



# PEGASUS

Legal Services for Children

Promoting and defending the rights of children and youth to safe and stable homes, quality education and healthcare, and a voice in the decisions that affect their lives.



**ANNUAL REPORT**  
**2019-2020**

# LETTER FROM THE BOARD CHAIR

**How does one properly describe 2020 and the anguish COVID-19 has brought?**

The degree to which our lives have changed in just a matter of months would be inconceivable had it not actually happened. Although there is some comfort that the whole world is in it together, it does not make it any easier. This horrible pandemic has not only sickened and killed, it has left many jobless and distressed, further pressuring so many already vulnerable children and families in New Mexico.

Under the leadership of Executive Director Bette Fleishman, Pegasus has remained open, albeit remotely, to serve New Mexico's most at risk children, young people, and families. From working from home to virtual court hearings, Pegasus attorneys and staff are adjusting to this new lifestyle. Even with these challenges, Pegasus is responding to the ever increasing needs of this community by taking new clients and providing the same quality legal representation for which this great organization has come to be known.

Through the great generosity of our donors, in fiscal year 2019/2020 Pegasus raised a total



of \$144,558 for our work. Unfortunately, this pandemic is crippling financials across this nation. Like other non-profits, Pegasus is anticipating large budget cuts. Our biggest fundraiser, the Jewelry Extravaganza, was reduced to a small, online auction; Day of the Tread was similarly reduced to a small virtual event. Therefore, your kindness and donations mean even more to Pegasus.

During this pandemic, the Pegasus board members have remained steadfast in their dedication to Pegasus. During the 2019/2020 fiscal year, the Pegasus Board added the three new members, Donna Peace, CPA, Darcy Bushnell, Esq., and Jannette Mondragon, Esq., further strengthening the Board.

After two years as Board Chair, I pass the torch to Dan Shapiro and Matt Loehman, the new co-chairs. I will remain on the Board to continue to help Pegasus endure these trying times and sustain its mission of providing quality legal representation for children and young people in New Mexico.

A handwritten signature in black ink, appearing to read 'Alison Pauk'.

Alison Pauk, JD



A photograph of two young girls standing in a grassy field at sunset. The girl on the left is wearing a dark blue long-sleeved dress with a sequined butterfly on the chest and white pants. The girl on the right is wearing a maroon long-sleeved dress with a white unicorn and floral design. They are both looking down at an open book held by the girl on the right. The background is a soft-focus field with a warm, golden sunset sky.

