

Metro Pro Bono Advocate

A publication of the Pro Bono Committee of The Bar Association of the City of Richmond

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Richmond Attorneys Come to the Aid of Carrington Gardens Residents

by Kacey Robins, 2nd year law student, University of Richmond School of Law

On February 10, 2005, twenty-six families found themselves homeless without any notice. Giving the tenants only eight hours to vacate, the City of Richmond condemned Carrington Gardens, Northridge apartment complex because of health and safety hazards. With such little notice many of the occupants lost almost all of their personal belongings.

Carrington Gardens, Northridge apartment complex was owned by Bush Realty, LLC and managed by Royal Oak Gardens, LLC. Both the owner and the management company had neglected the apartment complex for some time. Many of the vacant units had doors and windows kicked in, allowing the cold winter air to permeate the buildings. The garbage had been left uncollected and allowed to pile up, and squatters

had moved into the complex. Upon inspection, the City of Richmond decided to condemn the complex immediately and ordered the tenants to find a new home in eight hours. With nowhere to turn, many of the tenants were forced to go to hotels.

Being forced to leave with such little notice left one tenant wondering how she was going to feed her son. She now has to spend her money on application fees for new apartments and eating out because the hotel she is staying in has no cooking facilities. An elderly tenant suffered an increase in medical problems because of the stress brought on by the eviction. Many tenants had difficulty getting their children to school because the buses did not pick up from the hotels. They then had to miss work because they could not leave their children alone.

The families brought suit against
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Emergency representation offered to Battery Park residents

The Young Lawyers Sections of the Virginia State Bar and the Virginia Bar Association (“the VBA”) joined together in a program to provide emergency legal representation where needed. Because of that pro bono program, and with help from the Virginia Trial Lawyers Association, volunteer lawyers who received a call for help over a weekend in September, responded by joining with the legal aid programs in Richmond to provide emergency representation to victims of Battery Park.

On Friday, September 8, 2006, the Richmond Department of Social Services sent out a call for legal representation for Battery Park survivors who had received letters from landlords demanding payment of rent even though the flooding of Battery Park had made apartments there uninhabitable.

In response to this request for help, in coordination with legal aid, Tom Edmonds, president of the Virginia State Bar, contacted Maya Eckstein, chair of the Young Lawyers Section of the Virginia State Bar, who coordinated with Lori D. Thompson, chair of the Young Lawyers Section of the VBA, in a program organized over the weekend for a meeting with Battery Park survivors at legal aid on Monday evening, September 11, 2006. Jack L. Harris, executive director of the Virginia Trial Lawyers Association (“the VTLA”), called members of the VTLA recruiting pro bono lawyers to go to legal aid for the meeting with Battery Park survivors on September 11. LeClair Ryan made a special appeal to lawyers in that firm.

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New volunteers needed for Housing Law Project - training begins in December

The Richmond Bar Association’s Pro Bono Housing Law Project will be holding a Training Session for new volunteers on December 12, 2006 from 4:00 p.m. to 7:00 p.m. Williams Mullen will host the training at its office located at 1021 East Cary Street, 17th Floor. Food and drink will be provided. The Pro Bono Housing Law Program, which is administered by the Legal Aid Justice Center and the Richmond Bar Association Pro Bono Committee, provides crucial pro bono services to indigent clients

throughout the greater Richmond area who are facing the loss of housing or other basic leasehold services. Where a meritorious defense exists, pro bono housing law volunteers will represent these indigent tenants in their leasehold disputes. Volunteer attorneys obtain meaningful litigation experience and may receive up to three (3) hours of free CLE credit by attending the training program. To sign up or for more information, please contact Ben Pace at 783-6932 or wp@williamsmullen.com.

A letter from the Committee Chair

by David N. Anthony, Chair
Richmond Bar Association Pro Bono Committee

The Richmond Bar Association has a long and proud history of providing pro bono services. I am honored to serve as the Chair of the Richmond Bar Association's Pro Bono Committee, and I wanted to highlight some of the pro bono projects coordinated by the Committee.

