

## support...

### Donations:

Although we charge some of our clientele on a sliding financial scale in order to bring ownership to the process, this ministry is not self-sustaining. The majority of our support requires the partnership of God's people to financially enter in, take up the cause and give generously so this ministry may continue.

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New Covenant Legal Services  
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SUMMER 2019

# URBAN JUSTICE

## newsletter

A publication of New Covenant Legal Services

## volunteer...

While the bulk of the legal work of NCLS is done by its director, we rely on volunteers including attorneys and others who are willing to help the urban poor work through legal issues. The St. Louis Christian legal community is blessed with an extraordinary number of talented and experienced law professionals and part of our mission is to engage and coordinate these legal resources.

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### When Do We Fight City Hall (or the State)?

**"Let everyone be subject to the governing authorities, for there is no authority except that which God has established. The authorities that exist have been established by God. Consequently, whoever rebels against the authority is rebelling against what God has instituted, and those who do so will bring judgment on themselves. For rulers hold no terror for those who do right, but for those who do wrong.**

*Romans 13:1-3*



Jamie Wesley

Post-Dispatch photo by Tony Messenger

As Christians we take seriously the words of the Apostle Paul in Romans 13 which requires an attitude of personal submission to government authorities. These verses, however, are counterbalanced by repeated scriptures and admonishments to plead the cause of the widows, orphans, prisoners, and others who are mistreated because of their status, even when it is at the hands of government authorities. So, while our attitude towards state and local government authorities needs to be one of respect, sometimes God calls us to take a stand against state-sanctioned injustice. Because

of that, each month we turn down 3-4 cases involving allegations of misconduct by various government law enforcement officials. In most of these cases, we investigate and determine that the available evidence is not sufficient to support the allegations. However, we have recently taken two cases of serious government misconduct. These cases have been reported in summary fashion in previous newsletters. Both of the clients have allowed us to use their names.

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### Intern Spotlight: Keannah Moore

We are very excited to welcome our new summer intern, Keannah Moore! Keannah was born and raised in St. Louis, Missouri. While she was growing up, her parents worked on staff at Life Church in Fenton. Keannah and her older brother, Kameron, frequently attended services every Sunday morning and Tuesday night. Currently she attends Kingdom Church in St. Louis City. Growing up in a church taught her many lessons about cultural differences that she has taken with her throughout her high school and college career.

She transferred to Tower Grove Christian Academy in her sophomore year of high school, and it became apparent that God's favor was upon her when she was voted class president within the first two weeks of school. While there, she was introduced to a new love of English, and she and her English teacher spent time perfecting her skills. This proved to be very valuable to her growth as a student. Through hard work and persistence, Keannah graduated as salutatorian from her high school in 2017. During her time at Tower Grove Christian Academy she raised over \$300 in school funds as Student Body president and was voted Best Student by her teachers.

Keannah has spent the last two years taking courses at Evangel University. She is majoring in Government with a Spanish minor and is transferring to Howard University in Washington



Summer Intern Keannah Moore

D.C. in the Fall 2019 to complete her degrees. She is currently volunteering as an intern at NCLS and plans to spend her future fighting for people who cannot represent themselves. She also plans to continue to offer service to people in need while she finishes her schooling. Keannah cannot wait to see what God has in store for her in the near future, and we are thrilled that NCLS will be part of that process!





Simeon Mitchell

One of these is the case of Simeon Mitchell, who was the victim of police misconduct. In Simeon's case, we were able to not only reach a settlement that was satisfactory for both sides, we also helped bring justice in a peaceful and respectful manner. Simeon was compensated for the emotional trauma of what happened, and the officer responsible was

terminated for his ungodly actions. As the case was referred through church channels by trusted individuals, it was definitely a case NCLS felt was a very worthy cause!

A more recent case is one that required NCLS to file a lawsuit against the Missouri Family Support Division of the Missouri Division of Social Services concerning the abusive tactics frequently used to collect past child support arrearages. While NCLS strongly supports non-custodial parents taking full responsibility for making child support payments to a parent who has custody of children, a recent case has demonstrated that many of the practices of FSD are counterproductive in that pursuit. As a matter of fact, practices such as suspending licenses or freezing bank accounts as collection tactics for child support arrearages may accomplish the exact opposite. That is particularly true when they are asked to pay significant amounts of money in support payments when they are incarcerated.

Our client, Jamie Wesley, was previously incarcerated for 12 years. When Jamie was released from prison on parole in 2017, he had \$42,000 in outstanding child support payments according to the State. Much of the debt had accumulated while he was in prison and had no income. These issues, particularly those concerning the aggressive child support collections tactics that Family Services Department (FSD) engages, have caught the attention of others including Tony Messenger of the St. Louis Post Dispatch. Mr. Messenger is a Pulitzer Prize winning journalist who has written previous articles concerning the revoking of driver's licenses. He recently wrote an article concerning Jamie's case which was featured in the Post-Dispatch several weeks ago and which is

included in this newsletter. His article also sparked an editorial article that was published in the Post a couple of days later. As described in more detail in the article, the Judge who originally sentenced Jamie, E. Richard Webber, initiated a meeting with Jamie after he was paroled. Through the efforts of the Judge and Jamie's parole officer, he was able to obtain a job as a truck driver shortly after his release.