## BOARD OF DIRECTORS

**Alison B. Pauk, JD**  
Chair

**Donna Peace, CPA**  
Treasurer

**Sierra Ludington**  
Secretary

**Meena Allen, JD**  
Director

**Darcy Bushnell, JD**  
Director

**Daniel H. Hyman**  
Director

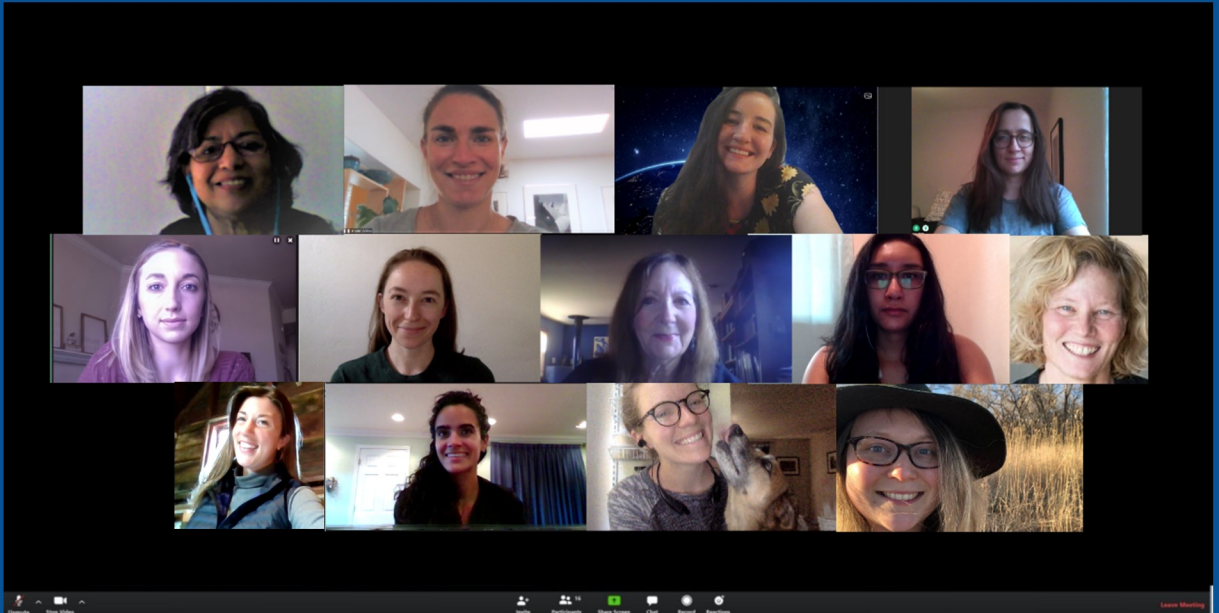
**Matthew Loehman, MBA**  
Director

**Jannette Mondragon, JD**  
Director

**Dan Shapiro, J.D., M.D.**  
Director

**Grace Spulak, JD**  
Director

# THE PEGASUS TEAM



From Top Left: **Lucia Espinosa-Gonzalez**, Client Advocate; **Mariel Willow**, Kinship Guardianship Program Director; **Ana Rabut**, Office Manager; **Marta Hines**, Senior Paralegal; **Morgan Demic**, Staff Attorney; **Lily Hofstra**, Corinne Wolfe Fellow for Transformative Advocacy; **Bette Fleishman**, Executive Director; **Jennifer Gamboa**, Paralegal; **Jerri Katzerman**, Education Director; **Kristi Goldade**, Grant Writer and Researcher; **Alma Olavarría Gallegos**, Paralegal; **Jen Jones Prakash**, Controller; **Sophie Asher**, Staff Attorney.



# LETTER FROM THE EXECUTIVE DIRECTOR

Dear Friends of Pegasus,

Thank you for your support of Pegasus during these unprecedented times. We all anticipate the day we can safely return to our offices and see each other in person. Despite the challenges of this past year, we remain optimistic for the future.

The pandemic and surrounding events of 2020 has provided us the opportunity to reflect on what is going well and how we can improve. Inspired by the Black Lives Matter movement, Pegasus strives to continue to work on being an anti-racist organization. We have begun monthly anti-racist trainings for the staff and board to improve our services.

This past year we had the privilege of being invited to be part of the planning and implementation team for a specialized Indian Child Welfare Act court (ICWA) in the 2nd Judicial District to protect Native children and their cultural heritage. As part of this dedicated team and as attorneys for the families, we have been able to advocate for protections for Native children. We look forward to working with the ICWA team to improve and expand ICWA courts to other parts of New Mexico.

Now that we have a full-time, Spanish-speaking Client Advocate, we have been able to provide guardianship clients much-needed support on

extralegal matters, such as assistance with applying for benefits, connections with service providers, and information on community resources. Going forward, we would like to add a benefits attorney so that when clients require legal assistance on these matters, we can provide them with the advice and representation they need, allowing us to continue expansion and provide more holistic services.

The team has become more aware of the collateral issues around proper education and mental health services for youth in the juvenile justice system. When COVID-19 began, we became more aware of the challenges incarcerated youth faced. Through our civil representation and policy work, we look forward to working with our partners to address some of the pressing needs for these youth.

Finally, we continue to persist in efforts to reach rural communities. This past year, we had cases in twenty counties, which has been made more possible due to remote hearings. We will keep expanding and building partnerships so we can continue to service families across the entire state.

Thank you for your support and partnership this past year.



