



# Poetic Justice

Volume 17 Issue 3 Fall 2020

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

## Marissa's Story:

### *Having Attorney by her Side has Been a Lifeline During COVID-19*

Frontline healthcare workers are essential to public safety during a pandemic – but many still lost hours and significant amounts of income when COVID-19 began ravaging the globe earlier this year. Marissa Patawaran is one of those workers.



Legal Aid client Marissa Patawaran

"When everyone is told to stay home as much as possible, people don't seek out as much medical care," says Marissa, a Certified Nursing Assistant in Cleveland, Ohio. "My hours were reduced in March, and now I am working PRN, or as-needed. It's just not enough."

Marissa is raising her one year-old daughter on her own, and rents an apartment with help from a Section 8 Housing Voucher. In early September, just weeks before her daughter's first birthday, her landlord filed for eviction. Even though Marissa offered her landlord a late rental payment, he refused to accept it. On top of everything, the roof in one of her apartment's bedrooms fell in while Marissa and her daughter were out one day. The landlord made no repairs and has not evaluated the rest of the building for safety issues.



Legal Aid attorney Anastasia Elder

"I got a packet from Cleveland Housing Court with information about my hearing date and my rights," says Marissa. The packet included a pamphlet from United Way describing Cleveland's new Right to Counsel law, with the phone number for Legal Aid.

"I was hesitant to call at first," says Marissa, "but I'm so glad I did."

Marissa called Legal Aid on a Friday, and by Monday she had a safe and virtual meeting with Legal Aid attorney Anastasia Elder.

"With Cleveland's Right to Counsel law, anyone living in the city with an income at or below 100% of the federal poverty limit and children in the household has the right to an attorney in eviction cases," explains Anastasia.

Anastasia prepared Marissa's case for the hearing in Cleveland Housing Court and helped the family serve the landlord with a Declaration under the Centers for Disease Control and Prevention's (CDC) Eviction Moratorium. She also counseled Marissa about available rental assistance funds, which she secured.

The landlord, perhaps concerned that Marissa was now represented by an attorney, never appeared for the virtual hearing, and the eviction portion of the case was dismissed. Anastasia continues to work to remedy the home's safety and condition issues.

Safe from eviction, Marissa is currently looking for a new residence for herself and her daughter. Anastasia is advocating for her to be compensated for the trouble of living in a home with unsafe conditions.

"I've loved working with Anastasia," says Marissa. "I can send her a text whenever I need anything. If I hadn't contacted Legal Aid, I wouldn't have known about the rental assistance programs, and I would have lost my case."

Learn more about Legal Aid's COVID response at  
[www.lasclev.org/coronavirus](http://www.lasclev.org/coronavirus)



Ann McGowan Porath, Esq.

## Ann Leaves her Legacy at Legal Aid After 38 Years of Service

"When you think of *pro bono*, you think of Ann," says Thompson Hine attorney Frank DeSantis. "She is one of the most recognized and well-respected lawyers in this community and a wonderful voice for Legal Aid."

Ann began her career at Legal Aid as a Reginald Heber Smith Fellow in 1982. In the 80s, Legal Aid had multiple neighborhood offices around Cleveland, and Ann initially worked with older clients in an office located at E. 55th and Woodland. When Legal Aid reorganized in the early 2000s and established a central headquarters in downtown Cleveland, the current Intake Department and Volunteer Lawyers Program (VLP) was created to centralize intake, facilitate *pro bono* referrals, and continue this neighborhood-level outreach. Ann became the managing attorney of this new department.

Ann says the most appealing thing about her role was that it allowed her to continue working with clients while also engaging with local attorneys and building awareness about Legal Aid's services.

Ann forged deep and collaborative partnerships with the bench and bar to promote Legal Aid's mission and *pro bono* opportunities. This was helped, in part, by the leadership of attorney David Kutik who was President of the Cleveland Metropolitan Bar Association from 2004 - 2005. David's focus for his bar presidency was promoting *pro bono* work. His promotion, paired with Ann's vision for programming, led to the initial success and sustainability of Legal Aid's Volunteer Lawyers Program.

The Volunteer Lawyers Program provides private attorneys the opportunity to give back to the community. Ann always encourages volunteers to look at situations through the eyes of the client, who might find addressing legal issues to be an unknown and scary experience. Legal Aid board member, attorney, and current Chair of the *Pro Bono* Committee Barbara Roman

says Ann has always been a dependable, supportive resource, helping volunteers find answers and pointing them to materials. "She leads with grace and calmness, but she's also a powerhouse," Barbara says.

Under Ann's stewardship, Legal Aid expanded its network of volunteer lawyers by providing the opportunity for late-career and retired attorneys to get involved through the innovative ACT 2 program. Barbara points out that ACT 2 has made an impact not only in Northeast Ohio, but also nationally; it has been replicated at multiple other legal aid organizations across the country.

