had insufficient cash flow. The LLPP appealed the FSA's decision to the National Appeals Division of the USDA and also filed for mediation with the North Carolina Agricultural Mediation Program. With the assistance of the Farm and Home Planner, the LLPP was able to obtain additional farm contracts for the farmer and restructure his finances to the point where the FSA allowed loan modification in March 2010. The client's farm was saved.

- In April 2010, the Land Loss Prevention Project preserved the home of one of its Spanish-speaking clients who was facing foreclosure. The client works in construction and his hours and salary had been cut thus causing him to fall behind in his mortgage payments. The LLPP assisted the client in achieving mortgage modification and having the foreclosure dismissed. Having a bilingual attorney on staff made it possible for LLPP to assist the client. LLPP is seeing an increasing need for bilingual legal assistance.

SmartGrowth Business Center: Helping Farmers Access Opportunity and Manage Risk

Many of the challenges faced by the LLPP's clients involve the acquisition and management of credit. As evidenced by requests for assistance with bankruptcy and foreclosure proceedings, LLPP's clients need for better risk management is typical and urgent. In efforts to address such needs, the LLPP expanded the work of its SmartGrowth Business Center, which allows the organization to broaden its approach to saving family farms. The LLPP used its existing understanding of business law to retain farms and enhanced business viability through legal assistance and education on business entity formation, contractual review, counseling concerning program availability and requirements, and the addressing of credit management.

Examples of legal assistance provided through the SmartGrowth Business Center:

- Drafting enabling documents to access credit for a beginning farmer in Halifax County;
- Drafting articles of incorporation for a Lenoir County farmer;
- Counseling a Chatham County poultry farmer in business entity formation and debt mitigation after loss of a major poultry contract due to the bankruptcy of a poultry integrator;
- Drafting articles of incorporation for a beginning vegetable farmer in Greene County, reviewing his business plan, and assisting farmer in identifying funding for his enterprise;
- Working with another Chatham County farmer who wishes to expand his current enterprise to incorporate raising beef cattle;

- Assisting another client in Lenoir County to establish a regional farming non-profit focused on sustainable agriculture and local economic development;
- Providing a range of legal and technical resource counseling to a young vegetable farmer in Warren County; and
- Providing ongoing assistance to two farming businesses in Bladen County exploring joining forces to pair a farmers' cooperative with an agricultural processing facility to enhance the coop's self-sufficiency.

In outreach efforts in 2009-2010, the SmartGrowth Business Center participated in the following events:

- June 19, 2009: Operation Spring Plant's 2009 Outreach and Farm Management Meeting, Kenansville
- August 5, 2009: North Carolina/South Carolina Associations of Community Development and Food-Based Development Workshop, Greensboro
- September 3, 2009: North Carolina Bar Association's GP/Solo Small Firm Symposium, Cary (LLPP was a co-course planner for Symposium and a presenter on advocacy in the National Appeals Division on behalf of farmers). The Symposium was approved by North Carolina State Bar for continuing legal education credit. The NAD module was designed by the LLPP to encourage *pro bono* or low cost assistance to farm families in need by attorneys in private practice through specialized education.
- September 19, 2009: Melfield United Church of Christ education meeting in Haw River. Audience members were introduced to SmartGrowth and provided information on securing land tenure
- April 12, 2010: Havelock Community Development Association community education event, Havelock, N.C.

- April 16, 2010: North Carolina Agricultural Mediation Program's mediator training, Asheville, N.C. At NCAMP's annual training event, a SmartGrowth attorney provided an orientation concerning the SmartGrowth Business Center and an examination of work that can be provided on behalf of farmers in mediation.

Profile of Farms and Farmers in North Carolina

North Carolina's total farm count continues to decline. The total farm numbers in 2007, including small and limited resource farms, was 52,900, compared with 53,900 counted in the 2002 census. A further decline was seen in the 2008 Annual Farm Numbers report, showing about 52,500 farms. Farms with sales of less than \$1,000, including many of the very small limited resource, retirement, and residential/lifestyle farms totaled 15,900, compared with 13,500 in 2002. This group of farmers accounts for 30% of all farms but less than 1% of total sales. Family farms account for 97% of all farms. About 85% are classified as small family farms. The average age of principal farm operators in North Carolina is 57, compared with 56 in 2002. www.agr.state.nc.us/stats/census/highlights.htm These facts demonstrate three salient factors: the significance of N.C.'s small farm, the graying of the state's farming population, and the need to bolster small farm economic health and fortify the next generation of small farmers.

