



The Power of Partnership



Legal Aid practice groups and other nonprofits collaborate to save a Lorain family's home

Sharon Mackey* of Lorain County was a single mother of four children and caring for two grandchildren when she received her foreclosure notice. She had recently lost her job and was unable to handle her bills with her only income stemming from child support payments. Ms. Mackey came to Legal Aid for help.

Legal Aid attorney Emily White handled the case, and quickly realized that the client would qualify for mortgage payment assistance, but only if her job loss was involuntary. Unfortunately when Ms. Mackey applied for unemployment compensation, her employer challenged her eligibility, arguing that the job loss was Ms. Mackey's fault.

{ "... Without Amanda, seven people would be homeless." }

Ms. White decided to reach out to another Legal Aid attorney, Amanda Davis, for help appealing the denial of unemployment benefits. Ms. Davis determined that although the client was fired, the circumstances were highly suspect. "It's so important that the attorneys at Legal Aid are able to spot issues in cases that overlap with other practice groups because it allows us to provide clients with more holistic service," said Ms. Davis.

Ms. Davis discovered that the client had lost her job following a disagreement with a co-worker. At first, Ms. Mackey's supervisors found that giving a written warning was sufficient, given Ms. Mackey's long employment with the company and lack of prior discipline. However, a few days later, another supervisor side-stepped the first decision and determined that Ms. Mackey should be terminated – citing both the altercation and prior absences for which Ms. Mackey had never received warnings and always had supervisor-approval.

Ms. Davis represented Ms. Mackey in an administrative hearing and since she had proven that the written warning was sufficient based on Ms. Mackey's lack of prior incidents and there

having been "no progressive disciplinary action taken," Ms. Mackey was approved for unemployment compensation – which meant she now could qualify for mortgage payment assistance.

Ms. White was then able to refer Ms. Mackey to The Lorain County Urban League to help her complete her application for Restoring Stability funds, which helped Ms. Mackey bring her mortgage current and provided payment assistance while Ms. Mackey sought new employment. "Our relationship with the Urban League is wonderful; I contact them daily because their housing counselors are simply the best," said Ms. White.

Ms. Mackey was approved for the Restoring Stability program and is currently receiving the funding she needs to keep her family in their home. The foreclosure case against her has been dismissed.

Ms. White said, "Amanda's involvement in the case was critical, because she established a factual record that allowed her to win her case and get the client the resources she needed; without Amanda, seven people would be homeless."

** client's name changed to protect privacy*

INSIDE THIS ISSUE:

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A Passion for Service to Others:

Ann S. Bergen, Esq. is Legal Aid's 2013 Board President



Gauga County Common Pleas Judge David L. Fuhry with Legal Aid Board President Ann S. Bergen, Esq.

Ann S. Bergen, Esq., is a lawyer with an infectious passion for service to others. Her legal career and life's work is guided by the adage "actions speak louder than words." Both Ms. Bergen's actions and words depict her deep-rooted commitment to Legal Aid and its mission to serve those who are low-income and vulnerable in Northeast Ohio.

After graduating from John Carroll University and Cleveland-Marshall College of Law, Ms. Bergen had an opportunity to work for a large law firm but chose to pursue a different career path. She believes that "life calls upon us to serve

others" and decided to begin her legal career with The Legal Aid Society of Cleveland's office in Painesville, Ohio. In 1998, she opened her own firm – The Law Offices of Ann S. Bergen – in Willoughby. A resident of Ashtabula County, her continued association with Legal Aid as a volunteer, donor and board member is grounded in her history of commitment to the organization.

Ms. Bergen is president of Legal Aid's board of directors for 2013. For her tenure as president, she hopes to emphasize the legal community's ability to serve others and be "a small pebble creating a larger ripple effect." Ms. Bergen says, "My goal this year as president is to deepen and broaden the already strong footprint of Legal Aid. We need to continue to pool the resources of the five counties that Legal Aid serves and continue to engage members of the private bar, judiciary, and other community organizations in these geographic areas to work for the common good of Legal Aid. This engagement assists those in the legal community with channeling their 'donative spirit' on multiple levels— both financially and through volunteer work – when they commit themselves to the service of others through Legal Aid."

In addition to having served on Legal Aid's board of directors since 2006, her firm shows its strong commitment to volunteer service by providing regular pro bono work to those whose basic necessities are threatened because they cannot afford legal assistance. Ms. Bergen herself accepts one-on-one case matches as part of Legal Aid's Volunteer Lawyers Program and is a regular participant in Legal Aid clinics.

Ms. Bergen says, "It is a privilege to be Legal Aid's board president in 2013. The strength of the board is in our conviction, asking ourselves and others in the legal community to be leaders in helping others. I am honored to work together with the other board members and others in the legal community to combine our strengths of conviction together to ultimately achieve the best results for Legal Aid and its clients."