Bette Fleishman

# Kevin S.

## Steering and securing a landmark settlement on behalf of foster care children

In March 2020, the plaintiffs reached a groundbreaking settlement with the state's child welfare agency, New Mexico Children, Youth, and Families Department (CYFD) and the Human Services Department (HSD). Both agencies agreed the complaints were credible and that partnership was needed to fix the system.

While many other states have reached similar settlements, few have proposed to implement such sweeping measures. The aim is to improve the system such that foster children are not re-traumatized once they are in state custody.

**It is the State's responsibility to protect the health and wellbeing of the children in its care.** Every child entering foster care in New Mexico is highly likely to have experienced multiple forms of trauma. We know that exposure to complex trauma deeply impacts the development of a child. When unaddressed, the effects of trauma result in problems with sleep, cognition, behavior, and emotional self-regulation.

**The experiences of the Kevin S. plaintiffs painfully illustrate that children in State custody in New Mexico are repeatedly re-traumatized** by being uprooted and cycled in and out of short-term emergency placements, such as homeless shelters, government offices, and residential treatment centers.

Pegasus, with a number of important stakeholders, along with **the fourteen children who are plaintiffs in this case are taking a stand to hold accountable the child welfare system that has failed to keep them safe.**

**Pegasus continues to play an integral role** in the effort to hold the state's child welfare system accountable by participating in the Implementation Team to ensure the state's child welfare agency hews to the agreements outlined in the settlement.



# SPOTLIGHT: EDUCATION TEAM

**Pegasus Legal Services for Children is the leading voice** for children in New Mexico and has become one of the most effective advocates for equal educational opportunity in the state. We work against a backdrop of extreme inequities in funding and educational resources. Low-income children populate the hallways of low-performing schools. Practices such as tracking, grade retention, out-of-school suspensions, expulsions, and one-size-fits-all zero tolerance policies continue to contribute to the discouragement, disengagement, and eventual dropout of countless children throughout the state. Huge numbers of youth are pushed out of school and pulled into prisons and jails. ***This is more than an education crisis; it is an equal justice issue as the students pushed out through harsh discipline are disproportionately students with disabilities and students of color.***

**Our mission is to keep children in school and out of jail** by reforming institutions and systems so that all children can live to their fullest potential. Over the past year, our education team has made great progress toward our goals. We succeeded in preventing over twenty youngsters from

being removed from their educational settings through inappropriate out-of-school suspensions. **We obtained systemic relief against New Mexico's largest school district by ensuring**, through a favorable administrative complaint, that children with disabilities are not punished for conduct related to their impairments. We filed six legal complaints for children with significant disabilities that resulted in comprehensive settlements ensuring those students received an appropriate education. We have been directly involved in policy initiatives that have resulted in an improved state regulatory code. We are currently engaged in ongoing litigation against a public charter school that refused to meet the unique needs of a child with Autism.

Despite our success, COVID-19 has seriously disrupted educational reform efforts and our forward progress. Virtual learning and hybrid classrooms have proven challenging – if not overwhelming -- for most families. Despite the obstacles, **we are working diligently to understand the novel obstacles families currently face, and despite the obstacles, we remain committed to making New Mexico a more equitable state for children and families.**

## CHRISTY CHAPMAN

ICWA Court  
Attorney



Christy Chapman, Zuni pueblo member and Guardian ad Litem for the newly established Indian Child Welfare Act (ICWA) Court, says her commitment to the court originates from being a mother and from her nursing career. She is able to understand the children she represents so she can be a voice for them.

**“When you’re a person of a different color, you grow up with a different experience just because of your color,”** she explains. “[It affects] the way you are treated and the way you encounter things. With that, I am able to relate to the children.”

