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the Briefs

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Frank M. Bedell

Paul Newman, Philanthropy, and the Value of Pro Bono

Like most males of a certain age, one of my favorite movies is *Butch Cassidy and the Sundance Kid*. Paul Newman, Robert Redford, and Katherine Ross were brilliant, and there were many great lines, including “Who are those guys?” This was a question that Newman’s character repeatedly asked as the bounty hunters pursued him day and night. I am also a fan of *Cool Hand Luke* and am sure that other OCBA members occasionally feel compelled to state, “What we have here is a failure to communicate!” As the years have gone on, in large part because of my interest in his movies, I became very interested in the story behind the “Newman’s Own” line of salad dressings and other foods, and eventually learned something about philanthropy and trying to help others.

When asked about his interest in philanthropy in the context of the \$280 million given by “Newman’s Own” to many charities since 1982, Paul Newman stated, “I’m a great believer in luck and the extraordinary role that luck plays in all of our lives. Good luck, bad luck, medium luck.” He explained that “Newman’s Own” began by accident and turned into a phenomenal success despite his and his co-founder’s lack of experience in the food business. At the beginning of “Newman’s Own,” once they first realized that the business was going to generate a profit, Newman and his co-founder said to one another, “We can’t make money at this – let’s give it all away to charity.” And they did, giving hundreds of millions to multiple charities, including those focusing on health, the elderly, children, the environment, emergency situations, and, perhaps most famously, to the Hole in the Wall Gang Camp, which has assisted more than 135,000 children who have life-threatening illnesses. Newman summarized his fundamental approach by asking rhetorically, “What could be better than to hold your hand out to people who are less fortunate than you are?”

This is an excellent question to ask ourselves during this month in which we celebrate the extraordinary success achieved during the 50 years of the Legal Aid Society of the OCBA. Newman observed that he would visit a Hole in the Wall Gang Camp when he was feeling “down in the dumps,” and that the visit would “reaffirm everything that is good about this country.” I feel the same way when I hear Legal Aid attorneys discuss their work in a matter-of-fact manner that is completely without any affectation; or when I hear Legal Aid’s executive director, Mary

Anne De Petrillo, say, “This is my dream job!”; or when Cathy Tucker talks about all of the seemingly impossible tasks she has performed over the years; or when Susan Khoury talks about how the Guardian ad Litem program was formed; or when I hear Bruce Blackwell’s client recount how she was welcomed into the Blackwell family and provided with a different life of greater opportunity than she would have had but for the work and generosity of an individual lawyer. Then there is John Hamilton of the Orlando office of Foley & Lardner, which not surprisingly received this year’s commendation from the Florida Supreme Court for its *pro bono* efforts. At the LAS luncheon in August 2010, John spoke dramatically and compellingly about the *pro bono* case he thought about as he contemplated death after having just suffered a heart attack.

When I first began doing bar work, I became involved in various activities of The Florida Bar, and it seemed that everywhere I went folks had heard of the OCBA and the stunning level of *pro bono* services provided by our members. In fact, I recall being asked how we were able to inspire our members to be so charitable and giving, and not having a good answer for that question. Now, however, after serving on the Legal Aid Board of Trustees and looking at the list of past presidents of Legal Aid, I am not surprised that the OCBA has this rich history of service to the less fortunate. Legal Aid’s first president was Fletcher Rush, who went on to serve as Florida Bar president. Similarly, Jim Urban, Russell Troutman, and Mayanne Downs all served as Legal Aid president before becoming president of The Florida Bar. Federal Judge Greg Presnell served as Legal Aid president, as did the two persons after whom the OCBA professionalism awards are named – Bill Trickel and Larry Mathews. Many of our most distinguished lawyers and bar leaders have been inspired to serve as president of Legal Aid and have in turn inspired us to serve.

At February’s OCBA joint luncheon with the Paul C. Perkins Bar Association, the speaker was Lucas Boyce. He told his compelling personal story about being born prematurely to a drug-addicted, teenage prostitute. This would qualify as the type of “bad luck” discussed by Paul Newman. But after hearing Boyce speak, I suspect that he might not accept that characterization of his initial station in life, because he was given a different opportunity by another family when

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Legal Aid Society 50th Anniversary Edition



Jamie Billotte Moses

Legal Aid Society President's Message

For everyone to whom much is given, of him shall much be required. – Luke 12:48

As we celebrate the 50th Anniversary of the Legal Aid Society of the Orange County Bar Association, I am reminded of this passage. Few organizations exemplify this better than the Legal Aid Society. Few people embody this better than the Legal Aid Society staff and the lawyers of the Orange County Bar Association.

The lawyers who founded the Legal Aid Society recognized that although they were blessed, many others were not. They realized they had a gift, a talent, something only they as lawyers had that could help so many. They knew they could provide a service that no doctor, dentist, accountant or teacher could provide. They could be the voice of the poor in the legal system. They could even be the playing fields for the neediest of our society. And, they did.

The Legal Aid Society of the Orange County Bar Association is an example of good people doing good things. It is nationally recognized for its high caliber of service, its efficient case handling, its legislative advocacy and its ability to engage and motivate the lawyers of the Orange County Bar Association to serve.

It has been an honor to serve as president of the Legal Aid Society Board of Trustees. I have witnessed first hand the dedication with which our Legal Aid attorneys and staff work to help the

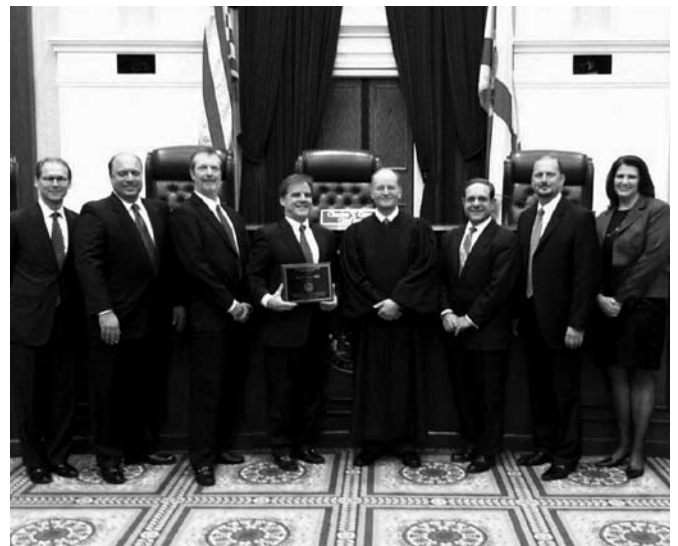
poor and disadvantaged. I am constantly in awe of the additional work they all do to serve the needy. I am repeatedly reminded there is always more we could be doing to help others. I have seen many bar members rise to the occasion to assist someone in need. I have seen lawyers over and over again dip into their personal checkbooks to help Legal Aid in its mission. I have been humbled by their giving.

