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Help AVLF Continue to Provide Free Legal Assistance to Metro Atlanta Residents!

Now more than ever, AVLF depends on the in-kind and financial contributions from friends of the Foundation like you. Please consider making a tax-deductible donation to help us continue to provide FREE legal services and programs for our community's most vulnerable residents.
Thank you!

\$15.00

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Bending Towards Justice

By: Michael Lucas, Director of Housing and Consumer Programs, Atlanta Volunteer Lawyers Foundation

**Originally published in the Atlanta Lawyer, April 2012*

Martin Luther King, Jr. said that "human progress is neither automatic nor inevitable... Every step toward the goal of justice requires sacrifice, suffering, and struggle; the tireless exertions and passionate concern of dedicated individuals."



At the risk of the cliché and the presumptuousness that come with relating one's own work to the words of Reverend King, the Atlanta Volunteer Lawyers Foundation (AVLF) is lucky to have as its volunteers a group of dedicated individuals whose tireless exertions and passionate concern exemplify his very description.

Every week I tweet about the accomplishments of - and justice won by - our volunteer attorneys: a significant judgment here, a collection success there, often a great settlement as well (okay, I don't really know how to "tweet," but I write them and someone else "tweets" them). What may not be clear is just how hard fought some of that justice can be, and just how many dedicated individuals - not all of them attorneys - have to work together to obtain that justice.

Our volunteer attorneys are amazing, no doubt. They are the best. However, many of the slumlords, con artists and unscrupulous employers who take advantage of our clients have so mastered the art of

\$100.00

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\$250.00

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Client Testimonial



"Being a recipient of a volunteer (no cost to me) legal services program, I could not have been treated better with respect and understanding of my personal need if I was paying \$250+ an hour. My attorney and AVLF staff treated me with high regard. I thank them.

Make sure this program is and remains available for people who cannot afford to pay for the competent and timely legal services they may require."

--Doretta Smith, Alpharetta

Doretta received assistance with dismissal of debt lawsuit improperly filed against her.

Thanks to our Funders!

AVLF would like to thank the following funders for their ongoing commitment and support of the Foundation:

- Fulton County Housing and Human Services
- Atlanta Foundation
- Ida Alice Ryan Charitable Trust
- Atlanta Bar Foundation & Lawyer Referral Information

evading justice that it takes much more than just a skilled attorney accepting the case to hold them to account.

The worst of the offenders easily evade the marshals' attempts at service of lawsuits, subpoenas and notices, may have managed to keep secret from our clients their whereabouts or even their identity, and most are skilled at hiding assets as well. At AVLF, we take that as a challenge, not a reason to relent. And it is again our amazing volunteers who answer that challenge.

Even something as simple as the act of service of process demonstrates the depth of our volunteer corps. Whether it is the initial Complaint or post-judgment discovery, affecting personal service on a seasoned slumlord can - much to the understandable frustration of our clients - stall the pursuit of justice. In response, AVLF works with an amazing -and remarkably fearless - private process server who we reserve for the most difficult cases (like Superman, Spiderman, Batman - all fair comparisons here - she prefers to remain anonymous). The really hard cases take her a day, maybe two. A locked gate, pit bulls and mastiffs jumping on her car, seemingly interminable waits in the back of a parking lot - these things she leaps in a single bound. And with the egregiousness and clarity of the legal violation involved, perfecting service can sometimes be the most challenging aspect of a case. Justice soon follows. That type of sacrifice and tireless exertion often goes unnoticed, but our volunteer attorneys could not even get started without it.

Read this article in its entirety [here](#).

Teaming Up for the Greater Good

By: David M. Zacks and Hillary D. Rightler, Kilpatrick Townsend & Stockton LLP

**Originally published in Spring 2012 Litigation Section Newsletter*

Undoubtedly, providing legal assistance to those who cannot afford it is one of the highest callings of our profession. Many law firms, with immense resources and talent on hand, have chosen to answer this calling by developing and maintaining some type of pro bono program. The success



Services

- Mary Allen Lindsey Branan Foundation
- Georgia Association of Women Lawyers Foundation

Funding of the domestic violence project and Safe Families Office provided in part by the Fulton County Board of Commissioners under the guidance of the Housing and Human Services Department's Grant Program.

