

poetic justice

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Legal Aid Attorneys & Volunteers Work Together: *preserve good outcomes for client*

Linda Woofter was excited by the possibility of owning the home that she had rented for the past 14 years. Her dreams were now within reach as she entered into a land installment contract with David Jones.* For the next year, Ms. Woofter laid down her hard-earned money to fulfill the agreement. But when the title transfer was within reach, it became apparent that Mr. Jones had no intention of fulfilling the agreement contract with Ms. Woofter. In fact, Mr. Jones was facing a tax foreclosure on the property and instead of presenting Ms. Woofter with the property title, he served her with an eviction notice. That's when Ms. Woofter sought the assistance of Maria Smith, a supervising attorney in Legal Aid's Housing Practice Group.

The legal wrangling that ensued stretched nearly seven years. "Ms. Woofter just wanted to stay in her home." In June 2005, Ms. Smith filed an answer and cross-claim in the foreclosure action stating that Mr. Jones had committed fraud. Although Ms. Woofter repeatedly took time off from her job as a press operator to attend the court proceedings, Mr. Jones did not appear in court and was ordered to pay Ms. Woofter \$10,500.

"In 2010, I received a notice that Mr. Jones had filed for bankruptcy. I immediately contacted Ms. Woofter, so we could then ensure that Mr. Jones would pay on the settlement," says Ms. Smith. Lauren Gilbride, a supervising attorney in Legal Aid's Intake Unit and Volunteer Lawyers Program, helped Ms. Smith find a *pro bono* bankruptcy attorney for Ms. Woofter. Volunteer attorney Stephen Hobt graciously accepted the case.



Stephen Hobt, Esq. - Volunteer Attorney



Maria A. Smith, Esq. - Supervising Attorney, Legal Aid

Mr. Hobt, who normally accepts five to six *pro bono* cases a year from Legal Aid, took on this case, which was not without personal risk. Current bankruptcy law presents the possibility that if the claim is unjustified, fees can be awarded against the attorney. "Because of the help received from Legal

Aid, I was able to have the debt owed to Ms. Woofter declared non-dischargeable," says Stephen Hobt. "Ms. Smith had pushed very hard for Ms. Woofter to obtain a judgment of fraud in 2007. Without her footwork, there would have been no case in 2011."

Although Ms. Woofter had to leave the house that she once sought to purchase because of the foreclosure, she feels satisfied that Mr. Jones was held accountable for his financial responsibility to her. She is also extremely grateful for the expertise of Legal Aid attorneys and volunteers. "Legal Aid wanted the best for me," says Ms. Woofter. "If I had the money to spend on expensive lawyers, I could not have gotten ones as good as Ms. Smith and Mr. Hobt." ●

* Opposing party's name changed to protect privacy.

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The law firm of Taft increases its support of Legal Aid: *2012 Legal Aid Board President is a partner at the firm*



**Adrian Thompson, Esq. Partner at Taft / and
2012 Legal Aid Board President**

Taft Law attorneys have long been supporters of Legal Aid, both as *pro bono* attorneys and financial donors. In 2011, Taft formalized this longtime support by becoming part of Legal Aid's "Partners in Justice" program – an effort to increase engagement among attorneys at the largest law firms in Cleveland. Brian Ambrosia, a Taft attorney and Legal Aid volunteer, reports that about eighty percent of all Taft attorneys in the firm's Cleveland office participated in the program last year, donating more than \$15,000 to Legal Aid. "I was pleased with the willingness of our attorneys and staff to participate in the 'Partners in Justice' program and in doing so support a great organization that is dedicated to pursuing a wonderful cause," Brian says.

Attorneys at Taft have also supported and participated in Legal Aid's Volunteer Lawyers Program. One example – Adrian Thompson, a partner at Taft, helped organize a Legal Aid clinic at a Cleveland Metropolitan School District (CMSD) location. Sixteen attorneys from Taft

Taft/



volunteered at East Tech. Mr. Thompson worked with Louise Dempsey, a member of the CMSD Board, to prepare the event and help his firm give back to the community. Mr. Thompson says the event achieved such success because of the team approach and excellent preparation of all involved.

