



## Real Kids, Real Tickets, Real Courts...

YOUTH RIOTS IN LONDON LAST SUMMER PROMPTED UK justice minister **Crispin Blunt** to visit Texas to study how we “deal with gangs, unruly young people, and juvenile justice.”

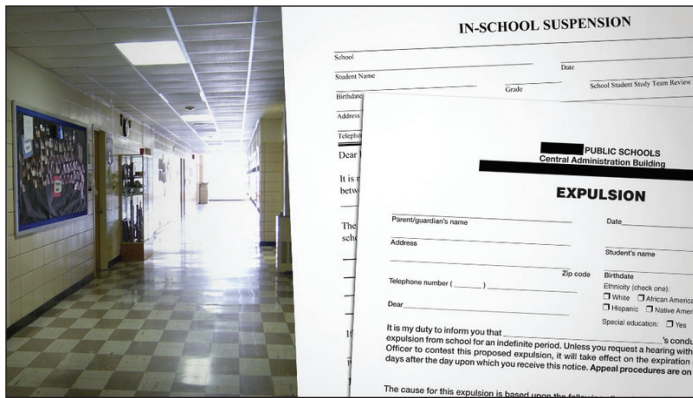


Photo: Todd Wiseman/The Texas Tribune; Sameer Vasta/Creative Commons

Britain’s leading newspaper, *The Guardian*, expanded on that fact-finding tour—and recently published a lengthy interview with Texas Appleseed on school policing and the impact of Class C misdemeanor ticketing on students.

“As almost every parent of a child drawn into the legal labyrinth by school policing observes, it wasn’t this way when they were young,” states *The Guardian*. “Students are regularly fined for ‘disorderly behavior,’ which includes playground scraps not serious enough to warrant an assault charge, or for swearing or an offensive gesture.”

Our **Deputy Director Deborah Fowler** says ticketing at school is often “an overreaction to behavior that others would generally think of as childish, rather than law breaking. Also, too many

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## THE LATEST...

### PEOPLE

■ **We want to thank Mark Wawro**, Houston partner with Susman Godfrey L.L.P., for his terrific leadership as Board Chair over the past two years. He has championed our work and challenged us to stretch our justice reach!

■ **Allene Evans is the new Chair** of Texas Appleseed’s 28-member Board. We are excited about Allene’s new role in helping us address barriers to justice facing the most vulnerable. **George Butts** will serve as Secretary Treasurer in 2012. Both head their own Austin law firms.

### PROJECTS

■ **RGK Foundation is generously helping** underwrite our foster care work. Also, Texas Appleseed is one of 300 nonprofits from across the country whose video profile is being included in a national Giving Library, at the invitation of the **Laura and John Arnold Foundation**.

## Better Options to Payday Loans?

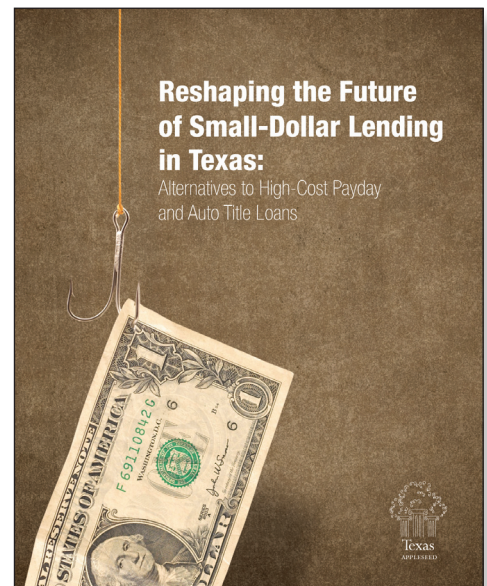
YES, THE MARKET IS LISTENING! Texas Appleseed’s new report—*Reshaping the Future of Small-Dollar Lending in Texas*—highlights eight lower-cost, small-dollar loan products that are competing in a Texas market now dominated by high-cost payday and auto title lenders.

“To expand and improve affordable small-dollar loan options, the State of Texas must enforce basic standards for affordable credit,” said Texas Appleseed’s **Senior Policy Analyst Ann Baddour**.

New state licensing and disclosure requirements for payday and auto title businesses took effect in January, but these lenders can still sidestep the state’s consumer lending laws and charge 500% APR and high recurring fees.

Consumer lending experts with the **Federal Reserve Bank of Dallas**, the **FDIC**, **RAISE Texas**, and **Citi Community Development** served as advisors on this report, available online at [www.texasappleseed.net](http://www.texasappleseed.net).

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## Viewpoint

by Deborah Fowler

Deputy Director, TEXAS APPLESEED

## Stop Trying to Fix What's Hopelessly Broken

Recent *New York Times-Texas Tribune* revelations of safety concerns in state-run secure juvenile facilities confirm that we are not going the distance in protecting youth.

We raised many of these same concerns 18 months ago in a complaint letter to the U.S. Department of Justice. Despite the state-mandated reforms of 2007 and 2009 and the restructuring of Texas' juvenile justice system last year, the problems continue. They cannot be explained away by budget cuts. Texas has closed nine secure facilities since 2007—leaving only six to serve about 1,200 youth in largely rural parts of the state.

Parents frequently call us panicked by their inability to protect their son or daughter in these facilities. Many say their child is being targeted by other youth and have no choice but to ask to be moved to a security wing, foregoing school and important treatment in order to feel safe. And this is happening on a large scale, according to data obtained by the *Texas Tribune*. On 400 separate occasions in 2011, youth asked to move to security—some of them staying days, weeks or even months in virtual isolation.

