

poetic justice

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Issue 3
Fall 2011

Congressman John Lewis Highlights Importance of Legal Aid

Legendary Civil Rights Leader Impresses Cleveland Crowd

More than 800 people attended Legal Aid's 2011 Annual Report to the Community on October 18, 2011 at the Cleveland Renaissance Hotel.

The theme of the event was "It is better to light a candle than curse the darkness." This theme was highlighted throughout the program by renditions of "This Little Light of Mine," performed by graduate students from the Cleveland Institute of Music and high school students from the Cleveland Metropolitan Schools' All-City Road Chorus.



Colleen M. Cotter, Esq.
– Legal Aid's
Executive Director

From the podium, Colleen M. Cotter, Legal Aid's Executive Director, provided a report to the community on Legal Aid's programs and services in 2011. She focused on the theme of the evening and shared stories of how "Legal Aid is very much in the candle-lighting business."

David Dawson, Deputy Director, and Ilah Adkins, Board President, presented staff service awards, and honored retiring board and staff members.

Congressman Louis Stokes, member of Legal Aid's Board of Directors, introduced Congressman John Lewis as keynote speaker. Congressman Stokes, Lewis' former colleague in the U.S. House of Representatives and long-time friend, regaled attendees with tales of Lewis' pursuit for equality.



Four members
of the Cleveland
Metropolitan
Schools' All-City
Road Chorus



Congressman
John Lewis and
Ilah M. Adkins, Esq.
– Legal Aid's Board President



Congressman Louis Stokes
– Legal Aid Board Member

Congressman Lewis commended Legal Aid staff and volunteers for their efforts. "You find a way to help the least among us. You must never give up; never despair. Lift our heads and continue to march." He appealed to the audience to continue fighting for what they believe is right. "We're too quiet." He challenged the crowd to "get in the way, get in trouble, necessary trouble, good trouble."

Congressman Lewis urged the crowd to remember that no matter how much we try to point out each other's differences, we are all members of the same community, both locally and globally. He implored the audience to put aside differences and work for justice: "We all arrived here in different ships, but we are all in the same boat now." ●

Inside this issue:

- **Wickens, Herzer, Panza, Cook & Batista** announces major support of Legal Aid
- **Squire Sanders & Dempsey** leads innovative partnership to prevent domestic violence
- **A Volunteer Attorney fights a big bank**
- **Photos from Pro Bono Week ... and more!**

Volunteer Profile: *David Gallup, Esq.*

Volunteer Wins Success for Legal Aid Client – and finds extra support for Legal Aid

David Gallup, of Gallup & Burns, is a long-time Legal Aid volunteer. In both his private practice and volunteer commitment he has developed a concentration in general contract and commercial litigation.

He uses this expertise for Legal Aid's clients. Most recently, Dorothy Jones* was being sued by Atlantic Credit and Finance, Inc. for just over \$1,000. The rules of evidence require that such a complaint provide evidence that Ms. Jones did, in fact, owe that amount of money to her creditor. However, the complaint against Ms. Jones referred to supplemental documentation proving the debt - but no documentation was ever attached to the complaint. Ms. Jones, an older adult, didn't know what to do. She didn't owe this debt to Atlantic Credit, was stressed by the legal action, and turned to Legal Aid for help.

Mr. Gallup represented Ms. Jones *pro bono* after she called Legal Aid. Mr. Gallup filed an answer and cross-claim with discovery. He intended to unearth the documents referred to in the complaint.

Just a week later, instead of providing the requested documentation, Atlantic Credit's attorney approached Mr. Gallup with an offer to settle the matter for a mutual dismissal without prejudice. Mr. Gallup's suspicions had been confirmed: Atlantic Credit had referred to documentation in its complaint that it never had. The creditor hoped Ms. Jones would not challenge the lack of documentation and a default judgment would be entered. Mr. Gallup is passionate about this matter: "It made me angry... they had been fishing for one more easy default judgment against one more tired and defenseless consumer."

Mr. Gallup accepted Atlantic Credit's offer on behalf of Ms. Jones. However, he stipulated that as a condition of accepting the offer, Atlantic Credit must make a donation to The Legal Aid Society of



David Gallup, Esq.

Cleveland in the amount \$620, his standard attorney's fees for his time spent on the case. Mr. Gallup believes that requiring the creditor to bear the cost of opposing counsel's attorney fees in the form of charitable donations is a good way both to raise money for organizations like Legal Aid and to provide a deterrent for these lawsuits "fishing" for default judgments.