According to the census' state profile for North Carolina, in 2007, there were 20,146 women operators, with 7,016 farms having a woman principal operator; 887 American Indian/Alaska Native operators; 232 Asian; 1,801 Black or African American; 12 native Hawaiian or other Pacific Islander; 471 "more than one race," and 738 Spanish/Hispanic/Latino. [www.agcensus.usda.gov/Publications/2007/Online_Highlights/County_Profiles/North Carolina/cp99037.pdf](http://www.agcensus.usda.gov/Publications/2007/Online_Highlights/County_Profiles/North_Carolina/cp99037.pdf). Women now account for 13% of all farm operators, up 3% from 2002. These segments of the farming population that are highlighted here are traditionally underserved and can and do benefit from legal assistance provided by the Land Loss Prevention Project.

Land Loss Prevention Project Budget by Fund FY 2010

Fund	*DOC	GF	**IOLTA	**ZSR
Grants	780,000	0	56,000	55,000
Other Grants *		56,500		10,000
Other Income		56,197		
Total Income	780,000	112,697	56,000	65,000
Cash Reserve		33,000		
Total Cash Available	780,000	145,697	56,000	65,000
Expense				
Salaries	415,425	98,625	32,000	45,000
Payroll Taxes	38,780	7,545	2,400	3,400
Health & Other Coverage	117,000	0		
Employer SEP Contribution	25,553	0		
Total Personnel Cost	596,758	106,170	34,400	48,400
Non Personnel:				
Professional Fee	32,000			6,000
Auditor	12,000			
Rent - Facility	24,000	10,000	8,000	7,000
Insurance	17,000			
Communications	4,000	0	3,600	3,600
Postage & Shipping	4,000			
Printing	5,000			
Dues & Subscription	2,400			
License and Fees	8,400			
Office Supplies	6,000			
Library	2,000			
Capital Equipment	8,000			
Relocation & Maint.	7,200			
Travel	20,000	1,000		
Travel - Mileage	1,000	1,000	10,000	
Conf. & Meeting	16,000	2,500		
Board Expenses	2,000			
Storage (Iron Monuntain)	4,000			
Consultants/lobbying	0	25,000		
IT/ Web Hosting	8,242			
Total Non-personnel	183,242	39,500	21,600	16,600
Total Expenses	780,000	145,670	56,000	65,000
Net Balance	0	27	0	1

Land Loss Prevention Project Budget by Fund FY 2010

Fund	TOTAL
Grants	891,000
Other Grants *	66,500
Other Income	56,197
Total Income	1,013,697
Cash Reserve	33,000
Total Cash Available	1,046,697
Expense	
Salaries	591,050
Payroll Taxes	52,124
Health & Other Coverage	117,000
Employer SEP Contribution	25,553
Total Personnel Cost	785,727
Non Personnel:	
Professional Fee	38,000
Auditor	12,000
Rent - Facility	49,000
Insurance	17,000
Communications	11,200
Postage & Shipping	4,000
Printing	5,000
Dues & Subscription	2,400
License and Fees	8,400
Office Supplies	6,000
Library	2,000
Capital Equipment	8,000
Relocation & Maint.	7,200
Travel	21,000
Travel - Mileage	12,000
Conf. & Meeting	18,500
Board Expenses	2,000
Storage (Iron Monuntain)	4,000
Consultants/lobbying	25,000
IT/ Web Hosting	8,242
Total Non-personnel	260,942
Total Expenses	1,046,669
Net Balance	28

**Land Loss Prevention Project Total Amount of Funds Held in Cash, Short and
Long Term Investments As of June 30, 2010**

Funds Held in Cash	<u>June 30, 10</u>	<u>Total</u>
Checking Account		313,007.79
Short Term Investment - CDs		
Unrestrictive Fund	235,481.43	
Temporarily Restrictive Fund	595,454.45	
Permanently Restrictive Fund	<u>40,000.00</u>	
Total Short Term Investment		<u>870,935.88</u>
Total Funds Held in Cash		\$ <u><u>1,183,943.67</u></u>

