

poetic justice

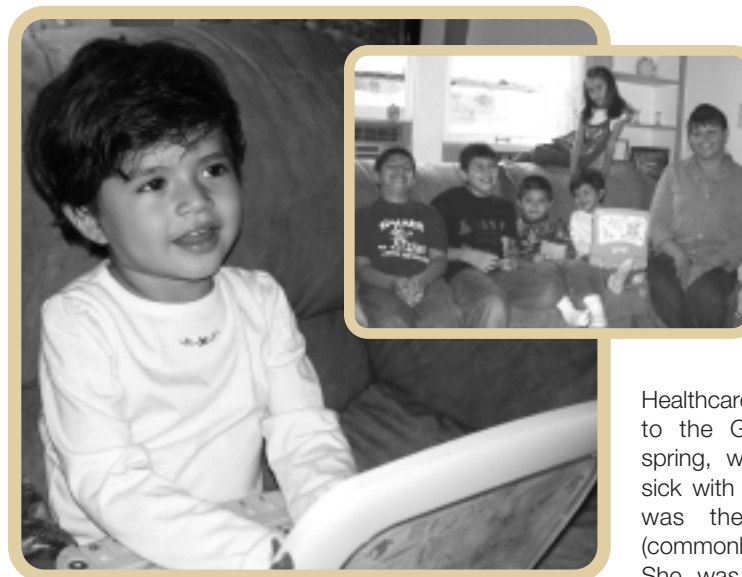
Volume 6
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Summer 2009

Access to healthcare secured for three-year old

San Juana Gonzalez, a permanent resident of the U.S., returned to Cleveland after a yearlong visit to relatives in Mexico. Her five children, all U.S. citizens, were due for vaccinations. Since their coverage had lapsed during their time abroad, Ms. Gonzalez reapplied. The youngest, three-year old Hursula, had no birth certificate on record and due to this, the caseworker said that all the children would be denied.

Ms. Gonzalez and her husband, a U.S. citizen and a cook at a Westlake restaurant, went to Cleveland City Hall to request a birth certificate for their youngest daughter, but the city also had no record of Hursula's 2006 birth at MetroHealth Hospital. The little girl remained without healthcare, and the document essential for her enrollment in school, procurement of a passport or a driver's license, and even, one day, a marriage license.

The case was referred to Legal Aid attorney Megan Sprecher via the MetroHealth System social services department. Ms. Sprecher began a series of attempts to secure Hursula's birth certificate and eventually requested a state hearing. Ms. Sprecher was able to prove eligibility: Hursula was a citizen with a hospital-issued proof



Above: Three-year old Hursula Gonzalez works on her toy laptop.

Inset Photo: San Juana Gonzalez and her children at home.

of birth letter, and her parents and attorney had made multiple good faith efforts to secure a birth certificate.

Hursula's benefits, including retroactive coverage to the date of her birth, were reinstated.

Healthcare was especially important to the Gonzalez family this past spring, when all the children were sick with what Ms. Gonzalez feared was the H1N1 influenza virus (commonly known as "swine flu"). She was able to take them to a doctor who reassured her that the symptoms were from other ailments. A few days later, Ms. Gonzalez watched her healthy children jump on and off the couch and, speaking through an interpreter, said, "I couldn't have done this without help. Things are looking a lot brighter." ●

CALFEE

attorney and Private Tenant-Landlord Program stop unfair eviction

Bonita Witherspoon loved her home, a roomy top floor unit in a Shaker Heights house. The apartment was outfitted with a full kitchen and laundry, and Ms. Witherspoon was able to use the garage. After two years as a tenant – and never missing a rent payment – Ms. Witherspoon was annoyed to find the hot water turned off. This continued intermittently; in one instance, she was without hot water for an entire week and had to shower at a friend's house. Ms. Witherspoon's heat was connected to the first floor apartment and when

that tenant moved out, the landlord turned off her radiator. Once, the lights went off for a full day.

Ms. Witherspoon brought these issues to her landlord's attention. When he was unresponsive to her requests, Ms. Witherspoon contacted the City of Shaker Heights.

City officials arrived to inspect the property and discovered multiple code violations, including the fact Ms. Witherspoon's residence was not meant to be rented as an apartment.

