

poetic justice

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Spring 2012

Legal Aid volunteer helps secure home for grieving Cleveland resident

In 2002, Mr. Kevin Jenkins* returned to his Cleveland home to care for his ailing mother and her home of 20 years. Only three months after his mother's death in 2009, Mr. Jenkins, an unemployed music teacher, had fallen behind on the mortgage. He knew he would face foreclosure if this went on much longer, so he contacted the bank in order to work on a solution.

Unfortunately, the bank informed Mr. Jenkins that they could not discuss the matter with him, because his name was not on the loan. After repeated unsuccessful attempts to prove that his mother had passed and his name was on the deed, Mr. Jenkins felt there was no hope of saving his home. When he went to the courts to ask for advice, he heard about The Legal Aid Society of Cleveland and called immediately.

Legal Aid managing attorney Julie Robie was the first to review Mr. Jenkins' case. After researching the situation, Ms. Robie determined Mr. Jenkins was an owner in the house but did not sign the note or mortgage. Therefore, the mortgage was not enforceable against him personally. Furthermore, case law suggested that the mortgage might not be enforceable against the house, but additional legal analysis was needed. Ms. Robie felt that Mr. Jenkins potentially had a good case, but she determined that it was "the right opportunity to draw upon the expertise of a volunteer attorney with specialized knowledge of real property law."

Legal Aid referred the case to volunteer attorney Karl Kammer, who has won two awards of recognition during his 30 years of service to Legal Aid. Mr. Kammer worked diligently on the case, recognizing at once that it was "an injustice and winnable."

Mr. Kammer believed that because Mr. Jenkins' name was on the deed to the house, but not on the mortgage, the bank only had rights to half of the house. "They couldn't foreclose on half of a house, so the bank had no clear solution," Mr. Kammer said. He wrote to the bank on at least two occasions, explaining his legal reasoning. However, the bank chose to litigate the case, a process that took two years and required more than 30 hours of work by Mr. Kammer.

Mr. Jenkins recalled that his volunteer attorney was "consistent. He was very good at follow-up and I learned a lot by going through the process with him. I was honored that he would give his time and put so much energy into helping me."

* name changed to protect privacy.



Managing Attorney of the Consumer Law practice group Julie Robie, Esq. and Legal Aid volunteer Karl Kammer, Esq.

In the end, the bank "finally saw there was nothing they could get from him," said Mr. Kammer. The bank cancelled the mortgage, essentially giving Mr. Jenkins his house for free, other than a small amount of back taxes, which Mr. Jenkins paid off within 30 days.

A month after the case was closed Mr. Kammer received a letter from Mr. Jenkins. Mr. Kammer said he was "surprised" at the letter, and never expected such praise from a client. In the letter, Mr. Jenkins thanked Mr. Kammer repeatedly, stating, "Without your assistance, I am sure this winter holiday season would have found me homeless," and, "You have dispelled the myth that justice can never be on the side of the poor." ●

JAM for Justice

Tuesday, June 19th 2012

A Benefit for Legal Aid featuring **THE NO NAME BAND**
www.lasclev.org/summerevent

EMAIL QUESTIONS: events@lasclev.org

5:30 - 7:30 p.m. **The Barley House**

Inside this issue:

- Guest editorial from Cleveland Metropolitan Bar Association
- Access to employment secured because of Legal Aid
- Joseph P. Meissner, long-time Legal Aid attorney to retire
- Profile of supervising attorney Karla Perry
- 2012 "Partners in Justice" announced



Guest Editorial from *The Cleveland Metropolitan Bar Association*

One of our predecessors – Newton D. Baker – stated in 1925 “But for the aid given by the [Legal Aid] Society, the law itself would fail to be an equal shield for rich and poor alike, as it ought to be.” When Mr. Baker served as president of the bar association, The Legal Aid Society of Cleveland was celebrating its 20th year of service to Northeast Ohio. Today, as Legal Aid celebrates its 107th year of service, it faces some considerable challenges.