Your early pledge of **SUPPORT** will help **LEGAL AID** plan for the future.

DID YOU KNOW:

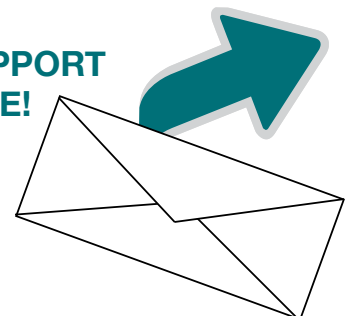
- Sequestration does impact Legal Aid. This year, 5% will be cut from Legal Aid's grant from the federal Legal Services Corporation. This represents approximately \$100,000 and is in addition to the previous cut of \$450,000 from 2010 – 2012.
- Legal Aid's \$7 million budget is diverse, and comes from the Ohio Legal Assistance Foundation (which distributes IOLTA and filing fee revenue), the Legal Services Corporation, United Ways, foundations, law firms, corporations and individual donors.

- Funding from the Ohio Legal Assistance Foundation has decreased nearly \$3 million over the past eight years – mainly because of lower interest rates paid on IOLTA accounts.
- Last year, more than 1,200 individual donors in Northeast Ohio supported Legal Aid!

**YOUR FINANCIAL SUPPORT
MAKES A DIFFERENCE!**

Use this envelope

... and make an early gift
to **Legal Aid** in 2013.



LEGAL AID'S Tax Practice Ensures Financial Stability for Clients



Susan Morgenstern, Esq.

The Legal Aid Society of Cleveland's Low-Income Taxpayer Clinic (LITC) helps low-income people who have a problem with the Internal Revenue Service. Cleveland's Legal Aid is one of 150 LITC's across the United States, funded to provide representation before the IRS or in court on audits, tax collection disputes, and other issues. Cleveland Legal Aid's LITC has a special focus on helping individuals with limited English proficiency.

Low-Income Taxpayer Clinics – including Cleveland Legal Aid's - are not part of the IRS but they receive partial funding from the IRS via the LITC grant program.

Cleveland Legal Aid's LITC is led by senior attorney Susan Morgenstern, who is nationally recognized for her advocacy on behalf of low-income taxpayers. Numerous other Legal Aid attorneys and pro bono volunteers handle tax cases. An example of a recent success story is that of Lorain resident and adoptive mother of two special needs children, Erin Smith.*

Legal Aid attorney Davida Dodson represented her in a divorce. In the divorce decree, custody of the children was split, but Ms. Smith had one extra day of custody with her children. That one extra day made Ms. Smith the primary caregiver, and hence Ms. Smith qualified for the Earned Income Tax Credit ("EITC"). Having the ability to claim the EITC on her tax return meant additional financial stability for Ms. Smith, and provided her funds to tend to the needs of her special needs children.

However, after filing her 2011 tax return, Ms. Smith was contacted by the IRS, asking for additional paperwork and assessing her penalties for claiming the EITC in error.

Legal Aid attorney Camille Gill, in consultation with Susan Morgenstern, determined that Ms. Smith was not required to go through the hassle of this additional paperwork. The careful wording in the divorce decree was sufficient to preserve Ms. Smith's EITC credit. Ms. Gill argued such and the IRS corrected Ms. Smith's account and refunded the penalties they had incorrectly charged her. Ms. Smith was credited nearly \$2,400.

** client's name changed to protect privacy*



Davida Dodson, Esq.



Camille Gill, Esq.

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To Create a Better Tomorrow.

Create a better tomorrow by including The Legal Aid Society of Cleveland in your estate plan.

Let Legal Aid know of your intentions and become a charter member of "The 1905 Society."

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ARE YOU A PROFESSIONAL IN THE PLANNED GIVING COMMUNITY?

Join Legal Aid's new Planned Giving Advisory Committee, focused on planned giving and other allied professionals.

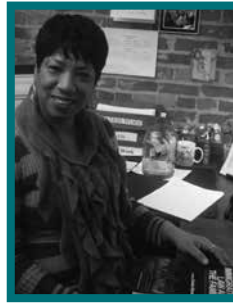
Sign-up at www.laslev.org/plannedgiving.

WHAT DO YOU WANT
your legacy TO BE?

PARALEGALS HELP

Increase Legal Aid's Capacity

The Legal Aid Society of Cleveland is focused on building an effective team to serve low-income clients in the best possible manner. Paralegals are a key element to Legal Aid's team. At the end of 2012, Legal Aid leadership made the strategic decision to eliminate all legal secretary positions in the firm, and paralegal duties were enhanced and expanded. Now, each practice group at Legal Aid has at least one paralegal assigned to the group. Paralegals at Legal Aid support the work of Legal Aid's 45 attorneys and help improve Legal Aid's clients' experience.