Fifty years is a long time for any organization to stay intact. It's even longer when the work is hard, the economic benefits are low and the ability to do your job requires a fight for funding on a regular basis. Yet Legal Aid has not only lasted these past 50 years, it has thrived. It has flourished.

Congratulations to the Legal Aid Society of the Orange County Bar Association on its 50th Anniversary! Congratulations to our founders, who recognized a serious need and implemented a program to meet that need. Congratulations to the members of the Orange County Bar Association for remaining committed to Legal Aid's mission and serving/giving as much as you can. Although much should be required of us, I am proud to say that much has been given back!

Jamie Billotte Moses, 2010-2011 president of the Legal Aid Society of the OCBA, Inc., is a shareholder with Fisher, Rushmer, Werrenrath, Dickson, Talley & Dunlap, P.A. She has been a member of the OCBA since 1994.

Foley & Lardner LLP is the recipient of the 2011 Chief Justice's Law Firm Commendation Pro Bono Service Award presented by the Florida Supreme Court to one law firm for its outstanding efforts in support of *pro bono* legal services. Foley's Florida offices have contributed more than 8,500 hours of *pro bono* services over the course of the firm's recent fiscal year.

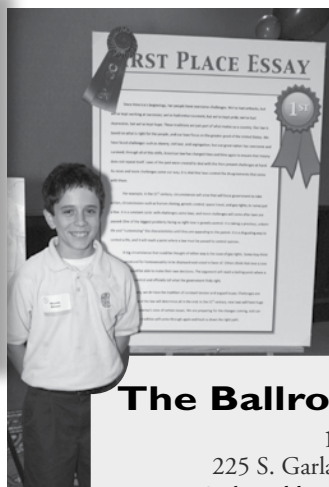
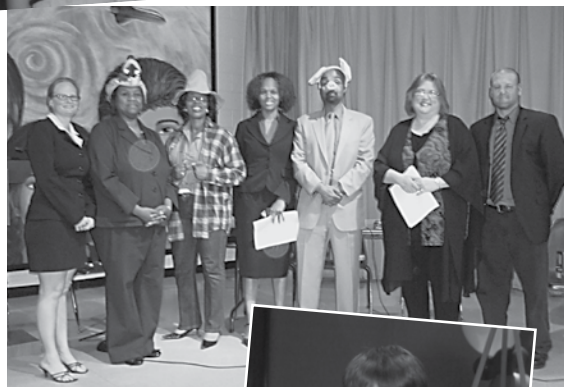


OCBA Luncheon April 21, 2011

Law Week Luncheon

The Legacy of John Adams: From Boston to Guantanamo

Please join us as we acknowledge the work of outstanding students, parents, and community leaders during our annual Law Week Luncheon, hosted by the OCBA's Law Week Committee. Law Week at the OCBA spans several months and includes a Goldilocks Mock Trial, Pathways in Law, A Day in the Life of a Judge, DUI Mock Trials, a Poster and Essay Contest, the presentation of the Liberty Bell Award, and a Naturalization Ceremony. The programs are designed to ensure that our citizens, and especially youth, understand their rights and responsibilities under the law in order to become effective participants in our nation's civic life.



The Ballroom at Church Street

11:30 a.m. - 1:00 p.m.

225 S. Garland Avenue • Orlando, FL 32801

Co-hosted by the OCBA Professionalism Committee

Please RSVP to reservations@ocbanet.org
by Friday, April 15, 2011.

Main Entrance: Garland Avenue between
Church Street and South Street

To ensure a proper luncheon count, RSVPs and
CANCELLATIONS are requested no later than
Friday, April 15, 2011. The OCBA is happy to provide
10 luncheons as part of your member benefits,
but no-shows incur additional charges for the Bar
and walk-ins cannot be guaranteed a seat.

Please keep us up-to-date on your reservation status!

President's Message

continued from page 3

they adopted him as an infant. In recounting the stunning kindness of one person, Boyce mentioned that the OCBA's Guardian ad Litem program does the same thing for others, and he then described how his mother instilled in him the courage to dream big and the determination to make it happen. Boyce has written a book titled *Living Proof: From Foster Care to the White House and the NBA* to tell the story of his

remarkable life, which likely began after a husband and wife asked themselves: What could be better than to hold your hand out to people who are less fortunate than you are?

I am sure that many of you who have volunteered for Legal Aid over the last 50 years have similar stories. I will look forward to hearing them at this year's Gala, which will be held on April 16, 2011, in honor of the

Legal Aid Society. I am thankful that we have this rich history in the OCBA and that so many of our lawyers have embraced the value of *pro bono*. See you at the Gala!

Frank M. Bedell is a shareholder with Winderweede, Haines, Ward & Woodman, P.A. He has been a member of the OCBA since 1987.

Tribute to Paul Newman [Video file]. Retrieved from <http://www.youtube.com/watch?v=hlSkGUQBtDA>.

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Sarah P. L. Reiner

Question About Legal Aid? Ask Chuck.

During the editorial meeting set for the purpose of determining how this special anniversary edition of *The Briefs* would be structured, Legal Aid's executive director, Mary Anne De Petrillo, repeatedly mentioned two things: (1) Legal Aid wants to celebrate the attorneys who dedicate their time and energy to taking *pro bono* cases, and (2) if there were any questions on the history of Legal Aid we should "ask Chuck." At the end of the meeting, I was tasked with looking at the history of Legal Aid, but as luck would have it, following up on that task gave me an opportunity to not only learn about Legal Aid, but to celebrate one of its very special contributors, Charles "Chuck" Stepter, Jr.



Chuck Stepter, Jr.

Chuck Stepter's resume reads like something out of a *pro bono* program director's most fanciful recruitment dream. In fact, after taking a look at his resume, I had to wonder how he ever made enough money to support himself and his wife as a practicing attorney. But then, Chuck himself will tell you that "back then law really was more of a profession and less of a business. Money was more incidental to the practice of law. Money just kind of came."

