



#MyLegalAidStory:

How Legal Aid impacted the life of one Cleveland Police Officer, created positive ripple effect for others



Mr. Tell at Legal Aid today.

personal story of Legal Aid – from the 1970's.

The retired Cleveland Police Officer was once part of the monumental legal case that mandated diversity throughout the Cleveland police force.

William was a member of the Black Shield, a brotherhood of black police officers that was founded in 1946. In the early '70s, the Shield fought against the police department's hiring procedures, which they claimed were discriminatory. For years, all of the department's higher-ranking officers were white men – even as more black men (and more women) were joining the force. And even though there were more black officers than ever before, qualified black candidates were consistently passed over for white ones, resulting in a police force that looked quite different from the population of the city it served.

Legal Aid represented the Black Shield in *Shield Club vs. the City of Cleveland*, which was heard in the U.S. District Court for the Northern District of Ohio.

The judge issued a consent decree to ensure diversity on the police force, so it was more representative of the city's population at large. Based on city demographics, a certain percentage of the police force had to be African-American; this held for the force in general and for leadership positions.

Because of Legal Aid's advocacy, William was one of the first black police officers to be promoted to Sergeant as a result of the new consent decree. He led the department's bicycle squad for a while, and later became the first minority lieutenant to head the detective bureau.

William fondly recalls the days when he'd have his bike squad stop by an elementary school to help students with reading. They even formed a basketball team to take on the school's teachers – in William's telling, "the kids thought they didn't like cops ... then all of a sudden, they're rooting for these cops to beat their teachers!" William was born and raised in Cleveland, and his presence was a comfort to residents who knew him as the former paper boy from down the street.

"They felt comfortable telling me about problems that were going on. I used to tell them, bring your kids into the station, I'll talk to 'em. I also set aside an hour or two every day when community members could call me on the phone and talk to me directly, about any concerns at all."

William celebrated a milestone this year: October 17th was the 50th anniversary of his swearing in as a Cleveland Police Officer. The gregarious grandfather helped organize a reunion for all 61 of the officers sworn in that year. William says what he liked most about being a police officer was being able to help people. "You're in a position of authority, and you need to use that to do something good for someone every day," he says. "It's a discretionary profession, and it's wide-ranging. That's a lot of responsibility."

Mr. Tell is one of thousands of former Legal Aid clients who can attest to the importance of our advocacy – not only for himself, but for an entire community. Read more about the long-term impact of Legal Aid in a study completed by the Center for Community Solutions this year at www.LegalAidImpact.org.



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Poetic Justice

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Stories of Philanthropy and Hope from The Legal Aid Society of Cleveland

New Legal Center for Low-Income Entrepreneurs Will Remove Barriers to Economic Opportunity

Millions of Americans live in poverty. But the traditional path to economic security – a job – doesn't translate to the same wealth and opportunity that it once did. Minimum wage is too low to hold poverty at bay, and volatile work schedules often do not add up to full-time employment. For many, barriers to employment such as a criminal record or a lack of transportation make finding a job challenging or impossible.

Entrepreneurship provides a powerful pathway out of poverty. A recent Aspen Institute study that followed 1,500 low-income entrepreneurs for five years found that 53% of them had moved out of poverty during that time. 75% had increased their household income by anywhere between \$8,000 and \$22,374, and overall, assets had increased by as much as \$15,000 over five years.

Unfortunately, for those with low income, starting a business poses many challenges. All self-employed business owners have to think about taxes, work space, non-profit vs. for-profit status, filing with the Secretary of State, and more. Among other things, low-income entrepreneurs often lack the financial resources and social capital needed to succeed.



Julie Cortes, Esq.

To address this need for supports in the local business community, The Legal Aid Society of Cleveland created a Legal Center for Low-Income Entrepreneurs, led by attorney Julie Cortes. Thanks to formative support from the Sisters of Charity Foundation of Cleveland's Innovation Mission and a grant from the Thomas White Foundation, Legal Aid's unique program provides specialized support for Northeast Ohio's underrepresented, underserved, and low-income entrepreneurs.



income entrepreneurs need access to programs and services tailored to their needs – including high-quality, affordable legal services.

The Center accepts client referrals from partner organizations, initially the Hispanic Business Alliance and the Economic Community Development Institute (ECDI). Prospective business owners will undergo two types of "legal check-ups." The first will screen the client's business for important preliminary legal matters and to identify outstanding legal issues. The second check-up will screen for personal legal problems that can interfere with one's ability to successfully develop and manage a business. Additionally, Legal Aid will develop educational materials and offer regular presentations on relevant legal topics.

No one can be successful while facing legal barriers to housing, food, shelter, and safety – and every new business has legal needs that must be addressed.

