

Housing And Healthcare: National Issues Resonate Locally

Legal Aid is taking vigorous action, on many fronts, to help our clients avoid foreclosure and obtain critical healthcare.

FORECLOSURE MORATORIUM

Every day families are calling Legal Aid for assistance with staving off foreclosure. Legal Aid is supporting a proposal to halt most pending foreclosures so that homeowners can work out loan modifications and repayment plans that will allow them to keep their homes. Pending federal legislation may offer homeowners new opportunities to negotiate modified loans. If many foreclosures can be avoided under upcoming legislation, why not put a moratorium on foreclosures during this interim period?

A moratorium will give homeowners an opportunity to obtain financial counseling, help financial institutions avoid costly foreclosures, and result in fewer vacant properties in already struggling neighborhoods.

For these reasons, Legal Aid Society of Southwest Ohio, LLC, attorneys are working with other housing advocates to obtain a six-month moratorium on foreclosures. Cincinnati City Council and the Hamilton County Commission have passed resolutions asking the Ohio State Legislature to enact foreclosure moratorium legislation.

In the meantime, Legal Aid has set an ambitious goal of helping 1,000 homeowners in 2009 avoid foreclosure by providing clients the benefits of the National Foreclosure Mitigation Counseling Program (administered by NeighborWorks America and its local partner, the Homeownership Center of Greater Cincinnati).

This program is targeted towards homeowners at-risk for foreclosure. Legal Aid will review homeowners' legal documents (mortgage papers, home appraisals, financial statements) and provide advice on how the homeowner might best approach the lender, as they work with housing

counselors to renegotiate their loans.

The Foreclosure Counseling Mitigation Program will reach the public through two, all-day phonathons on WCET and WCPO.

ACCESS TO HEALTHCARE

As Medicaid rules and enrollment procedures change, many adults and children, who may qualify for Medicaid and not realize it, delay critical care.

Legal Aid, in partnership with other agencies, leads a large variety of activities in our region that fall under the umbrella of the national Cover the Uninsured Week. This year, the enrollment blitz is

scheduled for March 22 to 28. Trained volunteers will be at Kroger stores throughout the region. United Way's 211 information line will direct callers to the information they need to sign up for health benefits. And, the Freestore's enrollment team will follow up with applicants who need individual assistance.

During the 2008 Cover the Uninsured Week, 672 individuals were screened for their eligibility for benefit programs, with 238 people obtaining Medicaid or SCHIP coverage and 25 families qualifying for food stamps. Legal Aid anticipates increased participation this March.

David Crowley, Cincinnati City Council Member, and David Pepper, Hamilton County Commissioner, speak on behalf of Foreclosure Moratorium



Legal Aid now accepts on-line contributions to our Annual Fund. Please go to www.lascinti.org and click on donate. Thank you so much for taking the time to give to Legal Aid.

Brief Briefings - Recent News From Legal Aid

Lawsuit Stops Bogus “Legal Aid”

When Mrs. Kendall told a staff member at one of Legal Aid’s partnership agencies how she was evicted from her home and lost her Section 8 Voucher after being turned down for assistance from “legal aid” because “legal aid” did not assist renters with housing problems, the staff member called Legal Aid Attorney, Nick DiNardo. Thus, began Legal Aid’s investigation into bogus legal aids and their negative impact on vulnerable clients.

Research revealed that “Legal Aid Alternatives” was listed in the phone book ahead of the Legal Aid Society, and appeared first after a Google search with key words – legal aid Cincinnati. This bogus “legal aid” was charging fees for useless documents and confusing people who thought they had reached the Legal Aid Society.

The Legal Aid Society, with Louis F. Gilligan and Patricia B. Hogan of Keating Muething & Klekamp providing *pro bono* legal services, filed a lawsuit and won a preliminary, and then final injunction against “Legal Aid Alternatives.”

The lawsuit filed in US District Court accused Legal Aid Alternatives of trademark infringement and false advertising. As a result of the successful lawsuit, Legal Aid Alternatives must refrain from using “legal aid” or any combination of words that include “legal aid” and must refrain from holding themselves out as being affiliated with the Legal Aid Society. In addition, five individuals, who had paid fees to Legal Aid Alternatives or had received information that resulted in them not contacting the Legal Aid Society, received cash settlements. Legal Aid helped Mrs. Kendall get her Section 8 Voucher reinstated.

The Legal Aid Society believes that this aggressive action, taken on behalf of unsuspecting low-income people in need of free legal services, will discourage other parties from setting up similar phony “legal aids.” Legal Aid thanks KMK for their assistance with this lawsuit.

- With Legal Aid’s leadership and in partnership with other agencies including the YWCA, the *Alliance for Immigrant Women* held a news conference shedding light on the increasing number of immigrant women in this region who are victims of domestic violence and other crimes. The Alliance provides coordinated services for these women and their children.
- Legal Aid, in partnership with Cincinnati Public Schools and other agencies, launched *Kids in School Rule!* – a program targeted at improving school success for children in foster care by emphasizing stable school placement and access to special education services.
- In partnership with United Way, Legal Aid provides administrative support to help low-income working people file for Earned Income Tax Credits (EITC). In 2008, EITC programs in southwest Ohio generated over \$7 Million in tax refunds for 6,126 working families; the 2009 program is now underway.
- A Legal Aid client recently testified before the US Senate Subcommittee on Healthcare on the difficulty of obtaining critical healthcare for her son with Down’s Syndrome, and thus, the necessity of expanding Medicaid coverage to families such as hers who are marginally above the current eligibility income levels.
- Legal Aid sponsored informational seminars for veterans living in Brown, Highland and Clermont counties on the availability of veteran’s benefits and other assistance programs.
- Legal Aid helped the Kaiser Family Foundation conduct research-gathering interviews at Children’s Hospital with local families who have lost health insurance coverage due to job loss; the information learned is impacting the national Foundation’s grant making activities.
- Legal Aid is a primary convener of the Hamilton County Homeowner Preservation Group. In 2008 over 700 families facing foreclosure retained their homes due to the legal services and housing counseling provided by Legal Aid and other Homeowner Preservation Group partners.
- Thirty-two Cincinnati Public School nurses attended training sponsored by Legal Aid to help them spot children who might benefit from available public programs such as SCHIP and Medicaid health insurance coverage.