Continued on page 4 ... Calfee stops unfair eviction



Quick Action

saves water service for Ashtabula client

Andrea Stone* is a Geneva resident who filed for bankruptcy with the help of Legal Aid staff attorney Michael Attali. She was shocked when, a week after her filing, representatives from Ashtabula County arrived to disconnect her water service. Ms. Stone protested, citing her bankruptcy status. The County claimed they had yet to be notified of the bankruptcy and were justified in turning off the water because Ms. Stone was behind in her payments.

Mr. Attali explains the distinction: "The automatic stay gives immediate protection to a debtor upon filing of a petition with the Bankruptcy Court. A creditor does not need actual notice before the automatic stay comes into effect."

Mr. Attali brought the oversight to the attention of the Prosecutor's office. The county's Department of Environmental Services quickly responded, restoring Ms. Stone's water service within two hours. ●



Michael Attali, Esq.

Board Member Profile:

Richard Panza

Avon attorney Richard Panza began his career at Legal Aid. During his first two years at Cleveland-Marshall College of Law, Mr. Panza interned part-time with Legal Aid. He refers to this time affectionately, saying Legal Aid gave him a good start in his professional life: "Skills attorneys develop in their first five years are paramount to their legal career."

Margaret Terry, Supervising Attorney for the Intake Unit, remembers working with Mr. Panza on juvenile cases: "He did anything and everything he needed to do. He cared – really cared about these kids and how the case came out, and worked hard to get a good resolution." For his part, Mr. Panza admires those who have stayed at Legal Aid for the bulk of their legal career: "People who have been working there for a number of years have made a decision to give more than they take."



Richard Panza, Esq.



Margaret Terry, Esq.

Mr. Panza attended evening classes his final year of law school, enabling a full-time commitment to Legal Aid. Then private practice drew him out to Lorain County, where he joined a firm that eventually became Wickens, Herzer, Panza, Cook and Batista, where he is a named partner. Still, Mr. Panza's memories of Legal Aid remained vivid.

In 2006, Legal Aid was looking for a new Board member to represent Lorain County, and Mr. Panza was recommended by his former Legal Aid colleague Richard Gurbst, now at Squire, Sanders and Dempsey. Executive Director Colleen Cotter asked Ms. Terry to call and gauge his interest, which she was glad to do.

Currently, Mr. Panza is Vice President and a leader on the Board. He serves on four committees – Executive, Program, Finance and Development – which reinforce his interest in securing Legal Aid's mission and financial independence for many years to come. He notes, "Legal Aid's is not a passive board; you have to do more than show up every three months. If you show up unprepared, you will be embarrassed. It's an exciting, complex place with engaging personalities." ●



Volunteer Profile: *Michelle Paris*

After twenty years as a Cleveland Municipal Court magistrate, Michelle Paris wanted to devote her time to volunteer work. She remembered a “constant source of frustration” in her court: the inability of low-income people to afford representation. Ms. Paris decided to donate her time to Legal Aid’s Consumer Unit, saying, “I respected the quality of [Legal Aid’s] work and knew this would be a positive work environment.”

While the Consumer Unit focuses on the foreclosure crisis, Ms. Paris is working on a *pro se* materials packet for debtors dealing with other issues. She also assists the unit with discovery and the filing of notices. Notes Harold Williams, Managing Attorney of the Consumer Unit: “We are thrilled to have Michelle. She has taken on a number of projects and, in a very short period, her unique experience and perspective enhances the value of our work in a number of respects.”



Michelle Paris, Esq.



Harold Williams, Esq.

When not at Legal Aid, Ms. Paris is a reading tutor at Buckeye Woodland School and works with seniors in a balance class, building confidence and ease of movement.

Praising the “spirit and camaraderie of [Legal Aid’s] lawyers and staff,” Ms. Paris enjoys her new experience in the legal community as an advocate, as opposed to a decision-maker. She adds, “I love the law.” ●

Thirst FOR JUSTICE



· Tuesday · July 14, 2009 ·

Quench your thirst for justice

at Legal Aid’s annual gathering for summer associates and attorneys. Kick off your evening at Legal Aid’s offices and enjoy beverages and snacks along with an update about Legal Aid’s work.