Legal Aid's Center for Low-Income Entrepreneurs will help driven, low-income individuals who desire to become business owners achieve success. With the legal assistance they need, local entrepreneurs will be supported in their quest to address unmet needs in their neighborhoods and will experience fewer legal stumbling blocks in the future when their business is firmly established.



Photos from Legal Aid's 114th Annual Meeting: November 25, 2019



Geoff Gund (center) celebrates his retirement with Gund Foundation executive director David Abbott and Legal Aid executive director Colleen Cotter.

BREAKING NEWS:

Gund Foundation awards Legal Aid \$2 million grant

After 25 years as president of the Board of Trustees of The George Gund Foundation, Geoffrey Gund retired following the board meeting on November 14. The Foundation's board awarded \$2 million to Legal Aid to launch the Geoffrey Gund Fund for Children and Families in his honor. Gund worked at The Legal Aid Society of Cleveland in the late 1960s. Read more at: <https://tinyurl.com/GundGiftLegalAid>

Cleveland creates right to counsel for housing



Partners from United Way, Legal Aid and Sisters of Charity Foundation pose with Council President Kelley the upon passage of the right to counsel legislation on September 30.

On October 1st, with Mayor Jackson's signature, Cleveland created a right to counsel for low-income tenants with children. The City of Cleveland found that the lack of legal counsel for low income tenants with children during eviction cases is a violation of a basic human right. The new legislation ensures access to legal services for certain low-income tenants who face housing instability.

This effort grew from Legal Aid's Housing Justice Alliance – a group Legal Aid created to promote legal representation for tenants facing evictions in Northeast Ohio. After initial funding and support from the Sisters of Charity Foundation to explore the idea, the Housing Justice Alliance formed an advisory committee. Cleveland City Council

President Kevin Kelley and Councilman Anthony Brancatelli served as members on this advisory committee. Under their leadership, the Alliance's ideas evolved and informed the groundbreaking right to counsel legislation.

Pursuant to this legislation, effective June 30, 2020, legal counsel shall be provided to tenants at and below 100% of the federal poverty guidelines who have at least one child in the household. The United Way of Greater Cleveland will work with Cleveland City Council to lead the program, and will contract with The Legal Aid Society of Cleveland to provide the legal services. Legal Aid will provide access to legal representation by its experienced staff, *pro bono* attorneys, and other subcontracted entities.

"Legal Aid is proud to be a close partner with United Way and we look forward to working with them to make this City's new legal protection a reality for low-income families," says Colleen Cotter, Executive Director of Legal Aid. With this effort, Cleveland is the first city in the Midwest and the fourth in the United States – after New York City, San Francisco and Newark - to enact such protections for low-income tenants. At time of publication of this newsletter, Philadelphia became the 5th city, after Cleveland, to establish such a right. Cleveland is at the forefront of an important national movement.

Calling all Volunteer Attorneys: You can now "Take a Case" online!

Now, it is even easier to volunteer for Legal Aid!

Visit <https://tinyurl.com/LegalAidTakeACase> and browse a list of currently available *pro bono* cases that have been vetted by Legal Aid's intake department. Each case includes a brief description of the client's issue and the legal matter. Click on the case that interests you and fill out the online form to be connected with someone from Legal Aid's Volunteer Lawyers Program. It's that simple!

The "Take a Case" portal was designed to streamline the process of matching clients with *pro bono* attorneys. Special thanks to the Legal Services Corporation's *Pro Bono* Innovation Fund for sponsoring this project.



This fall, the Ohio Legal Assistance Foundation, commonly known by its acronym "OLAF," changed its name to the Ohio Access to Justice Foundation.

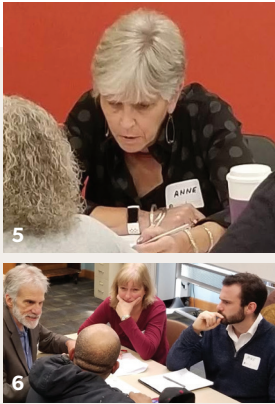
The Ohio Access to Justice Foundation distributes filing fee revenue and interest earned on lawyer trust account (IOLTA) to the legal aid programs in Ohio. Through this, it is the largest funder of civil legal aid in Ohio.

Angie Lloyd, the group's Executive Director, says the name change "allows us to emphasize not only our commitment to funding and supporting Ohio's legal aids, but also to recognize all of our efforts to increase justice for Ohioans struggling to make ends meet." The new name was announced at the Foundation's 25th Anniversary Celebration in September.

