

# Well-Placed Plaintiff Leads to \$1 Million Gift for Richmond Legal Charity

by Dawn Chase

The Richmond-based Community Tax Law Project is one million dollars richer because an alumna kvetched to the right people, and a purse opened.

At the beginning of 2006, the nonprofit program was in its fourteenth year. With a budget of under two hundred thousand dollars, its executive director, full-time staff attorney, part-time assistant, dedicated board members and volunteer attorneys continued their struggle to explain the project's mission to would-be donors.

What does the project do? It helps low-income people who have federal and state tax problems.

Why would low-income people have tax problems?

More than 64 percent of taxpayers earning twenty-five thousand dollars or less were audited by the Internal Revenue Service in 2002.

Elaine Javonovich, the project's executive director, described the type of problems the project's clients encounter:

There was, for example, the migrant worker who agreed to let his employer deposit the crew payroll into his personal account. He then withdrew the money to pay his coworkers. Guess who was subjected to tax repercussions he in no way could afford?

There was the father who was owed twelve thousand dollars in tax refunds for three years. The IRS wouldn't release the money because it did not believe he had custody of his children, who lived with him. He and his family were faced with eviction.

There was the woman whose ex-husband was in prison. Because the IRS was

unaware of her divorce, it assessed her for ten thousand dollars she didn't owe. She didn't have the communication skills to advocate for herself.

These are people with low-paying jobs—construction workers, cashiers, field hands—who don't have the luxury of closing office doors and spending afternoons battling the bureaucracy. From January to June this year, the project took up 166 representations with stories like these, and helped 147 other taxpayers with private consultations or outreach sessions.

Dilemmas faced by poor taxpayers led Nina E. Olson, an accountant, to obtain a law degree and begin trying to meet the need. She opened the Community Tax Law Project in Richmond in 1992. The stories led her to testify before Congress, which responded by authorizing funds that seeded the formation of similar clinics throughout the nation. The stories led her to leave Richmond for Washington, to become the National Taxpayer Advocate.

While Olson was still at the Richmond project, she mentored a young lawyer, Anita Soucy. Soucy eventually left the nonprofit for law firm work in Washington, D.C. Now she works for the U.S. Treasury Department.

"Anita is the kind of person that, when something is bothering her, she'll just talk and talk about it—and people will listen to her," Javonovich said.

In Washington, Soucy told the story of the little agency, the people it was trying to help and the difficulty describing why it was needed.

Word of the project's dilemma reached the ears of people in a position to help.

A donor who wishes to remain anonymous pledged one million dollars, to be paid over two years. Part of the money is to support the Community Tax Law Project's programs. The other part is to provide grants to other low-income taxpayer clinics, which now number more than 150 nationally.



Anita Soucy

The Community Tax Law Project received confirmation of the donation around tax time this year. Since then, the agency hired a part-time case coordinator and is in the process of hiring a part-time staff attorney, Javonovich said.

The project is setting up a process for soliciting and awarding grant requests from the other low-income taxpayer clinics. Part of the money will be used to rejuvenate the Richmond program's role as the National Resource Center, a clearinghouse of information for other clinics. And the Richmond project will use its part of the money to establish an endowment "so that the future of our program and the positive impact it has on the lives of Virginia's low-income families will be secure for years to come," Javonovich wrote in a May 30 letter to project supporters.

Javonovich said she has learned a lesson that she passes on to other nonprofits: "Never underestimate the power of a passionate persuader."

# Matrimonial Lawyers Embark on New Pro Bono Program with Northern Virginia Legal Aid Program

Virginia fellows of the American Academy of Matrimonial Lawyers are providing pro bono services in complex family law matters to the Family Legal Assistance Project in Northern Virginia, through a new Pro Bono Partnership program.

Through the program, each volunteer attorney agrees to accept at least one case per year and provide full representation in matters such as divorce, child support, spousal support and adoption.

The clients are referred by the Family Legal Assistance Project, which screens them for financial need and what level of representation they will require. Eligible cases include those that cannot be accepted by local legal aid providers due to conflicts, case priorities and insufficient staffing. The Family Legal Assistance Project is a program of the Fairfax Bar Association and Fairfax Law Foundation.

The Northern Virginia partnership is the first of what leaders of the Virginia AAML hopes will be a statewide opportunity for

its fellows to help meet the growing need for family law representations for the poor.

Dennis M. Hottell, an AAML fellow from Fairfax, suggested the idea, and worked out the details in Northern Virginia with his partner, Christopher F. Malinowski, and Arlene Beckerman of the Family Legal Assistance Project. Carol Schrier-Polak, President of the AAML Virginia Chapter, steered the proposal through the organization's approval process.

"Family law is the greatest area of need for pro bono assistance throughout the United States," according to a press release from the Pro Bono Partnership. "Indigent and low-income clients frequently have nowhere to turn to obtain access to justice for the most basic and important matters in their lives.

"Many are forced to go to court without legal advice or representation, without an education or even knowledge of the language, and struggle to present issues involving their family, marriage, abuse and children."

Fellowship in the AAML recognizes achievement in family law and a commitment to the highest standards of practice. There are forty-four Virginia fellows and sixteen hundred nationwide.

So far, cases have been taken by four fellows or members of their firms: Brian M. Hirsch of Craig & Hirsch PC in Reston; J. Patrick McConnell of Odin Feldman & Pittleman PC in Fairfax; Dennis M. Hottell of Hottell Malinowski Group PC in Fairfax; and Carol J. Schrier-Polak of Bean Kinney & Korman PC in Arlington.

