

Mark Your Calendars Now!

**11/13**

Seminar: Defenses
to Credit Card
Collections
by Ed Halper
CVLS Offices
12:15 PM

11/14

GAL Advisory Board
Meeting
CVLS Offices
12:15 PM

11/14

Seminar: Mortgage
Foreclosure
Mediation Training
CVLS Offices
1:00 PM

11/22 - 23

CVLS Closed
for Thanksgiving

12/6

New Volunteer
Orientation
CVLS Offices
12:00 PM

**Upcoming Events - Upcoming Events - Upcoming Events - Upcoming Events - Upcoming Events**

Who owes what?

CVLS volunteer **Jonathan D. Steele**, of **Beerman Pritikin Mirabelli Swerdlove LLP**, agreed to help a mother of four collect child support. However, after he got into the case, he discovered that the father, the previous custodian, already had a judgment against her for \$8,000 for unpaid child support.

Clearly the children's current needs were a priority, so Jonathan filed a petition for support. Eventually, the judge sanctioned the father by barring him from testifying or offering evidence of income at the hearing, for refusing to respond to Jonathon's discovery requests. Without any evidence from the father, the court calculated the father's current support obligation based upon Jonathan's evidence of the dad's net income. Dad was ordered to pay current support and make payments on his accumulated retroactive support.

Once the current child support issue was resolved, Jonathan worked to vacate the judgment of retroactive support entered against the mother in 2009. While the age of the order made Jonathon's job challenging, it was even harder because his client had already tried, and failed, to get it vacated. Jonathon was concerned that another attempt would be denied because of res judicata. He needed a creative approach.

Working with his client, Jonathan scoured bank records and canceled checks to create a list of all of the money the mother had given the father during his custody. Armed with this pile of evidence, Jonathan carefully crafted a request to admit, which required that the father admit or deny a series of facts relating to the case. When the father failed to respond to the pleading, the judge entered an order admitting each fact, including the admission that he had been paid in full. The judge's order contained a finding nullifying the judgment previously entered against the mother.

Despite the initial miscommunication and months of contentious litigation, the mother won her case thanks to hard work and diligence by Jonathan and his supervising partner, CVLS volunteer Enrico Mirabelli.

Another home saved.

For 30 years, Amanda had lived with her mother Merry. When Amanda married, her husband Frank moved into Merry's home and contributed his income to the household. However, a few years later, Frank up and left, never to be heard from again. The two women were left with a financial mess, an emotional mess, and, for Amanda, a divorce. In the turmoil and with the loss of Frank's income, Merry went into foreclosure and entered Cook County's Mortgage Foreclosure Mediation Program. CVLS volunteer **Daniel Blaney-Koen** stepped in to help. Despite the fact that Amanda had lived in the home and contributed to the mortgage for thirty years, the bank refused to include her income. Daniel fought their decision relentlessly, refusing to take no for an answer. Eighteen months, four mediations, and countless court appearances later, Merry got her permanent loan modification and will not lose her family home. Good work Daniel.

And another...

Every homeowner in distress should be so lucky to be represented by Steve Wernikoff. John had his own construction business. With the economic downturn, his business took a dive, leaving him unable to pay his mortgage. Although he tried everything he could to recoup his floundering business and get the bank to make his mortgage more affordable, foreclosure loomed. Once his foreclosure case went to court, he asked for mediation and Steve Wernikoff agreed to represent him. Steve pushed hard for John, enduring through five mediation sessions until he got the result John wanted. John now has a permanent and affordable loan modification and gets to stay in his home.

Not so fast Eddie.

Christine, an elderly woman of very limited means, was the beneficiary of an annuity owned by her lifelong friend. The friend's brother Eddie had been the previous beneficiary. After the friend died, Eddie forged his sister's name and got a disbursement, failing to disclose that she had passed away. When the insurance company learned of the friend's death and Christine's claim to the annuity, it filed a lawsuit asking the court to decide who was entitled to the property. CVLS was appointed to represent Christine.

Appearing for Christine, CVLS volunteers **Jenny Kim** and **Tonya Newman**, of **Neal, Gerber & Eisenberg LLP**, filed a counter-claim against the insurance company for breach of contract and against Eddie for conversion and unjust enrichment. Eddie, in turn, filed suit against Christine, claiming that she had influenced her friend to name her as beneficiary to the annuity. However, once Jenny and Tonya moved to dismiss Eddie's suit and served discovery relating to Christine's suit against him, Eddie caved and agreed to release all claims to the balance of the annuity. Jenny and Tonya then settled Christine's claim against the insurance company on favorable terms. What a win!

New firm, same commitment.

There's a new firm in town ladies and gentlemen—Robzon & Lopez, LLC, founded by Kathleen Robson, 2012 CVLS honor roll recipient, and Salvador Lopez. Not only has this exciting new firm committed to providing high quality legal services, it also has a significant pro bono focus. Kathleen and Sal are so dedicated to the goal of equal access to justice that their firm will require that all associates handle pro bono cases. This is fantastic news and we are thrilled to be able to partner with them. Congratulations everyone.