The ICWA Court is one of six in the country that ensure that ICWA has meaning and protects the rights of Native children. **It aims to be the gold standard for ensuring the law applies as it should** and is not being overstepped, to protect children from being wrested from their communities and placed in non-Native homes, a practice originating

from the racist boarding schools of our nation’s not-too-distant past. The court aims to maintain ties for Native children through reunification, listening to parents and learning what they’re going through to establish a more holistic approach to placement, **which asks critical questions about where that child is being placed:**

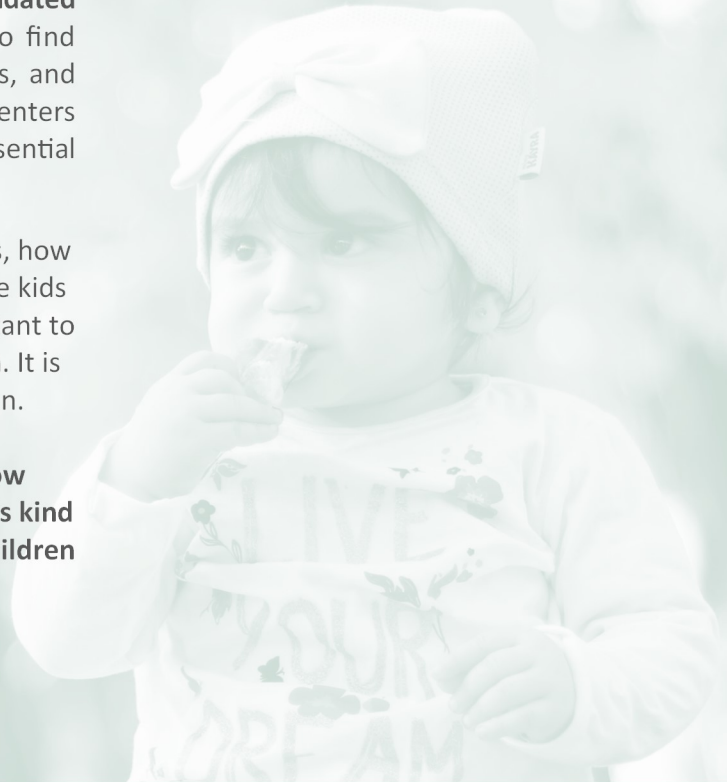
- If it is a non-Native home, then why?
- What measures are being taken to ensure the child is going back to their community, either with an extended family member, or a home that the tribe endorses?
- What efforts are being made to cultivate more Native placements?



The ICWA court ensures the law applies as it should to Native children by holding the State and CYFD accountable to their stated goals. **Ultimately, the courts are mandated to place children in Native homes**, to find and cultivate more Native placements, and critically, from the moment a child enters the system, they should ask that essential question: Is this an Indian child?

“When I see the effects of past policies, how it's played out and how it's affected the kids today, they don't grasp why it's important to know the language, where you're from. It is devastating to a people,” says Chapman.

**“It's really sad because they don't know who they are. We hope to prevent this kind of trauma from happening to more children in the future.”**



**Pegasus envisions a society where all children—regardless of race, color, national origin, religion, disability, gender, and sexual orientation—live in welcoming communities, supported by law, policy, and practices that help them reach their full potential.**

# SPOTLIGHT:

## CLIENT ADVOCATE

This year, we brought on a full-time Client Advocate, Lucia Espinosa-Gonzalez, to support Kinship Guardianship clients by providing case management services to children and their guardians. She works closely with clients to provide them with social services and benefits from the state and local NGOs.

In the 2019-2020 fiscal year, Lucia and her team have provided resources to approximately 70 families from 20 counties in New Mexico. Since March 2020, families have requested assistance in the following categories:

- **Counseling Services:** Services through telehealth are available for individual and family counseling.
- **Food:** Clients request help with securing WIC and SNAP. The team sends out frequent updates around food bank assistance and opportunities.
- **Housing:** Clients need assistance around emergency housing, rent and utilities assistance, Section 8 housing, and get connected with organizations such as LIHEAP, 211, and United Way.
- **Supplies:** The Client Advocate team offer clients support around clothing and diapers. Due to the COVID-19 crisis, many organizations are no longer

offering either of these services, so the team is still seeking them out.

