

PRO BONO Matters



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The Newsletter of the Public Law Center

Spring 2007

New Eviction Defense Panel Empowers Tenants



Alexis Penn-Loya, PLC Staff Attorney and volunteer attorney Suzanna Adelizi of Kenneth L. Schreiber PC talk with a client.

When tenants are served with a summons and complaint in unlawful detainer, they have only five short days to file a response, and could find themselves in trial within a month. If they fail to timely answer the complaint, a default is entered and a lock out can occur within two weeks. Renters in this predicament are often frightened, unaware of potential defenses and unable to afford an attorney. For many, loss of their deposit, a money judgment for back rent, loss of personal property and potential homelessness are right around the corner.

PLC's Eviction Defense Panel grew out of a rising need to connect more low

income tenants with volunteer attorneys. Aggressively defending evictions not only prevents homelessness and preserves affordable housing; it also provides better results for low income clients whether through settlement or a court decision. Our pro bono attorneys also benefit by gaining valuable litigation and negotiation experience. So far, fourteen Orange County volunteer attorneys have agreed to help low income tenants facing eviction. Eviction Defense Panel members range from experienced litigators to new admittees. Panel members receive periodic email alerts of defensible eviction cases ready for placement.

Suzanna Adelizi and Jessica Brys Brownsell recently (Continued on Page 6)

Get Involved with PLC...

PLC offers a variety of volunteer opportunities for Attorneys, Law Students, and College Students including pro bono representation, staffing at community legal clinics and volunteering in-house at PLC. For more information or if you would like to volunteer, please contact Peri Doshi-O'Neill, Pro Bono Managing Attorney at (714) 541-1010 ext. 263 or pdoshioneill@publiclawcenter.org

Public Law Center

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www.publiclawcenter.org

Mission Statement

The Public Law Center, Orange County's *pro bono* law firm, is committed to providing access to justice for low income residents. Through volunteers and staff, the Public Law Center provides free civil legal services, including counseling, individual representation, community education, and strategic litigation and advocacy to challenge societal injustices.

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From the Executive Director



I'm not sure who first coined the phrase "people come and people go." A quick Google search failed to help me out other than to suggest its been a popular song lyric. But I know I'm not the first person to use this short-

hand phrase for marking the movement of people in and out of the life of organizations. As we note in this newsletter, there have been several comings and goings here at the Public Law Center. Each person who leaves for other opportunities presents an opportunity for reflection and each person who joins us anew brings with them the opportunity for growth and new ideas that is healthy for any group. While we will miss those whose formal relationship with PLC, whether as part of our board or our staff, has ended we know they will always be a part of the larger PLC family. Those who follow in their place now have a chance to build on all the good works of their predecessors.

Nowhere is this organizational phenomenon of renewal more apt to happen than at the Orange County Bar Association. As I write this note, we've just learned that long time OCBA Executive Director Donna Foust will be succeeded by new Executive Director Trudy Levindofski. Since 1992, Donna has been the exceptionally talented leader of what has become one of the largest local bar associations in California. In that time she has seen the coming and going of 16 OCBA presidents, each one having his or her own plans, ideas and hopes for the organization. Through it all Donna has built the OCBA into an organization respected around the

country. And, most important here at PLC, she has helped develop critical support to further our mission of providing access to justice to low-income Orange County residents. We have been able to grow to meet expanding community needs thanks in large part to the continuing support of the OCBA – support that Donna facilitated year after year.

As Donna leaves the OCBA, Trudy Levindofski will follow building on the rock solid foundation that Donna and others provided. There probably aren't too many people in our legal community who don't know that Trudy has been one of those "others." Because job titles, particularly in non-profit organizations, can be confusing some may not recognize that for many years Trudy has been the highly capable number two at the OCBA, providing the organization with half of its own "dynamic duo." Whether as Managing Editor of Orange County Lawyer, heading up bar membership and the membership directory or representing the OCBA in the myriad lunches, dinners, receptions, conferences and other meetings that are more than one person can possibly attend, Trudy has shown the skills that will make her an outstanding successor to Donna. And a successor who we know cares deeply about the importance of access to justice and the role lawyers throughout our community have to play in providing access. We extend our heartiest congratulations to Trudy as she assumes this new role.

