



Fairfield County Bar Working to Keep “Equal Justice” Meaningful

by James M. Daniels, Director

Carved above the doors to the U.S. Supreme Court are the words “EQUAL JUSTICE UNDER THE LAW.” This commitment to equal justice is echoed in the Pledge of Allegiance recited daily by school children and at public events. The Fairfield County Bar works to help make these words a reality.

The Bar prides itself in staffing the local monthly Fairfield County Legal Clinics. At the Bar’s President’s Party last year, bar president Matthew Wideman spoke of the important work all attorneys do, from the big cases to the “little” cases and the help given...the less stalwart among us. During dinner, I heard attorney Norman Ogilvie describe one such case, with kindness and humor. “A little old man” and his guardian—his ex-sister-in-law who lived in his house with him—had come to the Clinic seeking help filing a required accounting with the Probate Court. In helping, he discovered several mortgages on the man’s home unapproved by the Probate Court. Evidently visits by door-to-door home improvement salesmen had resulted in bad mortgages on the home, the monthly payments on which were not even enough to amortize the principal.

Attorney Ogilvie filed to set aside the mortgages. Countless billable hours later and many twists and turns—including the deaths of the gentleman and his sister-in-law—he said, “If you commit to pro bono, I don’t know how you don’t do the best you can do.”

Unfortunately, this one bar’s dedication to equal justice and its valuable help cannot fill the widening gap between those bedrock words and reality. In 2012, there were 37,745 attorneys in Ohio, about one for every 305 residents. For Fairfield and Hocking Counties, there are now only two legal aid attorneys to help about 32,369 indigent residents; in 2008, there were five. This is not equal justice for all.

What happens when more parents believe they lost custody because the other parent had an attorney and they did not? Or more people lose wages and property to unknown collection entities with no documentation the debt is owed, but the entity had an attorney? Or tenants are evicted for not paying rent when they did not have adequate heat or safe housing, but the management company had an attorney? Is equal justice to be only a dream deferred? And, if so, as Langston Hughes asked, “What happens to a dream deferred?”

Legal aid and local bar associations can help, but cannot alone ensure that equal justice is more than dead words carved in stone. Across the country, legal aid programs have been a driving force to make change real in millions of lives and to find answers for families needing housing, food, and healthcare. We work to correct bad policy and change how the most vulnerable are treated. This is what we do every day in Fairfield and 29 other counties in southeast Ohio. We need your help. Volunteer. Donate. Speak up. If you would like to help, but are not sure how, give us a call.

In This Issue

This issue features the Lancaster office of Southeastern Ohio Legal Services (SEOLS). The office is located at 123 South Broad Street, Lancaster, Ohio.

- [SEOLS Lancaster clients](#)
- [Private attorneys helping in Fairfield County](#)
- [SEOLS Lancaster staff](#)

Where to Find Legal Help

Each SEOLS office has a service area which includes two to five counties. Address and

phone information for the SEOLS offices, and the counties they serve, are located below.

The staff of SEOLS not only work in the office, but also:

- make visits to senior centers in areas of Ohio where SEOLS has received grants to help senior citizens;
- host open clinics for legal help (see [page 3](#)); and
- keep information on the SEOLS website: seols.org



and the statewide Ohio Legal Services website: www.ohiolegalservices.org



SEOLS serves 30 counties in southeast Ohio:

Athens, Gallia, Meigs, Vinton
964 East State Street
Athens, OH 45701
740.594.3558, 800.686.3669

Fayette, Jackson, Pickaway, Pike, Ross
11 East Second Street
Chillicothe, OH 45601
740.773.0012, 800.686.3668

Fairfield, Hocking
123 South Broad Street, Suite 234
Lancaster, OH 43130
740.653.7705, 888.835.5902

Monroe, Morgan, Noble, Washington
427 Second Street
Marietta, OH 45750
740.374.2629, 800.837.2630

Knox, Licking
15 West Locust Street, Suite A
Newark, OH 43055
740.345.0850, 888.831.9412

Carroll, Coshocton, Holmes, Tuscarawas
332 West High Avenue
New Philadelphia, OH 44663
330.339.3998, 800.686.3670

Adams, Lawrence, Scioto
800 Gallia Street, Suite 700
Portsmouth, OH 45662
740.354.7463, 800.837.2508

Belmont, Harrison, Jefferson
100 North Third Street
Steubenville, OH 43952
740.283.4781, 800.837.4781

Guernsey, Muskingum, Perry
422 Main Street, Fourth Floor
Zanesville, OH 43702
740.454.1223, 800.686.3671

New Volunteer Takes Over Client Education Class

Dorian Baum grew up in Brush Prairie, Washington. He received a Bachelor of Arts from the University of Washington, and his law degree from the Akron School of Law. While in law school, Dorian interned with the Summit County Legal Defenders Office, became the lead intern, and represented indigent defendants in misdemeanor cases and juvenile defendants in misdemeanor and felony cases.

