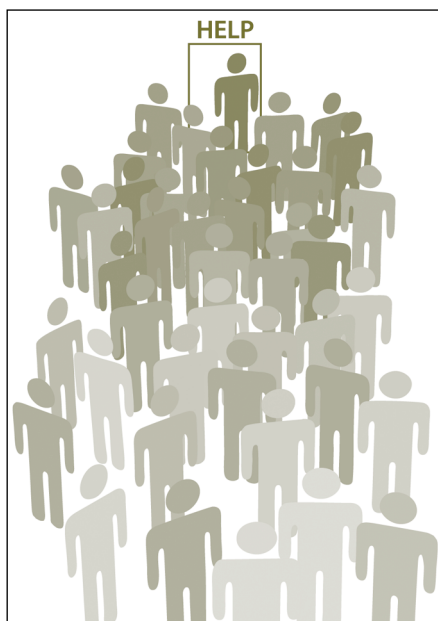


Summer 2011



Points of Interest

POINTS OF INTEREST is the newsletter of the Tennessee Bar Foundation and IOLTA program (Interest On Lawyers' Trust Accounts)



Editor's note: Community Legal Center is a non-profit agency that provides legal assistance to people of limited means in Shelby County and educates them as to their rights and responsibilities under the law. The small staff of CLC coordinates the services of a cadre of Memphis lawyers who provide pro bono assistance. The majority of the case work is in the areas of family, landlord-tenant, estate and elder law. The Immigrant Justice Program began in 2006, in collaboration with the Cecil C. Humphreys School of Law at the University of Memphis and the Immigration Section of the Memphis Bar Association. Since 1994, CLC has received \$332,000 in IOLTA grant awards to operate all facets of its work.

The Trenches of Globalization — in midtown Memphis

By Tatine Darker, adapted from *Memphis Lawyer*, the magazine of the Memphis Bar Association

On the first and third Tuesday of every month, a few lawyers and volunteers work in the trenches of globalization at a midtown Memphis church. People from all over the world come to participate in Community Legal Center's Immigrant Justice Program (IJP). These people have one thing in common: they want a small piece of the American dream. Many won't get it, and they'll find out that very night. Some will manage to hold onto hope just a little longer; and a few will see it come alive.

Most of these people are overwhelmed and scared. They're already in removal (i.e., deportation) proceedings; they've often been detained by authorities, released on bond, and they've been told to appear in Immigration Court. Many have been in the U.S. for some time. They know their situation is serious, but they don't have the faintest idea how to approach it. The staff and volunteer lawyers at the IJP help those who are eligible navigate that frightening process, which, sadly for many of them, often ends with deportation.

The IJP was founded by the Community Legal Center (CLC) about five years ago in response to a growing need and is barely able to meet demand. It is funded by various grants, individual donations, and an annual fundraising

event at Theater Memphis. The program was initially staffed by one law student, charged with recruiting volunteer attorneys and screening clients. Thanks to the tireless efforts of CLC Executive Director Meg Jones, the IJP now has a full-time, bilingual, administrative assistant and a staff attorney. All others who participate in the program are volunteer law students and attorneys.

IJP clients are at or below federal poverty guidelines and can't afford a lawyer. Immigration law and deportation proceedings are daunting, especially for non-lawyers. Many of the clinic's attendees are barely literate in their native language. They come from countries where government authority figures are often corrupt, so the process is terrifying to them. At the clinic, an immigration lawyer goes through a prospective client's personal history, which often includes dire poverty, even child labor, or abandonment, violence, and abuse. In some cases, these personal histories, combined with other factors, are enough to start the long and difficult process of applying for legal status in the U.S. Bases to obtain that status include asylum claims (well founded fear of persecution in one's country of origin, supported by extensive evidence/documentation); family based petitions (valid marriage to a U.S. citizen), "U" visas for victims of crime and

Article continues on page 3.

Seventy Interviews and Growing

The Legal History Project, whose purpose is to preserve the long and distinguished history of the legal profession in Tennessee, conducted ten, individual interviews with senior members of the bar during 2010. The interviewees hailed from Bristol to Memphis. They are four lawyers and six judges from the Circuit, Chancery, Court of Appeals, Federal District and Sixth Circuit benches. Copies of these or any of the Project's 70 interviews (listed at www.tnbarfoundation.org), may be borrowed or purchased from the Foundation.