Other AVLF News

--AVLF volunteer Sarah Zampell, of Holland & Knight LLP, successfully negotiated a very favorable resolution for her AVLF client with a serious and unremediated rodent infestation in her apartment - securing a complete transfer to a new unit for her client and her client's children.

--A big thanks to Sutherland Asbill & Brennan LLP for taking on several AVLF cases in need of attorneys so far in the month of May! We couldn't do it without you!

--Congratulations to Alan Bakowski and Tom Reilly of Troutman Sanders LLP, who successfully defended a family with five children threatened with both imminent eviction and a large rent demand from a landlord that had purchased a property from a foreclosing lender and sought more than he was entitled to.

--Nilufar Tabari is on a roll - on Monday, May 7th she won a 12-month TPO hearing for a client who'd most recently been choked, slapped and sexually assaulted by her abuser. Not to be outdone (by herself), on Monday, May 14th she negotiated a consent 12-month order for a mother whose young child had to call the police to report a physical

of these programs within a culture that is typically structured around "the billable hour" depends entirely on the level of commitment that lawyers at all levels of the firm are willing to invest.

Typically, meaningful participation in pro bono work is highest among young associates, eager to get their feet wet and looking to prove themselves. However, associates alone should not be left to carry the torch. The true value that a robust pro bono program can provide to a firm, and the corresponding benefit to the communities that are served through such a program, cannot be realized without significant participation at the partner level as well.

A partner is doing a disservice to the client and the legal profession if he just tells an associate to "handle" the problem. Any pro bono case the firm agrees to take on deserves to be treated as seriously as the biggest case in the firm or the firm should not accept it. A firm should recognize that pro bono work provides a unique opportunity that gives seasoned partners and new associates a chance to work together as a team towards a rewarding goal.

To read this letter in its entirety, please [click here](#).

First Person: Helping victims of domestic violence find a way out of their problems is energizing

By Sarah Austin, Third year law student at Emory University College of Law

**Originally published in the Fulton County Daily Report, May 3, 2012*

I attended my first temporary protective order hearings last June with no idea what to expect, or what would soon be expected of me.

As a rising third-year law student interested in family law and public-interest work, I'd taken an internship with Legal Aid of Cobb County for the summer. This branch of Atlanta Legal Aid runs a thriving Family Violence Project through which volunteer and staff attorneys represent clients in the rapid-paced process of obtaining a TPO.

To my delight, I fell in love with the work and remained in Cobb County part-time through the first half of my third year at Emory University School of Law.

For my final semester, I moved to a field placement with the Atlanta Volunteer Lawyers Foundation's Domestic Violence Project, which assists victims of intimate partner violence and stalking in Fulton County's TPO Court. As in



attack of his mother by the abusive father. What a week.

--AVLF was recently awarded a \$1,500 grant from the Georgia Association of Women Lawyers Foundation to support development our DV-related publications (brochures, postcards, etc.). Thanks so much to the GAWL committee for their support!

--AVLF's Deputy Director, Tamara Serwer Caldas, and attorney Karyl Davis presented on the topics of Unpaid Wages & the Basics of Employment Discrimination at the Lawyer in the Library Series at the Atlanta-Fulton County Downtown Library on Wednesday, May 9th. Thank you for your help, Karyl!

--AVLF volunteer attorney Ashley Halfman, of Miller and Martin, worked with the Atlanta Housing Authority to successfully settle a security deposit dispute on behalf of her AVLF client, securing the \$350 partial deposit that was illegally withheld after her client was never even able to move in due to the landlord's own non-compliance with Atlanta Housing Authority standards.

--AVLF volunteer Eviction Defense attorneys Mark VanderBroek and Courtney Ferrell, of Troutman Sanders, successfully represented their clients against the landlord's attempt to wrongfully evict them, getting the eviction dismissed and securing as damages for the attempted eviction and illegal water cut-off, two free months of rent and the tenants being able to leave at a time of their choosing. A big thank you to Troutman Sanders for its continued support of AVLF's Eviction Defense Program.