Land Loss Prevention Project Percent of Funds (all sources) Used for Administrative Purposes FY 2009-2010

	TOTAL	Program Services	Adm.	% of Adm.
Expense				
Personnel				
Salaries	584,706.11	516,706.11	68,000.00	11.63%
Payroll Taxes	48,777.32	43,065.32	5,712.00	11.71%
Health Insurance	111,304.42	97,947.89	13,356.53	12.0%
Employer SEP Contribution	23,939.42	21,066.69	2,872.73	12.0%
Retirement Plan Admin.	1,652.00	1,453.76	198.24	12.0%
Total Personnel	770,379.27	680,239.77	90,139.50	11.70%
Non-personnel				
Professional Fee	45,847.50	40,345.80	5,501.70	12.0%
Consultants	34,170.42	5,670.40	28,500.02	83.41%
Rent - Facility	48,139.70	42,362.94	5,776.76	12.0%
Insurance	27,962.80	24,607.26	3,355.54	12.0%
Communications	14,135.67	12,439.39	1,696.28	12.0%
Storage	6,619.07	6,619.07	0.00	0.0%
Postage & Shipping	3,291.94	2,896.91	395.03	12.0%
Printing	1,229.12	1,229.12	0.00	0.0%
Dues & Subscription	11,052.08	9,725.83	1,326.25	12.0%
Office Supplies	12,306.14	10,829.40	1,476.74	12.0%
Library	2,865.46	2,865.46	0.00	0.0%
Capital Equipment	3,972.04	3,495.40	476.64	12.0%
Equipment Rental	1,260.00	1,108.80	151.20	12.0%
Repairs & Maint.	10,069.81	8,861.43	1,208.38	12.0%
Depreciation Expense	10,645.32	9,367.88	1,277.44	12.0%
Meals & Entert.	638.89	0.00	638.89	100.0%
Travel	21,666.45	21,666.45	0.00	0.0%
Travel - Mileage	10,611.40	10,286.51	324.89	3.06%
Conf. & Meeting	22,742.75	19,985.00	2,757.75	12.13%
Staff Training	1,750.00	1,750.00	0.00	0.0%
Board Expenses	4,686.06	0.00	4,686.06	100.0%
Community Outreach	6,425.00	6,425.00	0.00	0.0%
Website	4,024.06	3,541.17	482.89	12.0%
IT Expenses	10,000.23	8,800.20	1,200.03	12.0%
Bank Charge	503.22	0.00	503.22	100.0%
Litigation Expense	144.95	144.95	0.00	0.0%
Total Nonpersonnel	316,760.08	255,024.37	61,735.71	19.49%
Total Expense	1,087,139.35	935,264.14	151,875.21	13.97%

Land Loss Prevention Project Employees FY 2009-2010

Number of FTE: Twelve employees in total in 2009-2010

The salaries of top 5 highly compensated individuals:

Executive Director	90,000.00
Deputy Director	75,000.00
Senior Attorney	60,000.00
Senior Attorney	47,500.00
Senior Attorney	47,500.00

Benefits include: health insurance, dental insurance, short term & long term disability company retirement contribution, workman's comp, paid time-off (PTO).