Texas lawmakers voted last year to restructure the juvenile justice system—and to prioritize less costly community-based programs that have proven more effective in rehabilitating youth. It is time for the State to divest itself of more remote youth lock-ups, and to stop trying to fix what is hopelessly broken.

Download "More Young Inmates Attack One Another," *New York Times-Texas Tribune*, at [www.texasappleseed.net](http://www.texasappleseed.net).

## THE LATEST...

### PEOPLE

■ **Chair Emeritus Chrys Dougherty**, the "father of pro bono" in Texas, inspires our work every day. His story of creating Texas Appleseed to "plant the seeds of justice" is now part of the American Folklife Center at the **Library of Congress**. Our Executive Director **Rebecca Lightsey** interviewed him as part of the nation's largest oral history project sponsored by StoryCorps.

■ **Joining Texas Appleseed to handle** our foster care work is new staff attorney **Brett Merfish**. She holds degrees in law and public policy and previously worked for Patton Boggs in Washington, D.C.

### PROJECTS

■ **Attorneys at Baker Botts L.L.P.** are volunteering their time to help us analyze the quality of education provided in Texas' 34 secure county post-adjudication facilities. This study is timed with the State's new focus on rehabilitating youth closer to home.

■ **Improved drainage is coming to** colonias in Hidalgo, Willacy, and Cameron counties that were badly flooded during Hurricane Dolly. It took more than a year for Appleseed and other advocates to convince local decision-makers to spend a portion of the region's share of federal disaster recovery funds on these poor, unincorporated neighborhoods. Hidalgo County, alone, has pledged \$14 million to upgrade colonia drainage.

Following @texasappleseed on Twitter are individuals, the media, elected officials, law schools, policy research centers, and advocates. Among our followers: @NoLoansharking, @HarvardCRCL, @ChildWelfareHub, and @LatinoTimes. Join us on Twitter!

## 4 REASONS:

# Why We Honor “Good Apples”



## 1 We appreciate our justice champions!

Appleseed Board member Mark Glasser presents Good Apple Award to retired Texas Supreme Court Justice Harriet O'Neill



## 2 Our pro bono partners deserve special thanks!

L-R: Texas Appleseed Board member Jim George with Karyl Van Tassel and Jamie Bailey, representing Pro Bono Leadership Award honoree FTI Forensic



## 3 Our friends like to meet... L-R: Monica Jacobs, Kerry Cammack, Karen and Charles Matthews



## 4 ...and greet at the Good Apple Dinner!

L-R: David Beck, Lee Godfrey, and Texas Appleseed Board member Michael Lowenberg

## Real Kids *Continued from page 1*

children are ticketed for misbehavior related to their emotional disabilities.” Ticketed students must go to adult municipal or justice of the peace court with their parents and can face fines of up to \$500, community service, and risk a criminal record. Our research shows that about 275,000 Class C misdemeanor tickets are issued in Texas schools annually. For example:

- **ML**, a 16-year-old boy with autism, was ticketed in Clear Creek ISD in April 2010 for Assault by Contact for kissing another special needs student on the cheek and on the mouth.
- **HK**, a 14-year-old girl in Montgomery County, was ticketed in April 2011 for Disruption of Class after another student dumped a sack of flour on her at a pep rally. HK did not provoke the incident. Both girls were ticketed for the “fight” under the common practice of ticketing all parties involved irrespective of bullying or self-defense. HK, president of the National Honor Society, had never been in trouble before. She was also suspended for three days.
- **BJ**, 13, a special education student, has not attended her San Antonio middle school since November. Her mother withdrew her because she cannot afford the tickets that BJ receives at school. The six tickets BJ received as a 12-year-old for verbal outbursts were ultimately dismissed, and her new Behavioral Improvement Plan outlines different ways to manage BJ’s behavior. But, her mother says a new assistant principal has threatened her daughter with more tickets. BJ has not returned to school.

## Payday Loans *Continued from page 1*

Pro bono partners Will Dibrell and Cliff Ernst with **Graves Dougherty Hearon & Moody** and a team from **Akin Gump Strauss Hauer & Feld LLP** led by Phyllis Young provided research support.

“Payday loans are expensive, trap borrowers in a cycle of debt, and work against financial stability and building savings,” Baddour said. The small-dollar loan products profiled in the new Appleseed report are affordably priced, include a longer repayment period, encourage savings and credit building, and provide access to financial education.

“Unfortunately, individuals needing access to small-dollar loans are more likely to turn to lenders whose storefronts and advertising they see every day. Holding payday and auto title businesses to the same rate and fee standards as licensed consumer lenders will help expand affordable small-dollar loan options in Texas,” Baddour said.

If someone you know has been a victim of payday or auto title lending abuses, let us know at [info@texasappleseed.net](mailto:info@texasappleseed.net). Visit [StopPaydayAbuse.org](http://StopPaydayAbuse.org) to learn more about how you can help.

Texas Supreme Court  
Chief Justice  
Wallace B. Jefferson  
congratulates  
Justice RET.  
Harriett O'Neill  
on her 2011  
Good Apple Award



See Inside:

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## Texas Appleseed: The Cost Benefit of Greater Justice

"Last year, we teamed with **FTI Forensic & Litigation Consulting Practice** to produce an economic analysis that state lawmakers relied upon to restructure Texas' juvenile justice system to prioritize community-based rehabilitation. We recently completed a cost analysis of court practices affecting the outcomes of children in long-term foster care. It showed that courts using best practices move foster children more quickly into safe, permanent homes, saving money over the long term. We will soon partner with **Jones Day** and **Texas State** and **Texas Tech universities** to evaluate whether best practices in school discipline also have a positive economic impact. Demonstrating the cost benefit of greater justice can help build the case for positive change."

**Rebecca Lightsey** Executive Director

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