This was not Mr. Thompson's first encounter with Legal Aid. In fact, he has a significant history of support and service. In 1986, Mr. Thompson began his career as a Legal Aid staff attorney just after graduation from The Ohio State University Moritz College of Law. Now a partner at Taft, Mr. Thompson serves on Legal Aid's Board of Directors. And in late 2011 – exactly 25 years after his job interview at Legal Aid – Mr. Thompson was elected President of the Legal Aid Board of Directors for 2012. Mr. Thompson knows intimately the need for Legal Aid and similar programs which provide support to low-income families. In his hometown of Willard, Ohio, he was in the first class of 4-year-olds in the country to participate in Head Start back in the 1965. He attended Bowling Green State University on a scholarship before going on to law school.

As Board President, Mr. Thompson wants to inform the community about Legal Aid's services, history and purpose. "The need is there," Adrian says as he points out some sobering statistics. "The poverty rate in Cleveland is a staggering 34%, for example. Nearly 400,000 low-income people live in poverty and qualify for Legal Aid services in Northeast Ohio."

He also plans to keep a watchful eye on federal funding, look for new sources of funding, and help engage the community for assistance. The support of Taft "is a great start," says Adrian. His thoughts are echoed by Stephen O'Bryan, managing partner of Taft's Cleveland office – "as a legal community, we have an obligation to make certain everyone has access to justice. Adrian is a great leader for this effort." ●

Your early pledge of support will help Legal Aid better plan for the future.

Did you know:

- Legal Aid gets funding from the Ohio Legal Assistance Foundation (which distributes IOLTA and filing fee revenue), the Legal Services Corporation, United Ways, Foundations, Law Firms, Corporations and more than 1,000 individual donors.
- Funding from the Ohio Legal Assistance Foundation has decreased from \$5.7 million in 2007 to \$2.6 million today – mainly because of low interest rates paid on IOLTA accounts.
- Nationally, funding to the Legal Services Corporation was cut 18.8% for 2010-2012 – this results in a \$450,000 decrease for Cleveland's Legal Aid.

**Your Financial Support
Makes a Difference!**



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



Legal Aid's advice helps secure lost paycheck

David Jackson* lives across the street from Legal Aid's Jefferson office in Ashtabula County, but never knew precisely what Legal Aid did. Facing some trouble with his employer, Mr. Jackson took a chance and walked across the street looking for a solution to his problem.

Mr. Jackson had gone through two weeks of training to drive a van for a transportation company. Mr. Jackson was told that he would be paid for the training sessions, but he never heard from them about beginning his new job, and never received the money owed to him. Confused as to whether or not he had even been hired or still employed with the company, he walked into Legal Aid to ask about his employment rights.

Julie Cortes, a Legal Aid staff attorney, helped the Ashtabula County resident. After a brief interview with Mr. Jackson, Ms. Cortes sent a Legal Aid flyer entitled "Can't Get Your Last Paycheck?" This brochure - and others like it - is a key element of Legal Aid's community legal education effort - Legal Aid publishes 70 brochures and flyers on various areas of civil law. These materials are available online, in neighborhood centers and in libraries to help educate the community. Legal Aid attorneys and volunteers also share the materials when handling brief advice cases.



Julie Cortes, Esq. - Staff Attorney, Legal Aid



For Mr. Jackson, this brochure outlined the steps that an individual may take in order to bring to the attention of an employer the matter of unpaid wages. Ms. Cortes also forwarded Mr. Jackson a simple advice letter and a sample *pro se* demand letter to be sent to his employer.

Upon receiving Mr. Jackson's demand letter, the employer sent his paycheck. Legal Aid works to empower clients with the tools and legal advice they need to succeed. Ms. Cortes states, "I really enjoyed working on this case because the client learned the procedure by which to resolve his matter and did it on his own." ●

* client name changed to protect privacy



Volunteer Lawyers in Action [vlp] 2011 Snapshot

- VLP clinics held in 2011: **63**
- Volunteer attorneys who attended Brief Advice & Referral Clinics: **372**
- Clients who attended Brief Advice & Referral Clinics: **1,096**
- VLP cases closed: **1,524**
- Total active volunteer attorneys: **1,606**

1. Tom Coffee, Esq.
Joe Ferrante, Esq.
- Nationwide Insurance

2. Paul Binder, Esq.
-US Attorney's Office
Brian Roof, Esq.
-Frantz Ward

Both were participating in a group volunteer activity for attorney-graduates of the University of Notre Dame