Land Loss Prevention Project Board Operations FY 2009-2010

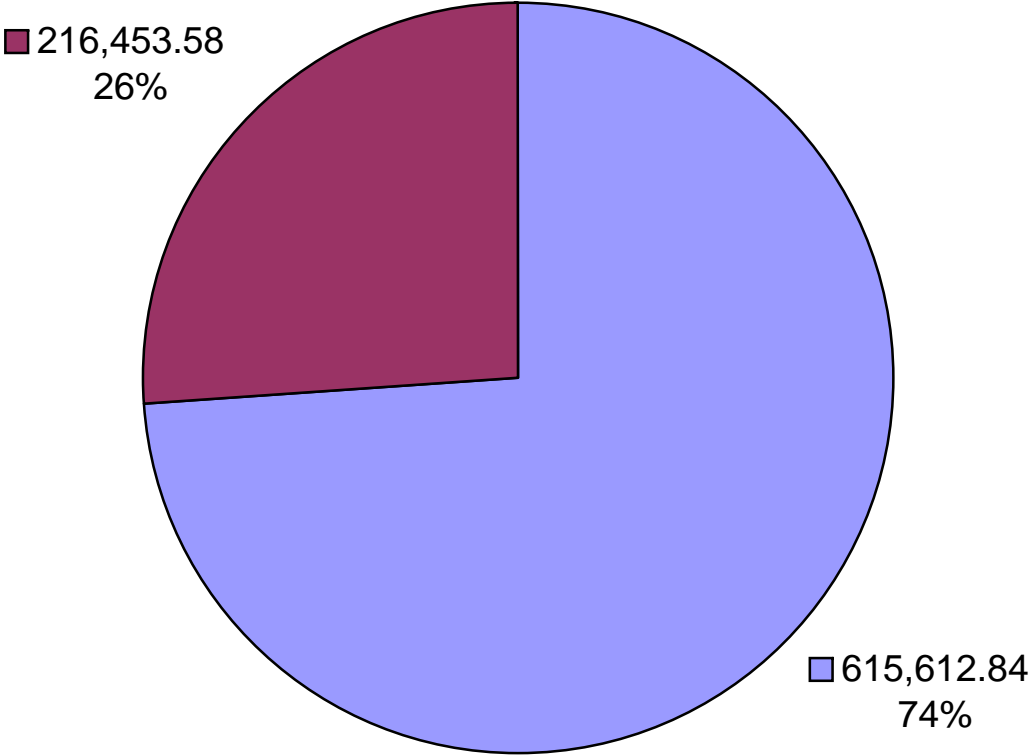
	Number	DOC Fund	General Fund	Total
Number of Board Members	13	N/A	N/A	N/A
Total Expense for Board *	N/A	1,786.32	2,899.74	4,686.06
Frequency of Board Meetings	4 (quarterly)	N/A	N/A	N/A
Per Diem , travel and others paid to board members	N/A	0	0	0

* Note: The board expense charged to DOC includes travel and meal costs for board members who attended the board meetings. The other cost charged to the General Fund include the flight and lodging costs for one board member who attended a conference sponsored by Ford Foundation.