NCLS represented Jamie in an Administrative Hearing in late March contesting both the enormous amount of child support payments FSD was saying Jamie owed as well as the treatment he was receiving from their department. After an unfavorable hearing decision, NCLS filed suit against FSD. The lawsuit challenges the FSD policy of accumulating huge child support debts when people are incarcerated and have no income. Additionally, we allege that the suspending of driver's licenses, placing liens on bank accounts, and other aggressive forms of collections are unreasonable and unconstitutional, particularly when they are done without a hearing or any type of minimal due process. This is very similar to another Missouri State practice, which was recently ruled unconstitutional by the Missouri Supreme Court; namely, jailing individuals who lack sufficient resources to pay court fees.

When we take on constitutional cases such as Jamie's and Simeon's, NCLS often incurs significant out-of-pocket costs including filing fees, deposition costs, and the like. In Simeon's case we were able to settle the case early in the litigation process as it was based on very strong facts and well-established Constitutional Law principals. In Jamie's case we anticipate that the FSD will not settle early in the process because we are challenging long-standing and very lucrative collection practices.

Our estimate is that the out-of-pocket costs will be in the \$30,000-40,000 range. Jamie is prepared to assume a portion of these costs as he is now back at work; however, he does not have the ability to assume it all. At this writing we are exploring ways to obtain funding from a foundation or public-interest organization. Legal fees can be a crushing expense for those who are seeking help, and NCLS hopes to ease that burden. If you feel called to relieve the incurred legal fees of Jamie and other NCLS clients, please consider donating to our cause today!

**"He sat down opposite the treasury and observed how the crowd put money into the treasury. Many rich people put in large sums. A poor widow also came and put in two small coins worth a few cents. Calling his disciples to himself, he said to them, 'Amen, I say to you, this poor widow put in more than all the other contributors to the treasury. For they have all contributed from their surplus wealth, but she, from her poverty, has contributed all she had, her whole livelihood.'**

*Mark 12: 41-44*

Earlier this year we resolved the case of an elderly man who had some old traffic tickets in a Municipal Court in North St. Louis County. The Municipal Court is one of the eight or ten courts that has had a history of taking advantage of poor people by charging exorbitant sums for simple traffic offenses and then jailing them when they are unable to pay. Our client, who I call "George," had received some minor traffic violations several years ago. The Court charged him over \$450 in fines and forced him to spend several days in jail when he was unable to pay and missed a court appearance because of his health. George is very ill and undergoing chemotherapy treatments for cancer. He has difficulty walking and can no longer drive a car.

I appeared with him in court late last summer to attempt to resolve the tickets. Unbelievably, a sign was on the door that said "due to unforeseen circumstances" the Court was closed that evening and was not going to be held! I spent about 30 minutes driving to the Court and George had secured a ride with a relative at some significant time and expense. Although

this is a very unusual occurrence, it does occasionally happen in some of the smaller municipalities. Sometimes a case simply is not placed on the docket and someone shows up for court and is told to come back on another date. This is interesting because when George missed a previous court date a warrant was immediately placed for his arrest and he was forced to spend several days in jail until he could bond out. I think it would be an interesting result if the city officials who cancel court dates would have to spend a day or two in jail when they miss a court date!

When I finally was able to get to the Court, I pled the case before the Judge, explaining George's health problems. The Judge agreed to reduce the fine to a relatively small amount that George was able to pay.

Three weeks ago, we got an envelope in the mail from George. When we opened it, we were shocked to find a contribution for \$50; this man has barely enough income to survive but he was willing to contribute \$50 to NCLS so that we can help other people on fixed incomes. Beth and I were moved to near tears when we saw the received the contribution in the mail.

It is a fairly frequent occurrence that some of our clients are moved to contribute back to NCLS. When we conclude a case with a client, we always put them on the mailing list. We say to them, with tongue firmly in cheek, if you ever win the lottery, please remember NCLS! George had not won the lottery, but he gave out of his heart felt appreciation of our assistance to him. We have had over 300 different individuals contribute to NCLS since 2014. Many of them, like George, contribute a "widow's mite" of contributions that are not only meaningful but continue to encourage our hearts to provide our clients with high quality legal services.

## **our mission >>>**

New Covenant Legal Services ("NCLS") provides legal services to individuals on fixed and limited incomes who cannot afford legal services. Our mission is to demonstrate that Jesus Christ's love and justice are sovereign in the world. This mission will be accomplished through a Christ-centered approach to solving legal problems and achieving justice in partnership with churches in the metropolitan St. Louis area.