Legal Aid in the community



1. Attorneys from the University Hospitals Legal Department and Benesch pose with Legal Aid staff during a neighborhood clinic. / 2. Shaka Sadler, Esq. and John Mills, Esq. (Walter Haverfield) / 3. Attorneys from Jones Day huddle at a recent Legal Aid at the Library clinic / 4. Ron Falconi, Esq., Chris Centeno, Esq., Phil Bautista, Esq. and Jason Veloso, Esq. (South Asian Bar Association) / 5. Anne Meyers, Esq. (Meyers, Roman, Friedberg & Lewis) / 6. Bob Triozzi, Esq. (McDonald Hopkins), Norma Mudry, Esq. (ABB, Inc.) and student volunteer Mike Triozzi



A young father determined to fight injustice gets the legal support he needs from volunteer attorneys



in college with a financial aid scholarship. However, life circumstances prevented him from attending a significant number of classes that first semester. The financial aid policies allowed a student to keep their aid with good grades and attendance. Unfortunately, Thomas had to give up his federally funded financial aid, called a Title IV Grant, for that semester, because he didn't pass his classes and didn't meet the 60% class attendance requirement.

The next semester, Thomas tried again: he went to all his classes and took all his finals but still struggled academically. The school determined, for the second semester, that Thomas had again relinquished his right to a Title IV Grant. Seven years later, the school surprised Thomas with a lawsuit, claiming he owed them money. Thomas represented himself *pro se* in the litigation, successfully filing an answer and actively participating in the initial case management conference.

But when the school filed a motion for summary judgment, Thomas didn't know the right next step. The judge decided in favor of

the school and Thomas now owed more than \$4,000.

Determined not to give up, Thomas reached out to Legal Aid. Soon after Legal Aid connected Thomas with volunteer attorney Pat Haggerty and Justin Younker from Frantz Ward.

The duo helped Justin file a motion for relief from judgement, and included an affidavit from Thomas testifying that he had indeed attended more than 60% of one of his courses. The motion was granted, and Thomas's case was re-opened. "We started to work on discovery," says Justin, "and focused on finding out how the school managed attendance records. Turns out, they don't take attendance."

MAKING THE CASE

Pat and Justin deposed a staff member of the finance department at the school to clarify the school's policy regarding the return of Title IV funds. The staff member relayed that the university does not, in fact, monitor individual student class attendance. Despite this admission, Thomas still didn't prevail and

the case was appealed. In their argument to the appeals court judge, the attorneys provided evidence from appellate cases in the 10th District which highlight the agreement between a university and a student is in fact a contract, and the contractual terms are found within an institution's published policies. Thomas's school couldn't prove they upheld their end of the contract.

The appeals court judge ruled in Thomas's favor. The case created new precedent in the 8th District and will protect other people like Thomas.

Justin was passionate about Thomas's case, which he worked on with Pat for two years. "He's just a great guy," Justin says of his client. "He works all the time. He's doing all the right things, and he just required a little additional help to get past this hiccup."

"Pat and I think he's going to have his own restaurant someday," Justin adds. "He has it in him. We wanted to do everything we could to make sure this unfair situation didn't hold him back."

At Legal Aid's annual meeting on November 25, the following were honored with awards from the Volunteer Lawyers Program:

LEGACY OF JUSTICE AWARD

This award is given to an individual, group or institution whose participation in *pro bono* or other volunteer efforts has been significant in terms of length and/or impact.

Patrick Haggerty, Esq., Frantz Ward

ACCESS TO JUSTICE AWARD

This award is given in recognition of significant contribution to advancing the mission of Legal Aid through *pro bono* commitment. This recognition is informed by number of hours/cases/clinics.

McDonald Hopkins and Thompson Hine

COMMUNITY IMPACT AWARDS

This award is given to individuals, firms, groups or other volunteers who have made a mark for outstanding participation, effort, or critical involvement that ensured success for a client, client community, project etc.

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Geauga County Bar Association
West Side Catholic Center

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Carolyn Butler
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Nominated by the American Sickle Cell Anemia Association

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Jillian Charles, Esq.
Honeywell

Quo Vadis Cobb, Esq.
Rockwell Automation

Edward W. Moore, Esq.
RPM International, Inc.

Steven Dettelbach, Esq.
BakerHostetler

Andre Dowdy
Community Representative
Nominated by the VA Medical Center

Philip S. Fastenau, Ph.D.
University Hospitals

Stephen M. Fazio, Esq.
Squire Patton Boggs

Nathan Genovese, Esq.
Community Representative
Nominated by the Arc of Greater Cleveland

Karen L. Giffen, Esq.
Giffen & Kaminski LLC

Delores Gray
Community Representative
Nominated by Promise Neighborhood

Barbara Roman, Esq.
Meyers, Roman, Friedberg & Lewis

Michael N. Ungar, Esq.
Ulmer & Berne LLP

Brenda Wells
Community Representative
Nominated by the American Sickle Cell Anemia Association

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