Under Ann's leadership, technology has been leveraged to facilitate and optimize *pro bono* work. Volunteer Lawyers Program administrative assistant Rachel Riemenschneider highlights that, over the past three years in particular, the use of technology has grown exponentially as a direct result of Ann's ambition to modernize and make the volunteer experience a good one. The "Take a Case" portal on Legal Aid's website is an example of how technology has been used to place cases in a more timely and efficient manner; attorneys view an online list of open cases and simply click a button to express interest.

Ann has been honored for her leadership with many awards over the years – the most recent of which is the Ohio Access to Justice Foundation's prestigious Denis J. Murphy Award.

At the end of 2020, Ann will retire with the confidence that she leaves behind a strong team that can take the Volunteer Lawyers Program to the next level. In retirement, Ann is looking forward to spending more time with her family, including her two sons – one who lives with his family and four children in Washington, D.C. and another who was recently married in Cleveland. Legal Aid is forever grateful to Ann for her service, leadership, and friendship. Here's to hoping she comes back soon – perhaps as an ACT 2 volunteer?

## #LostInTheSystem Highlights Plight of Ohioans Seeking Unemployment Compensation This Year

Ohio's unemployment compensation (UC) system was not prepared for the influx of applications that came when workers who lost jobs due to the COVID-19 pandemic sought relief.

The UC system was designed to help people cover food, rent, and other essential payments during times when they are not earning income. This year, applicants found themselves without any relief as they spent hours on hold, and waited weeks for any news about the status of their application.

In September, The Legal Aid Society of Cleveland joined legal service providers across Ohio for an awareness campaign on social media with the hashtag “#LostInTheSystem,” an initiative intended to draw attention to the pervasive problems in Ohio's unemployment compensation system.



Legal Aid client Ms. Steels interviewed by News 5 Cleveland about the importance of Legal Aid

One person who was #LostInTheSystem before Legal Aid intervened is Susan Steels. Susan spent weeks sending corrected documents to the unemployment office after they denied her initial application. Months went by and Susan fell behind on mortgage

and car payments, until a Legal Aid attorney helped her solve the issue with her claim and submit the correct information. In August of 2020, Susan's claim was approved, and she also received back

payments. Susan is incredibly grateful for Legal Aid's assistance. “I don't know what I would have done without them,” she said of the team that worked on her case.

Another person #LostInTheSystem this year was William Mills (*name changed to protect client privacy*). In February, a new company bought William's employer and laid him off. He applied for unemployment, but his claim was denied a few days before the COVID-19 pandemic led to shutdowns throughout the country. He turned to Legal Aid for help staying financially solvent as his circumstances became more and more dire.

An attorney coached William on representing himself at his unemployment hearing. Thanks to this expert guidance, William was approved for compensation. He ended up receiving \$1,400, but was still owed another \$1,800. Because the pandemic was now in full swing, he struggled to get a clear answer on how to access the rest of his money. He was falling behind on his mortgage, car, and medication payments – until Legal Aid identified a problem in his weekly claim filing that had been holding up the rest of his benefits. Once rectified, William finally received all of the unemployment compensation to which he was entitled. Today, William is relieved to have financial stability, thanks to Legal Aid.

To learn more about the #LostInTheSystem campaign, follow the hashtag on social media.

## JAM FOR JUSTICE '20: A Benefit



Volunteer attorney Brad Wolfe served as MC

Since 2009, The Legal Aid Society of Cleveland has hosted a summer festival-style concert to raise funds for its mission. “Jam for Justice” showcases law students, attorneys, judges, and their professional friends from Northeast Ohio who moonlight as rock stars.

This year, the live show continued – but in a COVID-safe way! The eight bands and their loyal followers believed the “show

must go on,” because Legal Aid's work to promote fairness, equity and justice is now more important than ever. In September 2020, Jam for Justice went virtual with four nights of live-streamed performances from the iconic downtown Cleveland House of Blues.

Seven returning bands plus one newcomer took to the stage for the venue's first performance in months.

## Celebrate *Pro Bono* 2020: A Month of Virtual Events + Volunteer Reflections



Every October, The Legal Aid Society of Cleveland celebrates the impact of *pro bono* service in honor of the American Bar Association's "Celebrate Pro Bono Week," which was October 25 - 31 this year. Volunteers handle 20% of all Legal Aid cases. This year, we celebrated our *pro bono* attorneys with a full calendar of virtual events and programs to honor the critical role they play in expanding Legal Aid's impact.