Paralegal Lucy Dukes



Paralegal Tracy Ferron



Paralegals Jenelle Dame, Kristen Nawrocki, Lilo Whittaker, Theresa Fischione, Carol Drummer

THE LEGAL AID SOCIETY OF CLEVELAND IS PROUD TO BE A COMMUNITY PARTNER SPONSOR OF THE 37TH CLEVELAND INTERNATIONAL FILM FESTIVAL.

Legal Aid is the community sponsor for a screening of the film **"THE LAST WHITE KNIGHT"** – a personal story of reconciliation and civil rights history.
 April 6 (12:15 p.m.) and
 April 7 (7:40 p.m.)



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Legal Aid *at the* Library

Creative partnership between the Cleveland Public Library and Legal Aid will provide better access to legal services for the community

Legal Aid's thriving partnerships with community organizations are a vital component to Legal Aid's mission. Legal Aid – as the only nonprofit law firm in Cleveland for low-income people – provides an important service to other nonprofits' clients. Strategic collaborations bring Legal Aid's services into organizations already in a close relationship with Legal Aid's client community. Such partnerships create better outcomes for Legal Aid's clients.

Legal Aid's newest formal partnership is with the Cleveland Public Library system. In 2013, Legal Aid will host 12 free legal clinics at branches throughout the Cleveland Public Library system. This will provide assistance to those with legal issues in the areas where library branches are located.

Aaron Mason, Assistant Director of Outreach and Programming Services for the Cleveland Public Library, spoke of the library's excitement to be partnering with Legal Aid. "The role of libraries is changing. [Our library] seeks to provide more services and programs in the libraries themselves. And we see a need in our daily interactions at branches across the region – our

library patrons require assistance with legal issues. There is no better way to provide these services to our patrons than by partnering with Legal Aid," says Mr. Mason.

Additionally, three community legal education presentations will be conducted at Cleveland Public Library branches throughout 2013 based on the substantive areas of law highlighted through "frequently asked questions" at the free legal clinics.

Ann McGowan Porath, Managing Attorney of Legal Aid's Volunteer Lawyers Program, believes "this partnership means so much to Legal Aid. We meet our client community in their neighborhoods, in a familiar location. Striving to be a relevant source of assistance in their neighborhoods, the branch libraries where we have our clinics are a hub of activity for all ages. The Legal Aid clinics add another dimension to their services. And, we can introduce our pro bono volunteers to the wonderful resources offered by the Cleveland Public Library to our community."



Scott Gladden – left (law student, University of Akron School of Law) and Doajo Hicks, Esq. – right (Sisters of Charity Health System) counsel an individual at the Cleveland Public Library's Rice Branch.



Amelia Leonard, Esq. (Ciano & Goldwasser) at the Cleveland Public Library's Eastman Branch (in collaboration with the CMBA's Women in the Law Section).

Catherine Adinaro, Esq. (Ninth District Court of Appeals) works with a client at the Cleveland Public Library's Rice Branch.



Amanda Soraiz (law student, Case Western Reserve University School of Law) processes an intake at the Cleveland Public Library's Hough Branch.



Leigh Prugh, Esq. – left (Portage County Prosecutor's Office) and Sherri Dahl, Esq. – right (Squire Sanders (US) LLP) at the Cleveland Public Library's Eastman Branch (in collaboration with the CMBA's Women in the Law Section).



Judge Annette Butler (Cuyahoga County Court of Common Pleas) educates an individual at the Cleveland Public Library's Hough Branch. Jordan Poling and Nicholas Fagnano (law students, University of Akron School of Law) look on.



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6 POETIC JUSTICE Spring 2013



JAM FOR JUSTICE

JULY 11, 2013 • HOUSE OF BLUES • 5:30 pm – 8:00 pm

Quench your thirst for justice at Legal Aid's annual summer fundraiser for 2013 – **Jam for Justice**. You'll enjoy drinks, food and music of four awesome local bands... all headlined by attorneys/judges:

- **THE JOHN HANLEY BAND**
- **RULE 11 AND THE SANCTIONS**
- **FAITH & WHISKEY**
- **JUST US**

All revenue from the event will support Legal Aid and its mission to provide access to justice for the most vulnerable in Northeast Ohio.

Admission is \$40 in advance.

Visit www.lasclev.org/2013jam to purchase your tickets online. Can't be there? Your online donation is appreciated! Questions? Call **216-861-5217**.

Sponsorship packages are available, and include publicity opportunities. The expected audience is 600 people, and publicity is aimed at the 10,000+ members of the legal community in Northeast Ohio. For sponsorship details, call 216-861-5590.

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.

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