The recent budget cut from the Legal Services Corporation – coupled with the \$2.6 million drop in income derived from interest on lawyers trust and escrow accounts (known as “IOLTA accounts”) – means Legal Aid must serve fewer people moving forward. As it is, the organization – at 51 staff attorneys, 1,600 *pro bono* volunteers and one of the largest law firms in Northeast Ohio – can meet only half the demand for its services.

The recent cuts are like canaries in a mineshaft, signs pointing to inexorably deepening family and personal calamities among Northeast Ohio’s poor.

For 107 years in Northeast Ohio, Legal Aid has used the power of the law to make lives better far beyond the particulars of a legal case. Last year our local Legal Aid attorneys helped 26,000 low-income people in Northeast Ohio fend off the travails of poverty: foreclosures, domestic abuse, denials of disability, education and other benefits, slumlords, bankruptcy, and hopelessness.

Despite the recent budget news, we know Legal Aid is still in the field, still taking cases, still pursuing justice every day. But, fewer people will be helped. More injustices will go uncontested.

We are honored to continue Mr. Baker’s legacy at the bar association, and believe we must use our cooperative spirit and stand with Legal Aid to ensure justice is a priority for our community.

Barbara K. Roman

Partner – Meyers, Roman, Friedberg & Lewis
2011-12 President of the Cleveland Metropolitan Bar Association

Carter Strang

Partner – Tucker Ellis LLP
2012-13 President of the Cleveland Metropolitan Bar Association



Looking to get involved with Legal Aid leadership?

Applications will soon be accepted for membership to Legal Aid’s Board of Directors and its committees.

Committee positions will include:

- **Pro Bono**
... ideal for long-time *pro bono* volunteers who are interested in helping Legal Aid’s *pro bono* programs grow and thrive.
- **Development**
... ideal for anyone interested in networking with the Northeast Ohio business and legal community, and fundraising for a good cause.
- **Finance**
... especially needed are individuals with financial acumen and interest in helping Legal Aid steward and leverage resources.

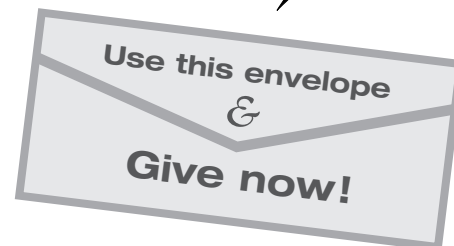
History of past support to Legal Aid (financial and/or volunteer service) is key to a successful application.

Applications will be available in August 2012
– click on www.lasclev.org/leadership to learn more!



Legal Aid

Your Financial Support
Makes a Difference!



... and **make an early gift**
to Legal Aid in 2012.



Staff Profile: *Karla Perry, Esq.*



Karla Perry, Esq.

Among Legal Aid's many talented attorneys is Karla Perry – a Supervising Attorney in the Health, Education, Work, Income and Immigration (HEWII) Practice Group. Upon completion of her undergraduate work at Wittenberg University, Ms. Perry earned her law degree at Valparaiso University.

Ms. Perry began her career as a law clerk for the Cleveland Municipal Court, assisting in their Mediation Program. In 1995, Ms. Perry took a position with the Long Term Care Ombudsman, working in the Office for Medicare Advocacy. Finally, in 2001, Karla became a Legal Aid attorney, satisfying her inherent "inclination to help and impact others."

Ms. Perry brought her knowledge and previous work experience to Legal Aid's elder law practice: focusing on public benefits in her casework and advocacy to secure Medicaid, Medicare, and Social Security benefits for eligible Legal Aid clients.

Recently, a disabled client sought Legal Aid's help when the Social Security Administration (SSA) unexpectedly terminated his benefits and claimed he was overpaid \$33,000. Ms. Perry accepted the case and soon discovered that SSA had deemed the client no longer disabled.

However, the client was hearing impaired and had other physical disabilities that made him eligible for SSA benefits. Ms. Perry enlisted a translator from Cleveland Hearing and Speech and worked with her client to apply for a reinstatement of benefits that was quickly granted.