Yes, people come and people go. What matters most is whether the lives of those they touched were changed for the better. Whether talking about Donna Foust or one of the former PLC board or staff members noted on the next page, they have most certainly made our lives and the lives of those we serve better. ↙

New Faces at PLC

PLC was delighted to have the following members join the Board of Directors in the first quarter of 2007: **Victor Becerra** is the Director of the Center for Community Outreach Partnerships in the School of Social Ecology at University of California, Irvine. **Mark Kemple** is a litigation partner who specializes in employment litigation at Jones Day. **Aaron Malo** is a partner working in the Finance and Bankruptcy Practice Group at Sheppard, Mullin, Richter & Hampton LLP. **Linda**

Schilling is a litigation partner at Latham & Watkins LLP. **Joanna Joyce Weiss** is an associate in the litigation department at Latham & Watkins LLP. Over the past several months the following individuals joined the PLC staff team: **Rosa Castillo** as a legal assistant; **Matt Cunningham** as Development Manager; **Charlotte Finklea** as Director of Fund Development; and **Lorena Prieto** as administrative assistant/intake specialist. ↙



Eileen McCarthy, PLC Staff Attorney with Kathy Esfahani, recipient of the Ralph Kennedy Award

Kudos to . . .

PLC board member **Brett Williamson** of O'Melveny & Myers recently received the Distinguished Alumnus Award from the UCI School of Social Sciences.

PLC board member **Kathy Esfahani** recently received the Ralph Kennedy Award at the Annual Orange County Affordable Housing Awards Breakfast for her longstanding support of PLC's affordable housing advocacy work.

PLC volunteer attorneys **Kelly Leggio** and **Lise Johnson** (Gibson, Dunn & Crutcher) and **Lori Ginex-Orion** (Finlayson, Augustini & Williams) recently received the Emerging Leader Award at the American Jewish Committee Annual Judge Learned Hand Awards Luncheon for their work on an affirmative habitability class action brought on behalf of a group of low-income tenants in Santa Ana.

A litigation team led by PLC board member **Nick Hanna** of the Orange County Office of Gibson, Dunn & Crutcher recently earned the firm's Frank Wheat Memorial Award, a national award recognizing outstanding pro bono achievements, for their work on the Santa Ana habitability class action. Along with **Kelly, Lise** and **Lori** (noted above), Nick's litigation team included associates **Kevin Roosevelt** and **Christopher Campbell**.

PLC Executive Director **Ken Babcock** will receive the Marcus Kaufman Jurisprudence Award at the annual Anti-Defamation League Jurisprudence Awards Dinner, along with PLC supporters **Don Morrow** of Paul Hastings Janofsky & Walker and **Dean Parham Williams** of Chapman University School of Law. ⚡

Happy Trails . . .

The following board members and staff have left the Public Law Center in the last several months. We thank them for their dedication, hard work and commitment to our mission and wish them well always. They are: PLC Board of Directors members **Grace Emery, Mary Ann Foo, Pearl**

Jemison-Smith and **John Murphy**; PLC Staff Attorneys **Suzanne Blau, Julie McCormick** and **Hien Vo**; PLC Paralegal **Mario Salgado**; PLC Director of Fund Development **Fran Marshall**; and PLC Development Associate **Christine Murphy**. ⚡

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Donors Invest in 2006-2007 "Access to Justice" Annual Fund

The generosity of donors to the Access to Justice Annual Fund Drive is making a world of difference in helping the Public Law Center ensure that Orange County's low income and underserved residents receive vitally needed legal assistance. As of March 30th, PLC had received over \$72,500 from 280 donors. PLC is grateful for the investment our longstanding supporters and new donors have made in pro bono legal assistance.


PLC's work is life-changing for the thousands of children, families, adults, and seniors that we help each year. In 2006 alone, more than 12,000 individuals benefited from 43,000 hours of free legal services, provided by nearly 700 volunteers and 11 staff attorneys.

The Annual Fund is a critical part of PLC's long-term stability in Orange County. It provides unrestricted revenues that PLC uses to offer the level and breadth of pro bono legal services needed by low

income residents of Orange County.

Thanks to those who have already partnered with Public Law Center with a gift to the 2006-2007 Access to Justice Annual Fund. If you have not given, we invite you to join our family of supporters. To make an immediate impact on access to justice, send in a donation in the attached envelope or make a secure gift online at our website, www.publiclawcenter.org.

To discuss other giving opportunities, including gifts of appreciated securities, real estate or to include PLC in a planned gift, contact Charlotte Finklea, Director of Fund Development at (714) 541-1010 ext. 277 or cfinklea@publiclawcenter.org.