After law school, Dorian went back to Washington and practiced law with his wife, Jennifer Sitterley Baum, and his father, Mark Baum. Jennifer is originally from Lancaster. Career opportunities and family ties in Lancaster were incentives to relocate to Ohio. Jennifer is now with the firm Sitterley and Vandervoort Ltd.

Dorian’s law office is down the hall from the SEOLS Lancaster legal services office. He met SEOLS attorneys Ben Horne and Chuck Gordon. In a discussion about the Fairfield County Legal Clinics, Ben and Chuck talked about a valuable volunteer,

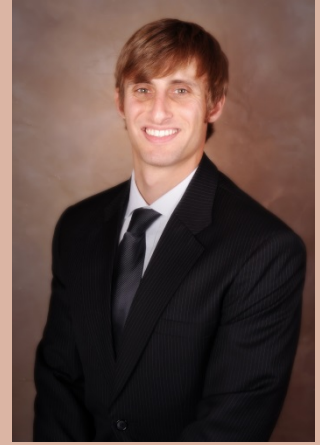
Lisa Long, who would be leaving and that they were looking for a replacement. Dorian volunteered.

Lisa had been designing a monthly class for people facing collection lawsuits who could not afford legal counsel. Dorian took over the responsibility for advertising and planning the class sessions. He worked with SEOLS and the local courts to ensure the materials were accurate and complete. For the last year, he has been serving as both coordinator of the debtor’s class and as the class instructor.

Dorian explained why he volunteers. “All attorneys have a duty to give back a little bit to those who need and can’t afford to pay. Justice should be available for all. Legal aid attorneys actually do the work they do to benefit low-income people and to make sure they have access to justice.”

He went on to explain what he had learned from his father, Mark, about sharing time and knowledge. “Most people have the opportunity to give time. Lawyers have specialized knowledge that everyone needs at some time. Part of the beauty of working with SEOLS and the clinics is that I can use my time to give that knowledge, to share that knowledge with people who are in crisis and are not able to pay an attorney. Justice is blind and should be available to everyone without regard to ability to pay.”

For more information about becoming a volunteer with SEOLS Lancaster, contact managing attorney Ben Horne at 740-653-7705 or SEOLS pro bono coordinator Melissa Skilliter at mskilliter@oslsa.org.



Dorian Baum

Upcoming Training for Pro Bono Attorneys

(free of charge to any attorney currently participating in a pro bono program through Southeastern Ohio Legal Services, The Legal Aid Society of Columbus, or the Columbus Bar Association. All others should include a \$110 fee with the registration form)

Brief Advice & Referral Clinics–Volunteer Training

Part I: May 30, 2013, 3–6:15 p.m.; **Part II:** date/time TBA

This program is designed to assist attorneys who volunteer their time at brief advice clinics sponsored by SEOLS, LASC and the CBA. This training will be divided into two afternoon sessions.

Attorneys attending Part I will receive instruction on issues unique to low-income clients and tips on how to best meet the needs of clients in a clinic setting. The training will provide basic issue spotting and information about the array of public assistance programs available to low-income individuals. The training will also focus on serving clients with disabilities, and the legal issues impacting low-income consumers.

Attorneys attending Part II will receive basic instruction on domestic legal issues facing low-income families, landlord/tenant law basics and record-sealing requirements and procedures.

Application has been made with the Ohio Supreme Court for 3.0 CLE credits.

You may register by email at cle@columbuslegalaid.org or by mail to Marsha Evans, the Legal Aid Society of Columbus, 1108 City Park Avenue, Columbus, OH 43206.

Unless a hard copy is specifically requested, materials will be emailed to participants in advance of the training. Thank you for helping us save resources.