Afterward, take a self-guided tour of the Warehouse District and visit neighborhood restaurants.

When: Tuesday, July 14
5:00 - 6:30 p.m.
Short program at 6:00 p.m.

Where: The Legal Aid Society of Cleveland
1223 West Sixth Street
Cleveland, Ohio 44113

Donation: **\$20 in advance** at www.lasclev.org
\$25 day of event
Can't make it? Your online donation is appreciated!
Direct questions to events@lasclev.org

Co-Sponsors:

- **Cleveland Metropolitan Bar Association:
Young Lawyers Section**
- **Law Placement Association of Cleveland**



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Calfee stops unfair eviction

For years, the landlord had signed affidavits to affirm he was not renting out the top floor.

Ms. Witherspoon needed to move out, and, as she made preparations to find a new home, she faced another surprise – the landlord sued her for eviction, alleging that she had neglected to pay rent.

Ms. Witherspoon brought her issue to a neighborhood Brief Advice and Referral Clinic, sponsored by Legal Aid’s Volunteer Lawyers Program, and the case was referred to the Private Tenant-Landlord Program, which enables *pro bono* attorneys to help low-income renters with landlord disputes.

Enthusiastic to try something different from her role as a litigator in tort, accident and products liability cases, Calfee, Griswold, Halter & Griswold attorney Deneen LaMonica took the case. “I had never done anything in housing court before,” said Ms. LaMonica.

Ms. Witherspoon was “very impressed” with her attorney, adding, “we clicked right away.”

Ms. Witherspoon had filed a case in small claims court, which Ms. LaMonica advised her to drop in favor of a counter-claim against the eviction. They attended mediation, and Ms. Witherspoon (who refers to herself as the “receipt queen”) produced careful records of all rent payments. A decision was made in her favor, and the landlord was told to pay \$625 to Ms. Witherspoon, which covered moving expenses to her new home.

Ms. LaMonica, for her part, was “very pleased” with the outcome, citing this case as a moment when the parties came together and “the process worked.”

Lauren Gilbride, staff attorney for the Volunteer Lawyers Program, praises the attorneys from Calfee, Jones Day, Hahn Loeser + Parks, and Thompson Hine who participate in the Private Tenant-Landlord Project. “Legal Aid receives an overwhelming number of requests for eviction assistance every year and without the volunteer attorneys’ time and effort, many people would be turned away,” says Ms. Gilbride. ●

The Private Tenant-Landlord Program is funded by the Charter One Foundation, the Eva L. and Joseph M. Bruening Foundation, the Murphy Family Foundation, the Sisters of Charity Foundation and United Way of Greater Cleveland. For more information about the Private Tenant-Landlord Program, contact Ann McGowan Porath, Managing Attorney Volunteer Lawyers Program/Intake, at 216-861-5332 or amporath@lasclev.org.



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The Legal Aid Society
of Cleveland

The Annual Campaign for Legal Aid

1223 West Sixth Street Cleveland, Ohio 44113

Web: www.lasclev.org E-mail: info@lasclev.org

Save the Date

Legal Aid’s Annual Luncheon & Report to the Community

Friday, November 13, 2009

Cleveland Marriott Downtown, Key Center

Interested in Sponsorship?

call: 216-861-5217

e-mail: melanie.shakarian@lasclev.org

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Development: 216-861-5217

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Lake & Geauga County Office
Phone (toll free): 888-808-2800

Lorain County Office
Phone (toll free): 800-444-7348



Volunteer Lawyers Program [vlp]



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3.



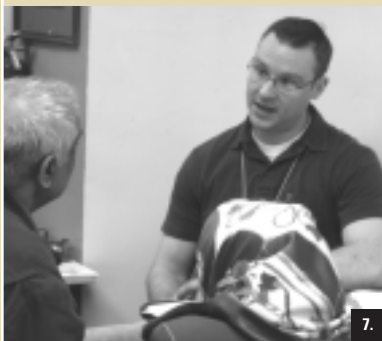
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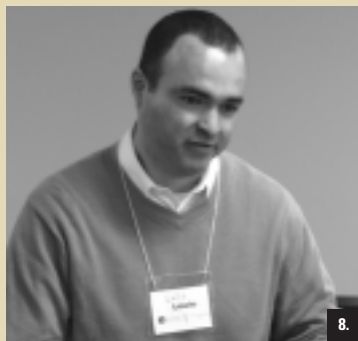
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Volunteer attorneys at recent brief advice clinics.

