

A Century of Service

2005 Annual Report

The
Legal Aid Society

of Cleveland
Since 1905



Dear Friends,

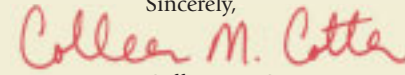
As I approach my one-year anniversary as Executive Director, The Legal Aid Society of Cleveland begins its second century of service. This occasion brings to mind not only those who are today's partners in providing high quality legal service to the poor, but those who have traveled before us on this important journey of 100 years.

We have never ventured alone. Board members, volunteers, bar associations, donors, service providers and other advocates have joined with us to better serve the low-income community. Because of our supporters, we were able to help more than 8,200 clients this past year. These collaborations have extended our reach and increased our impact. Thank you, partners.

This past year was also a difficult one as we mourned the passing of C. Lyonel Jones, former Director of The Legal Aid Society of Cleveland. Lyonel's dedication and nearly four decades of leadership have left us with compass points that we will use to navigate our future.

Our goals could not be accomplished without the dedication of so many. The following pages illustrate the work and the people of Legal Aid. Join me in applauding our staff, partners and donors who have helped advance the cause of justice for all.




Sincerely,

 Colleen M. Cotter
 Executive Director

Dear Supporters,

2005 was a year of transition. We gathered in grand style at our Gala to celebrate 100 years of Legal Aid in Northeast Ohio. New programs were implemented through our Volunteer Lawyers Program and partnership with the MetroHealth System. We enhanced our fundraising goals and increased income so that eight new attorneys could be hired in 2006 – the largest hire in Legal Aid's recent history. And, we brought Colleen Cotter on board as our new Executive Director. Her leadership is evident in the new collaborations that she is forging.

A Century of Service has laid a firm foundation from which we will grow so that more low-income individuals will have access to justice. I would be remiss if I did not thank the Legal Aid staff, attorneys and board members for their unwavering service and dedication. To our funders – we extend our sincere appreciation for your generosity. It gives us pause and reason to look ahead with great hope.



Sincerely,

 Richard L. Dana
 Board President

100 Years of Securing Justice and Changing Lives

The Legal Aid Society of Cleveland provides high-quality free legal assistance to low-income people in Northeast Ohio. Legal Aid's program of services covers Ashtabula, Cuyahoga, Geauga, Lake, and Lorain Counties.

The five-county area has nearly 300,000 low-income people eligible for free legal services.

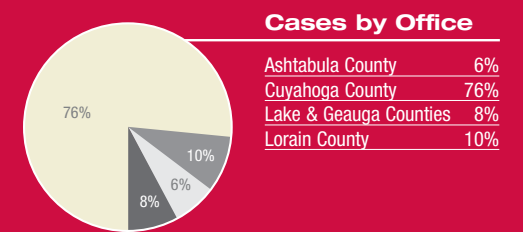
In 2005, Legal Aid fielded approximately 30,000 inquires. Those turned away demonstrate the great unmet legal needs of the poor in Northeast Ohio.

In 2005, 38 full-time attorneys handled more than 6,700 cases and tackled issues of homelessness, basic income survival, predatory lending practices, education, health, public benefits, family law, immigration, and community development. 74% of Legal Aid's clients are women – most with children.

An additional 1,500 cases were handled with the assistance of 700 pro bono attorneys and 130 law students, through Legal Aid's Volunteer Lawyers Program.

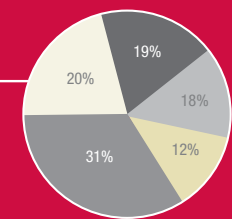


Cases Handled in 2005

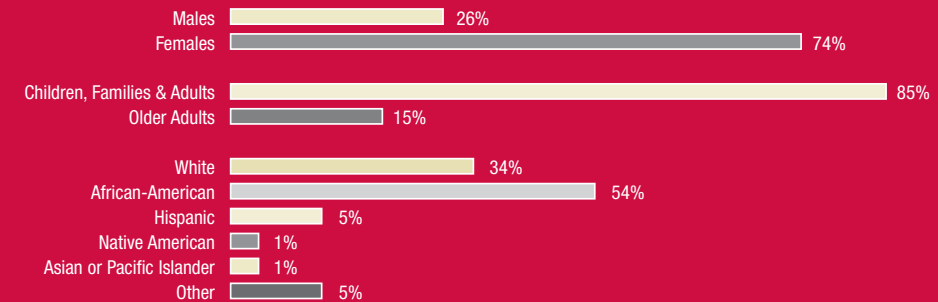


Types of Cases Handled

Consumer Law	31%
Family Law	18%
Health, Education, Work & Income Issues	19%
Housing Law	20%
Individual Rights, Community Development & Other Matters	12%