3. Stephen M. Beaudry, Esq.
-Gallagher Sharp

4. Patricia A. Poole, Esq.
- Baker Hostetler

5. James A Slater, Esq.
Andrew T. Johnson, Esq.
-Baker Hostetler



Staff Profile: *Margaret Terry, Esq.*

Margaret Terry knew that she wanted to serve the underprivileged from an early age. She was raised in the South and it made an indelible impression on her reason for becoming an attorney, she saw first hand the awful effects of segregation. After graduating from east Carolina University in 1967, she enrolled at the University of North Carolina Law School. Ms. Terry pursued a legal career with the sole purpose of representing the disadvantaged.

After finishing law school in 1970, Margaret joined Volunteers in Service to America (VISTA) and was sent to Cleveland. During her second year with VISTA, she was placed at The Legal Aid Society of Cleveland working in the Juvenile Unit before being hired permanently in January 1973. By 1979, Ms. Terry was handling a variety of Legal Aid cases, which allowed her to develop knowledge in a variety of aspects of the law. Today, Ms. Terry is a supervising attorney for Legal Aid's Intake Unit. Now in her 40th year of service at Legal Aid, Ms. Terry just announced her retirement.

When Ms. Terry considers her experiences at Legal Aid, she highlights the "influence the mere presence of an attorney can have on a person facing a difficult situation." For instance, she remembers the case of a woman who had been involved in a car accident while driving without insurance. The woman agreed to make small monthly payments to the insurers of the other car of the accident until she had paid off her entire liability for the incident. She made timely payments out of her meager income and was surprised to receive a notice from the insurance company stating that she was being sued for failing to make the payments. The woman contacted Legal Aid and was represented by Ms. Terry, who argued there already was a payment agreement which the client had honored. The case against the client was dropped and she

resumed her regular payments. Recalling the experience, Ms. Terry said, "I did almost no work, except go to court with the client. She [the client] was about to be harmed by the legal system. For her, it was really important just to have an attorney declare that she was not signing a new agreement. All it took was the presence of an attorney."

When asked why she dedicated her career to Legal Aid, Ms. Terry points to her original motives for entering the legal profession: "I went to law school to be able to serve the disadvantaged and working at Legal Aid has allowed to me do that. I like what I do and I like the people I work with. There has been no reason to leave."



Margaret Terry, Esq.,
supervising attorney,
Legal Aid Intake Unit



Margaret Terry, Esq. with Carol Drummer, Paralegal at Legal Aid

Ann McGowan Porath, the managing attorney of Legal Aid's Intake and Volunteer Lawyers Program, highlights Ms. Terry's service, "Margaret's dedication to serving clients is a constant reminder to all of us of the mission of Legal Aid. On a personal note, Margaret is not only a valuable colleague but a trusted mentor and friend. I rely on Margaret's common sense and sound judgment as my counsel on so many occasions. Her great homemade chocolate is an added bonus!"

Ms. Terry will retire in May 2012 – she will be missed terribly! ●

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AmeriCorps Legal Fellow: Katherine B. Hollingsworth

Katherine Hollingsworth was selected as an AmeriCorps/Equal Justice Works Legal Fellow, and serves as an attorney in Legal Aid's Consumer Law Practice Group.

For her fellowship, sponsored and funded in part by AmeriCorps and the Washington, D.C., nonprofit organization Equal Justice Works, Katherine is focused on helping people avoid foreclosure through litigation and mediation. The Ohio Legal Assistance Foundation provide a match for the Equal Justice Works funding, so Cleveland Legal Aid could host a Fellow. Foreclosure is devastating, especially for low-income families, and Katherine says she is happy to help in "one of the areas of greatest need for our community."

Ms. Hollingsworth graduated from Middlebury College in Vermont with a degree in biology and briefly considered a career in patent litigation. She quickly discovered, however, that her love for biology did not translate into a love for patent work. Instead, she discovered her interest in public service while a student at Georgetown University Law Center. During her second and third years, Katherine spent time working at the school's legal clinics. For one semester during her 3L year, Katherine was part of a Family Advocacy clinic, where she represented families with special needs

children. She worked with school administrators to develop Individual Education Plans and medical officials to pinpoint the children's needs. Katherine is thankful she had the opportunity to gain experience helping low-income families and says she loved the work. It was a way to have a "real-life" impact and put the theory she learned in the classroom into practice.