For Chuck, "back then" begins in 1971. That summer he held a job as the deputy clerk of the circuit court. At the time, Joe DuRocher was the second executive director of Legal Aid (Charles Prather was the first), and he and David Hollbrook introduced Chuck to the Legal Aid Society. The following summer Chuck worked as a gofer for Legal Aid. Joe DuRocher was then a judge in juvenile court, and Jim Seals was the Legal Aid executive director. The Legal Aid offices were located in the old Salvation Army building, and they had two staff attorneys and one assistant. When asked why he began working with Legal Aid, Chuck noted that the thought of helping people who could not help themselves always appealed to him. He was also a product of the times. Chuck states, "there was more of a social conscience back then," and as a "child of the '60s" he thought he could change the world.

The attorneys around Chuck nurtured his public service mindset, and during Christmas week

in 1973 (after passing the bar in October of that year) Chuck handled his first trial on behalf of a *pro bono* client. The case was one in which a roofer took money from a woman Chuck represented, and the judge ruled in favor of Chuck's client and entered judgment on the spot. Chuck recalled that after the elevator ride down together, the roofer got out his checkbook and immediately paid the judgment.

Over the years, Chuck has primarily handled GAL and consumer cases. The GAL and consumer cases he handles today are very similar to those he handled in his early years working with Legal Aid. Certain issues have changed (for instance drugs are more prevalent), but the concepts are the same. In GAL cases, he continues to represent the best interests of the children, and he tries to find the best placements possible for them.

Chuck credits being able to share his career with special people who inspire him as one of his motivations for his continuing efforts in support of *pro bono* programs at the local and state level. It was apparent speaking with him that he and the other attorneys who volunteered during Legal Aid's early years had a strong sense of camaraderie. They knew each other personally and supported each other's endeavors.

Chuck and his fellow trailblazers also recognized that not everyone was cut out for *pro bono* work. In the 1970s he and others argued against mandatory *pro bono* requirements as a condition of membership in The Florida Bar. Their primary argument was simple: "Forcing [attorneys] to do what they don't want to will result in poor work product." Rather, the key to success for *pro bono* programs is finding people who want to be a part of organizations like Legal Aid. Chuck noted that in recent years Legal Aid has made strides in getting young people involved, even at the board level. He strongly believes that if the youth in our bar will listen to the experienced, they can carry Legal Aid to new and better levels, and he looks forward to working with them to do it. Notably, Chuck joined the Legal Aid Board of Trustees in 1979, and he has been a member of that board for most of the years since.

When asked what has most contributed to the Legal Aid Society's success, Chuck recalls a speech he was asked to make back in the 1980s for the Dade County Bar Association. Their inquiry: How is Orange County able to maintain a mandatory *pro*

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Chaffin v. Overstreet,

982 So. 2d 11 (Fla. 5th DCA 2008)

Reversed numerous provisions of trust judgment that violated due process.

Rykiel v. Rykiel,

795 So. 2d 90 (Fla. 5th DCA 2000)

Reversed dissolution judgment due to excessive awards against husband.

Miller v. Jacobs & Goodman,

699 So. 2d 729 (Fla. 5th DCA 1997)

Declared liquidated damages clause of attorney employment agreement void and unenforceable.

Hamlet v. Hamlet,

583 So. 2d 654 (Fla. 1991).

Reinstated permanent alimony award.

Atkins v. Atkins,

611 So. 2d 570 (Fla. 1st DCA 1992)

Reversed inadequate award of permanent alimony.

Stockstill v. Stockstill,

770 So. 2d 191 (Fla. 5th DCA 2000).

Reversed marital dissolution judgement for new trial due to extensive judicial questioning.

Acadia Partners, L.P. v. Tompkins,

759 So. 2d 732 (Fla. 5th DCA 2000)

Prevented multi-million dollar judgment addition in complex business litigation.

Lieberman v. Dept. of Professional Regulations,

573 So. 2d 349 (Fla. 5th DCA 1990)

Restored a physician's medical license.

Finch v. Seminole County School Board,

995 So. 2d 1068 (Fla. 5th DCA 2008)

Affirmed denial of taxpayer challenge to school rezoning plan.

Foley v. Foley,

34 Fla. L. Weekly D1943A (Fla. 5th DCA 2009)

Reversed unequal distribution of marital estate.

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Suzanne D. Meehle

Pro Bono Attorneys Have a Message for You: “You Gotta Give Back”

Not all *pro bono* is created equal. Just ask **Derrick Cox** and **Kevin Mangum**, who take consumer cases for the Legal Aid Society.

Cox, a partner with Hurley, Rogner, Miller, Cox, Waranch & Westcott, has practiced for just over 20 years in the area of workers' compensation claims, representing self-insured employers, third-party administrators and insurers. He concentrates his *pro bono* efforts, however, on consumer credit issues.

A typical consumer credit case is a landlord/tenant case with the landlord holding a security deposit or evicting the client, or a consumer credit card debt case, where wages are garnished.



Derrick Cox

“A lot of times, people try to take advantage of my [*pro bono*] clients because they are indigent or don't have money and can't afford an attorney, or they think my clients aren't going to pursue it,” he says.

“For people who are aware of the Legal Aid Society and contact the Legal Aid Society, we are able to work something out.”



Kevin Mangum

Although he initially chose consumer credit cases because they were closest to the work he was already doing as a young commercial litigator, when deciding what kind of *pro bono* cases to take, Cox says, “I tell people to handle an area that they most enjoy, regardless of the area they practice in. Take a look at all the types of cases the Legal Aid Society offers.”

Kevin Mangum's law firm, Mangum & Associates, P.A., practices exclusively in the area of bankruptcy litigation. Mangum and his associate, Jeffrey Ainsworth, take *pro bono* bankruptcy cases because the cases fit seamlessly into their practice. “It's all I have done my whole life,” Mangum says.

“I've always seen it as giving back,” he says of his work with the Legal Aid Society. “I meet people

at the end of their ropes. Everything is relative: \$25,000 in debt may not mean much to you or me, but it's everything to some people.”

A typical *pro bono* case for Mangum is just another Chapter 7 or Chapter 13 bankruptcy on his schedule. “Normally an individual or married couple that has had a catastrophic event – the loss of a job, a serious injury, a divorce – is just trying to make ends meet,” he says. “They've gone through their savings, IRAs, and 401k to support their family. These are extremely proud people who will sell everything before talking to an attorney.”

