



Pro Bono Publico

“No democracy will survive if it rations justice.” - Judge Learned Hand

VOL. 24, No 2 May 2010

A Quarterly Publication of the Pro Bono Committee of the Savannah Bar Association and the Private Bar Project of the Savannah Office of Georgia Legal Services Program

Production Chief
Carol Elliott

Editor
William K. Broker

Private Bar Director
Wanda Andrews

WE’VE MOVED!

After 20 years at the corner of Whitaker and Bryan Streets, the Savannah Regional Office of Georgia Legal Services has relocated. The new offices are located at 6602 Abercorn Street, Suite 203 (31405). The phone number, 912-651-2180, and fax, 912-651-3300, remain the same.

The move came in response to the local office having to house more staff and volunteers than it has in its history. Changes downtown have also brought on the move. Parking was a major consideration with more and more clients complaining of the difficulty finding an affordable place to park. The area at Whitaker and Bryan had grown much busier and more difficult for those on foot. Many of the office’s clients are older and increased traffic and uneven sidewalks had become a problem. It also proved a difficult location for clients coming in from out of town.

Over the last several months, bus service has improved on Abercorn making the office there more accessible to everyone.

The staff is excited about the change. Clients and others with whom the office works have also expressed their enthusiasm. Should any of our readers find themselves in the neighborhood, please stop by. Be on the listen for news of an upcoming open house as well.



IN PERSONAM

Memorial Health University announces that **Ira P. Berman** has joined its Board of Directors.

The Stewart Center for Palliative Care, Inc. announces that **Christopher E. Klien** has been selected to serve as its vice-president.

Beth Hough has joined the staff at the Office of Disability Adjudication and Review as an Attorney Advisor.

The law firm of **Thomerson & Macchiaverna, P.C.** announces that **Francesca Macchiaverna** has become a partner in the firm. **John D. Northrup, III** has joined the firm as an associate.

Frank S. Macgill has been named managing partner of **HunterMaclean**.

The law firm of **Goodman, McGuffey, Lindsey & Johnson, LLP** announces that **Peter D. Muller** has been named managing partner of the firm's Savannah office.

The law firm of **HunterMaclean** announces that **Milton L. Petersen** has joined the firm as a partner.

Brent J. Savage, Jr., S. Wesley Gorman and **Karl C. Zipperer** have joined the law firm of **Savage, Turner, Pinson & Karsman**.

Jennifer M. Sammons has joined the **Eichholz Law Firm, P.C.** as an associate.

YOUNG LAWYERS DIVISION TO HOST GOLF TOURNAMENT

The Young Lawyers' Division of the Savannah Bar Association will host its annual Golf Tournament on Friday, June 4 at the Savannah Harbor Golf Club (1:30 p.m. shotgun start). Proceeds will benefit the Savannah Guardian Ad Litem program. Those wishing to participate may (1) field a 4-person team or (2) sponsor a hole entitling the sponsor to a tee box sign and inclusion of the firm's name on any tournament promotional materials.

Questions may be directed to Blake Greco at 236-3311 or bgreco@olivermaner.com.

YOUNG LAWYERS DIVISION HOSTS LAW DAY

The Young Lawyers Division (YLD) of the Savannah Bar Association held its annual Law Day Program in conjunction with the May Luncheon meeting of the Savannah Bar Association on May 13, 2010. Patrick Connell, President-Elect of the YLD, handled the meeting on behalf of the organization. During the meeting the following awards, were presented: Robbie Robinson Award, Colin McRae; Edward M. Hester Award, Sheila Small; John B. Miller Award, Wendy Williamson; and the Liberty Bell Award, Tom Kohler.

The speaker for the event was Aimee R. Maxwell, Director of the Georgia Innocence Project. Ms. Maxwell reported on the work of the organization which she founded and has led since 2002. To date, the project exonerated five men in the state of Georgia. Ms. Maxwell discussed the role of new scientific information in the context of traditional decision making in Georgia's judicial system.

SAVANNAH BAR ASSOCIATION HOLDS ANNUAL MEETING

The Savannah Bar Association held its annual meeting on May 13, 2010 at the DeSoto Hilton at 12:00 noon. The following individuals were elected to leadership roles: President, Bill Broker; President Elect, Greg Sapp; Treasurer, Roy Paul; and Secretary, Wendy Williamson.

