

ABLE ADVOCATES
FOR BASIC LEGAL
EQUALITY, INC.

2022 ANNUAL REPORT



“Moving Forward with Justice and Innovation”

MISSION STATEMENT



ABLE represents individuals and groups of people living in poverty in civil (non-criminal) legal matters. We are committed to protecting the rights of people with much at stake and nowhere else to turn. Through litigation and other advocacy, we prevent homelessness, elder abuse, and discrimination. We improve opportunities for education, housing, employment, and access to health care and public benefits for people living in poverty in 32 counties in western Ohio, and agricultural workers throughout Ohio. ABLE also represents immigrants and refugees throughout the state. Every day, we work to address the root causes of poverty by seeking systemic solutions.

Without legal aid, tens of thousands of people would go without legal help when they need it.

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Moving Forward with Justice and Innovation

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WELCOME MESSAGE

Heather Hall, Interim Executive Director

MOVING FORWARD WITH JUSTICE AND INNOVATION

On behalf of Advocates for Basic Legal Equality, Inc. (ABLE), I am pleased to share our Annual Report for 2022. The past year was one of transition and progress as we began to operate in a post-pandemic world. This meant significant changes to improve the client experience across our 32-county service area, as well as developing thoughtful and innovative ways to accommodate staff as they navigated a hybrid work environment.

Reestablishing face-to-face communications was crucial in helping ABLE move forward with our mission of serving the civil legal needs of low-income households. Through a concentrated effort to conduct more in-person outreach and legal assistance, we saw a significant increase in our client numbers in 2022. Additionally, we were able to build stronger relationships and collaborate more effectively with community partners to address the varied needs of our clients and communities by meeting in person. Examples of this included our Community Advocacy Training series planning with Reinvest Toledo, and our collaboration with Legal Aid of Western Ohio, Inc. (LAWO) and HUD in expanding our housing services to rural communities outside of Montgomery County.

Transitioning out of the pandemic brought more staff members back into our offices on a regular basis. To accommodate employees from the various places where they conduct their work, we sought to improve our use of technology. Projects included the implementation of our new intranet site, and the beginning stages of introducing LegalServer as our new case management system and NetDocuments as our document management system.

ABLE also went through a rebranding in 2022. Our new logo and branding elements represent a recommitment to our 50+ year mission of advocating for low-income Ohioans. The simple and modern design focuses on the word “advocates”. As a noun, the word suggests fighters, defenders, activists, and helpers. As a verb, the word reflects the concepts of assisting, uplifting, and fighting for justice on behalf of our clients.

Also in 2022, ABLE conducted a Community Legal Needs Assessment with our partner, the Center for Community Solutions. An assessment was sent to hundreds of people living in poverty asking them about their legal needs, their experiences in accessing help, and the resources (or lack thereof) available to them. We also created a survey for our community partners to complete, asking them to weigh in on some of the common requests, services, and gaps in assistance for our community members living in poverty, and conducted focus groups and individual interviews. The results from the assessment will guide our mission and focus over the next several years.

Please review the full scope of our growth in 2022 in this Annual Report—all of it possible because of generous donors like you.

PRACTICE GROUP MILESTONES

Learn about some of the major cases and programs that ABLE's focused practice groups worked on in 2022.

Agricultural Worker & Immigrant Rights

ABLE's Agricultural Worker and Immigrant Rights Practice Group (AIR PG) represents immigrants and refugees from across the world in a wide range of civil legal matters including immigration, employment, housing, education, public benefits, and civil rights. One of our major successes from 2022 was the complex litigation resulting in the dismissal of removal proceedings for client **Maribel Trujillo Diaz**.

Ms. Trujillo Diaz has been an ABLE Client since 2015. Immigration and Customs Enforcement (ICE) deported her to Mexico in 2017, while a petition for review of the Board of Immigration Appeals' denial of a motion to reopen her asylum application due to changed conditions in Mexico was pending at the United States Court of Appeals for the Sixth Circuit. Ms. Trujillo Diaz ultimately prevailed on her petition filed by ABLE, and ICE returned her to the United States on a grant of parole. ICE attempted to argue that the grant of parole was conditional, which would make Ms. Trujillo Diaz ineligible to adjust her status to a lawful permanent resident when her oldest son is eligible to petition for her. ABLE requested ICE agency records, but ICE refused to comply with its obligations to release documents under the Freedom of Information Act (FOIA). ABLE filed a lawsuit in November 2021 to obtain records necessary for our client to

adjust status and to establish that individuals paroled into the United States after prevailing on a petition for review are eligible to adjust their status after the approval of an immigrant visa petition. After negotiation, ICE produced the documents ABLE requested. ABLE used those documents to successfully obtain the dismissal of Ms. Trujillo Diaz's removal proceedings in immigration court in March 2022. Once her son turns 21, she should be able to adjust her status.

Housing Justice & Community Economic Development

ABLE's Housing and Community Economic Development Practice Group supports resident-led advocacy initiatives using a community lawyering framework and engages in projects that build advocacy capacity in community leaders who are people of color. Two examples of this work in action include the **tenant organizing success** of ABLE's new community organizer, and ABLE's mentorship and guidance to the **Coalition on Public Protection (COPP)**.