- **Daycare:** Since Head Start has re-opened, all families in need of enrollment have been connected with this resource.
- **Education:** Clients, especially those in rural areas, need assistance with WiFi, technological equipment, and training. The Client Advocate team has connected them with APS, which provides support for virtual learning, and the Parents Reaching Out monthly workshop series.

Today, all communication and service delivery is conducted through phone and email; clients must complete applications telephonically or on the web. **Though this is a big challenge, the team is meeting this great need head on with the leadership of Lucia Espinosa-Gonzalez and the assistance of the Social Work interns.**





**LUCIA ESPINOSA-  
GONZALEZ**  
Client Advocate

**“I get satisfaction when I assist Pegasus clients. They see the rewards of the Kinship Guardianship program, and there is lots of thanking and gratitude.”**

**I have been with Pegasus since February 2019.** Since the COVID-19 pandemic, we have made some instrumental changes to how the Social Work department serves the Kinship Guardianship program. It is difficult because we only reach people on the phone or on email now.

One of our new goals, which we're working on with the help of the Social Work interns and our Paralegal, Jennifer Gamboa, is to create a survey to understand what resources actually help our clients— we want their feedback to

learn about how they are faring with the pandemic, and what changes have been made in communities throughout New Mexico.

We are organizing these updated resources by county and by category— Pegasus clients are in need of rent assistance, food banks, transportation, and senior services. **Our main goal is to ensure clients are safe and can meet the needs of the children and youth in their care.** We are very glad to have such grateful and wonderful clients!

# SPOTLIGHT:

## KINSHIP GUARDIANSHIP PROGRAM

In January 2019, United Way granted Pegasus support to expand the Kinship Guardianship (KG) program. We were thrilled to bring attorney Morgan Demic and Spanish-speaking paralegal Alma Olavarria Gallegos to help kinship families through the process of receiving guardianship.

Morgan worked with underserved communities while running an international human rights clinic in law school, where she learned how to respond to trauma sufferers. Serving clients has allowed Morgan to grow personally and professionally.

Alma has a history of working with anti-recidivism coalitions that deal with substance abuse and incarceration. Experiencing those systems has helped Alma understand what clients are going through and what they

need. Alma values the responsive team, and how she's grown her Spanish translation skills. Both appreciate learning about the issues beyond guardianship that our client demographic faces.

As Alma puts it, "Often times our clients have been told 'no' so many times."

"One client had a high-needs child," recalls Morgan. "That little girl was everything to her. The day guardianship was served, she was so relieved."





**ALMA OLAVARRÍA GALLEGOS**  
Paralegal



**MORGAN DEMIC**  
Staff Attorney

**When serving kinship guardians, our team takes the time to respond to other issues in our clients' lives. We prioritize connecting our clients with community partners, especially during the pandemic when many of our clients are facing additional challenges.**

Now that school has started, there is pressure on elderly clients raising school-aged kids— they are struggling with the technology. A lot of clients are calling around food and financial insecurity, challenges with work and housing. Grown children moving back home, making grandparents ineligible to receive support for the grandchildren in their care.

Representation, free of charge, is important because these cases can cost a lot of money. For our Spanish-speaking clients, it is monumental to have a Spanish speaker explain the legal processes and advocate for them in the courtroom.

Pegasus runs the only pro-bono KG program in the state. The waitlist is a testament to this need. We are so proud to serve grandfamilies!

JEN JONES PRAKASH

Controller



**“The pandemic has been a challenge for Pegasus and our clients—and an opportunity for the team to re-evaluate and improve our systems.”**

In July 2019, Pegasus received new United Way funding that expanded our Kinship Guardianship program. We had just found office spaces to share with New Mexico Legal Aid and the Public Defenders— **a long-planned co-location with the goal to become a one-stop shop for the community’s civil legal needs.** 2020 promised much opportunity.