Mangum, who also accepts cases from the Seminole County Bar Association, has taken on ten *pro bono* cases so far this year, with eight still pending. “I didn't realize it was so many,” he says. “It's just an economy of scale thing. Bankruptcy is different from general litigation. If you handle one more case, it doesn't hurt the firm. I'm already at the courthouse. What's one more case?”

Cox and Mangum both cite personal satisfaction as their number one reason for doing *pro bono* work.

For Cox, it all started because the OCBA required it, but he now does it for more personal reasons. As a young lawyer, he began doing *pro bono* work in lieu of paying the fee. “Over the years, I've gotten a lot of satisfaction from helping people who are in need and are being taken advantage of,” Cox says.

Like Cox, Mangum started taking cases as a young lawyer. Mangum says that the pride he and his staff have in *pro bono* work is worth it. “The clients are so thankful, it's better than money!”

Moreover, Mangum says that the goodwill doing *pro bono* work builds is more than worth it. “You do a good thing for one person, and they are so grateful they are telling everyone they know how great you are. You can't buy that kind of publicity.”

According to the Legal Aid Society, fifty percent of lawyers in the OCBA opt to pay \$350 rather than take *pro bono* cases. Cox says there's no excuse for not taking *pro bono* cases. “If you aren't taking cases, you are missing a truly re-

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Susan Khoury



Donna A. Haynes

A Cry in the Dark – For Help!

We have seen incredible growth! From humble beginnings to our now two-story building, 2011 marks the 50th Anniversary of the Legal Aid Society of the Orange County Bar Association, Inc. At its inception, the program began with an executive director and a secretary housed on the second floor of the original OCBA building on Orange Avenue. During the last 50 years, Legal Aid has grown to a staff of forty-one. In 1993, Legal Aid purchased the old Mateer Harbert building, and today every nook and cranny is filled. Legal Aid has an intake department with interview rooms, a GAL program, and staff attorneys working in family law, housing, public benefits, immigration and employment law. Some attorneys share offices; we use every bit of space in the building.

Sadly, in the year that marks our celebration of serving the residents of Orange County for 50 years, funding cuts threaten all of our valuable progress. Legal Aid is faced with the possibility it will have to reduce staff, thus adversely impacting our ability to maintain the level of services our residents have come to rely on. Anticipated cuts, set to begin as early as September, will impact attorneys and support staff in the overall Legal Aid program as well as in the GAL department.

Having come so far, it's hard to imagine Legal Aid being forced to cut a Guardian ad Litem lawyer and not being able to serve children like "Mary" and "John." Technically, Mary and John are some of GAL litigation coordinator **Cara Dobrev's** GAL children. Truthfully, they are examples of more than 1,200 individuals served by the staff and *pro bono* attorneys in the GAL program. Cara recounts her recent trip to visit Mary and her brother:

It was a long drive out to Mary and John's new foster home in Poinciana, and it gave me time to think about the journey they've been on. They first learned about foster care when John was just a baby and Mary was three. Already, violence surrounded them. Their mom and her boyfriend fought, and mom's instinct didn't say "protect the kids." In fact, the kids

didn't seem to matter at all. Her boyfriend came first. Grandma cared, though, and she stepped up to take the children in. That should have been a good thing. But, almost six years later, Mary showed up at school with scratches on her face and long, looped bruises all over her body. This time they were on the receiving end of the violence. Why had Mary received the belt that day? She'd gotten in trouble at school. With no other relatives willing to take them and grandma refusing to accept help, Mary and John began their journey from one foster home to another, from one potential adoptive home to another.

And here I was, pulling in to the drive on their second night in this new home. Mary, now eleven, was excited to see me. John, at eight, was much more concerned that he'd have to wait to eat the Happy Meal he'd gotten for dinner. I know better than to get between a boy and his McNuggets, so I sat and visited with them while they ate. Suddenly, Mary turned to me and said, "I'm so glad you're here." Five simple words – a bit of politeness from an eleven year old who is working on manners, perhaps. But it was more than that. I could hear all that was unsaid in that simple statement: "I'm so glad to see someone I know in this new place. I'm so glad to talk to someone who already knows me while I get to know this new family."

I should be just a person passing through their lives, escorting them on to the loving, long-term home every child deserves. Instead, in a sea of change, I am one of her anchors. Mary likes her new foster home. She's already laughing easily with the foster mother and excited there's a daughter her age in the home. Kids are more resilient than we give them credit for, sometimes more resilient than adults, really. She's already adapting. But when I told her it was time for me to go, Mary asked me to stay for another hour. We negotiated it to another fifteen minutes. She managed to extend that time a bit with a very thorough, and incredibly silly, tour of her new home that included the refrigerator in the kitchen and the painting on the hallway wall. On the way home, I was still laughing over her silliness and at the same time wondering how it could be that this great kid was still waiting for an adoptive family. I was also aching a little for the girl who just wants someone to hang on to.

Arriving home, I found my own seven-month-old daughter having one of those squirmy, fussy nights. Not feeling very well, all she wanted in the world was to be held by her mom. We sat together in the quiet dark, her little hand fisted in to the front of my shirt and her ear pressed to my heart. It was enough for her. She drifted back to sleep, secure in the knowledge I was there. But she didn't let go, and I didn't try and make her. She needed me. What was a little less sleep in the face of that? That's what parents do.

Except it isn't always! While my daughter was sleeping in my arms, Mary was spending her second night in a new home. She's already spent more "second nights" in new homes than any child should have to. I hoped Mary was sleeping peacefully

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The Orange County Bar Association 2011 Gala

An event celebrating and benefiting the
Legal Aid Society of the OCBA
on the occasion of its 50th Anniversary
of Service to Our Community

Saturday, April 16, 2011

6:30 pm to 11pm

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RCL Portrait Design will be at the OCBA from May 2, 2011 through May 20, 2011 to take your free professional portrait for publication in the 2011 OCBA Online Membership Directory.

The Directory is one of our most valued member benefits. In fact, many members access the Directory daily to locate colleagues, put a "face to a name," and conduct business.



Special thanks to
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An RCL representative will contact you in the near future to schedule an appointment. However, feel free to contact RCL directly at 800-580-5562 to schedule your sitting.

All sittings are free of charge, and the photo you select for the Online Membership Directory will be put online at no charge. RCL will also take additional shots and provide you with an opportunity to purchase a photo package for your professional or personal use.