Client Demographics



Financials



Revenue, Gains and Other Support

Type	2005	2004
Ohio Legal Assistance Foundation (OLAF)	\$2,768,751	\$2,518,219
Legal Services Corporation (LSC)	\$1,969,069	\$1,981,351
Donations and Private Grants	\$825,622	\$376,598
Donated Services	\$661,500	\$651,294
United Way	\$174,597	\$157,359
Contracts for Legal Services	\$153,000	\$39,648
Area Agencies on Aging	\$109,696	\$125,897
Other Government Grants	\$81,897	\$86,544
Other Income	\$188,268	\$163,534
Total Revenue	\$6,932,400	\$6,100,444

Expenses

Type	2005	2004
Program Services	\$5,571,702	\$5,461,130
Support Services - Administration & Development	\$988,056	\$609,396
Total Expenses	\$6,559,758	\$6,070,526
Change in Net Assets	\$372,642	\$29,918
Net Assets - Beginning of Year	\$2,018,693	\$1,988,775
Net Assets at Year End	\$2,391,335	\$2,018,693

	2005	2004

Donors to The Legal Aid Society of Cleveland (cash donation between 1/1/05 and 12/31/05)

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A Century of Advocacy

“Her case came in like a lot of our cases,” explains 20-year Legal Aid attorney, Gail White. “It began with a court summons and complaint in foreclosure.” Having her home in foreclosure was not the only worry for this client, Margaret. She had a severely disabled daughter who depended on her for full-time care.

To keep her home in good repair, Margaret borrowed money and hired a contractor who convinced her to release the funds to him before all the work was done. The contractor soon fled the state with Margaret’s money in hand. Although Margaret believed she had secured a regular mortgage, she had actually acquired an equity line of credit and was paying interest only, with a variable rate that could rise up to 18%. At the end of 20 years, Margaret would still owe the original \$15,000 that she borrowed.

Attorney Gail White soon discovered that Margaret had not received all disclosure notices required by law. Gail worked to have the transaction rescinded under the Truth in Lending Act. With a settlement loan of \$10,000, Margaret would now pay \$100 per month and have a zero balance at the end of 10 years.

“I help people whom the whole system is against. People who struggle to survive with so few resources. They lack not just money, but education and often health. Some also have intellectual or psychological limitations that make life more difficult for them,” remarks Gail White who was able to keep Margaret and her daughter together in their own home.

**“I help people whom the whole system is against.
People who struggle to survive with so few resources...”**

**The Consumer Unit is dedicated to promoting the economic
stability of low-income consumers.**



A Century of Commitment

Clare McGuinness' retirement after nearly 20 years as a Legal Aid attorney lasted less than a week. She retired on a Friday, and returned to Legal Aid on the following Monday – to set-up shop at YO! Cleveland, a non-profit program to develop success strategies for youths who have dropped out or fallen out of the traditional education system. In one and a half years at YO!, Clare opened more than 100 cases for students, many whom had multiple legal issues. She also provided brief service or advice to nearly 100 students on a drop-in basis.

Clare has always been devoted to children. When the youngest of her own eight children started school, she entered law school and graduated at age 50. Her career began at Legal Aid's Lake County Office where she handled adoption, juvenile cases, wills, guardianships, and consumer cases.

"I just love these kids," says Clare. "There's something marvelous about them." It is quite evident that the students and program staff love Clare, too. In 2005, YO! named Legal Aid as "Partner of the Year."

At face value, the situation seemed hopeless, but Legal Aid attorney Anita Myerson was able to help her client turn an important corner in her life. Teresa had lost her job, was homeless and moved often to stay with relatives. Now, her former employer had appealed and won an unemployment hearing, and Teresa was ordered to refund an unemployment overpayment.

"Unemployment can be critical in my clients' lives. These benefits help them maintain their home, their telephone, and their basic needs while they search for other employment," comments Anita Myerson.

Anita discovered that Teresa never received notice of the appeal hearing, which was held without her participation. In addition, the agency made a techni-

cal error and should never have issued the decision that the employer appealed. Teresa's due process rights were resurrected and she attended a hearing where the hearing officer was persuaded of the technical error. The hearing officer found that Teresa was entitled to unemployment benefits and she was awarded \$3,200 in back unemployment benefits – money she used to pay back debts, rent an apartment, and turn a corner in her life.