--AVLF volunteer attorney Jody Rhodes, along with attorneys Harold Buckley, Sarah Babcock, and Katie Merrell, all of Alston + Bird, successfully settled a security deposit dispute on behalf of their AVLF client, securing \$1,500 - cash in hand for the client! - for the landlord's illegal withholding of their client's \$825 deposit.

Cobb County, our clients typically seek an initial ex parte order preventing the respondent from contacting the petitioner for 30 days. We then prepare for a more formal hearing, in which the order may be extended to 12 months and other provisions, such as use of a home or child support, may be granted.

The details of my experiences in Cobb and Fulton counties differ somewhat, but the realities of representing victims of domestic violence are the same. I've counseled men as well as women and victims of violence in gay and lesbian relationships.

The impact of a down economy has been staggering. I've met more than one person who remained in an abusive situation with a platonic roommate because they couldn't afford to move. Luckily, under Georgia law a shared residence establishes a family relationship for TPO purposes. For each such unusual case, there are countless women in violent holding patterns with their partners-women for whom leaving could mean homelessness and the fear of losing their children. In these cases, our counseling goes beyond how to obtain a TPO, into trying to change situations with a thousand moving parts, all broken.

Read this article in its entirety [here](#).

Winetasting 2012



The 21st Annual Winetasting, AVLF's signature fundraiser and an ongoing demonstration of the community's commitment to pro bono legal work, will take place on Thursday, November 1 from 5:30-8:30pm. This year, the Winetasting returns to the SunTrust Plaza Gardens Atrium. Details about tickets for the event, which has sold out each of the last two years, will be available on our website in late June.

--AVLF volunteer attorney Matt Parrish, of Dow Lohnes, successfully settled a security deposit dispute on behalf of his AVLF client, securing the full \$1,200 deposit that was illegally withheld and overcoming the landlord's claim for unpaid rent.

--AVLF volunteer attorney Jason Edgecombe of King & Spalding, represented an elderly woman with limited English proficiency, who lived in a subsidized apartment and faced eviction for an altercation with an elderly neighbor. After many months of representation and advocacy, Jason facilitated her transfer to another apartment building and saved her from homelessness. Great work, Jason!

AVLF volunteer attorney Katie Merrell, along with David Wender, Patrick Coyle and Nadijia Bailey, all of Alston + Bird, successfully forced a settlement which brought their AVLF client \$950 in unpaid wages and the release of all of his fraudulent employer's threatened counterclaims.

--AVLF volunteer attorney Matt Pearce, of Bryan Cave, successfully negotiated the release of his AVLF client from his lease and the early return of his security deposit.

--AVLF volunteer Eviction Defense attorneys Alex Drummond and Sonny Poloche, Seyfarth Shaw, successfully represented their clients against the landlord's attempt to wrongfully evict them and charge them for water usage of other tenants, settling the case for a dismissal of the eviction, a positive reference letter the client desperately needed but which the landlord had to that point withheld, and a...n over \$700 reduction in the tenants' alleged utility balance. Thanks to Sonny Poloche and AVLF's own Jennifer Hubbard, of AVLF's court-based Self-Help Center, the entire representation - from beginning to end - was handled in Spanish for AVLF's Spanish-speaking tenant-clients. A big thank you to Seyfarth Shaw for its continued support of AVLF's Eviction Defense Program.



The 2012 AVLF Summer Associates party will take place at Smith, Gambrell & Russell, LLP on **Tuesday, June 5th from 5:30-7:30pm**

Register your Associates now (\$50/person):

[Buy Now](#)

Volunteer Recognition

AVLF would like to thank the following volunteers for their service during the month of April.