We are pleased to bring you this free member service. RCL has produced professional portraits for more than 21 state and local bar associations and 22 medical facilities across the nation.

We look forward to seeing you at the OCBA Center in May.

(For professional photos, appropriate dress is suggested. Ladies: a bold or bright colored long sleeved outfit. Gentlemen: a dark jacket and tie.)



Donna A. Haynes

A Home or a Shelter?

Have you ever wondered what a “typical” work day is like for **Mike Resnick**, the Legal Aid Society’s housing attorney? While attorneys often strive for organization and predictability in their professional lives, the Legal Aid Society’s housing attorney rarely has a day that goes by that is even remotely organized or predictable. Mike’s typical day involves providing services to help make sure clients



Mike Resnick

have a choice between staying in their home and living on the streets or in a shelter. The day usually involves a number of clients, and potential clients, who show up in the Legal Aid Society lobby without an appointment. Often, these clients are the homeless in our community who need immediate assistance in obtaining birth certificates and/or identification so that they can obtain healthcare, social security benefits, and employment. Obtaining benefits for the homeless has become an incredibly difficult process since the tragedy of 9/11. Since homeless persons usually do not have the required supporting documentation, the process for obtaining a birth certificate can take many months to complete.

Other Legal Aid clients need immediate assistance in housing-related matters, such as foreclosures and evictions. In an effort to assist low-income homeowners in Orange County, the Legal Aid Society operates foreclosure clinics four days each week. There, Mike provides focused and specialized representation for clients, including the preparation of court pleadings, a detailed discussion of the foreclosure process and loan modification programs, and other real-life information that will assist a homeowner in understanding his or her rights in the foreclosure process.

Mike’s client “Alice,” who has dementia, attended an LAS Foreclosure Clinic for homeowners in foreclosure because she was recently served with a foreclosure complaint and summons and didn’t know what to do. Several years ago, Alice had obtained a reverse mortgage that allows her to live in her home for the remainder of her life without having to make mortgage payments. She thought everything was fine and didn’t know why she had received the summons. A foreclosure complaint and summons typically is filed for non-payment of a loan. Mike investigated and found that the foreclosure action was filed because, under the terms of the reverse mortgage loan, Alice was required to install a heat pump in her home. In fact, more than \$4,000 had been set aside in the loan

agreement to cover the cost of the new pump. Alice was unaware the loan contained that provision, or that \$4,000 had been allocated for the expense. She received the complaint and summons because she was in breach of the terms of the loan. Thankfully, as a result of Mike’s investigation and assistance, Alice is living in her home free from the fear that she might become homeless.

The Legal Aid Society also operates a specialized foreclosure clinic each Friday morning to assist tenants who rent properties that are in foreclosure. In May 2009, Congress passed the Protecting Tenants at Foreclosure Act (PTFA). The PTFA prohibits a tenant from being evicted from the rental property once the foreclosure sale has occurred. Mike recently had a client “Rhonda,” who also has dementia, come into the office bearing a 24-hour Writ of Possession that had been issued by the court as part of an ongoing foreclosure action. Can you imagine the fear of receiving a 24-hour eviction notice and not being prepared? Thankfully, with Mike’s assistance, Rhonda was able to obtain an emergency court order that stayed enforcement of the Writ of Possession.

How will Legal Aid continue to provide services to clients like Rhonda and Alice? The reality is we may not be able to. This is important work; it is a stopgap that saves money for the residents of Orange County. It is easier and less expensive to keep someone in an apartment than it is to supply food and shelter through a homeless shelter. When someone becomes homeless, the financial burden shifts from the individual to the community. Transition and mental health issues sometimes become overwhelming for the individual and result in illegal activity, chaos and confusion. Keeping clients in their homes saves the community money and also helps to maintain the safety and security of our neighborhoods.

Legal Aid needs the help of the community to continue providing housing services for its clients. For more information on what you can do to assist with the funding issues at Legal Aid, please contact Donna Haynes at 407-841-8310, ext. 3150. You can make a donation to Legal Aid at www.legalaidocba.org. All donations are certainly appreciated!

Donna A. Haynes is manager of development for the Legal Aid Society. She has been an OCBA member since 2008.



Betty J. Jackson

LAS Staff Attorneys Enduring in the Fight for Justice

The late Dr. Martin Luther King, Jr. said, “Injustice anywhere is a threat to justice everywhere.” For nearly half a century in Orange County, Florida, the threat of injustice has been dealt a mighty blow by dedicated staff and *pro bono* attorneys at the Legal Aid Society of the Orange County Bar Association.

Four long-term, Legal Aid staff attorneys shared their stories of working passionately to make the promise of justice a reality for the low-income residents and children of Central Florida. **Angel Bello-Billini**, litigation director; **Cathy Tucker**, deputy director/*pro bono* coordinator; **Larri Thatcher**, intake, outreach and community education coordinator; and **Susan Khoury**, Guardian ad Litem (GAL) program director, each gave candid reflections of their early work at Legal Aid and first-hand insights into the most pressing areas of need for the future.

What sparked your decision to work with the Legal Aid Society?

Angel: I came here from another private legal aid office in New Haven, Connecticut and wanted to continue with my public interest work, and since



Angel Bello-Billini

I had a background in dealing with poor people, chose Legal Aid. I went into “the business” to begin with, because when I was young my family and our friends had no voice and no information about getting protection from slum lords and thieving businesses that fed on the consumers, and we were forced to be victims and to endure it in silence. Although initially I wanted to be a criminal lawyer, in law school I learned about consumer protections, and about protective housing laws, and used them in the law clinics in which I participated through my years in law school.

Cathy: I had been working at another legal services program for several years and then came to Legal Aid.

Larri: I decided while I was in law school to work in the area of public interest. I have worked my entire career, since graduating in 1991, for a legal aid/legal services program that serves low-income individuals.

Susan: I had just left a job in Jacksonville doing tax law. At my level, we had very little client con-

tact. When my husband took a job in Orlando, I thought it would be a good chance to make a change and get involved with something that was more “people-oriented.” So I started by volunteering at Legal Aid, doing some intake work and helping staff attorneys with cases. It definitely fit the bill of what I was looking for.

Please describe what your first case was like.