"This case made a significant impact on a vulnerable family," says Stephanie Jackson, HEWI managing attorney. The case began with a grandmother who wanted to help her blind daughter and husband remain in their family home. Grandma Ellis, who was in a nursing home, transferred a bank CD to her disabled daughter that was used to pay off the daughter's mortgage. However, Medicaid saw this as an improper transfer of assets.

Legal Aid volunteer lawyer, Bridget Kenny McAndrew, represented the client who was being asked by Medicaid to pay back the money or Grandma Ellis would suffer a penalty. Grandma Ellis' daughter and her husband had been struggling financially having raised two blind children of their own and now raising a visually impaired preschool grandchild – all on an income below the federal poverty guideline. Bridget's research revealed an exception allowed by Medicaid, which permits the transfer of assets to a disabled child as long as the asset is used to benefit the child. The favorable ruling allowed Grandma Ellis' daughter and her husband to keep their family home while allowing Grandma Ellis to remain in the nursing home without penalty.

Health-Education-Work-Income assists low income individuals in securing and maintaining their maximum benefits under public assistance and other benefit programs.

Housing

A Century of Justice

A landlord may count on a tenant not having legal representation. That was the mistake of this Cleveland Heights landlord who violated his agreement with the Public Housing Authority when he asked for \$3,600 in additional rent from his tenant. When the young tenant, Gina, approached Legal Aid with her case, she and her two children were living in an apartment with rent subsidized through the PHA Housing Choice Voucher program. Gina had lost her job and, as a result, the PHA made a redetermination that she would not owe rent money after paying utilities. However, her landlord continued to demand \$400 per month plus utilities – an amount that she had been paying for two years. And, an amount that was above what the PHA had contracted with the landlord.

With the help of a Legal Aid Housing Unit attorney, Gina had her eviction dismissed and was awarded \$3,000 for her excess rent payments. During the year that it took for this case to be resolved, Gina found a job and used her \$3,000 award as a down payment on a home for her young family.

With the goal of helping low-income people secure and retain decent, affordable housing, the Housing Unit works to secure lawful and reasonable policies and practices in the administration of assisted housing programs.



A Century of Action

Few areas of the law have undergone such recent and rapid changes as domestic violence. It wasn't until the 1980s that domestic violence began to take its place in America as an important societal issue. Until then, it was a private family matter, infrequently understood and inadequately addressed by the courts. In 1984, Alexandria Ruden joined Legal Aid as an attorney specializing in family law. She took on cases with divorce, support issues and protection orders, all with one stipulation – that the client had been a recent victim of domestic violence.

Alexandria was a pioneer in this field. As more domestic violence laws were attached to statutes, Alexandria was called on for her expertise. In 1990, legislation was introduced to revamp and restructure Ohio laws on custody and visitation. Along with Michael Smalz, Ohio State Legal Services, and Nancy Nealon, soon to be Director of Ohio Domestic Violence Network, Alexandria was instrumental in advocating that domestic violence be considered a "best interest" factor in the legislation.

In 1994, Ohio House Bill 335 mandated that police and healthcare professionals, create protocols and policies used to identify and address domestic violence. Arrest was considered the preferred course of action. This legislation transformed Ohio's response to domestic violence from a local criminal justice response to a coordinated community response by all professionals.

...to provide safety, security and independence for individuals who are victims of domestic violence or are terminating a marital relationship.



A Century of Reaching Out

Lorain Office

Social worker and paralegal prove to be the perfect combination for Margaret Molnar, as well as for her clients at the Lorain County Legal Aid office. "My typical client has no income, no health coverage and various undiagnosed and untreated physical or mental limitations that keep him from being able to work to support himself. Some are homeless, and some have had trauma with an illness," remarks Margaret.

Margaret has been a licensed social worker for 20 years and a paralegal for 15 years. She uses her expertise from both professions to work with clients to help them navigate the bureaucratic maelstrom and resolve client problems. "The first thing I do is to try to get an income generated for the client, often through welfare disability assistance. I also help clients find a doctor or psychologist who will see them with a welfare voucher. Pride sometimes keeps people from acknowledging problems such as mental health issues or learning disabilities. It is important to be sensitive to the total picture of what is going on with a client, his limitations, but also his strengths," says Margaret.

Lake / Geauga Office

The Lake and Geauga Office's precedent setting case protects children. When Janice sought protection for her children because of abuse by their father, a civil protection order was issued for all four children. But when the father objected to the magistrate's decision, the trial court agreed with the father's position and the civil protection order was applied to only one child.

Legal Aid filed an appeal on the behalf of Janice and the other three children. Claire Cloud, the Legal Aid attorney who argued the case, asked that the civil protection order extend to all the children because the finding of abuse toward one child demonstrates the risk of abuse to others.