One popular event was the first of a series of Brown Bag Lunch sessions, held via Zoom on October 28. Legal Aid staff introduced local attorneys to our plentiful volunteer opportunities and supportive services, including mentorship and a digital resource library. Other events included a CLE

training on Employment Law and a Virtual Advice Clinic focused on wills and estates.

Throughout October, Legal Aid's social media channels highlighted video testimonials by some of our all-star volunteers. Their candid, heartfelt accounts of their experiences with Legal Aid relay how fulfilling it can be to take a case and assist someone in a time of great need. Check out all the videos at [lasclev.org/takeacase](https://lasclev.org/takeacase).

If you are interested in taking a case, please visit [tinyurl.com/takeacasetoday](https://tinyurl.com/takeacasetoday). Legal Aid is dedicated to ensuring your volunteer experience is positive and fulfilling, and covers all case costs, including malpractice insurance.

## Benefit Concert Like No Other!

All performers followed social distancing while House of Blues staff implemented a robust safety protocol.

Razing the Bar, the new addition to this year's line-up, featured students and faculty from Case Western Reserve University School of Law including Dean Michael Scharf. Ohio Supreme Court Justice Michael Donnelly returned with his band Faith and Whiskey to close out the final night of performance.

850 people tuned in to the virtual shows. While Jam for Justice 2020 was free, viewers took the opportunity to support Legal Aid through donations, sponsorships, a 50/50 raffle, and VIP tickets (which included a "Cleveland in a Box" shipment for enjoyment during the livestream). In total, this year's event raised \$75,000.

To still support the effort, learn more, and read band bios, visit [www.lasclev.org/2020jam](https://www.lasclev.org/2020jam).

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## Preventing Foreclosures During the Pandemic in Ashtabula County

Much attention has been paid to the plight of low-income renters during COVID-19, as rising unemployment, remote school, and decreased hours in the service industry left many struggling to make ends meet.

But homeowners have not been immune to this economic crisis. In rural areas such as Ashtabula County, the threat of foreclosure looms large. Legal Aid has helped families avoid this financial devastation and remain housed while the pandemic rages on.



Legal Aid attorney Anne Reese

One recent client, Mallory Kilbourne, lives with her husband Mike and three children in Ashtabula County. (*Names have been changed to protect client privacy*). Mallory became disabled last year, and now receives Social Security Disability Income. Mike had been working steadily, but was let go in 2019 after missing numerous days of work due to medical appointments and coming down with the flu. He began working as a Lyft driver, but

when COVID-19 “stay at home” orders took effect in March 2020, Mike’s income took a drastic hit. He also learned that he had been exposed to COVID-19, and had to quarantine (sacrificing work and any income) for 14 days. Fearing foreclosure on their home, the family contacted Legal Aid, and attorney Anne Reese took on the case.

Anne worked swiftly to submit a forbearance request to the Kilbourne’s bank. She knew that the CARES Act, passed by Congress on March 27, included a Foreclosure Forbearance clause. This prohibits new foreclosures during COVID-19 and stipulates that a Federally backed mortgage loan borrower who affirms he or she is experiencing financial hardship due directly or indirectly to the COVID-19 emergency shall be granted a forbearance of up to 360 days. Anne’s request pointedly explained that the Kilbourne family’s hardship was related to the pandemic. The request was approved, and the Kilbourne family was able to stay in their home. They could now defer mortgage payments to a later date, giving them time to save.

Another one of Anne’s clients, James Allen (*name changed to protect client privacy*), has lived in his house for 17 years. He works at a factory, but his hours were cut drastically due to COVID-19. Worried for his financial future and afraid he’d lose his home, James contacted Legal Aid for help.

Anne got right to work on James’s case. She obtained a 90-day forbearance at the beginning of April, which she was later able to extend through the end of December. While working on his case, Anne also discovered that James had a student loan administrative off-set of his income tax refund. She helped him submit a Hardship Exemption application to stop any future off-sets.

“Owning a home is a point of pride for many families and can provide firm financial stability,” says Anne. “Protecting homeowners during the pandemic is critically important, and my role at Legal Aid is to be that lifeline they need.”

# BREAKING NEWS

The Jack, Joseph and  
Morton Mandel Foundation  
Awards \$1 Million to  
Legal Aid’s COVID-19 Relief Efforts

Learn more at:  
<https://tinyurl.com/mandelgift>



Legal Aid is proud to have the support of the  
Cleveland Browns for our important work to achieve social justice.  
Follow social media this month to learn more!

**#HomeForTheHolidays**



**#HousingIsAHumanRight**



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IS TO TURN THE  
LIGHT OF TRUTH UPON THEM.”**

**-Ida B. Wells**

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Did you miss our virtual 115th Annual Meeting?  
Visit **[www.lasclev.org/2020Event](http://www.lasclev.org/2020Event)** to watch.

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