April 2012 Volunteers

The Saturday Lawyer Program

Kerry Nicholson, Attorney at Law
Carmen Dergan, Attorney at Law
Clara DeLay, Attorney at Law
Valerie Adams, Attorney at Law
Haley Zapal, Attorney at Law
Katrenia Goode, Attorney at Law
Aisha Slade, Attorney at Law
Tal Kitron, Attorney at Law
Sarah Babcock, Alston + Bird
Heather Byrd Asher, Alston + Bird
Katie Merrell, Alston + Bird
James Clifton, Florida Coastal School of Law - Atlanta Alumni Chapter
Justin Meeks, Florida Coastal School of Law - Atlanta Alumni Chapter
Eugene Fuller, Florida Coastal School of Law - Atlanta Alumni Chapter
Reggie Lampkin, Florida Coastal School of Law - Atlanta Alumni Chapter
John Lamberski, Mercer Thompson
Leila Mehrizi, Attorney at Law
Brandon Arnold, Robins, Kaplan, Miller & Ciresi
Tom DeSimone, Robins, Kaplan, Miller & Ciresi
Eric Swartz, Robins, Kaplan, Miller & Ciresi
Jane Warring, Robins, Kaplan, Miller & Ciresi
Courtney Dixon, King and Spalding
Ian Smith, King and Spalding
Katy Lehman, King and Spalding

Eviction Defense

--Tyler Arnold of AGG elicited a consent 12-month protective order from an inmate jailed for battery of the client. His attempts to threaten, and even bribe, the victim from dropping the case luckily failed, and Tyler's bid to obtain a protective order was a great success.

--Sarah LeClerc & Stacey Lewis at Seyfarth Shaw negotiated a protective order for a client who needed the order to keep herself and her kids safe from harm. Armed with the order, the client hopes to be able to regain her kids from DFCS custody and start a safer life for them all.

--Tia Osterbur from King & Spalding put on a persuasive case of stalking for a client who received hundreds of texts and calls per week for her ex-boyfriend, and who was afraid to go home because he so often awaited her return and refused to leave or let her into her own home. The client left the courtroom with a 12-month protective order in hand.

Quick Links

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Contact Us:

Atlanta Volunteer Lawyers Foundation
235 Peachtree Street NE
Suite 1750
Atlanta, GA 30303
Phone: (404)521.0790
Fax: (404)521.3434
www.AVLF.org

Mark VanderBroek, Troutman Sanders
Courtney Ferrell , Troutman Sanders
Alex Drummond, Seyfarth Shaw
Sonny Poloche, Seyfarth Shaw

Dollars for Judgments

Sabrina G. Fitze, Hartman Simons & Wood, LLP

Wills

Ginny Henry, Alston + Bird
Margaret Scott, Alston + Bird
Romney Phillips, The Law Offices of Romney M. Phillips

Saturday Paralegals

Corey Lyles, Paralegal
Eveth McPherson, Crawford & Company
Kathy Malone, Paralegal
Keli Jones, Paralegal
Ava VanHeyningen, Paralegal
Adam Kaddoura, Paralegal
Patrick Davis, Georgia Association of Paralegals

Domestic Violence Project

Sarah Austin, Emory Law School
Kenneth Franklin, Locke Lord
Samantha Hayes, Kilpatrick Townsend
Debbie Segal, Kilpatrick Townsend
William Cooper, Attorney at Law
Tyler Arnold, Arnall Golden Gregory
Matthew Pechous, Attorney at Law
Tia Osterbur, King and Spalding
Anne Kuhns, King and Spalding
Sarah LeClerc, Seyfarth Shaw
Tyler Arnold, Arnall Golden Gregory
Jenn Deal, Kilpatrick Townsend
Steven Cayton, Attorney at Law
Katie Barton, Kilpatrick Townsend
Richard Farnsworth, Attorney at Law

About AVLF: *The Atlanta Volunteer Lawyers Foundation (AVLF) coordinates the provision of free civil legal services for low-income greater Atlanta residents by private lawyers. In 2011, AVLF advised more than 28,500 callers and secured representation or other forms of legal information and support for more than 5,200 eligible clients through volunteer attorneys.*

Yours in service,

Monique Henderson
Development Director
Atlanta Volunteer Lawyers Foundation



Atlanta Volunteer Lawyers Foundation | 235 Peachtree Street NE | North Tower, Suite 1750 | Atlanta | GA | 30303