Name: _____

Address: _____

Phone: _____ Email: _____

Pro Bono Program in which you participate: _____

Ask an Attorney • Upcoming Open Clinics:

- Adams County** – seniors age 60 and over only – must call 800-837-2508 for appointment
5/28/13 Adams County Senior Center, West Union
- Belmont County** – sign up at 5:30 pm/clinic at 6 pm-8 pm
7/10/13 Webster Hall, Martins Ferry
- Fairfield County** –5 pm-7 pm
4th Tuesday each month but December, The Rising House, Lancaster
- Gallia County** – seniors age 60 and over only – appointments recommended but not required: 740-446-7000
5/23, 7/25, 9/19, 11/21 Gallia County Senior Center
- Hocking County** – 5:30 pm-7:30 pm, 888-835-5902
2nd Tuesday of May, July, September and November
Trinity United Methodist Church, Logan
- Knox County** – sign-in at 5:30 pm
7/15/13 & 10/21/13 Mulberry Street United Methodist Church, Mount Vernon
- Lawrence County** – seniors age 60 and over only – must call 800-837-2508 for appointment
5/21/13 Lawrence County Senior Center, Ironton
- Licking County** – sign-in at 5 pm
6/19/13 & 10/16/13 Pilgrim Lutheran Church, Granville
7/17/13 & 12/18/13 First Presbyterian Church, Newark
8/21/13 Holy Trinity Lutheran Church, Newark
9/18/13 Johnstown United Methodist Church
11/20/13 Hebron Christian Church
- Meigs County** – 2 pm, 800-686-3669
5/23/13 Meigs County Public Library, Pomeroy
- Morgan County** – 2 pm-4 pm
First & Third Tuesday every month, Community Action, Malta
- Muskingum County** – sign up at 5 pm/clinic at 6 pm-8 pm, 800-686-3671
Second Thursday each month but December, Domestic Relations Court, Zanesville
- Perry County** – 4 pm, 800-686-3671
First Tuesday each month, Perry County Courthouse, New Lexington
- Scioto County** – pro se clinic – 4:30 pm-5:30 pm
5/28/13 & 6/17/13 Portsmouth Public Library
- Scioto County** – seniors age 60 and over only – must call 800-837-2508 for appointment
6/18/13 Scioto County Senior Center, Portsmouth
- Tuscarawas County** – 5 pm
6/11/13 Emanuel Lutheran Church, New Philadelphia
- Vinton County** – seniors age 60 and over only
6/20, 8/15, 10/24, 12/19 Vinton County Senior Center
- Washington County**– 6-8 pm
Third Wednesday of every month except December, St Luke's Episcopal Church, Marietta

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People We Serve

Providing Help from Homelessness

Attorneys from the SEOLS office in Lancaster, Ohio, and volunteer attorneys worked as a team to save Gary Shumaker—a 57-year-old man with mental health challenges—from homelessness and poverty.

Mr. Shumaker lived with his elderly mother in a modest house in Fairfield County. He had a Social Security payee who helped him with his finances. When his mother died, she left her home to Mr. Shumaker so that he would always have a place to live. However, his payee, taking advantage of his trusting nature, tricked him into signing his home over to her and began taking out loans against the house. For a while, she allowed him to stay in the basement of the house, but then one day she kicked him out.

Mr. Shumaker—now homeless and confused about what had happened to him—came to the SEOLS office in Lancaster. SEOLS sued the payee and got Mr. Shumaker the monetary value of the home he had lost. The payee then filed bankruptcy to try to discharge Mr. Shumaker's judgment. But SEOLS, with the assistance of a pro bono attorney, went to bankruptcy court and convinced the court that the judgment was due to the payee's fraudulent activity and her discharge was denied. With additional volunteer assistance, Mr. Shumaker finally began to collect on the judgment. However, this resulted in the Social Security Administration reducing his SSI benefits to zero. SEOLS contested that decision at an administrative hearing and got the decision reversed.



Gary Shumaker



Aubrey Bishop

"I would not have had my house if it hadn't been for him. They would have foreclosed and put me out."

Aubrey Bishop is 72 years old. He has lived in Millersport for almost 50 years. He and his wife bought their Millersport home new in 1980.

