...And Justice For All

The Newsletter of the Legal Aid Society of Palm Beach County  Fall 2013

OUR MISSION:
To provide high quality civil legal advice, representation and education to the disadvantaged of Palm Beach County so as to protect their personal safety, enhance their opportunities and living conditions and promote self-sufficiency.

Saving Maria:

Legal Aid’s Medical Legal Partnership project was established because of a growing body of research over the past decade that has shown a direct correlation between access to legal services and an increased quality of life for patients. Having a safe place to live, water, electricity, food and access to health care, are among the key elements to maintaining one’s health-both mental and physical. Across the country health care providers for low income individuals and families are turning to a new specialist to help keep their patients healthy and safe—lawyers who practice poverty law.

The effects of an early life filled with abuse can be inescapable. For Maria, a journey scarred by pain and suffering left her with a fear so great that she was afraid to seek help. At the tender age of 10 years old Maria’s mother brought her to Florida from Mexico. By the time she came here, Maria had already endured years of neglect and abuse at the hands of her extended family. Her uncles had sexually abused her. Her grandmother accepted the money sent by her mother for her care, but refused to buy Maria food and clothes. Maria lived on whatever table scraps she could find and dressed in ill-fitting hand me downs. Maria hoped that life in Florida would be better. She had food to eat and clothing that fit. However, unbeknownst to her mother, Maria’s stepfather began sexually abusing her almost immediately. This abuse continued for years, until Maria’s mother found her journal and read about what was going on. Under a judge’s order, Maria’s stepfather was deported and Maria and her mother relocated to Palm Beach County. Even after court intervention, Maria’s mother never fully believed that the abuse had occurred and to a certain extent, blamed Maria for what transpired. Suffering from this adversity at home, Maria found it impossible to focus on school work. The years of physical and mental abuse, along with her poor English skills, eventually proved too much to overcome and she dropped out. At 17, she found herself pregnant and completely dependent on a boyfriend who was as abusive and controlling as the men of her past. By 20, she had two children and was living precariously at a friend’s house. Without legal status she could not get a job. She was too afraid to apply for food stamps or renew her children’s Medicaid. Her life was spiraling downward and she was desperate for help.

Maria’s luck began to change with a visit to the Lantana/Lake Worth Health Department for a minor health issue. She was treated by a nurse who had been trained by Legal Aid’s Medical Legal Project, and, who upon hearing about Maria’s situation recommended that she meet continued on page 3
Dear Friends and Supporters,

While there appears to be some indications of an upturn in our economy, the past number of years of challenging economic times has left low and moderate income individuals and families with insufficient financial resources to meet their most basic needs for food, shelter, healthcare, income and safety. As a result, the number of people seeking Legal Aid’s services has significantly increased. At the same time, funding for legal assistance from federal and state governments and Lawyer’s Interest on Trust Accounts (IOTA) programs have substantially decreased. In spite of these challenges, the Legal Aid Society of Palm Beach County is deeply grateful to the funders who help us to establish new, innovative ways to expand and continue our services, reaching those residents who most need our assistance.

Since its inception in 2008, Legal Aid’s Medical Legal Partnership Project (MLP) has made great strides in contributing to the health and well being of low-income patients being served by the County’s Federally Qualified Health Clinics (FQHC) and community health centers. Initial funding from the Quantum Foundation ensured the presence of an attorney one day a week at four FQHCs. With additional funding in 2010 from the United Way of Palm Beach County, MLP services were expanded to Foudcare and Genesis. Most recently, a 3 year grant from Allegany Franciscan Ministries expanded MLP’s services to the Caridad Center and the West Palm Beach Community Health Center. The MLP is a true partnership requiring the skills of both medical and legal professionals. Healthcare providers who take care of low-income individuals now turn to MLP attorneys to help keep patients healthy and safe.

At the height of the housing crisis in 2008, Legal Aid began receiving an increase in cases involving issues such as predatory lending practices, truth-in-lending violations, foreclosure rescue scams, and unfair and deceptive trade practices. Although there was no funding at the time for these services, Legal Aid staff knew they had to respond to this emerging need in our community, and therefore began providing services, with the assistance of attorneys from FP&L and Office Depot, to individuals and families who were facing foreclosure of their primary residence. Legal Aid’s Mortgage Foreclosure Defense Project currently receives funding from the United Way of Palm Beach County, the Town of Palm Beach United Way, the Florida Bar Foundation and the State of Florida Office of the Attorney General to provide outreach, education and representation to low and middle income individuals and families facing foreclosure.