Angel: My first case was kind of a hybrid that I inherited from a departing attorney. It was an eviction defense case in which my defending tenant had filed a personal injury counter-claim, claiming she had miscarried due to the low temperatures and conditions at the apartment. Because of the latter, it was moved to the higher circuit court, set for a jury trial as requested by the client, and eventually settled.

Cathy: I got an existing caseload of family and housing cases. I came from Lake County where the office was a block from the courthouse. Although our old Legal Aid office at the bar center was not far from the courthouse, meeting a client at the courthouse for a hearing was a challenge before cell phones.

Larri: My first case was an eviction action in which I represented the tenant. Her landlord had not followed Chapter 83 of the Florida Statutes regarding eviction procedure. We were able to prevent her from being evicted.

Susan: I took over another attorney’s caseload when he left. So I had a lot of “first cases” all at once! What stands out in my memory is how wonderful all the other staff attorneys were in helping me learn. Major kudos went to my legal secretary Riva Sorokors. She raised me well!

Please describe your most memorable client or case.

Angel: I’ve had many memorable cases, memorable for many different reasons, but off the top of my head I would pick the case of a young working mother with a non-participating, but allegedly abusive and controlling, father who also did not pay child support. Although this would have been a fairly simple case, the father made neglect and abuse allegations necessitating the appointment of a GAL to investigate and protect the interests of the children. If memory serves



Cathy Tucker

correctly, the GAL reported no abuse, but recommended custody to the father on the basis of vile odors and other indicators of possible neglect. Shocked, I personally inspected and had every square inch of the apartment videotaped, noting that nothing of concern was apparent, not even the apartment's location in a poor and high crime area. The video tape was submitted into evidence, and together with rather abysmal testimony from the father, and credible testimony from the mother, custody was awarded to the mother, despite a near-fatal GAL report. To me it was satisfying because even though I was not totally convinced that the mother kept a squeaky clean house on all occasions, having the father as the caretaker of these children would have harmed them and would have created future dysfunctional adults. Without legal counsel, the mother was guaranteed to lose custodial rights over the children, and have limited access to them. The father knew what to say and how to manipulate the system, and he almost prevailed but for free legal counsel given to the mother.

Cathy: The most memorable cases for me were the lockouts and utility shutoffs because some of the circumstances were terrible. Landlords have removed all the doors and windows to get a tenant and family to leave, and have changed the locks right before Christmas. I also remember getting a pick-up order in the case of a child snatched from another state and found here in Orange County.

Larri: I have so many memorable clients, cases and events, but one that sticks out was a tenant whose landlord had requested



Larri Thatcher

that she move out as he wanted to move a family member into the home. She agreed to move and began looking for another rental home. After two weeks, the landlord told her she wasn't moving fast enough and if she wasn't gone in two days, he would be changing the locks. He did so. She came to us, and I called the landlord and explained that he had violated the law and he needed to reinstate her to the unit. He profusely apologized and immediately changed the locks back the same day.

Susan: I think one of the most memorable cases was representing a mom whose ex-husband had sexually abused their child. He was incarcerated and was appearing

pro se, asking the court to award him visitation with the child. Everything about the case was shocking to me because I was just starting out at the time. I remember how during discovery he tried to explain to me that all the things he did to his child and to her little friend were done out of "love"... that there was nothing inappropriate about it at all. One memory that has stuck with me from this case occurred during the trial. The father was brought to court, shackled at the wrist and at the ankles. He had boxes on top of boxes of documents that he intended to refer to or introduce at the trial. At one point, he became frustrated with the difficulty he was having accessing his documents because of the shackles, so he asked Judge Jeffords Miller if he would kindly have the court deputy release him from his shackles. Judge Miller leaned back in his chair, looked him straight in the eye, and in his always impeccably polite voice, kindly replied and told him no. Judge Miller then noted that the shackles were there for a reason and if the deputy were to remove the shackles, then he might just take a notion to grab the deputy's gun and then shoot one of us, which would not be a pretty scene, so the answer stood... no. He then turned to me, "next witness, Counselor!" It was definitely a memorable case to say the least. Thankfully we prevailed.

If you had a magic ball, what would you wish for Legal Aid?

Angel: By now it's a cliché, but more funds to hire more attorneys and paralegals to help more people.

Cathy: To continue to navigate the waters of changing funding and economic conditions and provide a continuous path of services for clients.

Larri: If I had a magic ball, I would wish for more attorneys and a bigger building in which to house those attorneys.

Susan: When I started at Legal Aid, we had half the staff we do now. My hope is that we can continue to grow and extend our services to more and more people. In the GAL Program alone, we have gone from half of me and a legal assistant to fifteen people. I've seen the huge difference we've been able to make in creating systemic change for the children we represent. It takes additional funding though, and I think our Development Director, Donna Haynes, is working really hard at trying to expand our donor base to include more individual donors.



Susan Khoury

What is the best way the Orange County Bar can help Legal Aid?

Angel: Continued support, including increased encouragement to take *pro bono* cases or to increase the in-lieu-of fee (where attorneys get to pay an amount instead of taking cases) to more realistically cover the costs of obtaining replacement services which would have been provided by that attorney.

Cathy: Support through *pro bono* services.

Larri: Members of the bar can help by continuing to do *pro bono* work and by working with our development director to bring media attention to some of their more memorable *pro bono* cases.

Susan: I think the bar could be a huge help in supporting our development efforts by helping us spread the word outside the legal community about the important work we do and how we depend on people to be a part of it, either as a volunteer or as a contributor.

Bello-Billini, Tucker, Thatcher and Khoury are just four of the dedicated Legal Aid staff who take great satisfaction in investing in the cause of justice for all. Currently, Legal Aid employs about thirty-five staff, including eighteen attorneys, and coordinates the contributions of time and money from more than 2,700 volunteers – both attorneys and non-attorneys. As long as Legal Aid is equipped with the resources to preserve independence, hope and dignity, the threat of injustice for those most in need will face a formidable opponent.

Betty J. Jackson is a Lay Member of the Legal Aid Society Board of Trustees.



YLS on the move



Jacquelynne J. Regan

Happy 50th Anniversary, Legal Aid Society! In honor of this very special anniversary, we are highlighting three young lawyers who exemplify what it means to give back to our community through *pro bono* work. **Dottie Watson, Taylor Kessel** and **Sara Lindquist** have dedicated their time, their efforts, and perhaps most importantly, their resolute care and attention to those in our community who need it most. I had the pleasure of speaking with them about the *pro bono* work that they perform and what motivates them to serve our community in this manner, and I hope that you find their responses to my inquiries as motivational as I did.