In June 2022, ABLE hired **community organizer Destiny Brown** to work in low-income tenant communities in west Dayton. Brown met with tenant leaders at DeSoto Bass, the area's largest public housing complex, to educate residents on the rights and benefits of a resident's council. She also disseminated educational information on various legal issues and connected tenants to ABLE's housing and education attorneys for advice and representation on specific cases.

PRACTICE GROUP MILESTONES

(Con't)

Brown successfully organized tenants at a subsidized housing community in northwest Dayton who were facing serious conditions issues, including mold and other health-impacting problems. She collected tenant stories and connected tenants to media outlets interested in reporting on the issue and to HUD representatives. As a result of this advocacy, the property owner began property renovations to address the conditions and relocated impacted tenants in December 2022.

ABLE Attorneys Kathleen Kersh and Ellis Jacobs have been providing the COPP in Dayton with technical assistance in the group's advocacy for the implementation of the Surveillance Technology Oversight Ordinance since 2021. The ordinance, passed by the City of Dayton in May of 2021, promotes civil and privacy rights, and builds community power by requiring a public hearing with the opportunity for community participation every time the Dayton Police Department wishes to purchase, acquire, or use new surveillance technology. In 2022, Kersh and Jacobs continued to advise the group on the implementation of the ordinance's public hearing process as the Dayton police proposed new technologies. The Dayton City Commission held one public hearing on automated license plate reader (ALPR) technology in 2022. Jacobs and Kersh assisted COPP members in advocating for effective implementation of the ordinance during this process, which included multiple community meetings on the technology and advocacy around proposed safeguards. After compelling testimony by

COPP members and non-attorney staff members, the City implemented most of COPP's safeguard recommendations when it approved the ALPRs, which promote a more equitable implementation of the technology, particularly in BIPOC and immigrant communities.

Healthcare & Public Benefits

ABLE's Healthcare and Public Benefits Practice Group represents clients to ensure access to healthcare and public benefits so they can live with dignity. We also work to eliminate barriers to employment and increase opportunities for families living in poverty. The practice group is committed to achieving justice for all clients, especially those negatively impacted by racism and racial injustice.

In 2022, the practice group noticed **more refugees and undocumented individuals** requesting legal services related to health and public benefits. As ABLE started to engage with these communities, we built a higher level of trust, and they began to refer friends and family to us for services. We addressed language access issues in a variety of cases. Quite often, a client may need translation assistance to access services such as basic public benefits or healthcare. We approached these cases on an individual and systemic basis. In 2022, we collaborated with members of the **Immigrant Advocacy Task Force** to develop comments on the Rules of Superintendence for the Courts of Ohio.

ABLE also addressed health equity issues affecting the Black community since people of color have disproportionately higher rates of diabetes, hypertension, heart disease, and asthma. Those racial health

PRACTICE GROUP MILESTONES

(Con't)

disparities still exist despite controlling for variables such as income and educational levels. We continued to advocate on systemic issues, such as the potential adverse impact of the Public Health Unwinding on communities of color.

Fairness in Education

The Fairness in Education Practice Group provides legal representation of children (pre-K through 12th grade) and their families on systemic issues and individual issues, education for parents and parent-connected service providers about family and child rights, and collaboration with community partners. In ABLE's cases, we achieve improvements in the child's educational services by negotiating better services in special education meetings or by initiating legal action. We provide representation to families of children who are excluded from school because of race/ethnicity, intersectionality, or disability, utilizing IEP procedures and suspension or expulsion appeals.

In ***Anonymous Parents v. Dayton Public Schools (DPS)***, ABLE filed a complaint with the Department of Justice (DOJ), Civil Rights Division, which was referred to the United States Department of Education (U.S. Department of Ed.) Office for Civil Rights. ABLE filed the complaint to address DPS's violation of Title VI, Equal Education Opportunities Act, IDEA, and Section 504 for routine failure to translate or interpret vital documents and information for Limited English Proficient (LEP) parents. Dayton is a destination for many refugees from Africa and a destination for other migrating families. DPS serves the second-largest number of children in ABLE's service area, with over

2,100 children with LEP parents. On January 20, 2022, the U.S. Department of Ed. entered into a Resolution Agreement with DPS. The Agreement required multiple system change plans. As of June 30, 2022, the U.S. Department of Ed. reported to ABLE that it had approved two major system change plans from DPS, and it gave deadlines to DPS in January 2023. The U.S. Department of Ed. continues to monitor DPS's implementation of the plans created pursuant to the Resolution Agreement, as does ABLE.

Empowering Older Adults

ABLE represents older adults to access income supports and to request public housing accommodations based on their disabilities. In 2022, we helped older adults with **estate planning strategies and wealth retention** using new economic development models for homeownership.

Consumer and Economic Justice

ABLE works with communities to build more civic engagement so that they have a voice in matters affecting their economic well-being. Two examples include our collaborations with the Junction Coalition and Reinvest Toledo.