Other attorneys who are not members of the AAML also have taken cases through the partnership. They are David L. Ginsberg of Shoun Back & Walinsky PC in Fairfax, Mary E. White of Surovell Markle Isaacs & Levy PLC in Fairfax and Luis A. Perez of Luis A. Perez-Pietri in Falls Church.

## Pro Bono Attorneys Honored



Legal Services of Northern Virginia gathered June 13 to honor its pro bono attorneys with a reception and awards. (1) Fairfax Circuit Judge Michael P. McWeeny introduced the guest speaker. (2) Virginia Supreme Court Justice Barbara Milano Keenan (left), the guest speaker, poses with Nora Raum, a National Public Radio newscaster and an Arlington attorney. Raum received an award for her volunteer legal work. (3) Lawyers from Troutman Sanders LLP were recognized for pro bono commitment. (L-R) Richard E. Hagerty, Richard M. Pollak, Elizabeth A. Billingsley, Justice Keenan, Mary C. Zinsner and Stephen A. Northup.



## Ferguson is LSNV Director

James A. Ferguson of Falls Church is the new executive director of Legal Services of Northern Virginia Inc. LSNV assists clients in Arlington, Fairfax, Loudoun and Prince William counties and the cities of Alexandria, Fairfax, Falls Church, Manassas and Manassas Park.



Ferguson received his undergraduate degree from the University of Virginia and his law degree from the University of Notre Dame. He previously directed the National Crime Victim Bar Association, a network of attorneys who represent victims in civil actions.

Ferguson succeeds Charles K. Greenfield, who is now executive director for the Legal Aid Society of Hawaii.



# CALL FOR NOMINATIONS



## 2007 Oliver White Hill Law Student Pro Bono Award

The Oliver White Hill Law Student Pro Bono Award was inaugurated by the Virginia State Bar in February 2002. Established to honor extraordinary law student achievement in the areas of pro bono publico and under-compensated public service work in Virginia, the Hill Law Student Award is administered by the bar's Special Committee on Access to Legal Services.

Presentation of the award is reserved for extraordinary achievements of outstanding students. The Access Committee will annually review nominations to determine if there should be a designee. The committee presented the initial law student award at the 2002 Pro Bono Conference during the Lewis F. Powell, Jr., Pro Bono Award Ceremony.

**The deadline for receipt of nominations by the bar is 5:00 P.M., Friday, January 19, 2007.** The Access Committee invites submissions from law school deans, law school professors and others, including non-bar members and organizations, who are sufficiently familiar with candidates whose work meets or exceeds the criteria found at [www.vsb.org/site/members/awards-and-contests](http://www.vsb.org/site/members/awards-and-contests).

There is no nomination form to complete. Please forward narratives and references, identifying the candidate and the candidate's law school, and explain how the nominee meets award criteria. **All entries, including endorsements and other supporting material, are due by 5 P.M., Friday, January 19, 2007.** Electronic submissions may be e-mailed to the Virginia State Bar Special Committee on Access to Legal Services, c/o Maureen Petrini at [petrini@vsb.org](mailto:petrini@vsb.org) or faxed to Mrs. Petrini at (804) 775-0582. Mailed submissions must be received by the deadline at the bar's main address, 707 East Main Street, Suite 1500, Richmond, Virginia 23219-2800. Please inquire by telephone, (804) 775-0522, if you have not received acknowledgment of receipt of a nomination within five days.

# CALL FOR NOMINATIONS

## 2007 LEWIS F. POWELL, JR., PRO BONO AWARD

The Lewis F. Powell, Jr., Pro Bono Award was established by the Special Committee on Access to Legal Services of the Virginia State Bar to honor those attorneys and attorney groups that have made outstanding pro bono contributions. The Access Committee annually reviews all nominations and decides upon the recipient. **All entries, including endorsements and other supporting material, are due by 5 P.M., Friday, January 19, 2007.** The award, a framed, limited edition print of the painting "Patrick Henry Arguing the Parson's Cause," will be presented at a ceremony during the seventeenth Annual Pro Bono Conference in the Spring of 2007.

### CRITERIA

The recipient of the award must meet one or more of the following criteria:

- ◆ Demonstrated dedication to the development and delivery of pro bono legal services in the Commonwealth of Virginia;
- ◆ Contributed significantly toward the development of innovative approaches to the delivery of volunteer legal services;
- ◆ Participated in an activity that resulted in satisfying previously unmet needs for legal services or in extending services to underserved segments of the population;
- ◆ Successfully handled pro bono cases that favorably affected the provision of other services to the poor in Virginia;
- ◆ Successfully supported legislation that contributed substantially to providing legal services to the poor; or
- ◆ Devoted significant time to furthering the delivery of legal services to the poor in Virginia by handling pro bono matters or providing training or recruiting volunteer attorneys for pro bono programs.

**The nominee must be a member of the Virginia State Bar or an organization or group comprised of such persons.** Persons whose livelihood is derived from delivering legal services to the poor are not eligible. Please submit your nomination, describing how the nominee meets the above criteria, in writing to the Virginia State Bar Access to Legal Services Committee, c/o Maureen Petrini, 707 East Main Street, Suite 1500, Richmond, Virginia 23219 by **Friday, January 19, 2007.** (There is no official entry form to complete.) Please be sure to include your name, the name and address of the nominee and phone numbers with your nomination. For more information, please contact **Maureen Petrini, Access to Legal Services Director**, (804) 775-0522. For past recipients see [www.vsb.org/site/members/awards-and-contests](http://www.vsb.org/site/members/awards-and-contests).