Join Mr. Gallup and volunteer for Legal Aid. Visit www.lasclev.org to learn more about volunteer opportunities, or email probono@lasclev.org.

* client named changed to protect confidences

Please Join Us! A Retirement Party Honoring...

Two of Legal Aid's most senior attorneys, David Dawson, *Deputy Director*, and Harold Williams, *Managing Attorney of Legal Aid's Consumer Law Practice Group*, will be retiring at the end of this year.

It's hard to imagine Legal Aid without them. David and Harold both embody the soul and spirit of Legal Aid. Harold began at Legal Aid 35 years ago, and David just celebrated his 40th anniversary. Their tenures span one-third of Legal Aid's history.

DONATIONS HONORING DAVE AND HAROLD

CAN BE MADE TO

Legal Aid's "Leaders & Legacies Fund"

visit <http://lasclev.org/retirementparty/>

toggle to the end of the page to make a donation today.

Questions?

call 216.861.5217 or email events@lasclev.org

David B. Dawson



Harold L. Williams

Friday, December 16, 2011

200 Public Square - 3rd Floor of Atrium
Cleveland, OH 44114

4:00 pm - 6:30 pm

RSVP at <http://lasclev.org/retirementparty/>

Legal Aid saves family home and 51 years of memories

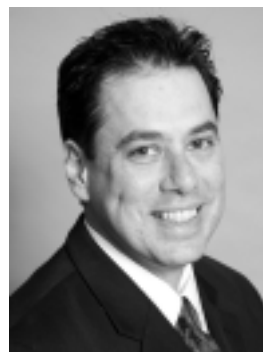
Betsy and James Gaughan* have lived in their Lake County home for 51 years. Due to an unfortunate turn in Mr. Gaughan's health, the couple was forced to take out a second mortgage to pay necessary medical bills for the treatment of his multiple sclerosis. At age seventy-one, Mrs. Gaughan spends most of her days at her husband's bedside.

In 2008, the bills became unbearable and the family faced foreclosure. Mrs. Gaughan was put in a difficult position, having to juggle tending to her husband in his ailing health and dealing with a foreclosure.

The Gaughan Family turned to Legal Aid for help. Howard Strain, a foreclosure attorney at Legal Aid, took the Gaughan case. Mr. Strain coordinated with Marley Eiger, another Legal Aid attorney, and the Fair Housing Resource Center in Lake County to help the Gaughan Family.

The bank that had given the Gaughans their first mortgage refused to negotiate a loan modification with the Gaughans, citing that doing so would essentially require issuing a new loan. The bank argued they were no longer in the practice of making residential mortgages, and because of this their hands were tied. As the process continued, Mr. Strain and Ms. Eiger discovered that the bank did, in fact, continue to carry residential mortgage products.

With this contradiction exposed, the Lake County Common Pleas Court magistrate ultimately sent the case to mediation. Before the mediation even commenced, the Gaughans' Legal Aid attorneys were able to negotiate a loan modification. The modification waived all costs and fees and



Howard Strain, Esq.



Marley Eiger, Esq.

offered the Gaughans a low, manageable monthly payment, which has allowed them to stay in their home and preserve their memories of 51 years." ●

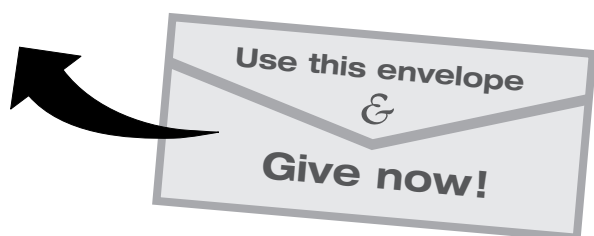
** client named changed to protect confidences*

Wickens, Herzer, Panza, Cook & Batista makes landmark grant to Legal Aid

The law firm of Wickens, Herzer, Panza, Cook & Batista recently announced a \$40,000 grant to Legal Aid. The grant is the largest ever designated for Legal Aid's work in Lorain County. Rich Panza, shareholder of WHP and member of Legal Aid's board of directors, is proud of his partnership's support: "Legal Aid is a most worthy charity, and we are proud to be associated with its deep history and – with this grant – its impressive future." ●



A group of attorneys from WHP pause for a photo at a recent Legal Aid clinic. The event was part of "Days of Caring" organized by United Way of Greater Lorain County. WHP and Legal Aid provided free legal advice at a Catholic Charities site in downtown Lorain.