ABLE has a strong relationship with the **Junction Coalition**, a community-led neighborhood organization built on social, environmental, and economic justice and peace education, in the Junction neighborhood of Toledo. Twenty-one percent of working-age Junction residents are unemployed, and the median household income is \$20,333. In 2022, ABLE staff responded to the needs of the people living in the Junction neighborhood by providing Know Your Rights presentations

PRACTICE GROUP MILESTONES

(Con't)

on topics such as wills and trusts. ABLE also partnered with the Junction Coalition on a series of Ask the Attorney events and a criminal record-sealing clinic. We also held a driver's license reinstatement clinic in Toledo in partnership with LAWO, Dana Incorporated, the Lucas County Clerk of Courts, local judges, the Ohio Justice Bus, the Re-Entry Coalition, the Bureau of Motor Vehicles, the Ohio Department of Job and Family Services, and local attorneys.

In 2022, ABLE began collaborating with **Reinvest Toledo (RT)** on a community advocacy training series where approximately 25 attendees will engage in conversation and learn from substantive experts about neighborhood needs involving food access, affordable housing, and policy advocacy. During the second half of the training, attendees have the opportunity to learn about power mapping and strategize about different ways to advocate for their community. Additionally, an ABLE attorney serves on the RT Legislative Advocacy and Policy subcommittee as co-chair. The three community trainings will take place in low-income neighborhoods throughout Toledo in 2023.

Veterans

ABLE represented veteran clients referred to our firm through community partners, including our sister firm, LAWO. LAWO led legal clinics for veterans in partnership with the Dayton VA and St. Vincent DePaul's Veteran Services Program. Veterans received legal advice, limited representation, and full representation on housing, consumer law, family law, reentry/expungement, driver's license reinstatement, family law, and estate planning matters. ABLE and LAWO **represented 179 veterans in 2022.**



IMPACT

STORIES FROM THE COMMUNITY



“

MEDICAL-LEGAL PARTNERSHIP FOR CHILDREN HELPS PREGNANT MOM ESCAPE MOLD-INFESTED APARTMENT

”

Tiffany*, a 21-year-old mom, was referred to the Medical-Legal Partnership for Children by her doctor. At the time of the referral, she was seven months pregnant, and her health was negatively impacted by black mold exposure in her apartment. Tiffany's doctor saw the connection between her living conditions and her symptoms and wrote a letter stating she needed to move out of her apartment. The mold originated from a water pipe that broke earlier in the spring, and for months Tiffany had been requesting the landlord to fix the problem. Persistent, she went down to the office weekly to get an update. There was mold on the walls, on the carpet, and even on the ceiling. Tiffany wanted to prepare for her baby's homecoming but could not bring any baby items into her apartment because of the risk of contaminating them. Even if she did get the baby items into the unit, her closet was moldy, and the carpet was damp. For months, the landlord took no action.

ABLE got involved and initiated escrow proceedings. The landlord began making improper repairs to give the illusion that they had fixed the problem, utilizing cleaning solutions not recommended for mold removal and even painting over the mold. Once mediation started, the landlord hired a painting company to fix a small portion of the drywall. When the wall was opened, it was evident that the entire interior was covered in black mold. Despite the maintenance workers claiming the inside of the wall was only dirt, we told Tiffany to take photos and videos of the wall's interior. Later that day, the painting company resealed the opening.

IMPACT

STORIES FROM THE COMMUNITY

(Con't)

We showed the landlord's counsel the photographs, and they agreed to replace the entire wall. Although a good gesture, it was too little too late. Tiffany's health was already impacted, and she was highly stressed knowing her due date was approaching. By the time they agreed to replace the wall, Tiffany had gone into early labor and delivered a baby girl. While she was in the hospital recovering, Tiffany was notified that she could not return to the unit for at least 48 hours due to the renovation. She had nowhere else to go. Sitting in her hospital room, trying to recover from childbirth, she now had the weight of being temporarily homeless on her shoulders. All Tiffany wanted to do was take her baby home.

ABLE negotiated with the landlord's counsel to secure Tiffany three nights of accommodation in a hotel suite, with paid transportation to and from the hotel via Lyft ride share. The landlord also agreed to give Tiffany a replacement apartment unit. Although staying in the same building with the same landlord was not our first choice, Tiffany preferred to stay because the building is within walking distance of her workplace. In addition, the public housing availability in the area is limited, and waitlists are long. Tiffany now has a new unit and is on the waitlist for a unit at a different property. Her health has significantly improved since living in the new unit, and she feels like she can breathe again. Her baby is healthy and doing well. ABLE negotiated a settlement for damages, which included rent for the time the home was not habitable and the cost of personal items Tiffany lost due to mold growth. As a single mother, every bit helps, and our mission is to ensure she is compensated fairly.

**Name changed for privacy.*

RECORD OF SERVICE

2022

Requests for Legal Assistance



852

(27 applications carried over from previous period)

1,258



Cases Carried Over from Previous Period

Cases Opened



663

826



Cases Closed

Cases Remaining Open



1,095

1,921



Cases Worked On

Individuals Helped



5,837

2,448



Persons Helped on Closed Cases

Total Monetary Awards for Clients



\$1,842,121*

\$761,677 Monthly Awards Times 36 Months

\$1,080,444 Total of Lump Sum and Annual Awards

\$1,842,121 Total Monetary Awards

Approximately 5,837 people were served by ABLE legal staff and paralegals in 2022. Countless others received help through materials and information that appear on our websites, educational and informational clinics, legal presentations, and continuing legal education trainings for lawyers. Our staff also visited homeless and domestic violence shelters, senior centers, health clinics, nursing homes, and agricultural labor camps to make people aware of their legal rights.