No Fault Divorce Program

Marilyn Goss and Chuck Seyfarth have organized this program by which volunteer attorneys handle uncontested divorce matters and obtain a Final Decree of Divorce for eligible clients. The Central Virginia Legal Aid Society ("CVLAS") provides training to the volunteer attorneys and interviews and screens potential clients to determine client qualification for the program. CVLAS then transfers the client's file and completed divorce questionnaire to the pro bono volunteer attorney. These cases do not involve issues of custody, support or equitable distribution. Free malpractice insurance coverage is provided to the volunteer attorney.

Pro Bono Clearinghouse

The Pro Bono Clearinghouse matches experienced volunteer lawyers with needy non-profit organizations. The Clearinghouse solicits volunteers from law firms, in-house legal staffs and government to find lawyers with expertise in such areas as corporate organization, real estate, finance, employment, intellectual property, tax and contracts. The non-profit organization contacts the Clearinghouse and completes a

simple questionnaire describing the non-profit's mission, structure and services as well as the nature of the request for legal assistance. The Clearinghouse Coordinator then contacts a volunteer lawyer whose practice matches the non-profit's need, and the non-profit organization contacts the volunteer lawyer directly. This program provides meaningful pro bono opportunities to non-litigators that otherwise might not be able to perform pro bono work in their areas of expertise.

Pro Se Education Project

The Richmond Bar Association Pro Bono Committee recognized a growing number of individuals in the Richmond metropolitan area who seek to represent themselves in court because they cannot afford legal counsel. To insure the impartial and efficient administration of justice, these self-represented litigants need to understand the judicial system procedures relating to their cases. In recognition of this need, the Pro Bono Committee engaged volunteer lawyers from private law firms, CVLAS attorneys and law students at the T. C. Williams School of Law to work with the General District Court to create pamphlets on common topics of interest. To date, this Project has produced two pamphlets entitled, "Your Guide to Civil Litigation in General District Court" and "Your Guide to Landlord/Tenant Disputes." Chris Jones at LeClair Ryan presently runs this program following the outstanding leadership by Tara Casey.

Carrington Gardens families receive settlement

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Bush Realty, LLC and Royal Oak Gardens, LLC in July 2005 seeking compensatory damages for lost belongings and moving expenses. The Legal Aid Justice Center and co-counsel Sidley Austin represented twenty-two families, Hunton & Williams represented three families, and Hundley & Johnson represented one family. A settlement conference, on April 26, 2006, resulted in a \$240,000.00 settlement to be divided among the families.

The Legal Aid Justice Center would like to thank the firms of Sidley Austin, Hunton & Williams and Hundley & Johnson for their help in obtaining justice for the tenants of Carrington Gardens. The generosity of these firms, whose attorneys gave up their time to help the tenants find relief without recovering any fees, allowed the tenants of Carrington Gardens to find hope in a devastating situation.

Pro Bono Committee Members:

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The Greater Richmond Bar Foundation which acts as the charitable arm of the Richmond Bar Association and four other local bar associations has recently published its 2006 Progress Report. Visit the Foundation website at www.grbf.org to download the publication.

Pro Bono Clearinghouse – Connecting Non-profit Organizations and Attorneys

Since its inception in 2001 the Pro Bono Clearinghouse has matched over 260 non-profit organizations needing legal assistance with volunteer attorneys. The Clearinghouse currently has 113 volunteer attorneys from 42 different law firms and corporations.

Robert A. (Bob) Dybing with Thompson & McMullan has been volunteering with the Clearinghouse for several years and has provided 54 hours of pro bono legal services to a number of non-profits during this time. He has answered questions regarding overtime compensation for an organization that provides housing and emotional support for out-of-town families of children in area hospitals, obtained an easement for a civic association, and assisted with a lease dispute for a provider of residential assistance to persons with disabilities.

