



Spring 2008

Points of Interest

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

Providing Help and Creating Hope

By Freddi Birdwell



PAUL VOZDIC/GETTY IMAGES

The immigration laws of the U.S. can be challenging for attorneys to interpret and downright mystical for the average American citizen.

Imagine, then, the frustration and bewilderment of the immigrant seeking to attain and maintain compliance with these complicated regulations.

Since 2005, Catholic Charities of East Tennessee has worked to provide help and create hope through its Office of Immigrant Services (OIS). To assist in that effort, the Tennessee IOLTA program has awarded \$15,000 to OIS in the past two years. The office, directed by Megan McClary, MSW, with a part-time assistant and interns from the University of Tennessee, helps immigrants with maintenance of their legal status and preservation of family unity. McClary is accredited by the Board of Immigration Appeals to provide advice and to represent petitioners before certain tribunals.

"Nearly all the clients we help have entered the country legally but have fallen out of status simply because of their inability to navigate the legal system," McClary said. "They must meet our income guidelines — have very little money — and then we work with them to help them understand the requirements they must satisfy and advocate for them within the sys-

Article continues on page 4.

Legal History Project Marches On

The Legal History Project completed an ambitious 2007 by conducting eight taped interviews with Tennessee's senior attorneys. In addition, the Foundation created a partnership with the Tennessee Supreme Court Historical Society to ensure that the memories of retired members of that court are preserved. Three former justices are among the year's interviewees.

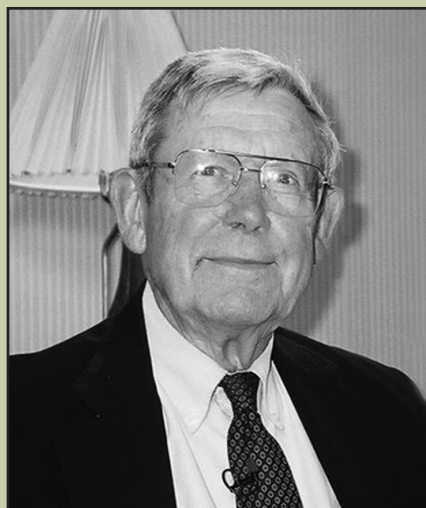
As in the past, the interviewers found that they, too, enjoyed the experience of soliciting life histories from their assigned targets. While all the duos were familiar with each other, some of the pairs shared unique relationships. Judge Frank G. Clement, Jr., stepped forward to interview Nashville attorney Douglas M. Fisher. When Clement was a child, he knew Fisher as legal counsel (and later law partner) to his father, Governor Clement.

In 1973, Dalton L. Townsend hoped his interview at Hodges Doughty & Carson in Knoxville would result in a job as an associate. Thirty-five years later, Townsend is the senior partner. He was able to turn the tables and interview the man who offered him that job, Robert R. Campbell, who is now of counsel with the firm.

Finally, like other interviewees, retired Justice Robert L. Cooper was questioned by a younger man. In his case, the younger man (who followed in many of Cooper's professional footsteps) was not just *any* lawyer from Chattanooga. He was the Chief Justice of the Supreme Court, William M. (Mickey) Barker, who made time in his busy schedule to elicit (some but not all) "inside stories" of a previous court.

Copies of the Legal History Project's 56 interviews may be borrowed or purchased from the Foundation, and a portion of them are available from Vanderbilt Law School in Nashville (see back page). In west Tennessee, the entire collection may be viewed at the Regional History and Genealogy Center of the Germantown Community Library. ■