Land Loss Prevention Project Use of State Funds FY 2009-2010

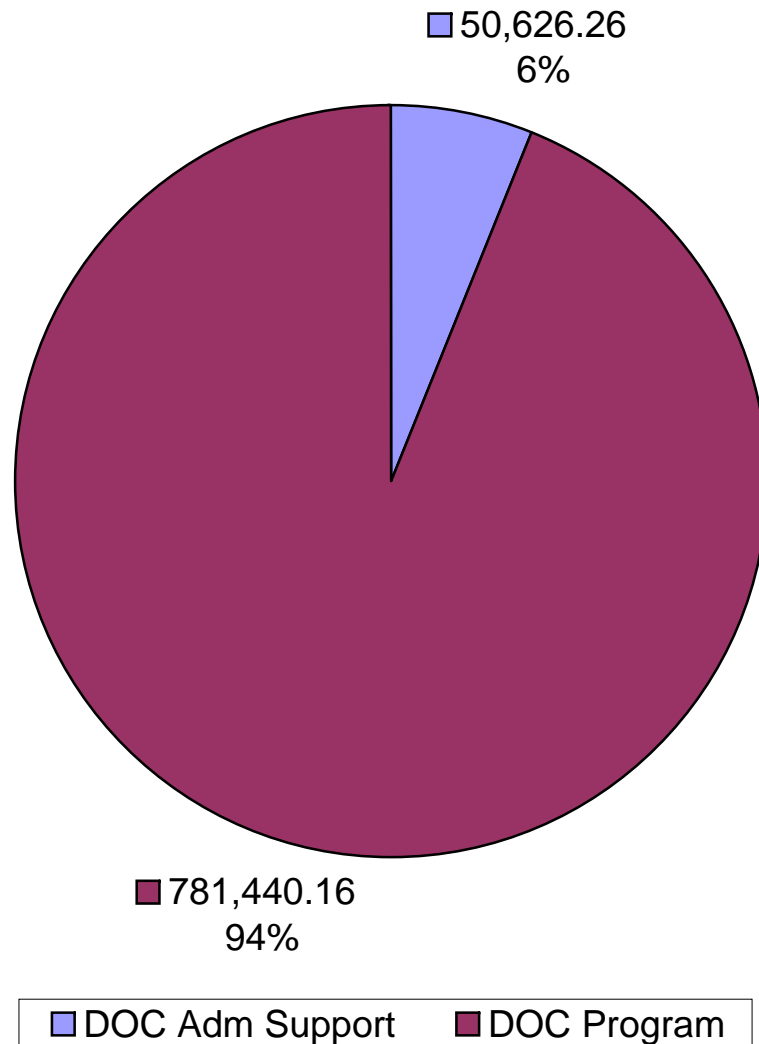
	DOC				Other Sources				TOTAL			
Revenue	832,066.42				255,072.93				1,087,139.35			
	Total	Program Services	Adm. Serv.	% of Adm	Total	Program Services	Adm.	% of Adm	Total	Program Services	Adm.	% of Adm
Expense												
Personnel												
Salaries	444,869.16	432,412.82	12,456.34	2.8%	139,836.95	84,293.29	55,543.66	39.72%	584,706.11	516,706.11	68,000.00	11.63%
Payroll Taxes	36,847.84	35,816.10	1,031.74	2.8%	11,929.48	7,249.22	4,680.26	39.23%	48,777.32	43,065.32	5,712.00	11.71%
Health Insurance	108,304.42	95,307.89	12,996.53	12.0%	3,000.00	2,640.00	360.00	12.0%	111,304.42	97,947.89	13,356.53	12.00%
SEP Contribution	23,939.42	21,066.69	2,872.73	12.0%	0.00	0.00	0.00	0.00	23,939.42	21,066.69	2,872.73	12.00%
Retirement Plan Adm.	1,652.00	1,453.76	198.24	12.0%	0.00	0.00	0.00	0.00	1,652.00	1,453.76	198.24	12.00%
Total Personnel	615,612.84	586,057.26	29,555.58	4.80%	154,766.43	94,182.51	60,583.92	39.15%	770,379.27	680,239.77	90,139.50	11.70%
Non-personnel												
Professional Fee	38,790.00	34,135.20	4,654.80	12.0%	7,057.50	6,210.60	846.90	12.0%	45,847.50	40,345.80	5,501.70	12.00%
Consultants	0.00	0.00	0.00	0.00	34,170.42	5,670.40	28,500.02	83.41%	34,170.42	5,670.40	28,500.02	83.41%
Rent - Facility	37,044.82	32,599.44	4,445.38	12.0%	11,094.88	9,763.49	1,331.39	12.0%	48,139.70	42,362.94	5,776.76	12.00%
Insurance	21,962.80	19,327.26	2,635.54	12.0%	6,000.00	5,280.00	720.00	12.0%	27,962.80	24,607.26	3,355.54	12.00%
Communications	7,353.73	6,471.28	882.45	12.0%	6,781.94	5,968.11	813.83	12.0%	14,135.67	12,439.39	1,696.28	12.00%
Storage	6,619.07	6,619.07	0.00	0.0%	0.00	0.00	0.00	0.00	6,619.07	6,619.07	0.00	0.00%
Postage & Shipping	3,291.94	2,896.91	395.03	12.0%	0.00	0.00	0.00	0.00	3,291.94	2,896.91	395.03	12.00%
Printing	1,229.12	1,229.12	0.00	0.0%	0.00	0.00	0.00	0.00	1,229.12	1,229.12	0.00	0.00%
Dues & Subscription	9,188.04	8,085.48	1,102.56	12.0%	1,864.04	1,640.36	223.68	12.0%	11,052.08	9,725.83	1,326.25	12.00%