Dorothy E. Watson

What sort of *pro bono* services have you provided? How do they impact our community?

I have served as a Guardian ad Litem (GAL) in dependency court since I began practicing law in 2007. As a GAL can give a voice to a child in our court system. As



Dorothy E. Watson

a GAL, I have worked to ensure that children receive proper medical care, mental health services and educational services. Because our "case load" is much smaller than that of the typical case manager, and because we have a broader understanding of the system than the average foster parent, a GAL is often in the best position to recommend the proper services for children in state care. As a GAL, I have also been able to expedite the dependency process when warranted – whether it meant getting parents the proper services to be reunited with their children, or pushing the system so that children could more quickly settle into another permanent home. The appointment of a GAL is a vital component of the support system for children in state care.

What is one example of a *pro bono* project that has held special meaning for you?

My first GAL case is still one of the most meaningful matters on which I have worked. My client was severely developmentally disabled and was removed from the home due to his mother being unable to control his violent outbursts. When the child was to be "stepped down" from a residential facility to a group home, my work really began. The child was in need of many educational services, and there were significant barriers within the school system to get those services in place. Ultimately, I had to be appointed by the court as surrogate parent for educational purposes. Over the next few months, I found myself fighting for proper school and classroom placement and working with the school system to implement appropriate behavioral modification techniques. Because the child was already sixteen, I also wanted to ensure he was learning life skills that would carry him into adulthood with a degree of independence. My role as a GAL was to advocate for those plans and services that I would have wanted in place for my own child. Through my work with this child, I came to understand the importance and complexity of establishing appropriate educational services for a disabled child. I also came to see the difficulty faced by parents who lack the knowledge and skills to advocate for their child within the school system. Working with this child showed me the vital role that a GAL can play for a child, not only in the courtroom, but in the classroom as well.

Why is donating your skills as an attorney important to you?

I recognize that I am very fortunate to have had the support and the opportunities that have gotten me to where I am today. Giving back to those who still need that support and those opportunities just makes sense. I am able to do

that through my *pro bono* work with Legal Aid. With every new GAL client, I have another chance to improve a child's world.

Taylor C. Kessel

What sort of *pro bono* services have you provided? How do they impact our community?

In my five years of *pro bono* service, I have worked primarily on GAL cases, but I have also handled a number of landlord/tenant matters as well. The GAL cases have a direct impact on the community, as the children involved



Taylor C. Kessel

in those matters are future residents of the community and deserve a voice and an advocate to watch over them through the judicial process. The tenants I have represented also need a voice, but do not have the means to

afford it. As a member of the local business community, we need to do what we can to help them when injustices occur.

What is one example of a *pro bono* project that has held special meaning for you?

I had a case a few years ago with four children. The father was doing everything he could to comply with the case plan, yet he kept running into resistance from different angles. At the time, the system was not set up to address fathers who had been the victims of abusive relationships. When the case was transferred to me, it was the first time he had a male advocate for the children, or the matter in general. We worked well together to get his case plan completed so the children could stay with him. After the final placement, I followed up with the family and found that the children really began to excel in school and extracurricular activities. Turns out, they just needed some consistency in their lives, and I was happy to help make that happen for them.

Why is donating your skills as an attorney important to you?

Donating my skills and time is personally important to me because it is a direct way of giving back to a community that has given so much to me over the years. I grew up in Orlando and have a vested interest in the future of this community, so I try to do my part by donating my time and efforts to the amazing organizations we have here, such as Legal Aid and IDignity. Those organizations make it easy to give back, and the reward of giving back is worth it every time.

Sarah A. Lindquist

What sort of pro bono services have you provided? How do they impact our community?

I have generally focused on providing *pro bono* service through the Legal Aid Society's GAL program. As a GAL, I am able to help provide children who have been abused or neglected with the support and services they need to succeed. Without the GAL program, many of these children would be at a greater risk for delinquency.



Sarah A. Lindquist

What is one example of a pro bono project that has held special meaning for you?

The *pro bono* cases that have the most meaning to me are those where I am able to help children and parents get the services they need to reunite children with their parents. There is no better feeling in the world than closing a case because the children have returned home. Everybody wins, which is not something that happens very often in my civil litigation cases!

Why is donating your skills as an attorney important to you?

I feel blessed to be a member of The Florida Bar. As attorneys, we are uniquely situated to help individuals in our community navigate a legal system that would otherwise be overwhelming and even frightening. I am thankful that I have a skill that I can use to give back to the community.

Inspired? Interested? Ready to sign up for a pro bono program? Taylor Kessel has made it easy for you! Simply contact him at Taylor.Kessel@cnl.com and ask if you can sign up for April's IDignity event. Further details are below. For other opportunities, please check out Legal Aid's *pro bono* programs at www.legalaidocba.org or contact the *pro bono* coordinator, Catherine Tucker, at ctucker@legalaidocba.org.

And now, a look at recent and upcoming YLS programs:

Hopefully, you did not miss the annual **YLS Evening with the Judiciary** on February 23, 2011, at the Winter Park Civic Center! Almost 300 lawyers and law students, and 61 judges, enjoyed feasting on Mardi Gras food and drinks while socializing in a casual atmosphere. Keeping in the theme of Mardi Gras, a caricature artist, a tarot card/palm reader, and a stilt walker entertained the crowd. Special thanks to **Karen Persis** and **Sunny Hillary** and their committee for throwing another fantastic Evening with the Judiciary!

The YLS softball squad put its best cleat forward during the **FAMU Charity Softball Tournament** in March! After a disappointing and narrow loss in the first round, the YLS team went on to win six (yes, six!) consecutive games and took home the first place trophy. To deliver the championship, the YLS squad had to beat the HALSA team, which included two former division one baseball players, but couldn't match the depth and consistency of the YLS team! The YLS squad, which was sponsored by **LaShawnda Jackson**, included **Allie Slavens, Ronny Edwards, Matt Armstrong, Amber Davis, Nick Vanhook, Nikki Vanhook, Tim Kiley, and Eric Reed**.