UPCOMING BAR EVENT

June 10th: Annual Cocktail Reception, the Tel-fair Academy.

STATE BAR CAMPAIGN FOR GLSP COMES TO A CLOSE

Mirroring the difficult economic times, the State Bar Campaign for Georgia Legal Services fell under last year's total. The 2009 Bar Campaign garnered \$412,358.33. The prior year's campaign brought in approximately \$40,000.00 more. Like the statewide program, Savannah area contributions were down as well. Locally, 113 lawyers contributed a total of \$18,413.50. Last year's campaign brought in \$7,000.00 more dollars.

Despite the lower numbers, GLSP is happy so many lawyers continue to support the work of the program. All funds raised locally are utilized in the local office. A new campaign is about to get underway and it is hoped we can do much better.

“And Justice for All” 2009 State Bar Campaign for GLSP

\$1,000 +

Buchsbaum, Aaron L.
Cooper, Murphy A.
Weiner, Aron G.

\$500 +

Dunn, Jr., H. Mitchell
Long County Law Library
Zipperer, Alex L.

\$250 +

Cann, Samuel A.
Fields, Willie L.
Galín, Murray A.
Galloway, Robert B.
Galloway, Robert W.
Gray, Elise O.
Grile, Charles C.
Herring, II, Wade W.
Hodges, Inman G.
Jones, Billy N.
Lamar, Sarah H.
Lewis, III, J. Curtis
MLK, Jr. Observance Day
Norman, Elizabeth J.
Pablo, Suzanne R.
Panzitta, Leonard J.
Reynolds, Paula
Schaefer, Mark
Toraya, David R.

\$100 +

Broker, William K.
Cerbone, Adam P
Chisholm, Dolly
Cook, Charles W.
Cox, Susan W.

Daly, Brian L
Dickinson, Jennifer J.
Edenfield, Gerald M.
Falligant, J. Daniel
Formey, Roxanne E.
Gay, Evelyn D.
Giorgio, III, Douglas J.
Harris, Richard Jr.
Harris, Stephen H.
Hodges, Alice F.
Horne, Leslie B.
Kennebrew, Delora L.
Mackenzie, III, Malcolm
Madera, Carmen
McCallar, Jr., C. James
McIlrath, Sarah E.
McNamara, Thomas J.
Merrill, Charles B.
Moore, Anne R.
O'Connor, Patrick T.
O'Dell, Jr., Harris
Painter, Jr., Paul W.
Parks, Mary B.
Pirkle, Joelyn W.
Pirkle, John E.
Rackett, III, R. Nathaniel
Randolph, Tyler L.
Roberts, Timothy D.
Simpson, John E.
Smith, Wilson R.
Snipes, Daniel B.
Sparger, Steven L.
Talleur, Karla W.
Tapley, Jr., D. Duston
Tuner, Robert B.

Other Contributions

Comtek, Jennifer R.C.
Colson, Christopher D.
Cornish, Florence B.
Darden, Richard M.
Elmore, Ann M.
Fitzgerald, Stanley K.
Friedman, Stanley H.
Garcia, Monica L.
Harrell, William D.
Harris, Aimee T.
Herman, Charles S.
Hodgin, Scott A.
King, Tara C.
Lee, II, Ernest W.
Madison, Lawrence E.
Marks, Melanie L.
Martin, Janna
Morgan, Henry S.
Mullings, Michael T.
Murray, Jerold L.
Newman, Joseph D.
Painter, III, Paul W.
Paul, Roy E.
Pedigo, Jr., Carl S.
Persad-Moeller, Shanti T.
Pool, Vanderver R.
Powell, Janice
Sapp, Gregory V.
Schunemann, Alice
Seiler, Frank W.
Singleton, Laura M.
Smith, George R.
Sprague, Lauren D
Thomas, Laurie M.
Traver, Warren L.
Waring, Gwendolyn S.F.