Our partners at Day of the Tread had organized a wonderful event, with more donations than any other year! Our

annual JEE was a great success too. On January 15th, we signed a lease and prepared to move in June. **At that moment, COVID-19 became a threat.**

By late March, everyone was working remotely. Our clients began calling not just for legal help but for emergency assistance for rent and food. Suddenly, we were attending meetings to keep grants from decreasing. However, **we have survived**, even bringing on new staff **to meet the unique needs of our community during this challenging time.**



## DONATE DIRECTLY

Go to our website:  
[www.pegasuslaw.org](http://www.pegasuslaw.org) to donate  
through a one-time or  
recurring donation.

## AMAZON SMILE

Sign up online at  
[smile.amazon.com](http://smile.amazon.com) and a  
percentage of your regular  
Amazon purchases will go  
directly to Pegasus.

## SMITHS REWARDS

Sign up online at  
[smithsfoodanddrug.com](http://smithsfoodanddrug.com) and  
Smiths will donate a  
percentage of your purchase to  
Pegasus at no extra cost to you.

## MY CHANGE

Have your purchases  
automatically rounded up to  
the nearest dollar. Your  
“change” will go directly to  
Pegasus. Sign up at  
[mychange.com](http://mychange.com).

## AUDITED FINANCIALS: FY 2019-2020

<b>REVENUE:</b>	<b>\$1,107,242</b>	<b>100%</b>
Contracts	\$683,805	62%
Grants	\$257,349	23%
Contributions	\$144,558	13%
Other Income	\$8,799	1%
In-Kind Contributions	\$12,731	1%

<b>EXPENSES:</b>	<b>\$906,844</b>	<b>100%</b>
Program	\$729,570	81%
Management & General	\$137,751	15%
Fundraising	\$39,523	4%

## THANK YOU INTERNS!

### Social Work Interns:

Leticia Loya, Highlands  
Social Work Program  
Stefanie Corral,  
Highlands Social Work  
Program

### Law Clerks:

Kateri West, UNM Law

Two women are riding bicycles towards the camera. They are both wearing helmets decorated with large, vibrant orange and red flowers. Their faces are painted with traditional Day of the Dead (Día de los Muertos) designs. The woman on the left has blue and white face paint with a heart on her forehead, while the woman on the right has green and white face paint with a heart on her forehead. They are both smiling. The woman on the left is wearing a teal jacket over a red shirt, and the woman on the right is wearing a black jacket over a yellow scarf. The background is slightly blurred, showing other people and a street setting.

# VIRTUAL RIDE FOR CHILDREN OCTOBER 25, 2020

Day of the Tread is an annual cycling event for which Pegasus is the primary beneficiary. New Mexicans celebrate with food, music, and costumes, while promoting healthy choices for people of all fitness levels. Last year the event raised \$30,000, which helped support the legal needs of New Mexico's children and youth. We hope you will consider supporting the Day of the Tread by participating in, volunteering for, or sponsoring the Day of the Tread.

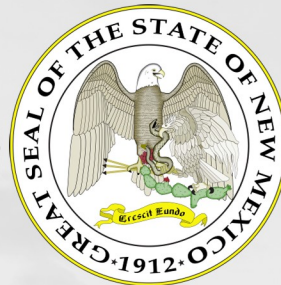
# GRANTS + CONTRACTS



NEW MEXICO  
CIVIL LEGAL SERVICES



NEW MEXICO  
ADMINISTRATIVE  
OFFICE OF THE COURTS



NEW MEXICO  
ACCESS TO JUSTICE



United Way  
of Central New Mexico





# OUR GENEROUS DONORS:

Aja Brooks  
Akerson Family Foundation  
Alicia Gutierrez & Dennis Rivera  
Alison Pauk  
AmazonSmile Foundation  
Andy G Schultz  
Anonymous  
Avalon Trust Co  
Barbara Dodge  
Barbara L Mathis & Gordon  
Reiselt  
Bart J VandenPlas  
Benevity Fund  
Benjamin E Hanken & Rebecca  
Williams  
Bette Fleishman  
Buffalo Exchange  
CamNet  
Chris Auclair  
Christopher Chimber  
Christopher Ford  
Client First LLC  
Colleen Reardon  
Dan Hyman  
Daniel & Barbara Shapiro  
Darcy Bushnell  
David & Jennifer Lewis  
David Thomas  
Davis Law New Mexico