Persistence is key.

Rimon and Diala ran up on hard times and fell behind on their mortgage. They needed to modify their mortgage and, after their lender filed for foreclosure, they entered the Cook County Mortgage Foreclosure Mediation Program. Volunteer Jordan Yurchich agreed to help, but it was no easy task. The bank threw every hurdle in his path--repeatedly asking for more and more documents; refusing to consider a government modification because the homeowners had previously been denied for "lack of documents"; insisting that one form did not include family income when the information was clearly on the form, in the section that asked about income and refusing to accept the second trial plan payment because of their own mishandling of the account. None of the nonsense fazed Jordan. He tendered documents, over and over, attended three mediations, challenged every incomprehensible allegation and fought every goofy argument. Finally, Jordan won the war. The real winners, of course, were Rimon and Diala who got their permanent (government) loan modification.

Pro Bono Fair



The Chicago Bar Association's Young Lawyer's Section hosted their 18th annual Pro Bono & Community Service Fair on October 25th at Kirkland & Ellis LLP. The event was a great success, allowing Chicago attorneys to make meaningful connections with legal and non-legal public agencies and to receive information about how they can offer their talents to the cause of pro bono. Of course, CVLS was on site making some great new friends. If you were unable to attend the fair, don't worry. We have plenty of exciting opportunities waiting for you. Just point your mouse or your finger to www.CVLS.org and register for one of our new volunteer orientations. We will show you the ropes and get you started in the wonderful world of pro bono.



CVLS Honor Roll



Jose M. Ortega, St. Clements Church/Our Lady of Mercy Legal Clinic

With a very busy practice in Oak Park, it's amazing that Jose has the time to volunteer at this active clinic on Chicago's north side. Yet, for the last three years, Jose has been a great asset at the clinic translating legal documents from Spanish into English for clients and other volunteers. This past year he handled a name change case for a middle school boy who was being teased because of his name. While the case was a minor one for an attorney, it was a huge win for the boy.



Kathleen Robson, Circuit Court of Cook County Foreclosure Mediation Program

Over the program's two year life span, Kathleen has been a superstar. Handling 31 cases, she identifies significant issues and stands up to the lenders on behalf of her clients, usually obtaining successful results. Even better, CVLS never has to ask her to take a case—she calls us! What's not to love about that?



Darlene Perry, Executive Director, The Forensic Center, The Chicago School of Professional Psychology

When CVLS first began to partner with the Chicago School of Professional Psychology, we hoped to get professionals with whom we could consult from time to time. We did not expect to get Dr. Perry. Dr. Perry has become a true partner to CVLS. In addition to arranging for pro bono therapeutic visitation and psychological evaluations for parties and children in our GAL for Minors Program, Dr. Perry has conducted several in-depth seminars on mental health issues and is working with CVLS GAL for Minors program staff to revamp existing and design new questionnaires and checklists that will help volunteers identify mental health issues for caretakers, parents and children.

CVLS Honor Roll



Shereefat Balogun, Locke Lord/St. Procopius Legal Clinic

Throughout her career at Locke Lord, Shereefat has demonstrated an unwavering dedication to providing legal services to the under-served. Her dedication to pro bono legal practice has made her a valuable asset not only to Locke Lord and CVLS, but also to the Chicago legal community as a whole.



Scott Jensen, First Congregational Church of LaGrange Legal Clinic

Scott, a former CVLS legal clinic volunteer, recently returned to FCC LaGrange as a volunteer and hit the ground running. He has been invaluable to those served at the clinic by helping to address their legal issues, by volunteering on days when no other volunteers were available, and working to ensure that the attorneys from the clinic's new sponsor, Tressler LLP, was seamless. Thank you for your hard work and dedication, Scott.



Karen Riccio, Office of Chief Judge, Probate Division, Circuit Court of Cook County

For the past fifteen years, Probate judges have appointed CVLS to serve as guardian ad litem of children in contested or problematic guardianship cases. However, while the judge makes the appointment, Karen takes care of the details that make this program function smoothly. Working quietly and diligently in the background, Karen completes the court appointment order and gets it to CVLS. She serves as the court's point person for docketing and court dates and works with scores of pro se litigants that crowd her desk every day. She gets CVLS copies of pleadings, drug test results and handles a myriad of other details that keeps this important program running smoothly. Karen is being honored for the important part she plays in making it possible for CVLS to protect these children.

Meg receives major award.

Congratulations to CVLS' Executive Director **Margaret Benson** for being awarded the Thurgood Marshall Lifetime Achievement Award at the Association of Corporate Counsel Chicago Chapter's 2012 In-House Counsel Celebration Dinner.