Office Supplies	10,693.50	9,410.28	1,283.22	12.0%	1,612.64	1,419.12	193.52	12.0%	12,306.14	10,829.40	1,476.74	12.00%
Library	2,865.46	2,865.46	0.00	0.0%	0.00	0.00	0.00	0.00	2,865.46	2,865.46	0.00	0.00%
Capital Equipment	3,972.04	3,495.40	476.64	12.0%	0.00	0.00	0.00	0.00	3,972.04	3,495.40	476.64	12.00%
Equipment Rental	1,260.00	1,108.80	151.20	12.0%	0.00	0.00	0.00	0.00	1,260.00	1,108.80	151.20	12.00%
Repairs & Maint.	10,069.81	8,861.43	1,208.38	12.0%	0.00	0.00	0.00	0.00	10,069.81	8,861.43	1,208.38	12.00%
Depreciation Expense	0.00	0.00	0.00	0.00	10,645.32	9,367.88	1,277.44	12.0%	10,645.32	9,367.88	1,277.44	12.00%
Meals & Entert.	0.00	0.00	0.00	0.00	638.89	0.00	638.89	100.0%	638.89	0.00	638.89	100.00%
Travel	20,915.77	20,915.77	0.00	0.0%	750.68	750.68	0.00	0.0%	21,666.45	21,666.45	0.00	0.00%
Travel - Mileage	3,285.62	3,285.62	0.00	0.0%	7,325.78	7,000.89	324.89	4.43%	10,611.40	10,286.51	324.89	3.06%
Conf. & Meeting	19,985.00	19,985.00	0.00	0.0%	2,757.75	0.00	2,757.75	100.0%	22,742.75	19,985.00	2,757.75	12.13%
Staff Training	1,750.00	1,750.00	0.00	0.0%	0.00	0.00	0.00	0.00	1,750.00	1,750.00	0.00	0.00%
Board Expenses	1,786.32	0.00	1,786.32	100.0%	2,899.74	0.00	2,899.74	100.0%	4,686.06	0.00	4,686.06	100.00%
Community Outreach	0.00	0.00	0.00	0.00	6,425.00	6,425.00	0.00	0.0%	6,425.00	6,425.00	0.00	0.00%
Website	4,024.06	3,541.17	482.89	12.0%	0.00	-0.00	0.00	0.00	4,024.06	3,541.17	482.89	12.00%
IT Expenses	10,000.23	8,800.20	1,200.03	12.0%	0.00	0.00	0.00	0.00	10,000.23	8,800.20	1,200.03	12.00%
Bank Charge	366.25	0.00	366.25	100.0%	136.97	0.00	136.97	100.0%	503.22	0.00	503.22	100.00%
Litigation Expense	0.00	0.00	0.00	0.00	144.95	144.95	0.00	0.0%	144.95	144.95	0.00	0.00%
Total Non Personnel	216,453.58	195,382.89	21,070.69	9.73%	100,306.50	59,641.48	40,665.02	40.54%	316,760.08	255,024.37	61,735.71	19.49%
Total Expense	832,066.42	781,440.16	50,626.26	6.08%	255,072.93	153,823.98	101,248.95	39.69%	1,087,139.35	935,264.14	151,875.21	13.97%