She also renegotiated the overpayment amount to ease the financial burden on her client in the future. During this process, Ms. Perry realized that the client was eligible for the Qualified Medicare Beneficiary (QMB) Program and oversaw the client's successful enrollment.

Another recent achievement for Ms. Perry involved a formerly mid-income family who had suffered through the rough economy – facing the uncertainty of hunger and poverty, and finding themselves in need of Legal Aid's services. Karla guided the family through the process of obtaining food stamps – something they never imagined having to do before the economic downturn. Ms. Perry commented that the family was "navigating places where they'd never been before. It was very unnerving for them."

After securing their benefits, Ms. Perry received a letter from the family acknowledging her hard work to help them "start to get out of the hole." They went on to thank her for "not looking down on them," stating how good it felt to "have someone in [their] corner."

Ms. Perry says, "What I enjoy most about working at Legal Aid is the sense of collegiality," she continues, "I am fond of the idea that my colleagues and I are all working towards a common goal." ●

Say it Ain't So, Joe!

In 1969 – 43 years ago – Joseph P. Meissner began his career as an attorney at The Legal Aid Society of Cleveland. Mr. Meissner has announced he will retire in August 2012.

Prior to his tenure at Legal Aid, Mr. Meissner graduated as valedictorian from Xavier University. He went on to Harvard Law School in 1963 where he co-chaired the Civil Rights Committee and co-edited the Harvard Civil Rights and Civil Liberties Law Review. He still serves as his Harvard Law class secretary today. He served in the US Army in Vietnam and received a Bronze Star for service and two Army commendation medals. He continued to serve in the Army Reserves, eventually achieving the rank of Lieutenant-Colonel.



Joseph P. Meissner, Esq.

At Legal Aid, he assisted both community groups who serve low-income populations and thousands of individuals in need. He provided legal services related to incorporation, contracts, utilities and regulation. Today, Mr. Meissner is a senior attorney in Legal Aid's Consumer Law practice group – and focuses on foreclosure and other consumer rights cases.

Donations to Legal Aid honoring Mr. Meissner's service can be made at www.lasclev.org/meissner. Watch that page for details of a retirement reception later this summer. ●



Congressman John Lewis and Joseph Meissner, Esq.



Access to Employment Secured Because of Legal Aid

Rochelle Jones* needed help. A 30-year-old misdemeanor on her record was a barrier to her getting a job. Although she wanted to clear her record, she didn't know where to start until an expungement clinic hosted by the Legal Aid caught her attention. Stephanie Jackson, managing attorney of Legal Aid's Health-Education-Work-Income-Immigration practice encouraged Ms. Jones to work with Legal Aid at the clinic. Ms. Jones remembers "Ms. Jackson set me up with a spot in one of the community clinics; she was so kind and professional, I knew I wanted to come in and talk personally."

Ms. Jones attended a free legal advice clinic focused on expungements and other legal needs. At the clinic, Ms. Jones met attorney Christopher Murray, one of Legal Aid's 1,600 *pro bono* volunteers. Mr. Murray worked personally with Ms. Jones on her case to ensure her success. After getting guidance at the clinic, Ms. Jones filed a *pro se* expungement with Bedford Municipal court. The motion was granted within days.

Ms. Jones was ecstatic and didn't have enough positive things to say. "I thank God for Legal Aid, all the workers and attorneys who volunteer their time and expertise, and give back by helping others." She also made no secret that she thought that Legal Aid was special. "Whenever I would talk to a lawyer somewhere else, they were haughty and judgmental. But every single



Stephanie Jackson, Esq.

person I ever talked to at Legal Aid was kind and compassionate. Especially the volunteers taking time away from their families to come help people like me."

Since the expungement, she was able to obtain employment and is now proud to be supporting her family. As to whether she would recommend The Legal Aid Society to other people: "Sometimes you want to throw up your hands and quit, but don't. There are good people that will help you." ●

* Name changed to protect privacy of client.