A few years ago, Mrs. Bishop became seriously ill. The couple used all of their savings and took out loans to pay for her medical treatments. They got behind on their mortgage payment. After Mrs. Bishop died, the bank started foreclosure proceedings. Mr. Bishop entered a loan modification plan and made all of the payments. The bank still foreclosed and refused to have any further discussions.

Frustrated and ill with work-related asbestosis, Mr. Bishop went to the SEOLS Lancaster legal aid office for help. Ben Horne, managing attorney, agreed to represent him. Ben and the Lancaster team worked for two years to keep the case alive in court, fighting off the bank's motions for summary judgment. Now the bank has agreed to a loan modification that will allow Mr. Bishop to remain in the property. The SEOLS Lancaster office helped Mr. Bishop in a crisis situation and he was very grateful. He explained, "I appreciate all you've done for me. You'll never know how much."

Profile: Charles Gordon, Staff Attorney
25 years and counting . . .

“Welcome to legal aid, may I help you?”

“Yes, I would like to speak with that white-haired gentleman. He helped me a while back and I need him again.”

Requests like this are commonplace at the Lancaster office of Southeastern Ohio Legal Services where “that white-haired gentleman”—Charles Gordon—has been the face of legal aid for a period that spans 25 years.

“When I first started this job, I thought I would be with legal aid for a few years and then move on,” says Gordon. “That’s back when my hair wasn’t quite as white. But when I realized the impact I could have on the lives of the people I was helping, I wanted to stay. Twenty-five years later, I’m still at it.”

Mr. Gordon is one of two attorneys in an office that covers two counties and about 32,000 low-income individuals, many of whom, despite being employed, cannot realistically afford legal counsel.

The legal struggles faced by his clients are varied, and a simple request for help can oftentimes lead to uncovering a more widespread problem.

“I had this one lady come in confused about a letter she had received from the USDA. She had a mortgage through the USDA, and was current on her payments, but the USDA’s letter said that she was behind on her payments and that they intended to foreclose. We appealed the decision, but the address for appeals that the USDA included in the letter was incorrect, and the letter came back.” Mr. Gordon’s subsequent investigation and negotiations with the USDA eventually led to the suspension of not only his client’s foreclosure, but also USDA foreclosures against 340 other homeowners nationwide who had received the wrong address.



SEOLS Lancaster staff attorney Charles Gordon

Mr. Gordon believes that working with the courts and the local bar associations is the most productive way to help dispel prejudices against the poor and provide more access to the legal system. Due to his efforts, there are now free legal clinics for low-income people in Fairfield and Hocking Counties. The clinics are staffed by private attorneys who volunteer their time in the evening to help low-income families who would not otherwise have access to legal advice.

When Mr. Gordon arrives at the clinics he often finds lines of 20–30 people standing outside, waiting patiently for the opportunity to ask a lawyer a question, or get help with a form. “The participation by the local bars has been terrific”, he says. “There are so many people that need help—that are struggling with the ins and outs of the legal system. I am thankful to be involved with two bar associations and court systems that have shown such commitment to helping out.”

. . . more of our staff . . .

SEOLS Lancaster’s managing attorney, Ben Horne, has written, recorded and posted two YouTube videos aimed at helping the public. New technologies—like these online videos—are getting more interest from our staff as a replacement of the decreasing face-to-face time we’ve been able to spend with clients due to funding and personnel loss over the last few years. The two videos, “Landlord not making repairs” and “Handling a Foreclosure Complaint” can be found at <http://www.youtube.com/user/legalaidmovies?feature=watch>

Yes! I want to help SEOLS advocate for equal access to justice and human dignity.

The hourly cost of placing and supporting an attorney in one of our offices is about \$90 per hour. More people need our services than ever before.

You can help us serve more people by making a voluntary, tax deductible contribution. Contributions may be in the form of money and/or time volunteered. You may use this coupon or visit <http://seols.org> and click the PayPal donation link.

I want to help SEOLS advocate for equal access to justice and human dignity.

Name _____

Address _____

Contribution enclosed:

\$90 (one hour) \$180 (two hours) Other: \$ _____

Optional:

I would like to designate my contribution (e.g., in memoriam, domestic violence, senior citizens, ...):

If you would like information about volunteer opportunities at Southeastern Ohio Legal Services, please list your email address:

≡ Contributions are tax deductible. ≡

Southeastern Ohio Legal Services
555 Buttles Avenue
Columbus, OH 43215

Thank you!

