

Community Legal Aid

A non-profit law firm serving the legal needs of low-income individuals and families in central northeast Ohio



www.communitylegalaid.org

Working together to provide access to justice

by Ken Mirkin, managing attorney

In our weekly Big Ideas series, we are often pointing out what's gone wrong, educating on some key points, and putting forth ideas on how things might be righted.

Instead, in today's Big Idea, we're celebrating something that's gone very right - Trumbull County's Clarence Darrow Court Clinic (Darrow Clinic). This innovative project brings together the power of the judiciary, the backing of the local bar association, dedication of pro bono attorney volunteers, and the support of our Volunteer Services Legal Program to make a major impact on access to justice in a northeast Ohio region close to our hearts.

Trumbull County, home to the city of Warren, sits in the state's northeast corner abutting Pennsylvania. Considered part of rural Appalachia, Trumbull County has a deep history and culture. Community Legal Aid enjoys a strong relationship with its judiciary and private bar. Like so many other local regions, the county has experienced economic decline following the collapse of the steel industry. Rates of unemployment and underemployment are some of the highest in the state.

The idea for the Darrow Clinic arose from our observation of high default judgment rates in courts across the county. This was especially true for cases related to consumer debt, housing, and foreclosure. Default judgments are rulings entered in favor of the plaintiff simply because the defendant fails to respond or appear. This failure can be the result of many factors - intimidation, fear, uncertainty, lack of resources, lack of information, or even lack of transportation. And it certainly doesn't mean the defendant deserved to lose the case based on the facts - just that they didn't show up to argue their side.

We knew we needed to leverage the power of collaboration to respond. This unfortunate trend meant countless Trumbull County residents were facing foreclosure, eviction, wage garnishment and seizure of personal property. These outcomes - devastating enough on their own - often snowball causing long-term housing and financial instability, physical and mental health issues, and toxic stress. Sadly, many facing these suits may have had valid legal defenses enabling them to avoid or at least minimize negative impact on themselves and their households. Exacerbating this, these suits are often filed against the very families already struggling to make it - spiraling the region even further in the wrong direction.

The Darrow Clinic brought together three groups who care about justice in Trumbull County - the judiciary, local attorneys, and our CLA team - to create a truly unique, impactful, and judicially-led response to this issue. Together these groups each contributed necessary pieces of the puzzle, and the result was something that could not have been accomplished without collaboration. The clinic's key features include:

- Aggressive and judicially-led recruitment and mobilization of pro bono attorney volunteers to help prevent default. Many attorneys were honored and astounded to be asked to help by their respected Judges and Magistrates. Judges also participated in Lunch and Learn events that provided CLEs for attorneys. Buy-in and support from the judiciary in a very visible way was a powerful key ingredient in the clinic's success.
- The creation of a tailored clinic process linking residents at risk of default judgment with specially trained and supported pro bono attorneys. The clinic process was purposely made very easy - with most clients connecting with attorney volunteers over the phone. This approach was largely a response to the COVID-19 pandemic, but turned out to be wildly successful. In these cases, just a small amount of advice and guidance, connection with form pleadings, reassurance, and answers can go a long way. It can truly help a household avoid debt or homelessness and all the complications that follow.

- A strong and supportive relationship with the judiciary and the courts. Defendants facing consumer issues were routinely referred to the clinic by the courts and could reference information about Community Legal Aid on their summons as well. Court clerks displayed postcards with clinic basics. This practice treats our community's disenfranchised members with dignity and respect and helps unravel any collective fear of the judicial process.
- Seamless integration into and modeling around Community Legal Aid's Volunteer Legal Services Program (VLSP). The VLSP team is specially trained to support pro bono attorneys - it's what we do and what we love! Our team provided training and support for Trumbull County's team of private attorneys. We contacted them right away when we learned of positive case outcomes and we solicited and implemented their suggestions about the clinic. We did all the legwork and paperwork so attorneys were able to easily provide clinic advice without taking too much precious time out of their own work days.

The success of the Darrow Clinic speaks for itself! As a result - more residents receive critical legal assistance, more pro bono attorneys are sharing their talents, and litigants are more engaged in the court process. From the clinic's opening in October of 2019 through mid-2022, over 900 people received legal services and advice at the clinic. Some feedback from clinic participants included:

"...10 stars..."

"...helped me to understand the process..."

"...called me ahead of time to prepare me..."

"...provided you with everything you needed..."

"...feel very much more confident about my hearing..."

"...the lawyer was very thorough and direct..."

"...very helpful, informative, understanding, professional..."

"...not looked down on..."

"...very knowledgeable..."

"...I felt I had some air again..."

“The process was easy...”

“...I received honest and professional advice...”

“Legal Aid is a game changer!!!”

Another outstanding stat - 100% of volunteers who took a case came back for a second one.

We think the model should be replicated in other counties and other states. VLSP is expanding the Darrow Clinic Mahoning County. While there will inevitably be bumps along the way, we look forward to working with our local Judges, magistrates, and attorneys to help even more northeast Ohioans.

This article is part of Legal Aid's "Big Ideas" series.

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