SPANISH-SPEAKING ATTORNEY JOINS GLSP

Ms. Andrea Guttin is an attorney from Houston, Texas. She holds a J.D. from the University of Texas School of Law and an M.A. in Latin American Studies from the University of Texas at Austin, Teresa Institute of Latin American Studies. As the child of Mexican immigrants, Ms. Guttin is fluent in Spanish and committed to working toward equal justice for immigrants. She has worked with the immigrant community in Austin, Texas for the last five years, focusing on immigration issues. She is excited to join GLSP and increase access to justice for Latinos in Savannah and surrounding counties.

Under a new grant from the Goizueta Foundation, Ms. Guttin will be providing free legal services to low-income Spanish speakers, focusing on issues such as health care, employment, public benefits, education, and consumer issues. She will also be engaging in community outreach and education, toward the goal of increasing Latino access to justice. If you are interested in working with Spanish-speaking clients on civil or immigration issues, please contact our Pro Bono coordinator, Carol Elliott at 651-2180 or celliott.savannah@glsp.org.



Andrea Guttin

FEDERAL FUNDING DEVELOPMENTS FOR LEGAL SERVICES

On February 1, 2010, President Obama released his federal budget for Fiscal Year 2011, which includes a proposed total funding level of \$435 million for the Legal Services Corporation, the primary funder of legal services programs in Georgia. The recommendation is \$15 million more than LSC's current funding level, but the same amount the Administration included in its FY 2010 budget for LSC. This flat funding recommendation follows the Administration's announcement that it plans to freeze non-security related, discretionary spending for the next three fiscal years. LSC submitted its own budget request to Congress on January 29th, requesting \$516.5 million in total funding. In its request for increased funding, LSC cites the severe drop in IOLTA and other non-federal funding for legal services and the growing number of requests for representation by low-income Americans.

The President's FY 2011 budget also calls on Congress to repeal two of the legal Services funding restrictions that have been attached to the Corporation's funding in every appropriation cycle since 1996: These restriction are federal control to LSC grantees' state, local, private, and other funds, and the restriction prohibiting LSC grantees from participating in class action lawsuits.

ATTORNEY POSITION AVAILABLE

Morris, Manning & Martin's burgeoning Employment Practice has an immediate opening for a full-time Associate in either their Atlanta or Savannah office. The ideal candidate will possess top academic credentials (top 10% of class from a first tier law school), strong legal research, writing and analytical skills and one to four years of experience related to employment law. Large law firm experience strongly preferred. Must be a member of the Georgia Bar. Offering a very competitive benefits package and great opportunity for professional growth.

Please send resume, law school transcript and a writing sample to:

Renee L'Eplattenier, Esq.
1600 Atlanta Financial Center
3343 Peachtree Road
Atlanta, Georgia 30326

COMMENTS FROM CLIENT

“Ms. Andrews was very understanding and I felt comfortable talking with her about my situation. She was a great help to me. She really made it easy for me to open up and tell the whole truth. It has changed me and my kids’ life. Now we can smile again and I am happy. We are starting to heal from years of heartache. Without this help, we would still be in a bad situation. May God bless.”
GR

LEGAL SERVICES TO LIFT ATTORNEYS FEES RESTRICTIONS

The Legal Services Corporation (LSC) announces: “LSC’s Board of Directors took action at its January 30th meeting in Washington, D.C. to repeal the Corporation’s regulation prohibiting LSC grantees from claiming, collecting and retaining attorneys’ fees. The Board asked LSC staff to draft and issue an interim final rule that would eliminate the regulation while maintaining its sections dealing with accounting for and use of fees, and acceptance of reimbursement of costs from clients. The interim final rule would become effective 30 days after publication in the Federal Register. LSC will soon issue interim guidance to grantees regarding its enforcement policy pending the effective date of the interim final rule.”

The new rule is being issued to bring LSC’s internal regulations into line with the FY 2010 appropriations legislation, enacted on December 16, 2009, which repealed the 14-year-old restriction barring LSC grantees from seeking court awarded attorneys’ fees. LSC’s interim final rule will permit LSC programs to claim, collect and retain attorneys’ fees retroactively, on work done prior to December 16, 2009, for which fees are still available, and for all actions taken on or after December 16th, as permitted by applicable state or federal law.