Your gift has a strong multiplier effect, because of PLC's extensive use of volunteer lawyers; every dollar you invest is leveraged to yield more than seven times the value in services - \$7.50 worth of services for every \$1 donated. 

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New Eviction Defense Panel Empowers Tenants (Continued from Page 1)

represented a mother and daughter who lived in separate units in an apartment building notorious for ongoing code violations. The daughter had been active in organizing the tenants to improve the living conditions at the building, and many tenants who tried to assert their rights felt that the landlord used unlawful detainer actions as retaliation. Thanks to Suzanna and Jessica's efforts, both women saved more than \$2,000 in plaintiff's attorney fees and court costs. More importantly, they were able to stay in their apartments for several additional months while they secured alternate subsidized housing, and the underlying unlawful detainer actions were dismissed. Suzanna and Jessica closely monitored the return of their clients' security deposits and Suzanna secured donations to cover her client's security deposit at her new apartment.

Frank Conner of Wordes, Wilshin & Conner LLP represented a disabled elderly client who was served with an unlawful detainer after requesting much needed repairs and properly withholding his rent. Frank was able to settle the matter on the trial date.

As a result of his efforts, the landlord waived

\$1,060 in back rent, gave the client 30 additional days to move, and paid the client \$2,000 in moving expenses. Frank said the key to his successful result was that he personally visited the client's apartment and took numerous photographs to document the horrendous habitability issues. Problems with the apartment included lack of heat, falling plaster, substantial water leaking, torn window screens, inadequate hot water, bad plumbing, vermin, defective electrical wiring, and extensive mold.

PLC and its clients are highly appreciative of the hard work and great results achieved by the Eviction Defense Panel. If you would like to be part of this exciting new effort at PLC, contact Alexis Penn-Loya, at apennloya@publiclawcenter.org. Those unfamiliar with tenant defense can sign up for PLC's upcoming Housing and Eviction Defense Training with the Orange County Bar Association on Thursday, May 10, 2007. MCLE credit will be available, and the cost of participation will be a commitment to accept two PLC eviction cases in the coming year. Together we can make a difference! 


Major Gift News

We are grateful to **Macy's Passport Fund and the Federated Foundation** for a \$10,000 grant to support a new innovative project that will provide legal clinics for individuals living with HIV or AIDS. Legal clinics will be held on site at our partner Aids Services Provider Organizations and are targeted to provide services early in the individual's disease process, before specific legal issues can develop into crises. Providing these clinics is directly responsive to the CDC's recommendation that all persons diagnosed with HIV be referred for legal services. Public Law Center is the only provider of AIDS related legal services in Orange County.

PLC is honored to receive \$15,000 in support from **Sisters of St. Joseph of Orange Fund** for our Safety Net Legal Services for Trafficking Victims program. This safety net of legal services will complement the matrix of services designed by the **Orange County Task Force on Human Trafficking** to address the complexity of needs experienced by trafficking victims. The program will also provide assistance to victims of trauma, as described in the Violence Against Women Act and other crimes, as

well as unaccompanied minors who have been abused, abandoned or neglected by their parents.

The **Foundation of the State Bar of California** selected PLC to receive a \$10,000 grant to support our HIV/AIDS Client Empowerment Project. The grant will be used to produce and distribute resource handbooks in English, Spanish and Vietnamese on select directly-pertinent topics, such as discrimination, working, and immigration.

Our thanks to the **Orange County Bar Association** for its continued strong support of PLC. The **OCBA Lawyer Referral & Information Service** has provided a donation of \$20,000 to assist us in our efforts to provide justice for low income Orange County residents. And the **OCBA Charitable Fund** recently provided PLC with a \$43,000 grant to further our efforts to recruit, train and mentor volunteer attorneys who can assist clients with legal matters, particularly in specialized areas. We are especially grateful for the efforts of the LRIS Committee Chair Claudette Kunzman, Charitable Fund Chair Julie McCoy, Executive Director Donna Foust and the rest of the OCBA board and staff. 

Save The Date

Volunteers For Justice



2007 Annual Dinner

Thursday, July 26th, 2007
Hyatt Regency, Irvine

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For further information contact: Matt Cunningham 714.5241.1010 ext 276 or
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THANKS to our many volunteers!

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Lise Johnson
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Sarah Kim
Theodore Kim
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Sonny HiSeung Koo
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Rachelle Mandel
Sharla Manley
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We apologize for any errors or omission. If you have volunteered at PLC between January 1, 2006 and February 28, 2007 and are not in our records please contact Peri Doshi-O'Neill at (714) 541-1010 ext. 263 or pdoshi@publiccenter.org.