The next three **Brown Bag Luncheons** will be **April 14, 2011, May 5, 2011, and June 9, 2011**. Please feel free to bring your lunch and learn while you eat. Please tell security you are attending the Brown Bag Luncheon with Judge John Kest in the Judicial Conference Room on the 23rd floor so you will be permitted to bring your lunch through security. Each luncheon will provide 1.5 hours of CLE credit. If you are interested in joining Judge Kest for the next Brown Bag Lunch, please contact Judge Kest's Judicial Assistant at 407-836-0443 or ctjadil@ocnjcc.org.

On **April 21, 2011**, YLS members will be teaming up with the Hispanic Bar Association for the April **IDignity** program. This program is a partnership of five downtown Orlando churches and their volunteers with federal, state, and local agencies who established a one-stop event to facilitate the distribution of personal identification and other vital documents. Young lawyers are needed to assist homeless people in obtaining Florida ID cards and other documents necessary to secure housing, employment, medical treatment, and bank accounts. Lunch will be provided by YLS. To sign up for the early shift (7:00 a.m. - noon)

or the late shift (11:00 a.m. - 3:00 p.m.), please contact **Taylor Kessel** at Taylor.Kessel@cnl.com.

REGISTER NOW for the **Young Lawyers Roundtable with the Judiciary** at the 2011 Judicial Conference of the 11th Circuit Court of Appeals, **Saturday, April 30th** from 8:30 a.m. to 10:30 a.m. at the Disney Swan Hotel. The \$100 cost includes breakfast, 2.0 hours of general CLE credit and 2.0 hours of professionalism CLE credit. Register today at <http://www.flayld.org/events/roundtable/>. Don't miss this rare opportunity to sit down with federal judges and get the answers to questions you otherwise may not be able to ask! Judges will discuss a range of legal issues facing their courts today, as well as their day-to-day activities, preferences, and war stories. For more information, contact Chrissy Graves at 850-513-3606 or cgraves@carltonfields.com.

The **YLS April Luncheon** will take place on **April 28, 2011**, at 11:45 a.m. at the University Club. Please e-mail your RSVP to admin@ocbayls.org. If you **RSVP by April 26, 2011**, the cost is \$20 for lawyers and \$12 for law students, government attorneys, solo attorneys, and judges; a late charge of \$2.00 will be added if you do not RSVP.

To find out more about the YLS Section and its committees and events, please contact me at 407-418-6438 or reganj@lowndes-law.com. If you are not receiving the YLS email blasts, send an email to admin@ocbayls.org to sign up!

Jacquelynne J. Regan is an attorney with Lowndes, Drosdick, Doster, Kantor, & Reed, P.A. She has been a member of the OCBA since 2007.



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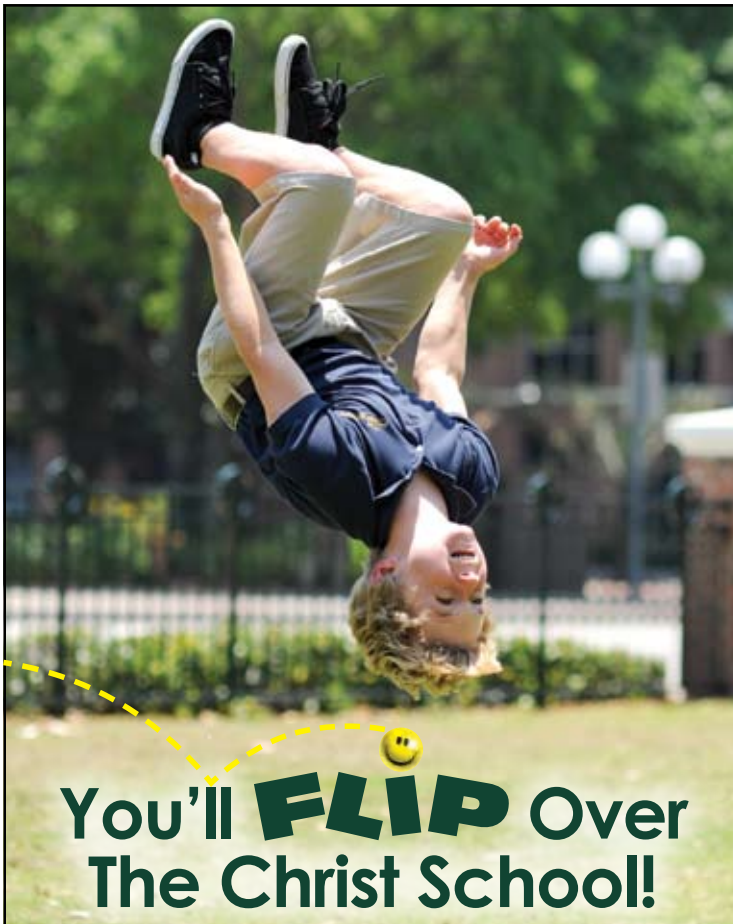
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Catherine Tucker, *Deputy Director Pro Bono Coordinator, Attorney*

Angel M. Bello-Billini, *Litigation Director, Attorney*

Susan Khoury, *GAL Program Director, Attorney*

Larri Thatcher, *Intake/Outreach/Community Education Coordinator, Attorney*

Cara Dobrev, *GAL Litigation Director, Attorney*

Charles Conroy, *Immigration, Attorney*

Kira Romero-Craft, *Immigration, Attorney*

Row 2

Michael Resnick, *Housing/Homelessness, Attorney*

Sally McArthur, *Employment, Attorney*

Krista Bartholomew, *GAL Courtroom, Attorney*

Stephanie Stewart, *GAL Permanency, Attorney*

Ericka Garcia, *Equal Justice Works Fellow, Attorney*

Edward Dimayuga, *Public Benefits, Attorney*

Tenesia C. Hall, *Family Law, Attorney*

Kavita Sookrajh, *GAL Courtroom, Attorney*

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Jennifer Schmidt, *GAL Case Coordinator*

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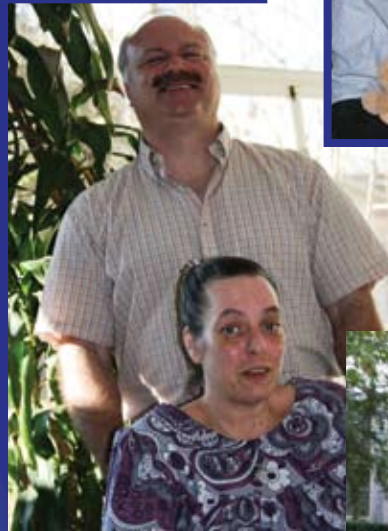
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