In her initial fellowship months at Legal Aid, Katherine points to one particular case that has impacted her: the client was an elderly grandmother raising her teenage grandson. The grandmother was trying to save the home she has lived in for 40 years from foreclosure and to keep her grandson at his school. "My client is committed to doing everything she can to save her home," Katherine says, adding that her goal is to "utilize all of the mediation and litigation tools available...to make that happen."

Working at Legal Aid is somewhat of a homecoming for Ms. Hollingsworth. A native of Shaker Heights, Katherine returned last year to the Cleveland area with her husband



Katherine Hollingsworth, Esq.

– an assistant US Attorney – and children after living and practicing law in Boston. For Katherine, working with families to keep their homes is more than a response to the foreclosure crisis; it is a way to give back to the community where she was born and raised. ●



Four-year-old now thrives in school because of Legal Aid

Lillian Medina, a native of Honduras, came to Cleveland in February of 2006. Ms. Medina was first referred to Legal Aid by a social worker at MetroHealth. Legal Aid attorney Megan Sprecher – the project leader of Legal Aid's medical-legal partnership with MetroHealth – handled Ms. Medina's initial legal needs and stayed in touch with the family.

Recently, Ms. Medina was troubled by the behavior of her son Juwan. Though only three years old, Juwan was exceptionally quiet and hardly spoke at all. Ms. Medina tried to get three-year-old Juwan enrolled in preschool, but he showed signs of struggle. "He rarely spoke in Spanish or in English and seemed to have trouble following directions," says Ms. Sprecher. Ms. Medina sought Ms. Sprecher's help in obtaining preschool special education services, so that he could receive the proper attention and instruction that he needed. "I need him to speak and to understand," says Ms. Medina.

Legal Aid's education law practice works to ensure all children have



Megan Sprecher, Esq. with Ms. Medina and her son.

access to education. Studies demonstrate that length of time in school decreases the likelihood of poverty for young people born into low-income families.

Ms. Sprecher arranged for Juwan to be evaluated for special education, revealing a large discrepancy between his verbal and nonverbal communication abilities. This qualified him for special education. With Ms. Sprecher's help, Juwan received an Individualized Education Program (IEP) focused on improving his verbal communication and was enrolled in a different school – the plan also included transportation for Juwan from home to school. Just a few weeks away from Juwan's fourth birthday, the effects of his IEP are evident. "He has good teachers," says Ms. Medina. She goes on, "he has changed a lot. He is starting to talk more and use more words. He knows how to say thank you." In addition, Ms. Sprecher helped Juwan and Ms. Medina receive SSI benefits due to Juwan's health condition.

Ms. Medina remains extremely grateful to Ms. Sprecher and to Legal Aid: "[Legal Aid] has changed my life a lot; I'm very thankful for Legal Aid." Ms. Medina, motioning to Ms. Sprecher, says in perfect English: "She is a very good person." ●



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

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In Memoriam: *Buddy James 1933-2011*

Buddy was a former Cleveland Legal Aid attorney, who worked with Legal Aid from 1966 – 1968. He played a key role in reshaping Legal Aid with federal OEO funds, making the organization the professional law firm it is today. He left Cleveland Legal Aid to become law director for Cleveland Mayor Carl Stokes. Read more about Buddy's life and legacy at: WWW.LASCLEV.ORG/BUDDYJAMES



Mr. James' family has established the
BUDDY JAMES & PATRICIA DOUGLAS JAMES MEMORIAL FUND
at Legal Aid to honor his memory.
Call 216-861-5217 to learn more.



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

The Legal Aid Society of Cleveland is proud to be a community partner sponsor of the **36th Cleveland International Film Festival**.

Join Legal Aid in a screening of the film "Give Up Tomorrow"

— a documentary drama about the importance of fairness in a judicial system.

March 27 (2pm), March 28 (4:15pm w/FilmForum), March 29 (8:40pm)

Visit www.clevelandfilm.org for "Give Up Tomorrow" details.

Additionally, Legal Aid supporters can save \$2 on any

CIFF movie tickets when you use code "LASOC."