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Legal Aid Launches Medical-Legal Partnership with Cincinnati Children's Hospital Medical Center

Legal Aid opened the door of its office at Cincinnati Children's Hospital Medical Center this past summer launching *Child HeLP*, an innovative medical-legal partnership. Based on a successful national model, *Child HeLP* promotes children's health and well-being by resolving legal problems that are barriers to improved health and family stability.

Through a newly developed curriculum, Pediatric Primary Care physicians at Children's Hospital have been trained to screen patients for problems such as poor housing conditions, food insecurity, or family violence, which can be improved through legal advice and representation. Legal Aid staff members are on-site so doctors, once they identify

patient or family problems, are able to make immediate referrals to Legal Aid.

Patients and their families have sought the services of *Child HeLP* at a rate much greater than either Legal Aid or the Hospital anticipated. Thus, Legal Aid is pleased to announce that it has been awarded an Equal Justice Works Fellowship for a law school graduate who will join the *Child HeLP* staff.

The Fellowship will commence just as *Child HeLP* enters its second year of operation this fall. The Fellowship will increase attorney time dedicated to *Child HeLP* cases, making it possible for Legal Aid and Children's Hospital to meet the inter-related legal and health needs of the children and their families.



Child HeLP Team, from left, Attorney Donita Parrish, Dr. Robert Kahn, Dr. Melissa Klein, Equal Justice Works Fellow Virginia Tallent, Attorney Elaine Fink and Paralegal Deanna White

This spring, Dr. Robert Kahn, Associate Professor of Pediatrics at Children's Hospital will deliver the keynote address at the national conference, "Medical-Legal Partnership: Transforming Healthcare Through Preventive Law." Legal Aid and Children's Hospital are honored by this opportunity to present the Child HeLP program to the nationwide network of medical and legal professionals.

Legal Aid Helps *Failure to Thrive* Child

Joyce Elders, a working mom, brought her two-year old, Christopher, into the Pediatric Primary Care Clinic of Children's Hospital because he was significantly underweight. Joyce, a waitress, was receiving no child support and her attempts to navigate the bureaucracy of government assistance including food stamps had been unsuccessful. After her doctor diagnosed Christopher with a nutritional problem known as failure to thrive, the doctor referred Joyce and Christopher to *Child HeLP*.

Deanna White, Legal Aid's paralegal health advocate, was able to get Joyce's food stamp case reopened so that her eligibility for food stamps could be reconsidered. Because Joyce was employed, the eligibility process was an up hill battle. Deanna persisted, and once all the documentation required by Job and Family Services was compiled and reviewed, Joyce qualified for \$136 a month in food stamps. [Now Joyce has the additional income she needs to improve Christopher's diet. The young child's development will be monitored by his doctor at Children's Hospital.](#)

Legal Action Helps Family Achieve Safety

A young mother, Cicely Jamison, pregnant with her second child, came into the Pediatric Primary Care Clinic with her son Eddie. Eddie was well-cared for and in good health, but his mother reported that she was a victim of repeated domestic violence. She feared for her own life and for the safety of her son. Because Eddie's father and grandmother had filed for custody, the doctor immediately referred Ms. Jamison to *Child HeLP*.

Donita Parrish, a Legal Aid Family Law attorney, represented Ms. Jamison in Hamilton County Domestic Relations Court and obtained a civil protection order requiring the father to have no contact with her for five years. Ms. Parrish also represented Ms. Jamison in Hamilton County Juvenile Court to prevent the abusive father from getting custody of Eddie. On the day of the trial, Eddie's father and grandmother withdrew their request for custody. [Ms. Jamison continues to bring her children to the Clinic so the family's health and safety are monitored.](#)

Legal Aid Society of Greater Cincinnati/Legal Aid Society of Southwest Ohio, LLC (LAS)
 Volunteer Lawyers Project (VLP)

REQUESTS FOR INDIVIDUAL CASE SERVICES · JANUARY - DECEMBER 2008

COUNTY	REQUESTS FOR SERVICE	SENT WRITTEN MATERIALS	MADE EXTERNAL REFERRAL	LAS CASE OPEN	VLP CASE OPEN	PENDING CASES LAS & VLP
BROWN	441	51	197	69	13	162
BUTLER	4,502	339	1,734	1,086	253	1,296
CLERMONT	2,018	195	968	264	164	365
CLINTON	524	61	213	89	13	63
HAMILTON	18,290	1,896	8,476	3,256	1,144	2,381
HIGHLAND	512	71	209	79	19	47
WARREN	1,243	98	549	225	55	161
UNSPECIFIED	3,162	32	1,784	53	10	60
TOTAL	30,692	2,743	14,130	5,121	1,671	4,535

To reach the Legal Aid Society offices and the Volunteer Lawyers Project, call (513) 241-9400 or (800) 582-2682.