A seventh entertainment-oriented "collage" was completed as well. *Tennessee Legal Traditions 2011* is a 32-minute compilation, with music and titles, of the best stories, quips and advice from the interviewees pictured on this page. *TLT 2011* (along with its six predecessors — dated every two years since 1999) may be viewed in its entirety on the Foundation's website. The collages are also perfect for use at a local bar association or civic group meeting. Contact the Foundation staff to make arrangements. ■



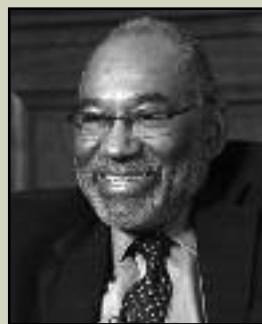
T. MAXFIELD BAHNER,
CHATTANOOGA
Interviewed by
Justice William M. Barker



GEORGE E. BARRETT,
NASHVILLE
Interviewed by
Charles N. Bone



LEO BEARMAN, JR.,
MEMPHIS
Interviewed by
Jill M. Steinberg



JUDGE GEORGE H. BROWN, JR.,
MEMPHIS
Interviewed by
William H. Haltom, Jr.



JUDGE MARTHA CRAIG "CISSY" DAUGHTREY,
NASHVILLE
Interviewed by
Justice Cornelia A. Clark



JUDGE JOE D. DUNCAN,
KNOXVILLE
Interviewed by
W. Dale Amburn



JUDGE JULIAN P. GUINN,
PARIS
Interviewed by
Judge C. Creed McGinley



CHANCELLOR RICHARD E. LADD, SR.,
BRISTOL
Interviewed by
Judge John S. McLellan



ROBERT L. MCMURRAY,
CLEVELAND
Interviewed by
Marcia M. McMurray



JUDGE THOMAS A. WISEMAN, JR.,
NASHVILLE
Interviewed by
Thomas A. Wiseman III

Tennessee IOLTA Grant Recipients & Awards 2011

(Arranged by location of recipient's main office. Many organizations serve a broader geographic area.)

- Athens, CASA Corridor of East Tennessee — **\$4,000**
- Athens, The H.O.P.E. Center, Inc. — **\$3,000**
- Bristol, Abuse Alternatives, Inc. — **\$5,000**
- Chattanooga, Community Reconciliation, Inc. — **\$5,000**
- Columbia, CASA of Maury County, Inc. — **\$8,000**
- Columbia, Hope House — **\$4,000**
- Cookeville, Genesis House, Inc. — **\$8,000**
- Cookeville, Mediation Services of Putnam County — **\$5,000**
- Cookeville, UCHRA CASA of Putnam County — **\$3,000**
- Crossville, Avalon Center — **\$9,000**
- Crossville, VORP/Community Mediation Center, Inc. — **\$9,000**
- Dyersburg, Dyer-Lake CASA, Inc. — **\$3,000**
- Franklin, Williamson County CASA, Inc. — **\$3,000**
- Gallatin, Sumner County CASA — **\$3,000**
- Gallatin, Sumner Mediation Services — **\$7,000**
- Hendersonville, HomeSafe Inc. — **\$4,000**
- Hohenwald, Mid South Mediation Services — **\$9,000**
- Jacksboro, CASA of Campbell County, Inc. — **\$5,000**
- Jackson, Madison County CASA — **\$5,000**
- Jackson, West Tennessee Legal Services, Inc. — **\$44,120**
- Jackson, Wo/Men's Resource & Rape Assistance Program — **\$5,000**
- Johnson City, CASA of Northeast Tennessee — **\$3,500**
- Kingsport, CASA for Kids, Inc. — **\$8,000**
- Kingston, CASA of the Ninth Judicial District — **\$7,000**
- Knoxville, CASA of East Tennessee, Inc. — **\$2,000**
- Knoxville, Catholic Charities/Immigrant Services — **\$2,500**
- Knoxville, Catholic Charities/Parent Place — **\$5,000**
- Knoxville, Legal Aid of East Tennessee — **\$129,467**
- Knoxville, Public Defender's Community Law Office/ Education Advocacy Project — **\$10,000**
- Knoxville, Safe Haven Center — **\$8,500**
- Knoxville, YWCA Knoxville — **\$8,000**
- Lawrenceburg, Kids Place Child Advocacy Center — **\$3,000**
- Lebanon, Wilson County CASA — **\$4,500**
- Lexington, CASA of Henderson County, Inc. — **\$5,000**
- Madisonville, CASA Monroe — **\$3,000**
- Manchester, CASA Works, Inc. — **\$8,000**
- McMinnville, FIC - New Beginnings — **\$4,000**
- Memphis, Community Legal Center — **\$33,000**
- Memphis, Exchange Club Family Center of the Mid-South, Inc. — **\$8,000**
- Memphis, Memphis Area Legal Services, Inc. — **\$91,838**
- Memphis, YWCA of Greater Memphis, Immigrant Women's Services — **\$10,000**
- Morristown, CEASE, Inc. — **\$5,000**
- Murfreesboro, CASA of Rutherford County — **\$6,000**
- Murfreesboro, Domestic Violence Program, Inc. — **\$13,000**
- Nashville, CASA, Inc. — **\$5,000**
- Nashville, Dismas House of Nashville — **\$5,000**
- Nashville, Exchange Club Family Center, Inc. — **\$8,000**
- Nashville, Legal Aid Society of Middle Tennessee and the Cumberland — **\$148,074**
- Nashville, Reconciliation, Inc. — **\$2,500**
- Nashville, Tennessee Coalition to End Domestic & Sexual Violence — **\$23,000**
- Nashville, Tennessee Justice Center — **\$215,000**
- Nashville, Tennessee Justice for Our Neighbors — **\$5,000**
- Oak Ridge, CASA of the Tennessee Heartland, Inc. — **\$9,000**
- Oak Ridge, Community Mediation Services — **\$4,000**
- Springfield, CASA, Robertson County — **\$1,000**