Meg has devoted almost her entire career to furthering the CVLS mission to coordinate, support and promote voluntary pro bono legal representation of the poor in Chicago. She began with CVLS a few years after graduating from law school. In 1983 she was named Deputy Director and became Executive Director in 2003. In addition to providing overall management, Meg also coordinates bench, bar and law firm relations and writes extensively, including a bi-monthly column on pro bono for the Chicago Lawyer. She handles her own guardian ad litem caseload while at the same time training and supervising GAL volunteers. Meg creates programming and speaks at many conferences, including the ABA/NLADA Equal Justice and Illinois Legal Advocates Conferences, the ISBA, CBA and IICLE. Meg has been honored with many awards over the course of her career, including the 2007 Illinois State Bar Association's Board of Governors Award, The Chicago Bar Foundation's Thomas H. Morsch Public Service Award, the "Esther Rothstein Award" by the Lawyer's Trust Fund of Illinois and the Loyola University School of Law's Public Service Award. Meg also serves on various bar committees is in the immediate past chair of the ISBA's LawPac Board.

With such an extensive background, it is no wonder they decided to honor her with this award. CVLS is very lucky to have her leading us.

Prepare to enter the ThunderDome!

CVLS has seen a drastic increase in the number of new law graduates with little to no experience who are eager to take on some pro bono work. While the rise in demand for legal aid has risen in kind, the support and training needed to prepare these new volunteers strains already stretched resources. That's why CVLS formed our newest clinic model, ThunderDome Divorce Clinic.

ThunderDome matches a group of lawyers with clients who need a divorce. The group meets monthly for training and working, as a group, on their individual cases. Everyone gets a chance to apply the skills they learned that month, ask questions and learn from each other. This classroom setting that teaches the volunteers a step at a time is not only more efficient, allowing one senior attorney to oversee a large group of volunteers at once, but also incorporates the entire litigation process into the clinic, giving these colleagues confidence and competence in a controlled environment.

The rules of the original ThunderDome are simple: Two men enter, one man leaves. While that theme might be fitting for some divorce cases, the real driving force behind this clinic model is described in its tagline: Novices enter, veterans leave.

Not every case is complicated. Not every volunteer needs to be a legend in their field of law. Sometimes all that is needed is manpower and the willingness to help where help is needed. We've got the manpower, now thanks to this clinic model we're able to give them the tools they need to make a difference.

If you or someone you know would like to participate in the next round of ThunderDome, starting November 27th, contact Phil Mohr at philmoor@cvls.org or **312-332-3528**.

CVLS Seminar Registration

November 13 "Defenses to Credit Card Collections" by Ed Halper

CVLS sees significant numbers of clients trying to fend off collection actions by credit card companies. The collection of credit card debt results in long-standing but often ignored defenses. When credit card debt is sold that creates new and additional defenses and strategies for fighting these collection claims. Edward J. Halper and Rachel Schaller raise procedural and substantive defenses in the July Illinois Bar Journal and now Ed, a long-time CVLS volunteer, will discuss them with you.

November 14 "Mortgage Foreclosure Mediation Training" by Eric Sutton, 1 PM to 4 PM

CVLS staff will train volunteers to represent homeowners in pre-trial mediation. Attendees will learn: Basic information about mortgages and the foreclosure process; why mediation is an important tool for conflict resolution and how the mediation process works; how to effectively represent your client in foreclosure mediation including information about relevant federal foreclosure relief programs, loss mitigation and negotiating a graceful exit. Volunteer attorneys with all levels of experience are welcome to attend.

Please visit www.cvls.org/seminars to register

All seminars are held from 12:15 to 1:15 p.m. at 100 North LaSalle, Suite 900.

Archived seminars can be found at cvls.org/archived-seminars.

Another fantastic Race Judicata® has come and gone.

On September 13th over 4,300 Chicagoans left their comfortable offices and homes, braved crossing a giant teacher's strike, and participated in this year's Race Judicata® 5K. Sure, it drizzled a bit, but the rain was no match for the high spirits everyone was in. The support for pro bono is alive and well in Chicago, and our runners were more than willing to prove it. Thank you to everybody who came out to participate. Without you, September 13th would have been pretty boring.



(Top) Bad News Barristers (Team BHLM) Posing for the camera.

(Middle-top) Jennifer Waryjas, George Adams, and Brett Skean show their patriotism on the course.

(Middle-left) Patois 6 entertained the crowd allnight.

(Middle-right) Loeb and Loeb spent their time pleasing the crowd serving fantastic beer!

(Bottom) Even our K9 friends joined in on the fun!

Visit www.CVLS.org/judicata for more pictures!



(Top-left) Marisa Babena finished with high spirits.

(Middle-right) Williams Montgomery & John's team was proud to bring home the t-shirt trophy for the second year in a row.

(Bottom) Grant Thornton's team broke a record with 233 participants this year. The largest ever!

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