1. **Cassandra Collier-Williams, Esq.**
– Norman S. Minor Bar Association
2. **Bari E. Goggins, Esq.**
– Ulmer & Berne
3. **Cynthia A. Binns, Esq.**
– GrafTech International, Ltd.
(Northeast Ohio Chapter:
Association of Corporate Counsel)
4. **Mark McClendon, Esq.**
– BASF Corporation
(Northeast Ohio Chapter:
Association of Corporate Counsel)
5. **William T. Davis, Esq.**
– National City Corporation
(Northeast Ohio Chapter:
Association of Corporate Counsel)
6. **Amy Cheatham Tye, Esq.**
– Eighth District Court of Appeals
7. **Joseph P. Dunson, Esq.**
– Lowe Eklund Wakefield &
Mulvihill Co., LPA,
8. **Luis A. Carrion, Esq.**
– Benesch, Friedlander,
Coplan & Aronoff LLP
9. **Dennis G. Terez, Esq.**
– Office of the Federal
Public Defender



LSC President Helaine M. Barnett, Esq. (center) with Legal Aid Senior Attorney Joseph Meissner, Esq. and Executive Director Colleen Cotter, Esq.

This past March, Legal Aid was honored to host Legal Services Corporation (LSC) President Helaine M. Barnett, Esq. Ms. Barnett visited Legal Aid’s administrative offices in Cleveland to hear updates on programs and attend a reception for the National Medical-Legal Partnership Summit. In a letter following her visit, Ms. Barnett praised Legal Aid’s staff for “all they do everyday to ensure equal access to justice” across the region. Ms. Barnett used examples from her Cleveland meetings in testimony on Capitol Hill the following week.

Established by Congress in 1974, LSC operates as a private non-profit corporation and is the single largest provider of legal aid for low-income Americans. ●



Stories of Philanthropy and Hope

Poetic Justice is a publication of The Legal Aid Society of Cleveland

*Confidentiality: The names of some clients profiled in this newsletter were changed to protect their confidences.



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 is proud to announce the 2009 Summer Associates who will participate in a structured 11-week summer program that includes trainings on substantive law, public interest work, and the basics of legal practice. Students learn how to interview clients, draft court pleadings, research relevant legal issues and observe hearings and trials. Through their work at Legal Aid, summer associates expand the organization's ability to provide high-quality legal services to low-income people. The summer program had more than 100 applicants from 17 schools. ●

**Case Western Reserve University
School of Law**

Brin T. Anderson
*Health, Education, Work, Income
& Immigration Unit: Unemployment
Compensation and Wage Project*

Tanisha J. Bates
Family Law Unit

Kimberly M. Gawel
Consumer Law Unit

Sarah E. Greenlee
*Health, Education, Work, Income
& Immigration Unit: Community
Advocacy Program*

Francisco Morales
*Health, Education, Work, Income
& Immigration Unit: Community
Advocacy Program*

Justin Vargo
Ashtabula County Office

Case Western Reserve University

Namit Bhatt
IT Technology Intern

**Cleveland-Marshall College of Law
Cleveland State University**

Joseph J. Fell
Intake and Volunteer Lawyers Program

Allison S. Lawson
*Family Law Unit
Domestic Violence Prevention Project*

Lauren A. White
Lorain County Office

Duquesne University School of Law

Meredith Aggers
Lake and Geauga County Office

Georgetown University

Allison Wagner
Development & Communications Intern

Harvard Law School

Jennifer Collins
Housing Law Unit

Stanford University

Christine Vucolova
Development & Communications Intern

**University of Akron
School of Law**

Junaid Sulahry
*Health, Education, Work, Income
& Immigration Unit: Immigrant
Detention Project*

Jacqueline T. Walsh
*Health, Education, Work, Income
& Immigration Unit: Immigrant
Detention Project*



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