Total: \$955,000

The Trenches of Globalization — in midtown Memphis

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claims under "VAWA" (Violence Against Women Act) for abuse victims.

In many cases, however, none of these options are available. The lawyer only helps the client understand the legal issues, and tries to obtain something called "voluntary departure," which gives the client a few months to get his/her affairs in order before leaving the U.S. Many of these immigrants have families here, children in school, jobs, personal property and little or no job prospects in their country of origin, so they need time to make necessary arrangements.

Staff and volunteers at the IJP see the real-life conse-

quences of globalization play out week after week, month after month. Some people travel for hours by bus, often with small children, for a single opportunity to talk to an immigration lawyer. Many will go home disappointed, but better informed, and secure in the knowledge that someone from the IJP will be there to hold their hand in court. ■

Tatine Darker is an Assistant Federal Defender for the Western District of Tennessee. She is a member of the CLC board of directors.



The Tennessee Bar Foundation publishes *Points of Interest*.

Letters, comments or questions should be addressed to: Tennessee Bar Foundation, 618 Church Street, Suite 120, Nashville, Tennessee 37219-2456 615/242-1531 • 800/634-2516 Fax 615/255-0306 info@tnbarfoundation.org www.tnbarfoundation.org

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VORP Provides Second Chances

By Mallorie Ann Ingram, Reprinted with permission of Chattanooga Times Free Press Community News

We are not always afforded a second chance, but juvenile criminal offenders have a shot at one through Chattanooga's Community Reconciliation, Inc. — Victim Offender Reconciliation Program (VORP).

"We all have to learn things," said VORP Chattanooga Executive Director Jennifer Paden. "We don't all have the advantage of having parental guidance."

Van Colucci, Jennifer Paden and Janet Perfetti are not only employees of Chattanooga's Victim Offender Reconciliation Program, they are also proponents.

VORP provides the opportunity for the offender and victim to meet face-to-face over the dealings of a crime, often a misdemeanor theft less than \$500, as long as the offender does not have a history of addictions or weapon usage. The victim realizes the minor is not some beastly imagined character, while the offender learns how negative behavior affects the other person, Paden said.

East Brainerd resident Janet Perfetti has personally seen this mutual understanding occur many times. She uses her family-mediator background as a VORP facilitator.

"This whole program is based on the concept of restorative justice," Perfetti

said. "Rather than focusing on punishment, it's about restoring the person in the community as a non-offender. It is a great opportunity for someone to get their life back on track. When these offenders meet the victims, it puts a face on the victim and the situation. It humanizes the crime."

The entire situation creates a win-win environment. The second chances offered can save a life from repeated criminal actions, which saves tax dollars.

"We are the only act in town that will put the victim face-to-face with the offender," Paden said. "Taking alternative routes creates huge savings. Think of the hundreds of dollars spent each day putting a child through a standard legal process."

Editor's Note: The Tennessee Bar Foundation supports organizations that work to find meaningful ways to resolve disputes. Community Reconciliation – VORP is one of five Tennessee mediation organizations that will share IOLTA grants of \$35,000 during 2011. Since 1990, IOLTA grants of more than \$680,000 have been made to organizations that offer VORP-style mediation for juveniles and, in some cases, adults.

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