Update on former Legal Aid client



Brenda Vera

Brenda Vera was a speaker at Legal Aid's 2010 annual event. She told the crowd of 1,300 how Legal Aid helped her family and made an impact on her life.

Ms. Vera graduated with honors in 2011 from Lincoln West High School. She is now a freshman in college and hopes to pursue a career helping people – perhaps in the legal field. ●



Jesse Anderson

Community Advocate & Legal Aid Board Member

Long-time community advocate and Legal Aid board member Jesse Anderson is concluding a year as chairperson of Legal Aid's grievance committee.

The committee works to ensure that clients are being treated fairly. Anderson's term as committee chair will end soon, but his commitment to the disenfranchised of Cleveland, especially the physically disabled, goes back more than 30 years and will continue.



Jesse Anderson

Born and raised in Harlan County Kentucky, Anderson came north with a wave of other industrial workers. His search eventually led him to Cleveland, where he worked until 1964, when an accident left him in a wheelchair.

"My advocacy work began out of something very personal for me," said Anderson. "Before my injury I was a skilled tradesman. After I became disabled I knew I needed to retrain myself to make a living, but I couldn't get to school. I couldn't even go shopping. The options were so limited back then, just getting out of the house was such a pain."

Convinced that something needed to be done to enhance the prospects of disabled individuals,

Anderson became a community advocate, speaking out for better transportation options as part of the Disabled Rights Task Force. In 1977, his work began to pay off and he secured an appointment as the Ohio representative on a national committee focused on rights for the disabled.

"Some of my earliest encounters with Legal Aid involved strategy meetings for dealing with the local transit authority and department of transportation," said Anderson. "They helped us focus and develop strategies for drawing attention to issues the handicapped were facing."

Much has changed since Anderson began his work. The Americans with Disabilities Act and pressure from disabled advocates have led to a fleet of handicapped accessible transit vehicles, as well as the paratransit system, which provides door-to-door transportation services to many disabled individuals.

"I think we've come a long way," said Anderson. "Just trying to get a wheelchair was difficult when I got hurt. Transportation services for people with disabilities were very limited. These things were just a dream back then."

Moving into the future, Anderson hopes more work can be done to secure quality employment for people with physical disabilities. As someone who once struggled, he feels it's important to remember that anyone can become one of tomorrow's leaders.

In addition to ending his term as chair of the grievance committee, Mr. Anderson also retires from Legal Aid's board of directors in December – he finishes his second of two three-year terms. Mr. Anderson is one of eight low-income community members who represent the voice of Legal Aid's clients on Legal Aid's board of directors. ●

Legal Aid Administration

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Iliah M. Adkins, Esq.
Charter One Bank

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nominated by the Greater Cleveland RTA

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Betsy Rader, Esq.
Cleveland Clinic Foundation

Rebecca Ruppert McMahon, Esq.
Cuyahoga Community College

Congressman Louis Stokes, Esq.
Squire, Sanders & Dempsey LLP

Adrian D. Thompson, Esq.
Taft

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Community Representative
nominated by Merrick House

Michelle Wilkerson-Guerry
Community Representative
nominated by the NEO Coalition for the Homeless

Ida R. Williams
Community Representative
nominated by the Big Brothers Big Sisters of Lorain County

Rebecca L. Wojtko
Community Representative
nominated by the Big Brothers Big Sisters of Lorain County

Executive Team

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Executive Director

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Deputy Director

Bettina Kaplan
Director of Finance and Administrative Operations

Katherine Ingersoll
Executive Assistant

Garrick Lipscomb
Director of Information Technology

Melanie A. Shakarian, Esq.
Director of Development and Communications

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Pro Bono Program

Ensures Safety for Victims of Violence

Squire Sanders & Dempsey Lead Special Partnership with Legal Aid

A unique partnership, forged between Legal Aid and Squire Sanders & Dempsey, has established a powerful program that helps victims of domestic violence. The Domestic Violence Prevention Program has enabled Legal Aid to serve more people in need. New cases increased from 207 in 2005 to 619 in 2011. This three-fold increase outpaced overall requests for service during the same period.

The program's success is directly related to the commitment of Squire Sanders & Dempsey's Cleveland office. The firm provides more than 400 *pro bono* hours each year, along with significant funding, to help sustain the Domestic Violence Prevention Program. Legal Aid trains volunteer attorneys, screens incoming matters through an intake process, and forwards qualifying cases to Squire Sanders & Dempsey for assignment to a *pro bono* attorney.