Legal Aid’s Guardian Advocacy Project (GAP) was created in response to the overwhelming need for guardianship and legal services for youth with special needs aging out of foster care and young adults with special needs who have no family or friends to care for them. Through funding provided by the Financially Assisted Agencies program of the Palm Beach County Department of Community Services, our GAP clients are treated with respect and dignity. We are their family, working to serve their best interests and acting as their advocates to ensure their health, safety and well being.

In order to combat the impact of underemployment or nonpayment of wages to low and moderate income wage earners in our community and to help stabilize local economies, Legal Aid, in partnerships with the Palm Beach County Commission, the 15th Judicial Circuit, the County’s business community and local wage earner advocacy groups, has established the Palm Beach County Wage Dispute Project. The goal of the project is to adopt the most effective and efficient means to protect wage earners from the underpayment or nonpayment of wages.

The four projects cited above clearly demonstrate the commitment of the Board and staff of Legal Aid, pro bono attorneys and our funders to serving the most vulnerable members of our community in these challenging economic times. Thank you for your continued and most valuable support,

Robert A. Bertisch, Esq.
Executive Director

Jeffrey A. Devore, Esq.
Board President
Keeping their Home:

The Legal Aid Society’s Mortgage Foreclosure Defense Project provides advice, counsel and direct representation, free of charge, to homeowner’s in Palm Beach County who are facing foreclosure on their primary residence. The project provides community outreach and education and maintains a foreclosure hotline. Project Staff are dedicated to keeping people in their homes and securing loan modifications for clients when appropriate.

Mr. R. and Ms. S. came to Gina Grandinette, an attorney with the Legal Aid Society’s Mortgage Foreclosure Defense Project, in December 2012. Ms. S. had Power of Attorney for Mr. R. who was confined to a wheelchair following a medical crisis which severely impaired his physical and mental capabilities. Since he was no longer able to support himself, Mr. R relied on SSDI, which was insufficient to cover his mortgage payments and he was now facing foreclosure. Attorney Grandinette helped them draft a Pro se Answer that Ms. S. could file for Mr. R., and Ms. S. was advised to work with the bank immediately to obtain a loan modification. Despite Ms. S’s efforts, the lender was unresponsive to her modification requests. They were facing foreclosure on a home that they wanted so badly to keep.

On March 4, 2013, on the eve of the Summary Judgment hearing, Mr. R and Ms. S returned to Legal Aid in desperation. Their efforts to deal with the bank themselves had been futile. Attorney Grandinette accepted them as clients, appeared at the hearing, and was able to get them 120 days to work out a modification before the home could be sold. Ms. Grandinette called the bank daily for two weeks until, finally, an agreement was made to grant a trial loan modification for three months beginning on April 1, 2013. After paying the restructured mortgage payment for the three month period, the bank agreed to a permanent modification. Under this new modification the bank forgave a staggering $168,569 from the principal of Mr. R’s mortgage and his monthly payments were reduced from $1200 to $819 which included taxes and insurance.

However, Ms. Grandinette’s fight for Mr. R was not over. Despite the modification, the bank never cancelled the foreclosure sale that was set for July 2, 2013. Ms. Grandinette prepared a motion to cancel the sale and dismiss the case as a result of the modification. She won her motion one week before the sale was scheduled to take place. With the loan modified and the foreclosure case dismissed, Mr. R’s home was saved.

Not only did Ms. Grandinette successfully guide Mr. R and Ms. S through the arduous foreclosure and loan modification process, she also helped them complete applications for food stamps, guardianship and other public benefit assistance. Mr. R’s and Ms. S’s lives have been greatly improved thanks to the legal skills, tenacity and caring of Legal Aid Attorney Gina Grandinette and the staff of Legal Aid.

Saving Maria continued from page 1

with the Medical Legal Project Attorney, Kate Watson, for assistance.