Personnel vs Non-personnel
DOC Fund

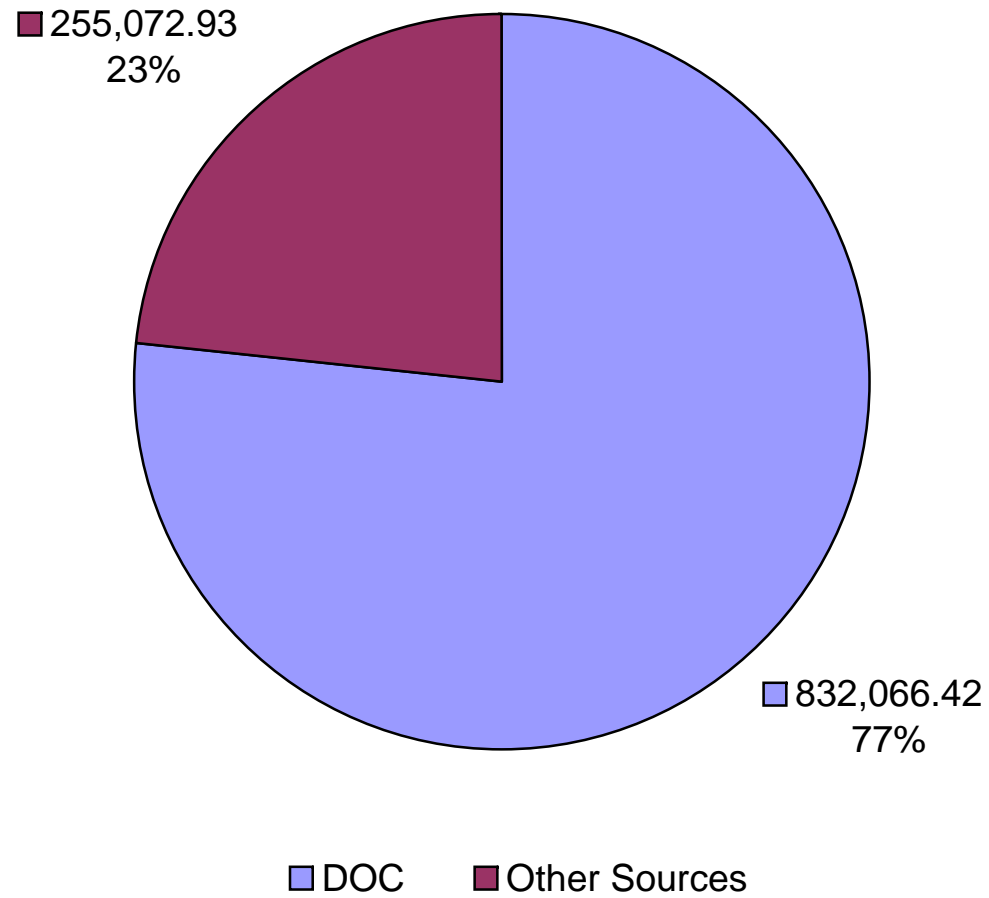


DOC Personnel DOC Non-Personnel

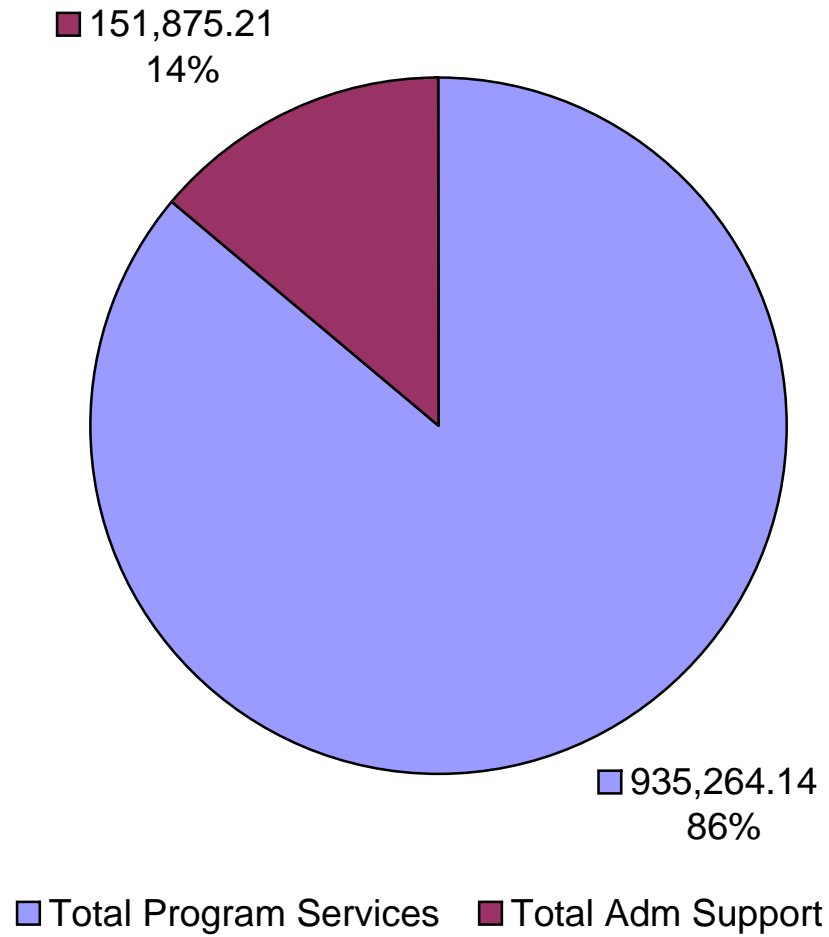
Program Expense vs Administrative Expense DOC Fund



DOC Funds vs Other Source of Funds



Total Program Expense vs Total Administrative Expense



LAND LOSS PREVENTION PROJECT



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**NER APPROPRIATIONS
SUBCOMMITTEE
PRESENTATION
February 15, 2011**

OUR MISSION

The Land Loss Prevention Project (LLPP) was founded in 1982 by the North Carolina Association of Black Lawyers to curtail epidemic losses of Black owned land in North Carolina. LLPP was incorporated in the state of North Carolina in 1983. The organization broadened its mission in 1993 to provide legal support and assistance to all financially distressed and limited resource farmers and landowners in North Carolina.