OPERATING REVENUE & EXPENSES

2022



This report is related to ABLE’s operations budget and does not include revenue or expenses related to depreciation.

2021 ABLE Operating Revenues and Expenses	
Support and Revenue	
Grants and Contracts	4,347,994.00
OAJF	6,001,805.00
Fundraising and Special Events	476,740.00
Other Revenue	131,902.00
<i>Sub-Total</i>	<i>10,958,441.00</i>
Transfer to Reserves	(2,761,056.00)
Total	8,197,385.00

Expenses	
Compensation and Benefits	5,928,306.00
Operating Costs	1,834,707.00
Contracted Services	201,382.00
Travel, Support and Training	106,207.00
Other Expenses	126,783.00
Total	8,197,385.00



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Schaffer & Associates, LPA
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Client Representative &
Community Advocate
Dayton

Vice-President

Jonathan Hollingsworth

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LLC
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Toledo

John F. Hall

Attorney (Emeritus)
Perrysburg

Justice G. Johnson, Jr.

Attorney (Emeritus)
Marshall & Melhorn, LLC
Toledo

James Stahler

Social Worker (Emeritus)
Plano, TX

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Ensuring fairness.
Battling injustice.
Fighting poverty.

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Together, we do the
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2022 VOLUNTEERS

LAW STUDENT VOLUNTEERS:

University of Arizona, James E. Rogers College of Law

- Taylor Macy

University of Michigan Law School

- Makayla Okamura

University of Toledo College of Law

- Arras Patterson

PARALEGALS AND OTHER INTERNS:

High School Students

- Ryan Aubry
- Quarin Hopings



"Ensuring access to justice for all"



IMPACT

STORIES FROM THE COMMUNITY



ABLE NAVIGATES MEDICAID AND ARGUES FOR A MEDICALLY NECESSARY ROBOTIC ARM FOR TEENAGE CLIENT



17-year-old Adison Delp lives with Arthrogryposis Multiplex Congenita, a condition that causes muscle weakness throughout his body and severely restricts the use of his upper extremities. He has been using a wheelchair since he was a toddler. ABLE first represented Adison in 2020 at a state hearing to assist him with securing an electric wheelchair through Medicaid. Over the past two years, Adison has achieved a level of independence previously unavailable to him, operating the wheelchair by using a combination of head and chin access, switches for mobility, and activation of power seat functions.

Adison’s parents contacted ABLE again in February 2022 because they needed assistance navigating Medicaid once more, this time for a robotic arm payment approval. The arm would allow him to complete activities of daily living (ADLs), such as shaving, combing his hair, brushing his teeth, eating, drinking, and dressing without assistance from a caregiver. The arm would also allow him to open and close doors, remove a credit card from a wallet, play chess and other games, and do many other daily activities that people without disabilities take for granted.

The first step in trying to get an atypical item approved through Medicaid is to submit a “prior authorization request.” A prior authorization request is a process required by the Ohio Department of Medicaid to determine coverage and obtain approval to pay for the proposed treatment, service, or item. The approval is based on medical necessity. Adison’s physical therapist submitted the request in December 2021 but was denied because the Medicaid plan asserted the item had no medical purpose and was for “comfort and convenience.”

ABLE attorney Rebecca Steinhauser appealed this decision and represented Adison in the state hearing process, where Adison’s physical therapist testified extensively about the medical necessity of the robotic arm. Despite the overwhelming testimony and written evidence provided, the appeal was overruled. The state hearing decision was affirmed on administrative appeal.

IMPACT

STORIES FROM THE COMMUNITY

(Cont')

When an administrative appeal is affirmed, the next step is an appeal to the county common pleas court. Steinhauser and Legal Aid of Western Ohio, Inc. (LAWO) attorney Allma Miller assisted Adison with filing an appeal to the Richland County Common Pleas Court. The attorneys argued that the Ohio administrative code conflicts with the federal durable medical equipment regulation because it places an exclusion on coverage of certain medical equipment or supplies without an individualized assessment as to whether an item is primarily used to serve a medical purpose.

In addition, the attorneys argued that the robotic arm clearly has a medical purpose in that it would not be useful for anybody who did not have a disability. The robotic arm would also allow Adison to perform ADLs independently, which aligns with a key purpose of the Medicaid program, to promote self-care and independence.

The attorneys made several other legal arguments to the court about medical necessity and ameliorating Adison's medical condition.

Finally, while the lowest cost alternative must be considered in any prior authorization process, the attorneys argued that the robotic arm was the only alternative that would permit Adison to function as independently as possible.

A week after filing the appeal to the court, the Ohio Department of Medicaid contacted ABLE and LAWO with the good news that the agency was going to order Adison's Medicaid-managed healthcare plan to approve the robotic arm! Adison is now enjoying the freedom and independence made possible by this innovative medical device. Next year, he plans to attend college. The robotic arm will provide Adison with a pathway to fulfilling his dreams.