Ms. Watson immediately helped Maria secure Medicaid and Food Stamps for her two children. Ms. Watson explained that receipt of these benefits would not jeopardize any potential immigration relief and assisted her with re-enrollment. Her children, being U.S. Citizens, were immediately eligible for both benefits. Next, Ms. Watson worked with Maria to find sources of potential immigration relief. If Maria would re-enroll in high school or a GED program, she could receive benefits from DACA (Deferred Action for Childhood Arrivals). Marie chose a GED program and Ms. Watson helped her through the enrollment process, which required a call to the Mexican Embassy to get Maria a Mexican passport (her only form of photo identification). Ms. Watson also helped her to gather the necessary documentation to prove her Florida residency, which reduced her enrollment fee in the GED program significantly. Finally, Ms. Watson helped her access much needed psychological services.

Now, Maria has a brighter outlook on life and the future for herself and her children. In approximately two to three months, pending approval for DACA, Maria will have access to a work authorization and a driver’s license, and access to Palm Beach County Healthcare District insurance. She will then be able to financially support herself and her two children. Additionally, Maria plans on taking the GED course this winter. While recovering from her experiences is a slow process, Maria feels like she is on a path to self-sufficiency.
Legal Aid’s Guardianship Advocacy Project (GAP) was initiated in response to an overwhelming need for guardianship and legal case management services for two currently underserved populations in Palm Beach County: young people (ages 18-24) with special needs who have recently aged out of foster care and individuals over 25 years of age who have a developmental disability or are incapacitated and are without family or friends to care for them. Our Guardianship Advocacy Project provides safe living and the prevention of homelessness for this group of 20 special young people.

Aging out of the foster care system can be a daunting task, even for the most well adjusted of these young adults. In December, 2011, Legal Aid’s Guardian Advocacy Project received a referral from Legal Aid’s Juvenile Advocacy Project for Lillian, a developmentally disabled young lady who was about to age out of the foster care system on her 18th birthday in January. Lillian had no placement, no income, no family member who would be able to care for her and was not eligible to apply for benefits because of her resident alien status. Blanca Deason, the social worker for the GAP project immediately began the process whereby Legal Aid would become Lillian’s legal guardian.

Obstacles presented themselves from her very first visit due to Lillian’s unwillingness to speak to strangers. Once trust and dialogue were established, Ms. Deason met with DCF/Transition specialists to find an appropriate group home for Lillian and then worked with the Agencies for Persons with Disabilities (APD), to secure funding for residential placement. This transition process had to be managed very closely by Ms. Deason to ensure that Lillian was able to receive housing with the proper funding sources in place.

On January 25, 2012, Legal Aid became Lillian’s court appointed guardian. At this time, Ms. Deason began working with Legal Aid’s Immigration attorney, Shane O’Meara, to apply for citizenship and establish her eligibility for Social Security benefits. Mr. O’Meara and Ms. Deason had to navigate many obstacles in this process, such as waiving Lillian’s citizenship test to accommodate for her disability, but on November 1st, Lillian became a US citizen.

Their tireless work continued the very next day with an application for Social Security benefits. These funds would allow Lillian to have the income she needed for personal items and upkeep. This arduous process was finalized on January 30th. One problem remained. Throughout these months, Lillian was having issues at the school she was attending, which required that she take a long ride on a school bus every day. Ms. Deason, together with Lillian explored various options that could help prepare her for vocational training and a job. Lillian began attending a new program and is thriving in this environment and is quite happy in her group home. The GAP program continues to watch over Lillian as her guardian, and provides her with spending money, extra curricular activities, and most recently a new TV.

Lillian now has a place to live, a group of peers and the opportunity to succeed and live a happy, productive life. This is an outcome that would not have been possible without the combined effort and dedication of the staff of Legal Aid, which is often the case with members of our community who have nowhere else to turn.
Wage Dispute Program:

The Legal Aid Society of Palm Beach County’s Wage Dispute Project is a collective initiative created out of collaboration and cooperation with the Palm Beach County Commission, The 15th Judicial Circuit, local interest groups, and pro bono attorneys. The goal is to continue adapting the Project for more efficient and effective methods to protect clients from the underpayment and nonpayment of wages.