THANKS FOR YOUR HELP

The following individuals, firms and organizations have helped the Savannah Office of Georgia Legal Services during the past quarter with contributions of cash, goods or services:

Sacred Heart Catholic Church (Savannah) for its continued monthly giving program in support of the work of GLSP.

The Savannah Community Foundation for an Immediate Needs grant in the amount of \$600 to pay for bus tokens for homeless and other clients in getting to and from the new GLSP offices at 6602 Abercorn.

Georgia Legal Services is a private, nonprofit organization and recognized as tax exempt. Contributions are tax-deductible. The Program is willing to accept contributions of money, furniture, office supplies and other items needed for the operation of a law office. If you would like to make a contribution, please contact Ms. Carmen Madera, Office Manager.

PRO BONO ATTORNEYS NEEDED

The Savannah Regional Office of Georgia Legal services Program is in need of Pro Bono Attorneys to handle Wills and other Probate matters. If you would like to be a part of the Pro Bono Project of The Savannah Regional office of Georgia Legal Services Program, please print and complete the attached Volunteer Pledge form on page 8 and return to Carol Elliott, Pro Bono Coordinator, Georgia Legal Services, 6602 Abercorn Street, Suite 203, Savannah, Georgia 31405.

NEW REGULATIONS PROPOSED TO PROTECT FEDERAL BENEFITS FROM GARNISHMENT

A proposal is under consideration that would require banks to automatically protect up to two months of federal retirement benefits from garnishment. Comments are being sought on a Notice of Proposed Rule Making relating to the way banks and other financial institutions process notices of garnishment on accounts that contain federal retirement income.

Currently federal law exempts from garnishment retirement income from the Social Security Administration, Veterans Administration, Railroad Retirement Board and Federal Pensions (with specific exceptions for some debts). The garnishment system in most states allows a creditor to send a court order for garnishment to a financial institution, at which point the bank freezes the account up to the amount of the garnishment and notifies the account holder. The account holder has to object, asserting any exemptions within a designated time period to obtain a release of the garnishment. For many low-income clients, seizure of a bank account by garnishment can wreak havoc for the account holder. Releasing the garnishment frequently requires the assistance of attorneys and can take several days, during which time many consumers are left penniless.

The proposed rule would require banks to verify if exempt income has been deposited into the account during the 60 days prior to receiving the notice of garnishment. If so, the account contents up to the amount of the exempt income would be exempt from attachment.

Comments are being welcomed until June 18, 2010, at <http://edocket.access.gpo.gov/2010/pdf/2010-8899.pdf>.

EVICCTIONS DEVASTATE BLACK WOMEN

The New York Times (February 19, 2010) reports: In Milwaukee "and in swaths of many cities, evictions from rental properties are so common that they are part of the texture of life. New research is showing that eviction is a particular burden on low-income black women, often single mothers, who have an easier time renting apartments than their male counterparts, but are vulnerable to losing them because their wages or public benefits have not kept up with the cost of housing.

Evictions, in turn, can easily throw families into cascades of turmoil and debt. 'Just as incarceration has become typical in the lives of poor black men, eviction has become typical in the lives of poor black women,' said Matthew Desmond, a sociologist at the University of Wisconsin whose research on trends in Milwaukee since 2002 provides a rare portrait of gender patterns in inner-city rentals. . . . Women from largely black neighborhoods in Milwaukee constitute 13 percent of the city's population, but 40 percent of those evicted. Housing lawyers in Los Angeles and New York described a similar predominance of minority women, including Hispanic women, in eviction cases. . . . Even for working mothers, evictions and the ensuing damage to social ties, schooling and credit ratings can be an ever-hovering threat. . . . The disparate effect on minority women has a host of causes, according to landlords, housing lawyers and Mr. Desmond's research . . . Irresponsible or destructive tenant behavior is sometimes a factor. . . . But there is also evidence that women more readily complain to city agencies about repairs, potentially angering landlords who then find excuses to evict them.

Police reports of domestic violence can backfire on women, leading some landlords to seek evictions out of fear that they will be fined for tolerating disturbances. Sometimes the causes of evictions are hotly disputed. . . . Still, at the root of most evictions is money, which can evaporate with an illness, a job loss or other crisis."