BOARD AND STAFF

- The LLPP is a non-profit corporation, tax exempt pursuant to Section 501(c)(3) of the Internal Revenue Code.
- A 13-member board of directors consisting of attorneys, farmers, laypersons, and community advocates governs and provides leadership to the organization.
- The LLPP has nine full-time staff members; an executive director, six practicing attorneys including the deputy director, one paralegal, an administrative assistant; one part-time attorney; and a law student intern.

GOALS FOR THE STATE GRANT



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- The goals for the state grant encompass protecting North Carolina's financially distressed and limited resource family farmers and landowners from actions that may result in the loss of homesteads, land, and livelihoods.
- The state grant allows LLPP to provide free and/or reduced cost legal assistance to eligible North Carolinians.

PROGRAM OVERVIEW

- LLPP conducts its work through two units: The Litigation Unit and the Sustainable Development and Environmental Unit
- The Litigation Unit performs debt restructuring for farmers in crisis and multi-faceted legal work and educational outreach to preserve land tenure for traditionally underserved individuals and families.

PROGRAM OVERVIEW

- The SmartGrowth Business Center, an internal resource that is an initiative of the Litigation Unit, works with farmers maintaining their farm and enhancing risk management through the use of business law.
- The Sustainable Development and Environment Unit helps family farmers and landowners explore sustainable agricultural alternatives.

SERVICES PROVIDED:

Litigation Unit

- Litigation Unit provides litigation, advice and brief counsel on legal matters in the following areas:
 - environmental;
 - agriculture,
 - real property;
 - consumer protection;
 - wills/estate planning;
 - civil rights; zoning,
 - municipal services, and
 - bankruptcy as a last-resort alternative to foreclosures (farms and/or homes).

The bulk of the organization's direct legal assistance was provided to financially distressed farmers, farm families, and rural landowners and residents.

SERVICES PROVIDED:

SmartGrowth Business Center

- An internal resource of the Litigation Unit

Areas of practice include:

- contract review;
- choice of business formation;
- development of cooperatives; and
- business negotiations.

SERVICES PROVIDED:

Sustainable Development and Environment Unit

Helps family farmers and landowners explore sustainable agricultural alternatives and works with state, regional and national coalitions and stakeholders that support sustainable agriculture practices and sustainable development through community education and public policy development.

PERFORMANCE MEASURES:

- Performance measures, benchmarks and evaluations are based on the following indicators:
 - The LLPP provided increased access to legal representation and educational outreach to approximately 400 individuals and community-based organizations and legal assistance was provided in approximately 50% of North Carolina's counties.
 - The staff conducts workshops and provides legal assistance on estate planning and will making.

PERFORMANCE MEASURES:

- Direct legal assistance is provided to clients seeking services from the SmartGrowth Business Center's service.
 - Farmers' investments are protected and businesses are bolstered from LLPP's legal consultation
- Expanded educational resources removed legal barriers and access to federal farm programs and agricultural opportunities are provided.

Accomplishments

- The LLPP staff handled **394** legal matters between 7/1/09 and 6/30/10.
- The LLPP served clients in **74** of the **100** counties in North Carolina.
- The Land Loss Prevention Project secured **\$2,049,429** in debt relief, loan modifications, and awards for clients.
- In addition, LLPP reached over **825** people through in-person community outreach conducted on topics ranging from intergenerational transfer of property through will making and agricultural mediation.

Accomplishments

A total of 394 Legal Matters Handled in 74 Counties

<u>CASE TYPE</u>	<u>NUMBER OF MATTERS</u>
Real property	233
Wills, miscellaneous matters, i.e. tax-exempt status	47
Foreclosure defense, bankruptcy, consumer issues	41
Discrimination/civil rights actions involving the USDA	37
Other agriculture-related matters	36

LLPP-- Changing the Future

The LLPP is unique in that it is the only non-profit law firm in the country that provides expansive direct legal assistance to farmers and landowners in a variety of practice areas while maintaining a focus on agricultural law issues.



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For More Information

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