A recent domestic violence case handled by Squire Sanders attorney Chaundra Monday illustrates the success of this partnership. Ms. Monday spent 80 hours on a case and secured an *ex parte* Civil Protection Order for her Legal Aid client. The client, her children, her mother, and

grandmother had suffered years of physical and emotional abuse by the client's live-in boyfriend. He beat the client and her children repeatedly. He threatened and terrorized the client and her family. His violent actions were so severe that he was convicted and received a two-year jail sentence. Ms. Monday's commitment and hard work allowed her client the protection and a sense of security that had been missing for years.



Chaundra Monday, Esq.

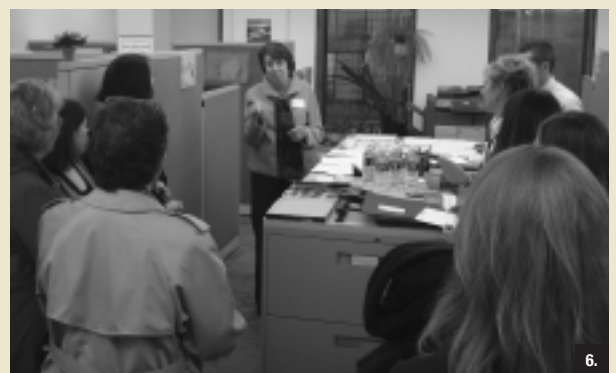
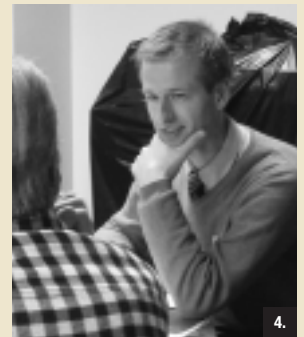
Reflecting on her involvement in this case, Chaundra Monday stated, "This experience impressed upon me that for some people abuse is an everyday occurrence in their relationships, and it is imperative that courts and those who advocate for victims do all they can to ensure the process of getting out and getting relief is as obstacle-free as possible." ●

Photos from *Pro Bono Week*, October 22-29



Photo Captions

1. **Attorney Jim Sabrey** assists a client at an Expungement Clinic hosted at Legal Aid.
2. **Legal Aid attorney Davida Dodson** (center) assists *pro bono* attorney **Edward Brice** from the Geauga County Bar Association. A volunteer from the National Council of Jewish Women looks on.
3. **Scott Heasley, Esq.** (right) counsels a client at the Fatima Family Center – a Catholic Charities agency. A law student provides assistance.
4. **Michael Lyford, Esq.** from The Mellino Law Firm works with a client at El Barrio.
5. **At the 2011 Pro Bono Week Recognition Event on 10/27:** **David Watson, Esq.** (executive director of the Cleveland Metropolitan Bar Association), **Barbara Roman, Esq.** (president of the Cleveland Metropolitan Bar Association), and **Judge Rosemary Grinda Gold** (Cuyahoga County Common Pleas Court – Domestic Relations Division).



6. **Ann McGowan Porath, Esq.** – managing attorney of Legal Aid's Volunteer Lawyers Program – provides instruction to volunteers before a clinic. The volunteers pictured are members of the Cleveland Metropolitan Bar Association's Estate Planning, Probate & Trust Law Section, helping at an elder law clinic.



The
LegalAidSociety
of Cleveland

The Annual Campaign for Legal Aid

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Stories of philanthropy and hope from The Legal Aid Society of Cleveland

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Photos from Legal Aid's Annual Meeting *October 18, 2011*

1. Ilah Adkins, Esq. and Judge Melody Stewart 2. Stacy Cozart, Esq. and Jennifer Peyton, Esq.
3. Susie Kopit and Alan Kopit, Esq. 4. David Dawson, Esq. and Congressman John Lewis
5. Rev. E.T. Caviness, Congressman John Lewis and Congressman Louis Stokes



Legal Aid

Our Mission

To secure justice and resolve fundamental problems for those who are low-income and vulnerable by providing high quality legal services and working for systemic solutions.

Legal Aid Offices

Intake for New Clients

Phone: 216-687-1900

Phone (toll free): 888-817-3777

Cleveland & Administrative Offices

Phone (toll-free): 888-817-3777

Development: 216-861-5217

Elyria Office

Phone (toll free): 800-444-7348

Jefferson Office

Phone (toll free): 866-873-9665

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