Recent PLC Cases

Sole Practitioner Arash Samadani represented a 64 year old monolingual Spanish speaking retiree who signed documents thinking he was helping a friend finance a truck by acting as a co-signer. The client later learned that he was not a co-signer, but was listed on the contract as the sole buyer. To make matters worse, just weeks after the transaction, the truck was stolen, and the buyer-in-fact carried no insurance. When the client's friend failed to make payments, the client was sued for nearly \$40,000 plus attorneys' fees. Samadani filed an Answer and Cross-Complaint for the client alleging various violations of California consumer protection statutes and proceeded with discovery. A short time later, he obtained a favorable settlement for the client, wherein the entire action was dismissed with prejudice and the client owed nothing.

Sam McDermott of Wood, Smith, Henning & Berman helped a client living on a fixed income from Social Security and a pension resolve a problem with a roofing contractor. The 71 year old homeowner had hired a company that did not install the new roof correctly and refused to do any remedial work. McDermott was able to convince the contractor to replace the roof without filing a lawsuit. The client wrote to PLC: "Sam McDermott did everything he could to help me get my new roof. He has lots of patience and compassion."

Get Into the Game by Joining AIDS Walk

PLC's AIDS Legal Assistance Project is again a beneficiary of AIDS Walk OC, which is being held at the Angels Stadium in Anaheim on Saturday, May 12, 2007. The Walk will culminate in a lap around the Stadium warning track, which will be broadcast on the JumboTron. The event will also feature entertainment, a family fun zone, a food festival, and health education tent. Walk sponsors and Walk team members who raise \$1,000 will have access during the Walk to the Hometown Heroes area in the Stadium Diamond Club.

Russell Hill, Mansi Shah and Alyson Barker of Howrey agreed to take on the defense of a father and son who were wrongly sued for damages arising out of a hit and run motorcycle accident. The Howrey volunteers were able to convince the plaintiff that the father had sold the car and filed his release of liability before the accident and that his son was not the driver. The plaintiff offered to settle for a dismissal with prejudice if the defendants waived costs.

Eric Kennedy of Latham & Watkins represented an 80 year-old client who had water damage in his home due to faulty plumbing. The contractor he hired to remove the water and repair the damage billed in excess of the contract amount. The client felt this was an attempt to gouge the insurer and not wanting to be collusive, refused to release the money to the contractor. A mechanic's lien was filed and a lawsuit followed. Kennedy was able to negotiate a resolution of the matter with the contractor agreeing to accept the contract sum and release the mechanic's lien. ↩

Your involvement with AIDS Walk helps provide the services and assistance that are desperately needed by people living with HIV/AIDS, including legal assistance. We ask you to "step up to the plate" and sponsor or join PLC's walk team by going to <http://www.aidswalk.org/oc>. You can also organize your friends or firm as a sub-team of PLC. Please contact Liz Pejeau at lpejeau@publiclawcenter.org if you have any questions or would like additional information. ↩



PLC Invites Summer Associates at OC Law Firms to try Pro Bono

Starting in May 2007, the Public Law Center will be offering pro bono opportunities for summer associates at Orange County law firms. Piloted in 2006, the PLC Summer Associate Pro Bono Program offers these law students the rewarding experience of helping a needy client and the chance to gain valuable client interviewing and writing skills. The pro bono opportunities range from conducting legal intakes at a community clinic (5 hour commitment) to providing pro bono representation for clients (30-40 hours commitment). PLC will conduct trainings and offer support specific to the type of pro bono work a firms' summer associates seek.

If you are interested in finding out more information or would like to see a schedule, please contact Peri Doshi-O'Neill, PLC Pro Bono Managing Attorney at pdoshioneill@publiclawcenter.org or (714) 541-1010 ext. 263. ↩

Take A Pro Bono Case!