HONOR ROLL

The following attorneys have accepted Pro Bono cases since the last newsletter:

*Karen Barr
Langston Bass
Tom Bateski
Nicole Bergeron
Vincent Bick
Angel Blair
Craig Bonnell
Dana Braun
William Claiborne
Michael Classens
Kara Clements
Brian Daly
Katie Davis
Jennifer Easley
Celia Ervin
Joseph Gannam
Thomas Hudson
Charles Loncon
Jonathan Maire
Quentin Marlin
Delano Maurice
Kelly Miller
Tracey O'Connell
Dean Phillips
Francesca Rehal
Kran Riddle
Mark Shaffer
Cynthia Sheffield*

Thank You

COURT FEE INCREASES

On May 12th, Governor Perdue signed House Bill 1055, as adopted by the House and Senate, into law. Although the bill is effective immediately there will be varying delays in different counties as the courts implement the new fee structure.

The Chatham County Superior, State and Magistrate Courts will begin collecting under the new fee schedule effective June 1, 2010. A sampling of court fee increases include:

- An additional fee of \$125 will be assessed per civil case filing in Superior and State Courts (bringing our Chatham County Superior and State Court filing fees to \$207.50, not including service or fi.fa.).
- The fee to file a civil matter in Magistrate Court will be raised to \$22 per case from \$20 per case (bringing the Chatham County Magistrate Court filing fee to \$99.00 for statement of claim, including service and \$74.00 for a dispossessory, including service).
- The fee to prepare a record and transcript to the Supreme Court and Court of Appeals will be increased to \$10 per page from \$1.50 per page.
- The fee for a sheriff to serve copy of process and return the original in civil cases will be raised to \$50 per copy from \$25 per copy.
- In Probate Court, a petition or motion for attorneys' fees will be raised to \$70 from \$50.
- Uncertified copies of documents in Superior Court raised to \$0.50 per page from \$0.25 per page.

**GEORGIA LEGAL SERVICES PROGRAM®
PRO BONO PROJECT
VOLUNTEER PLEDGE FORM**

6602 Abercorn Street, Suite 203, Savannah, Ga 31405 Phone (912) 651-2180 Fax (912) 651-3300

Name: _____ Bar Number _____

Physical Address

_____ Zip: _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email Address: _____

Number of cases I will accept per year: _____

Please indicate the counties in which you practice and will accept Pro Bono cases:

Bryan Bulloch Candler Chatham Effingham Emanuel

Evans Liberty Long Tattnall Toombs

I am willing to provide my services and accept cases in the following categories of law:

- | | | |
|--|---|--|
| <input type="checkbox"/> Adoption | <input type="checkbox"/> Employment/Unemployment | <input type="checkbox"/> Probate |
| <input type="checkbox"/> Advanced Directives | <input type="checkbox"/> Family Law | <input type="checkbox"/> Real Estate |
| <input type="checkbox"/> Bankruptcy | <input type="checkbox"/> Temporary Protective Order | <input type="checkbox"/> Social Security |
| <input type="checkbox"/> Civil Advocacy | <input type="checkbox"/> Foreclosure | <input type="checkbox"/> Tax |
| <input type="checkbox"/> Civil Rights | <input type="checkbox"/> Guardianship (Adult) | <input type="checkbox"/> Tax 501 c3 Nonprofits |
| <input type="checkbox"/> Collection Defense | <input type="checkbox"/> Guardianship (Children) | <input type="checkbox"/> Tort Defense |
| <input type="checkbox"/> Consumer Issues | <input type="checkbox"/> Immigration | <input type="checkbox"/> Wills |
| <input type="checkbox"/> Divorce | <input type="checkbox"/> Landlord/Tenant Matters | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Elderly | <input type="checkbox"/> Personal Injury (Defense) | |

Special Pro Bono Opportunities:

I am willing to share my expertise with others by conducting an informational CLINIC or COMMUNITY EDUCATION SESSION for eligible clients in the following areas of law:

Do you speak any foreign languages? If so, please list: _____

Attorney Signature

Date