Read how Adison feels about the assistance he received:

Dear Rebecca,

Thank you so much for fighting for me and helping me get my robotic arm. It means so much to me and I am already doing things with my new arm that I could have never done before! I know you spent a lot of time and did a lot of work for me to be able to have my robotic arm and I am very thankful for all your dedication. I am so excited to get to use my arm and see what all I can do with it. I feel like it's opening up a new world for me to explore and be independent. I am hopeful that this has set the standard for other people who need this! Thank you so much for everything you did to help me and others have the ability to get this arm.

*Sincerely,
Adison*

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ABLE 2022 FUNDING PARTNERS

ADVOCATES FOR BASIC LEGAL EQUALITY, INC.



Area Agency on Aging

Area Agency on Aging, PSA2

Support for legal assistance for older adults in Champaign, Clark, Darke, Green, Logan, Miami, Montgomery, Preble, and Shelby counties.

Area Agency on Aging, PSA3

Support for legal assistance for older adults in Allen, Auglaize, Hancock, Hardin, Putnam, and Van Wert counties.

Area Agency on Aging, PSA5

Support for legal assistance for older adults in Ashland, Crawford, Huron, Richland, Seneca, and Wyandot counties.



Area Office on Aging of Northwestern Ohio, Inc.

Support for legal assistance for older adults in Defiance, Erie, Fulton, Henry, Lucas, Ottawa, Paulding, Sandusky, Williams, and Wood counties.

Catholic Social Services of the Miami Valley

Support for work authorization for Ukrainian individuals.

City of Columbus Families Together Fund

Support for immigration legal services.



Clark County Court of Common Pleas Domestic Relations Division Juvenile Section - Supreme Court of Ohio

Support for a community-based truancy prevention program.

Columbus Foundation Critical Need Alert: Our World Our Community

Support for Afghan evacuees settling in central Ohio.

Community Legal Aid

Support for unemployment equity.

Consulate of Mexico-Detroit

Legal assistance to Mexican nationals referred by the Consulate.

Consulate of Mexico-Indianapolis

Legal assistance to Mexican nationals referred by the Consulate.



Dayton Children's Hospital Foundation

Support for the Dayton Medical-Legal Partnership for Children.

Dayton Legal Heritage Foundation

Support for the Education Advocacy Project and community legal services.

Five Rivers Health Centers of Dayton

Support for the Dayton Medical-Legal Partnership for Children.

Iddings Foundation

Support for the Dayton Medical-Legal Partnership for Children.



Mental Health & Recovery Services Board (MHR SB) of Lucas County

Support for legal advocacy for mental health services consumers.

Montgomery County Commissioners

Support for legal services for older adults.



Numi Foundation

Support for legal services.



Ohio Access to Justice Foundation (OAJF)

Major source of funding to support our work addressing the unmet civil legal needs of low-income and underserved Ohioans, and support for internal communications technology including a document management system and intranet website.

Ohio Attorney General

Support for older adult survivors of domestic violence.

Ohio Department of Aging

Support for Ombudsman Program for older adults in long-term care facilities.

Ohio Department of Mental Health and Addiction Services

Support for mental health services and stigma reduction COVID outreach.



Ohio Housing Finance Agency

Support for homeowners' assistance.

PNC Foundation

Support for eviction legal work in Dayton.

ProMedica Toledo Children's Hospital Foundation

Support for the Toledo Medical-Legal Partnership for Children.

Retirement Research Foundation for Aging

Support for older adults.

STRANAHAN
FOUNDATION

Stranahan Foundation

Support for the Toledo Medical-Legal Partnership for Children.

Toledo Community Foundation – ProMedica

Support for the Junction Neighborhood Coalition.

Toledo Community Foundation – Sisters of St. Francis

Support for the Immigration Advocacy Project.

Toledo Law Library

Support for a Case Management System.

United Way of Greater Toledo

Support for the Toledo Medical-Legal Partnership for Children.

U.S. Department of Housing and Urban Development RELIEF Grant

Support for rural eviction prevention representation, education and services through a Tenant Hotline in Allen, Auglaize, Champaign, Clark, Logan, Mercer, and Miami counties.



U.S. Department of Justice

Support for the Dayton Medical-Legal Partnership for Children, victims of crime, and individuals affected by the opioid crisis.

VERA Institute

Support for the Unaccompanied Children's Program.

*Protecting The Rights of People Living, Working,
and Raising Their Families in Poverty*



The Justice for All Campaign is a fundraising partnership among Advocates for Basic Legal Equality, Inc. (ABLE), Legal Aid of Western Ohio, Inc. (LAWO), and the Toledo Bar Association Pro Bono Legal Services Program. As the primary providers of free civil legal aid to people living in poverty in northwest Ohio, the Justice for All Campaign unites our fundraising efforts to ensure that vulnerable and disenfranchised members of our community have equal access to the legal system. We appreciate the generosity of individuals and organizations who give to the Campaign and make it possible for us to serve thousands of people in our community every year.