In late 2005, the Ohio Court of Appeals (11th District – Lake County) extended the reach of a civil protection order to all children in a household, without requiring each child to show an independent act of abuse.

Ashtabula Office

"Due to the rise in domestic violence in our area, we are working closer than ever with Homesafe, the sheriff's office and other local agencies," states Davida Dodson, managing attorney at the Ashtabula County Legal Aid Office.

One case involved a woman, Sara, who sustained permanent brain damage after being pushed down the stairs and beaten by her husband. Legal Aid was not notified about the problem for six months and responded immediately upon the request of Victims of Crime. With the husband awaiting trial for attempted murder, the couple's home went in foreclosure. Her in-laws took most of Sara's belongings. The court agreed to make Sara's husband responsible for any judgments resulting from the foreclosure action. Legal Aid joined Sara's in-laws as parties to the action in order to gain the return of her personal property. The husband owed \$6,000 in marital debt and was sentenced to 7 years in prison. Sara gained a tax refund of \$2,500, as well as a \$2,500 pension. Best of all, Sara and her family were given back her possessions and the opportunity to move on with her life.



A Century of Responding

Volunteer Lawyers Program

The purpose of the Volunteer Lawyers Program (VLP) is to make pro bono legal assistance more available to low-income individuals currently not represented by an attorney.

For the first time in Cleveland history, more than 700 attorneys and 130 law students collectively volunteered to assist the poor with legal problems. Together, they served more than 1,500 additional clients.

Eighteen Brief Advice Clinics were held on the east and west side of Cleveland at community centers in low-income neighborhoods. These clinics provided 410 individuals the opportunity to discuss civil legal matters with volunteer attorneys.

Evening Law Firm Clinics were held monthly and staffed by major firms. Clinics, held at the downtown Legal Aid office, provided direct individual extended representation to 117 clients.

Specialty Law Clinics focused on elder law, immigration law and family law. The family law specialty clinics were especially successful and offered extended individual representation to many clients in need.

A traditional pro bono service model matching an attorney with a client for extended representation was accomplished through our One-On-One Match

program. More than 526 individuals were served through this program.

In its first year, The Volunteer Lawyers Program was an outstanding success in allowing Legal Aid to extend its reach and respond to the community. With more Specialty Clinics planned and increased attorney and law firm involvement, VLP in 2006 promises to be even more successful.

Community Development

North Community Construction Co-op is a business built on second chances. Men recovering from addiction problems need a way to earn money. That was the idea that Rev. Charles V. Hurst, pastor of North Presbyterian Church, and John Logue, Director of Ohio Employee Ownership Center, brought to volunteer Legal Aid attorney John Kim. To get the ball rolling, John began researching cooperatives, getting the proper forms from the State, placing the co-op in compliance, and drafting documents – several times. Eight months later, the North Community Construction Co-op was incorporated.

John Kim retired early from corporate law and now volunteers two days a week practicing in community development with Legal Aid.



Volunteer Lawyers Program
[vlp]

[vlp]

Immigration Specialty Clinic

Volunteer Lawyers Program's Immigration Clinic strives to reunite families. In November 2005, Legal Aid partnered with Catholic Charities' Office of Migration and Refugee Services for a specialty clinic focused on family reunification. Often times, refugees are forced to leave behind a wife, child or husband in their persecuted country. Volunteer attorneys served refugees from Somalia, Congo, Pakistan, Afghanistan and Iraq by filing the legal forms that will enable families to resettle together in the U.S.



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The Next Century

One hundred years later, despite a century of remarkable change, Legal Aid continues to uphold a mission to provide high quality, free legal assistance to low-income individuals, families and communities. The next few years promise even more energy, ideas and diversity, as eight new attorneys are welcomed to the Legal Aid staff in 2006. Strategic planning is underway. This process will help reconfirm successes, generate new concepts, and provide a clear strategy for the future.

Philanthropic dollars from individuals, foundations and law firms are on the increase, allowing us to do more for more people in need. Our partnership with the MetroHealth System is expanding, placing more attorneys on-site in medical centers, adding a legal component that enables a more holistic approach to healing. In the coming years, this integrated model will be used in other areas of the community where the poor are served.

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One hundred years ago, The Legal Aid Society of Cleveland became one of the first legal aid societies in the country. Today, it works to be one of the best.

In Memoriam:

C. Lyonel Jones, Esq.

The 2005 Legal Aid Society of Cleveland Annual Report is dedicated in fond memory of C. Lyonel Jones, Esq.



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Editor's Note

To protect confidences, client names
were changed for this collection of
Legal Aid stories.