In order to combat the impact of nonpayment of wages and to help stabilize local economies, Miami-Dade County passed a Wage Theft Ordinance in 2010 and Broward County did likewise in 2012, to expedite proceedings for wage earners to resolve disputes with their employers. In December of 2012, in lieu of passing an ordinance, the Palm Beach County Board of Commissioners voted to fund a Wage Dispute Project at the Legal Aid Society of Palm Beach County for a period of one year. Since its establishment, the Project has recovered approximately $200,000 in wages for low-income wage earners. The Project is designed specifically for low income individuals (those earning less than 200% of the Federal Poverty guidelines) and includes intake, investigation and pre-suit mediation. If the dispute cannot be resolved pre-suit, it may be filed with the Clerk to be placed on the Docket WD, a unique docket created by former Chief Judge Peter Blanc, which is dedicated to hearing wage disputes on the last Friday of every month. With these procedures in place, the Project is able to obtain wrongfully withheld payments quickly and prevent the devastating impacts of underpayment or nonpayment of wages.

There are numerous individuals working many different jobs who have received assistance from this Project. Janet, a middle-aged woman who found a job cleaning commercial properties, worked for an employer for a one month period of time. She was to be paid at the end of the month. When payday arrived, Janet could not contact the employer; her phone calls were not returned and she did not know the location of the business. Janet had very little information about the employer-only the first name of the person who hired her and a t-shirt with a fictitious corporate name. Janet was referred to Legal Aid through a local community center. With the help of a pro-bono investigator the Project was able to find the employer and set a date for mediation. Even before the mediation, the employer called and settled the case for more than the agreed upon salary.

Jorge, a young professional, suffered a layoff and took a job waiting tables while looking for another opportunity. He was living paycheck to paycheck and was barely getting by. He had continuous issues with his employer including improper payments and a hostile work environment. The employment relationship finally ended, but his last paycheck was never issued. Jorge called his former employer and was met with obstinate denial of payment. Meanwhile Jorge was notified of the imminent repossession of his vehicle. Jorge was referred to the Project by the Palm Beach County Clerk’s Office. Legal Aid attorney, Lance Cornick, was able to contact the employer directly and reach a settlement for approximately double what the client’s last paycheck would have been. Jorge was then able to make the car payment and retain possession of his vehicle.
On May 18, 2013, at Legal Aid Society’s 25th Annual Pro Bono Recognition Evening, the following individuals/firms were honored for their outstanding pro bono work for our clients.

Abigail Beebe, Esq.  
Family Law Award

Kaleb Bell, Esq.  
Bankruptcy Law Award

Brooks Brothers  
Corporate Partner Award

Ciklin Lubitz Martens & O’Connell  
Firm Award

Kai Li Fouts, Esq.  
And Justice For All Award

Robert H. Friedman, Esq.  
Civil Litigation Award

Steven N. Glenn  
Special Services Award

Amy Hickman, Esq.  
Child Advocacy Award

Junior League of Boca Raton  
Community Service Award

Garry Q. Lewis  
Suzanne Foley  
“Serving Justice Award”

Leslie Rose  
Emeritus Award

The Bankruptcy Bar Association of the Southern District of Florida Pro Bono Committee  
Voluntary Bar Association Award

Gary A. Woodfield, Esq.  
Civil Litigation Award

Matthew Zimmerman, Esq.  
Consumer Law Award

Front row: Kai Li Fouts, Alan Ciklin, Gary Woodfield, Jessica Callow Mason, Robert Friedman, Tina Talarchyk  
Back row: Jeffrey Garber, Ellen Morris, Amy Hickman, Abigail Beebe, Kaleb Bell, Robert Crane, Jackie Reeves, Leslie Rose, Garry Q. Lewis

Jennifer & Gary Lesser, Jeffrey Devore, Robert Bertisch, Hampton & Joette Keen
“Celebrating Justice”

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Richard & Karen Benrubi, Jill & U.S. Congressman Ted Deutsch

Judge Jonathan Gerber & Tracy Gerber

Lawrence & Heidi Rochefort and Adam Rabin

Rachel & Blair Hyman
“Celebrating Justice”

3 Wonderful GIFT GATHERING GALAS

Three Gift Gathering Galas, which were hosted by Abigail & Hampton Beebe, Denise & Sam Isaacs together with Linda & Donald Lyman, and Gerald & Gwen Richman, provided wonderful social evenings where guests brought over 300 gifts for Legal Aid’s 25th Annual Pro Bono Auction.