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University of Toledo College of Law

Robert S. Salem

The University of Toledo, College of Law

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NORTHWEST OHIO

2022 ACCESS TO JUSTICE

Awards Dinner

The annual **Northwest Ohio Access to Justice Awards Dinner** took place in person after a two-year hiatus due to the COVID-19 pandemic. More than 300 guests attended the event, held on May 12, 2022, at The Pinnacle in Maumee in support of **ABLE**, Legal Aid of Western Ohio, Inc. (LAWO), and the Toledo Bar Association Pro Bono Legal Services Program (TBA) and our combined efforts to assist people living in poverty with critical legal services.



Hon. Glenda Hatchett

Keynote speaker, the **Honorable Glenda Hatchett**, provided motivation and encouragement to the audience and discussed the importance of keeping one's purpose and passion in the legal field, despite the challenges that legal professionals and support staff face.

Judge Hatchett was Georgia's first African American Chief Presiding Judge of a state court and head of one of the largest juvenile court systems in the country. She is a graduate of Emory University School of Law and an Earl Warren Scholar. Judge Hatchett has keynoted several national conferences, including the Diversity Conference in the U.S. Senate, the Minority Employer's Conference at Newell Rubbermaid, Home Depot's Women's History Speaker's Series, and Black Enterprise's Entrepreneurs Conference. She has received many awards, including the Outstanding Jurist of the Year, Atlanta affiliate of the National Bar Association;

Roscoe Pound Award, National Council on Crime and Delinquency; and the Thurgood Marshall Award, NAACP, among others. Since 2016, Judge Hatchett has starred in the television court series, *The Verdict*.

During the dinner, ABLE, LAWO, and TBA honored three individuals and an organization for their extraordinary service to people living in poverty in northwest Ohio.

The **2022 Public Interest Law Award** was awarded to **James F. Nooney, Sr.**, a member of Eastman & Smith and Toledo-area attorney who has been practicing law for 54 years. Nooney was recognized for his dedication to serving the community through pro bono work, and his commitment to assisting clients through TBA's Pro Bono Program with the complicated paperwork associated with guardianships. Providing legal services to those unable to pay for them is a core feature of Nooney's professional identity. He believes that providing pro-bono services is the responsibility of all professionals, particularly lawyers. He often encourages his colleagues and newer associates to take on pro bono work.

Two individuals received **2022 Community Advocacy Awards** for their roles in fostering change through community organizing.

Beatriz Maya, a co-founder of the nonprofit organization La Conexión, received the award for her endless pursuit of empowering immigrants, refugees, farmworkers, and the Latinx community. Her advocacy began decades ago when she worked for the Farm Labor Organizing Committee (FLOC), doing everything in her power to bring education and justice to migrant farmworkers. Maya was instrumental in forming the Northwest Ohio Immigrant Rights Network (NWOIRN) in 2019. The network of advocates and allies is comprised of immigrant-based organizations, advocacy groups, and individuals acting in solidarity with our immigrant community to build humane, just, inclusive, safe, equitable, and welcoming communities for everyone.

David L. Beckwith received the award posthumously for his contributions as a community organizer for many decades. Beckwith's local organizing efforts began in 1981 when he assumed the role of director of the East Toledo Community Organization, focusing on housing and neighborhood issues, including the environment and economic development. Known as a community mentor for social justice and environmental activists in the Toledo community, Beckwith touched the lives of many and motivated others to understand that they had the power to lead and to hold people accountable for their actions. Beckwith's daughter, Schuyler, accepted the award on behalf of the family.

The **2022 Distinguished Service Award** was given to **Dana Incorporated** for its long history of service to legal aid and the Medical-Legal Partnership for Children (MLPC) in Toledo. Creating the Corporate Counsel Legal Aid Fellowship in 2013, Dana's Legal Department formed a unique partnership among the counsel of the major corporations in northwest Ohio with ABLE and LAW. Their support expanded the capacity of the firms to serve more vulnerable families through the MLPC, which addresses the social determinants of health through partnering with medical providers. Dana's assistance allowed the MLPC to grow and garner other financial support, helping nearly 3,500 people in poverty between 2013 and 2021.

2022 AWARDEES:



James F. Nooney, Sr.
Public Interest Law
Award



Beatriz Maya
Community Advocacy
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David L. Beckwith
Community Advocacy
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We express appreciation to the following individuals who served on the **2022 Access to Justice Awards Selection Committee**. They include Margarita De Leon, Senior Consultant and Transformation Leader, The Kaleidoscope Group; the Honorable Myron C. Duhart, Ohio Sixth District Court of Appeals; Veralucia Mendoza, Disability Rights Advocate: Housing and Transportation, the Ability Center, and former Community Advocacy Award Recipient; E. James Stengle, III, Senior Vice President, Hylant (retired), and former Distinguished Service Award Recipient; Aly Sterling, President, Aly Sterling Philanthropy; and Robert C. Tucker, Partner, RCO Law.



BRIDGING THE JUSTICE GAP FOR UNACCOMPANIED CHILDREN



Due to the ever-changing and complex landscape that is the United States immigration system, there is a growing need for legal representation for unaccompanied children. Although children have a right to an attorney in immigration court, they do not have a right to a government-funded attorney and must often appear in court on their own. To help address this barrier to justice, ABLE partnered with the Vera Institute of Justice to launch the Unaccompanied Children Project in April of 2022. Funded by the Office of Refugee Resettlement (ORR), the project is an expansion of ABLE's decades-long commitment to serving the varied legal needs of immigrants in Ohio. Attorneys and a paralegal assist unaccompanied minors residing in Butler, Hamilton, and Montgomery counties in southwestern Ohio.