Bob's most recent Pro Bono Clearing-

house client was Homeward whose mission is to facilitate initiatives to prevent, reduce and end homelessness in the greater Richmond region. They contacted the Clearinghouse with a request for an attorney to review their Policies and Procedures Manual. Melanie McDonald, Operations Manager at Homeward, wrote "Thank you for your generous donation of legal services in reviewing our Policies and Procedures Manual. I was impressed with the thoroughness and depth of your review. Your feedback about both the document and human resources was quite helpful."

Thanks to Bob Dybing and other volunteers, the Pro Bono Clearinghouse is making a positive impact in our community. To learn more about the program visit the Greater Richmond Bar Foundation website at www.grbf.org or contact Carol Murray at 780-2600.

Battery Park flooding victims receive legal assistance

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Hunton and Williams agreed it would accept referral of any Battery Park survivor who might be financially ineligible for legal aid.

The Richmond Social Services Department provided transportation to and from legal aid for Battery Park survivors for the September 11 meeting. Having received a call for help over the weekend, 12 pro bono lawyers came to legal aid that Monday night, joining with Central Virginia Legal Aid Society and Legal Aid Justice Center to provide legal representation to 22 Battery Park survivors who came to the meeting seeking help. In some cases, pro bono lawyers sent letters that night to landlords responding to rent demands by pointing out that the Virginia Residential Landlord and Tenant Act ("the VRLTA") provides that tenants are not responsible for rent for uninhabitable premises. In some cases, pro bono lawyers sent letters as counsel for Battery Park tenants terminating leases under a provision of the VRLTA allowing that option to a tenant when a disaster renders an apartment unfit for residence.

Battery Park survivors were advised to make lists of all of their belongings that were lost in the flooding of their homes and to make notes on the specifics of their losses, including the replacement value of each lost item of personal property. Battery Park survivors were also advised of the applicable deadlines to take action to assert claims. In some cases, pro bono lawyers made arrangements to meet on a later date with clients to follow up with extended representation.

If you would like to assist with this or any other local disaster relief effort please respond by email to Ryan Boggs at rboggs@williamsmullen.com or Jeff Geiger at jgeiger@sandsanderson.com.

RBA co-hosts elder law program for senior citizens

On September 27th, nearly 100 senior citizens and caregivers attended a program held at Imperial Plaza, which was co-sponsored by the Richmond Bar and Senior Connections. Topics included identity theft, scams and frauds targeting the elderly, wills, trusts and guardianship issues, and elder abuse.



Robert W. Lesniak (right) assisted in educating the residents and caregivers at Imperial Plaza on elder law issues

RICHMOND METRO PRO BONO SAMPLER

Attorneys, please refer to the list below to learn more about the activity that interests you.

<u>Program</u>	<u>Contact Person</u>	<u>Telephone</u>
Appeal Bond Fund	Marcel Slag Henry McLaughlin	643-1086 648-1012
Community Tax Law Project	Elaine Javonovich	358-5855
LAJC Housing Law	Marcel Slag	643-1086
CVLAS Wills Program	Kathy Brigman	862-1100
Henrico Bar Association Pro Bono Volunteers	Christopher H. Macturk	762-9500
Hunton & Williams - Church Hill office	George Hettrick	775-2248
VBA-YLD Central VA Pro Bono Hotline	Coburn Beck, Agustin Rodriguez	788-8576, 274-5731
Pro Bono Clearinghouse (www.grbf.org)	Carol Murray	780-2600
Legal Information Network for Cancer (LINC)	Allison Held	371-9543
Virginia Poverty Law Center	Jay Speer	782-9430
Richmond Domestic Violence Project	Robbi Gray/Alexis Fishel	775-1227/771-5765
VBA-YLD Legal Services for the Mentally Ill	John Phelps	662-7242
VSJ Young Lawyers Board Match	Beth Hungate-Noland	783-6913
Refugee and Immigration Services - Catholic Diocese of Richmond	Marilyn Breslow	355-4559

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