10th Annual Holiday Bookfest & Luncheon

The 10th Annual Holiday Bookfest & Luncheon at Barnes & Noble CityPlace was presented by FAWL, Palm Beach County Chapter and sponsored by F. Malcolm Cunningham, Sr., Bar Association and Lesser, Lesser, Landy & Smith, LLC. It was a great opportunity for both holiday shopping and gift donations for Pro Bono Evening.
“Celebrating Justice”

12th Annual Cup of Justice Golf Classic

The 2012 Cup of Justice Golf Classic raised $49,000 to support Legal Aid’s Educational Advocacy Project which strives to support equal access to public education for disabled children in Palm Beach County. Board member, Robert M.W. Shalhoub, the Chair of this event for the past 12 years, was pleased to have Sabadell United Bank as Presenting Sponsor, Florida Crystals as Lunch Sponsor and Caler, Donten, Levine, Porter & Veil, P.A. as Dinner Sponsors. Special appreciation is extended to each of the 120 golfers who participated.

2nd Annual Pankauski Pour

Nearly 200 wine lovers enjoyed a wine tasting event hosted by noted wine connoisseur, Attorney John Pankauski. With participation from Southern Wine & Spirits, Virginia Philip Wine Shop, The Capital Grille and Hot Pie, the event raised $9,000 from ticket sales and matching grants to benefit The Legal Aid Society.

Tournament Champions
(sponsored by the Law Office of Benjamin T. Hodas, LLC)
Dr. Mark Rubinstein, Evan Frederick, Zachary Berg, Joe Girvin

Tournament Chair
Robert M.W. Shalhoub with son Paul Shalhoub

Chris Winterling, Aaron Schwarzberg, Carlos Curbelo, George Winterling

Greg Zele, Colin Holloway, Jason Dollard, Greg Huber

Judge Martin H. Colin, Betsy Savit, John Pankauski
Brooks Brothers in the Gardens Mall has been kind enough to partner with the Legal Aid Society for this fabulous event for the past 6 years.

Thank you to Brooks Brothers and the following members of the Host Committee for this successful event:
Legal Aid Welcomes New Board Members

**Vincent Cuomo** is Vice President and Relationship Manager of Grand Bank and Trust of Florida. Mr. Cuomo provides comprehensive financial advice to attorneys and law firms practicing throughout the nation. He has been in the financial services industry for over 15 years. Mr. Cuomo holds numerous licenses and accreditations including Certified Financial Manager. Previously, the largest investment advisory team in the country. Mr. Cuomo is very active in the community and has served on the Board of Directors of numerous different non-profit organizations within Palm Beach County. He is currently the President of the Attorney At Law Magazine Advisory Board for Palm Beach County, the President of the Florida Italian American Council and sits on the Board of Directors of the American Heart Association. He is also the creator of Vincent Cuomo’s Networking Group, which has a membership of over 400 professionals throughout Palm Beach County. Mr. Cuomo was born in Brooklyn, New York and moved to Palm Beach County over 25 years ago. Mr. Cuomo resides in Jupiter with his wife of 14 years and has two young daughters.

**Lorie M. Gleim** works in the area of complex commercial and securities litigation. Her experience spans state and federal courts, as well as before the American Arbitration Association, National Association of Securities Dealers and New York Stock Exchange. Lorie has litigated matters involving commercial and contract disputes, securities class actions, employment discrimination, trade secrets and non-competition agreements. She joined Greenberg Traurig’s West Palm Beach office as a summer associate between her second and third years of law school, and returned as an associate in 1995. She was named shareholder in 2002. Ms. Gleim graduated with honors from the University of Florida Levin College of Law, after having earned both a B.S. in Economics from the Wharton School of the University of Pennsylvania and a B.A. in History from the University of Pennsylvania. For the past 15 years, she has held various leadership roles with the YMCA , serving two terms as Chair of the Board of Directors and as a member of the Executive Committee for the past 8 years. Ms. Gleim has been listed in the South Florida Legal Guide as one of the “Top Up and Comers in South Florida”. Lorie is married to Dr. Steven Fuhr and they live with their two children in Palm Beach.