Unaccompanied children have unique needs. Without representation in immigration court, these particularly vulnerable clients suffer the risk of deportation regardless of the strength of their case. As with adults, determining the exact nature of a child's claim can be complicated, and their age often requires additional expertise and time. They are also more vulnerable to human trafficking.

Unaccompanied children have more difficulty communicating their issues for a variety of reasons. A young child may not have the capacity to fully explain or understand what has happened. They may find it difficult to trust adults. They might also be too traumatized to remember events.

IMPACT

STORIES FROM THE COMMUNITY

(Con't)

Vera Institute of Justice and ABLE advocates are knowledgeable and empathetic toward this vulnerable group of clients. The immigration legal system can be intimidating and confusing, with constant changes in policy. Fortunately, some policies have been developed to provide unaccompanied children with further protections. Children are exempt from some restrictions on asylum eligibility, such as the one-year filing deadline until they turn 18. Their asylum cases may be heard in an interview setting, rather than an adversarial court process. They may also be eligible for special immigrant juvenile status if they have been abused, abandoned, or neglected by their parents.

It is with this thorough understanding of the immigration landscape that this project provides legal services to unaccompanied children released from ORR facilities. ABLE provides all representation in-house in immigration court, United States Citizenship and Immigration Services (USCIS), and juvenile court, when necessary. The grant through ORR provides funding for the next five years and includes the hiring of three new ABLE staff members committed to justice and positive outcomes.



2022 CAMPAIGN FOR EQUAL JUSTICE

The Campaign for Equal Justice is a fundraising partnership among Advocates for Basic Legal Equality, Inc. (ABLE), Legal Aid of Western Ohio, Inc. (LAWO), and the Greater Dayton Volunteer Lawyers Project (GDVLP). As the primary providers of free civil

legal aid to people living in poverty in the Miami Valley region, the Campaign for Equal Justice unites our fundraising efforts to ensure that vulnerable and disenfranchised members of our community have equal access to the legal system. The Campaign is supported through two events held annually in Dayton: The Justice on Tap cocktail event, and the Access to Justice Awards Celebration. We appreciate the generosity of individuals and organizations who give to the Campaign and make it possible for us to serve thousands of people in our community every year.

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Natasha Wilson
Christopher M. Wolcott
Marie P. Wolff
Hon. William H. Wolff, Jr.
Hon. Ebony N. Wreh

Up to \$75

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Woolley
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Brian D. Wright
Shannon Yost



IN HONOR AND MEMORIAM

James E. Beyer

In Honor of Dinsmore & Shohl

Joseph R. Tafelski & Jennifer Teschner

In Honor of R. Michael Frank

Brianne Trappe

In Honor of Myla Cardona-Jones

Paula Ewers

In Memory of Willie Righter

Marjorie A. Kuhns

In Memory of Edward Kuhns



JUSTICE ON TAP!

2022 JUSTICE ON TAP

More than 75 guests, including sponsors, ambassadors, board members, and staff, joined us for our annual happy hour fundraising event at Mudlick Tap House on September 21, 2022. We hosted Justice on Tap with the help of the Young Lawyers Division of the Dayton Bar Association.

Attendees got to mix and mingle with the Dayton legal community, enjoyed food and drinks, placed bids on raffle baskets, and heard from Campaign organizers at ABLE, LAWYO, and the GDVLP on why their donations to the Campaign for Equal Justice were more important than ever. Over \$11,000 was raised by sponsors and guests through the event.



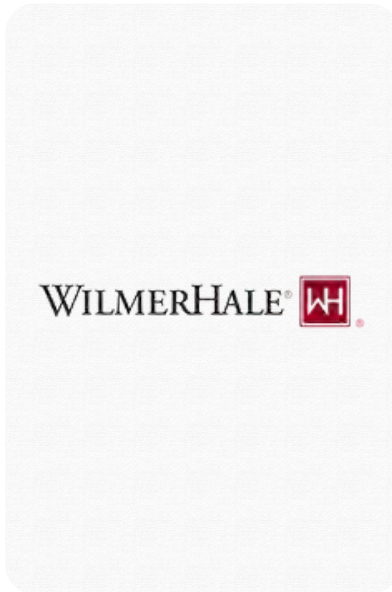


The **2022 Access to Justice Awards Celebration** was held on November 3, 2022, at Sinclair Community College's Ponitz Center in downtown Dayton. Approximately 200 guests from Dayton's legal community attended the fundraiser in support of ABLE, LAWO, and the GDVLP and our collective mission to assist people and groups in the Miami Valley area who are living in poverty. Co-hosts for the

evening were Sarah Cunningham from LexisNexis and Myla-Cardona Jones from Sinclair College. The Honorable E. Gerald Parker, Montgomery County Common Pleas Court, General Division, presented the awards to our recipients. ABLE and LAWO board members Brandyn E. Dobyms and Jordan Jennings from Taft, Stettinius & Hollister, LLP were additional presenters. During the event, we recognized two individuals and an organization for their extraordinary service to the community.