Day of the Tread  
Deborah & Gregg Solove  
Deborah Weinstock  
Debra Novak  
Desiree Garcia in memory of  
Isaiah Telles  
Diane Fisher  
Donna Peace  
Ed Mazel  
Edwina Hubert  
Ellen Leitzer  
Ephesus Office Technologies,  
Inc.  
Fern Michele Long Tod  
Fred & Julia Halperin  
Freedman, Boyd, Daniels,  
Hollander & Goldber  
Grace Spulak  
Grandparents Raising  
Grandchildren Alliance  
Hinkle Shanor LLP  
Independent Community  
Foundation, Inc  
Janice Paster  
Jannette Mondragon  
Jeffrey D Myers  
Jeffrey Kauffman  
Jeffrey Pietryga  
Jen & Neel Prakash

Jerome & Susan Bernstein  
Jerrald J Roehl  
Jill Straits  
Joan Cole Sterne  
Joan Weissman  
Joseph Juang & Wanni Zhou  
Judy Flynn-O'Brien  
Kari & Patrick Houlihan  
Kathryn Wissel  
Kathy Becker  
Kay Henriksen  
Kelly Waterfall  
Kimberly T Karalekas  
Kirsten Dick  
Kristen Lawson  
Kroger  
Larry & Corinne Carmony  
Laura Burns  
Law Office of Brian K Branch  
Law Office of Jhette Diamond,  
PC  
Leo & Robin Romero  
Linda Zwick  
Living Water Construction LLC  
Los Ranchos Art Market  
Luis & Pat Stelzner  
Maria Tafoya  
Marsha & Andrew Heyman  
Marta B Hines



Linda Zwick  
Living Water Construction LLC  
Los Ranchos Art Market  
Luis & Pat Stelzner  
Maria Tafoya  
Marsha & Andrew Heyman  
Marta B Hines  
Mary Ellen S Capek  
Matthew Loehman  
Meena H Allen  
Michael B Browde  
Michelle Giger  
Nancy Colella & Peter Klages  
Nancy Koenigsberg  
Network for Good  
New Mexico Bank & Trust  
New Mexico Voices for Children  
Nicole L Banks  
Norty & Summers Kalishman  
PayPal Giving Fund  
Philip Davis  
Phyllis Burwell  
Pieroni Family Law LLC  
Pregenzer, Baysinger, Wideman & Sale  
Ranne Miller  
Rebecca Mulcahy  
Remington Reid  
Rifka Stern  
Rio Grande Credit Union  
Robert Rosenberg  
Ron Weisberg

Rowan Converse  
Roybal Mack  
Ruth O Pregenzer  
Sally V McGrath  
Sandia Laboratory Fed. CU  
Shades of Rez  
Sierra Ludington  
Smith's Food & Drug  
Steffy Law Firm PC  
Steven & Janice Seligman  
Steven Wenk & Cheri Leonard-Wenk  
Susan Fleishman  
Susan Muños  
Susan Scott  
T Spencer Wright  
Terry & deGraauw, PC  
The GoodCoin Foundation  
The Mulcahy Law Firm  
Timothy Briggs  
Travis Collier  
Vicki & Samuel Dazzo  
Vicki Wilcox  
Wayne W Kuang  
Wilcox & Myers, PC  
William & Maria Geer  
Yolanda M Cordova  
Yvonne Marquez



**505 Marquette Avenue NW, Suite 1350**

**Albuquerque, NM 87102**

**Phone & Fax : 505.244.1101**

**ABQ Ride: Bus 11 to Albuquerque Convention Center**

**[www.pegasuslaw.org](http://www.pegasuslaw.org)**