**Jack P. Hill, Esq.** played football at Yale University while earning his B.A. Degree in political science, earned all-Ivy and all-American academic honors, and served as a felony prosecutor in the Palm Beach County State Attorney’s office before joining Searcy Denney Scarola Barnhart & Shipley, PA. He received his law degree from the University of Florida College of Law, with honors. As a result of his score on the Florida Bar Examination, Mr. Hill delivered the response on behalf of newly admitted lawyers before the Fourth District Court of Appeals at his induction ceremony. A native of Palm Beach County, Mr. Hill handled dozens of jury trials as an Assistant State Attorney, prosecuting crimes ranging from DUI to violent felonies. As an SDSBS shareholder, Mr. Hill’s practice focuses on personal injury, product liability and medical malpractice. Mr. Hill has been named in the Best Lawyers in America publication and he has been recognized by both South Florida Legal Guide and Super Lawyers as a rising star in the field of personal injury. Mr. Hill is also a member of The National Trial Lawyers’ “Top 40 under 40” for Florida. Mr. Hill lives in Jupiter with his wife, Michelle, and their two children.

**Matthew Sackel** is a partner in the Litigation Department of Shutts & Bowen’s West Palm Beach office, where he counsels financial institutions, corporations and individuals in a variety of commercial disputes, ranging from real estate litigation and partnership disputes to guardianship proceedings. Additionally, Mr. Sackel handles complex Landlord/Tenant matters and frequently represents clients in general commercial litigation matters. He has extensive trial and appellate experience, and is AV Peer Review Rated. Mr. Sackel has been recognized by the Legal Aid Society of Palm Beach County, the Florida Supreme Court and the Florida Pro Bono Coordinators Association for his volunteer pro bono efforts. He also serves on the Regional Cabinet for Washington University and as Co-Chair of the Washington University Alumni and Parents Admissions Program for South Florida. Mr. Sackel is a Summa Cum Laude graduate of Washington University in St. Louis undergraduate School of Business and Washington University School of Law, where he was Executive Notes editor of the Global Studies Law Review. While in law school, Matthew volunteered at Legal Services of Eastern Missouri. Matthew and his wife Joanna, an attorney who is currently the Student Development Director at the University of Miami School of Law, live with their son in Boca Raton.

**Pamela Farthing Stern** has spent more than 25 years at major firms in the financial services industry. She attended Purdue University where she managed the grants for Applications of Remote Sensing, a NASA funded research center, and then, joined the staff of the NASA Goddard Institute of Space Studies in New York City. Ms. Stern began her financial career in NYC as one of the first women invited into The Equitable Life Assurance Society Management Program, and within one year was promoted to National Marketing Consultant servicing the Midwest. Ms. Stern subsequently secured a Vice President position with Brougher Insurance Group where she set up a Mexican subsidiary to market an international medical network. Living in Palm Beach County for the past 23 years, Pam has held senior management positions and is now a registered representative for Primerica. Ms. Stern has served on the Boards of Junior Achievement, 211 Palm Beach/Treasure Coast, the Rotary Club of Boca Raton, Zonta International, Women in International Trade, the Boca Raton Republican Club, and the Republican Executive Committee for Palm Beach County. She is currently on the Board of the Estahakee Chapter, Daughters of the American Revolution, Boca Raton. Pam is married to Palm Beach County Senior Judge Kenneth D. Stern. They reside in Delray Beach.
SAVE THESE DATES

Tuesday, November 5, 2013
Brooks Brothers Event at Town Center Mall

Wednesday, November 13, 2013
Brooks Brothers Event at Palm Beach Gardens Mall

Saturday, November 23, 2013
11th Annual Holiday Bookfest at Barnes & Noble in Palm Beach Gardens

Friday, February 21, 2014
Pankauski Pour Wine Tasting Event - Downtown West Palm Beach

Saturday, May 10, 2014
26th Annual Pro Bono Recognition Evening & Auction “SHAKEN, NOT STIRRED”
A Bond Affair

For more information about these events, please contact Harreen Bertisch at 561-822-9763 or Devin Krauss at 561-822-9791.

Special thank you to Raymond James for providing uniforms, shoes and school supplies for over 60 of Legal Aid’s youngest clients this year. They were thrilled to be so prepared for school! Thank you for your kindness and generosity. Raymond James really cares!