The **Hon. Robert W. Rettich, III** received the **2022 Lloyd O'Hara Award** posthumously for his well-known position as a Miamisburg Municipal Court Judge, where he prioritized substance abuse treatment and behavioral programs over incarceration.



WilmerHale's Legal Resource Center received the **2022 Community Impact Award** for its impactful pro bono initiative through the GDVLP. WilmerHale's community record sealing and juvenile family law clinics have been a tremendous asset and have helped hundreds of community members in the sealing of records and family law issues.



Tom Roberts, State President of the Ohio NAACP, received the **2022 Patricia Rousseau Community Advocacy Award** for his involvement in the Dayton community, as well as his lifelong commitment and advocacy for criminal justice reform and voting rights.

Through sponsorships, ticket sales, and text-to-give donations, we raised over \$43,000 for the Campaign for Equal Justice at this year's celebration.

Moving Forward with Justice and Innovation

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IMMIGRATION ADVOCACY PROJECT



ABLE is at the forefront of protecting the legal rights of low-income immigrants and refugees as they attempt to lead safe and productive lives in our communities. Compassionate donors give to ensure that we continue to provide this crucial legal assistance.

We are grateful to the following individuals who contributed to the **ABLE Immigration Advocacy Project** in 2022:

Fr. John R. Blaser
Joseph A. Brossart
Thomas Coyle
Madeline Kwasnick
Elizabeth Mattimoe
Tracy Potter
Jaimee Ryan
Michael & Jill Spurlin
Sarah R. Stafford
Yolanda Zepeda





SUCCESS PROGRAM ADDRESSES FAMILY LEGAL AND SOCIAL CHALLENGES TO IMPROVE SCHOOL ATTENDANCE



In a partnership with Clark County Juvenile Court and Springfield City Schools, ABLE is assisting chronically absent kids and their families through an innovative initiative called the SUCCESS Program. The program is funded by the Supreme Court of Ohio. Launched in early 2022, the SUCCESS Program focuses on serving young students and their families at participating Springfield elementary and middle schools who meet the criteria for chronic absenteeism— a trend that has been steadily rising through the COVID-19 pandemic. Once the child and their family opt into the program, they are paired with a multidisciplinary team that includes an ABLE attorney to help the family resolve civil legal challenges, and a parent advocate employed by ABLE who works with an education liaison officer from the Clark County Juvenile Court to connect the family with critical social services, including housing and healthcare resources.

When the SUCCESS Program received a referral for *Kassandra** because her children were at risk of a truancy/educational neglect case, *Kassandra* and her three children were homeless because she left her abusive husband. She was a 34-year-old separated woman with a high school diploma, in recovery from prescription opioid addiction. She had a low-paying restaurant job but was struggling to maintain employment.

Kassandra initially only asked for help getting a divorce. ABLE filed for her divorce with the local court, overcoming an initial barrier at the Clerk's office where staff were not properly waiving her filing fees. We learned that the client was being assessed over \$1,000 by the Ohio Department of Taxation for unpaid taxes on vehicles owned by her husband. We negotiated for him to take full responsibility for these taxes as part of the final divorce decree and completed her divorce.

Along the way, *Kassandra* alerted us that she needed urgent assistance with housing. The client and her children had a temporary hotel stay provided by a local homeless services organization, but the temporary period was ending. ABLE's Parent Peer Advocate passionately advocated for our client to continue receiving services. The result was seven months of transitional housing for *Kassandra* and the children.

IMPACT

STORIES FROM THE COMMUNITY

(Con't)

Around the same time, two of her children were falling behind in school and had school disciplinary issues. She revealed that both children had mental health diagnoses: ADHD for the younger, and ADHD and depression for the older. Her older child already had an Individualized Education Program, and the team attorneys helped get comprehensive re-evaluations of him. We used those to help Cassandra advocate for additional services in the IEP, including in-school speech-language therapy and more small-group specially designed instruction to meet his needs. For her younger child, the attorney requested an initial evaluation for an IEP, because despite his ADHD and many social-emotional incidents and suspensions, he did not already have one. Our representation helped get assessments that the school district was not planning to do, such as a Functional Behavior Assessment, and a more robust IEP than the district initially proposed.

The school stopped suspending Cassandra's younger son because of the attorney's advocacy for the IEP services. No longer needing to get him from school early helped Cassandra get and keep a good job that is making about \$20 per hour.

We also learned that Cassandra's oldest son had been denied SSI benefits over a year before, despite his combination of significant learning disabilities and mental health diagnoses. The attorney helped her apply for SSI benefits, pulling together all the supporting records with a comprehensive advocacy letter describing why and how her child fit the legal definitions to receive benefits. Several months later, the child was approved for SSI!

Finally, after the client's recent move because of the end of her transitional housing program, Cassandra discovered several issues with her new home which make the property unsanitary and unsafe. We advised her about the proper procedures to officially notify the landlord of the conditions issues. Moving forward, we will continue to assist Cassandra and her children with her diverse set of legal and practical needs, all of which can act as significant barriers to consistent school attendance and family stability.

**Name changed for privacy.*



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