PLC has a variety of pro bono cases for both litigators and transactional attorneys. PLC offers training, samples and mentors to support your pro bono work. Areas of need include:

- Housing
- Non Profit
- Micro Entrepreneur
- Consumer
- Bankruptcy
- Family Law
- Wills
- Guardianship

To receive PLC's bi-monthly case list or to find out more information about the Summer Associates Program, please contact Peri Doshi-O'Neill, PLC Pro Bono Managing Attorney at pdoshioneill@publiclawcenter.org or (714) 541-1010 ext. 263

Calendar

Thursday, May 3, 2007

Domestic Violence Legal Clinic Training

Co-sponsored with OCBA

Registration at 5:30 p.m. and Program 6:00 – 8:00 p.m. at the Washington Mutual Conference Center, 2 CLE credits. Understand the cycle of violence along with many of the other family law issues typically involved in domestic violence cases including: process of obtaining a temporary restraining order; interview techniques for traumatized clients; other commonly asked questions at domestic violence legal clinics. Speakers: Judy Haskell, Human Options, Steve Hittelman, Esq., Minyard and Morris, LLP, and a representative from CSP Domestic Violence Assistance Program will join Julie McCormick, Esq. from PLC. OCBA members can attend for free in exchange for taking 2 pro bono cases. For more information, contact Peri Doshi-O'Neill (714) 541-1010 ext. 263 or visit www.ocbar.org.

Thursday, May 10, 2007

Housing/Eviction Training

Co-sponsored with the OCBA

Registration at 5:30 p.m. and Program 6:00 – 8:00 p.m. at the Washington Mutual Conference Center, 2 CLE credits. The training will cover Contracts and Terms, Breach – landlord and tenant responsibilities and court procedure for unlawful detainers. Moderator Alexis Penn-Loya, Esq. from PLC will be joined by speakers Hon. Barbara Tam Nomoto Schumann, North Justice Center, Sue Anhunvieta, Clerical Supervisor North Justice Center, Renato Izquieta, Esq., Legal Aid Society of Orange County and David S. Schonfeld, Esq., Law Offices of David S. Schonfeld. OCBA members can attend free in exchange for taking 2 pro bono cases. For more information, contact Peri Doshi-O'Neill (714) 541-1010 ext. 263 or visit www.ocbar.org.

Saturday, May 12, 2007

21st Annual AIDS Walk Orange County

PLC's AIDS Legal Assistance Project is a beneficiary of AIDS Walk OC, which is being held at a new location, Angels Stadium in Anaheim. "Step Up To The Plate" and donate or join PLC's walk team by going to www.aidswalk.org/oc/. You can also organize your friends or firm as a sub-team of PLC. Please contact Liz Pejeau at lpejeau@publiclawcenter.org if you have any questions or would like additional information.

Tuesday, May 15, 2007

Simple Wills, Trusts, and Advanced Health Care Directives

Co-sponsored with the OCBA

Registration at 5:30 p.m. and Program 6:00 – 8:00 p.m. at the Washington Mutual Conference Center, 2 CLE credits. Topics for the training are: Wills and Trusts – testamentary provisions, execution of a will, probate considerations and Advanced Health Care Directives. Pearl G. Mann, Esq., Law Office of Pearl G. Mann; Donna R. Bashaw, Esq., Law Offices of Donna R. Bashaw; and Tara R. Brewer, Esq., St. Joseph Health System speakers with moderator, Liz A. Pejeau, Esq. from PLC. OCBA members can attend free in exchange for taking 2 pro bono cases. For more information, contact Peri Doshi-O'Neill (714) 541-1010 ext. 263 or visit www.ocbar.org.

Wednesday, June 6, 2007

Association of Business Trial Lawyers (ABTL) Annual Wine Tasting and Dinner

Westin South Coast Plaza, Costa Mesa. Wine Tasting begins at 6:00 p.m. Dinner and Program begins at 7:00 p.m. For more information, please contact Adrienne King at (323) 939-1999 or email abtloc@abtl.org.

Thursday, July 26, 2007

PLC's Volunteers for Justice Annual Dinner

A cornerstone event to support access to justice for the underserved in Orange County! Hyatt Regency, Irvine. Registration and Silent Auction begins at 5:30 p.m. Dinner Program begins at 7:00 p.m. with distinguished Keynote Speaker Robert F. Kennedy, Jr. For more information, contact Matt Cunningham at (714) 541-1010 ext 276 or mcunningham@publiclawcenter.org.

Wednesday, August 29, 2007

OCBA Charitable Fund's 23rd Annual Judge Kenneth Lae Charity Golf Tournament

The OCBA Charitable Fund's 23rd Annual Tournament will take place at Monarch Beach Golf Links, Dana Point. For registration and sponsorship information, call OCBA Charitable Fund at (949) 440-6700, ext 119 or email carole@ocba.net or visit www.ocbar.org.

Thursday, September 20, 2007

2nd Annual PLC Volunteer Appreciation Reception

PLC Volunteers should save the date for our reception to recognize your hard work and contribution to access for justice for low income residents of Orange County.



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