Legal Aid Prevents Homelessness

RECENT VICTORY FOCUSES ON PRESERVING HOUSING

Legal Aid attorney Agustin Ponce de Leon persevered for over a year to ensure that his client was fairly treated by his landlord. The client was disabled and used a wheelchair. The client was also part of the Section 8 housing program, yet the landlord demanded rent and bill payments that were outside what was agreed upon in the Section 8 contract. Mr. Ponce de Leon negotiated for his client to move out of the property, but the landowner then refused a return of the security deposit and demanded additional funds, alleging damage caused by the client's wheelchair. Mr. Ponce de Leon challenged the landlord in court and highlighted the inspector who confirmed the property damage was in fact employed by a company owned by the landlord. Mr. Ponce de Leon ensured justice and the rightful settlement for his client, and he was happy to highlight that the system does work for the disadvantaged. ●



Agustin Ponce de Leon, Esq.

(Legal Aid's Housing Law programs are generously funded by the Eva L. and Joseph M. Bruening Foundation, Charter One, the Murphy Family Foundation, and Ulmer & Berne LLP.)



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Announcing the 2012 Partners in Justice - Legal Aid's Ambassadors

Partners in Justice are community leaders who serve as Legal Aid ambassadors to their law firms. Managing partners appoint delegates in February of each year. The 2012 Partners in Justice kick-off was held in March, and this year 23 firms are participating:

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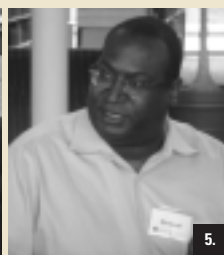
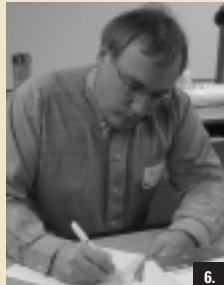
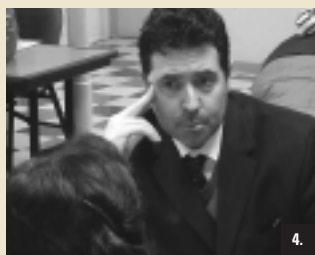
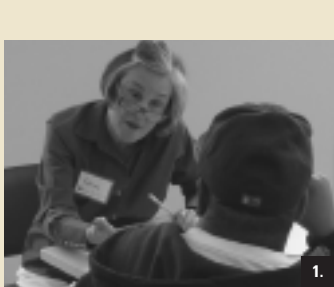
Wickens, Herzer, Panza, Cook & Batista

Richard Panza



Volunteer Lawyers in Action [vlp] Photos from recent volunteer clinics

1. **Ann Zellmer, Esq.**
Cleveland Clinic Foundation
2. **Peter C. Bergan Jr., Esq.**
Jones Day
3. **Dave Rowan, Esq.**
Cleveland Clinic Foundation
4. **Patrick Merrick, Esq.**
Steuer, Escovar, Berk & Brown Co., LPA
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Stories of philanthropy and hope from The Legal Aid Society of Cleveland

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Save the Date : September 28 !

Legal Aid's 2012

Annual Report to the Community

· · · Includes Special Guests & Premiere
of Legal Aid Video

Friday, September 28

Renaissance Cleveland Hotel
– 24 Public Square – Cleveland, Ohio

Reception Opens – 11:30 am

Program and Lunch – 12:00 pm (1 hour)

Platinum Sponsorship: \$10,000 (full-page color ad)

Gold Sponsorship: \$5,000 (full-page ad)

Silver Sponsorship: \$4,000 (1/2-page ad)

Bronze Sponsorship: \$3,000 (1/4-page ad)

All sponsorships include a table of 10 and advertising in the
souvenir program book; size of ad is noted alongside the sponsorship.

General Table: \$1,000

Individual Ticket: \$100 (limited quantity available beginning in July)



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

Painesville Office

Phone (toll free): 888-808-2800

Table reservations can be made today!

This is a fundraiser for Legal Aid. All proceeds provide access to justice for low-income individuals in Northeast Ohio.

Questions? Visit: www.lasclev.org/2012event Call: 216-861-5217 Email: events@lasclev.org