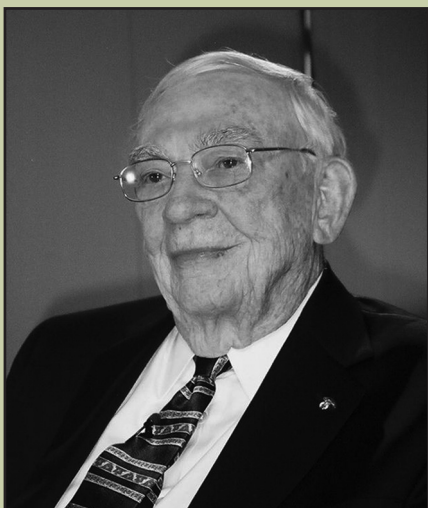
— Barri Bernstein



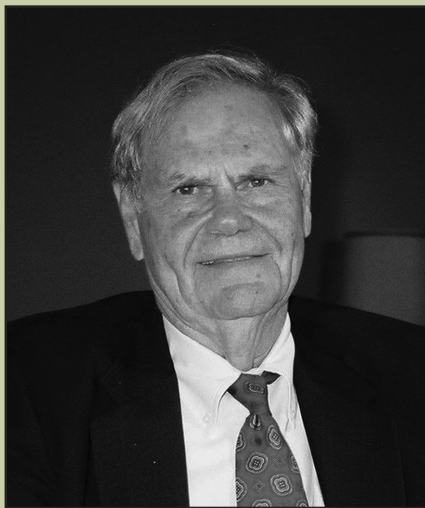
JUDGE HENRY DENMARK BELL,
FRANKLIN
Interviewed by
Judge Donald P. Harris



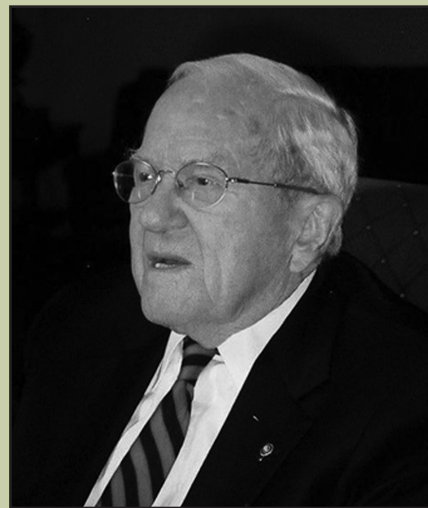
JUDGE WILLIAM B. CAIN,
COLUMBIA
Interviewed by
Paul B. Plant



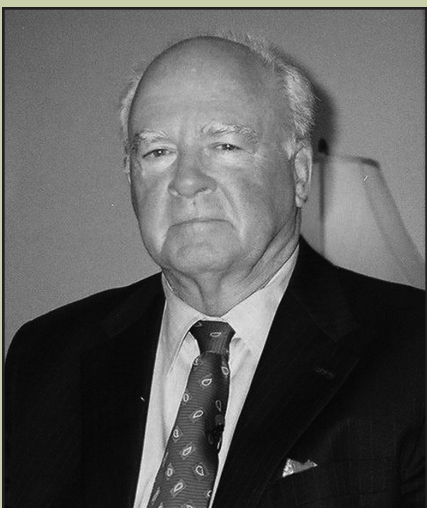
JUSTICE ROBERT E. COOPER,
CHATTANOOGA
Interviewed by
Chief Justice William M. Barker



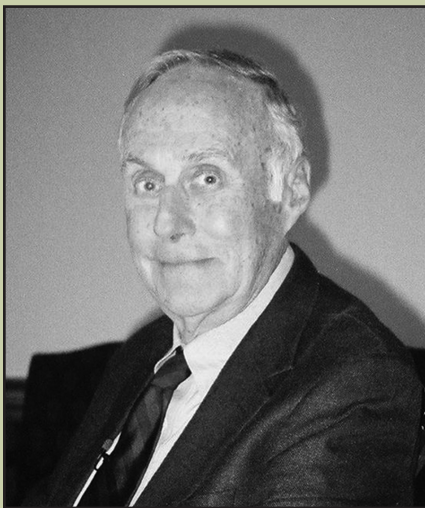
JUSTICE LYLE REID,
BROWNSVILLE
Interviewed by
J. Houston Gordon



CHARLES M. CRUMP,
MEMPHIS
Interviewed by
Thomas R. Buckner



JUSTICE E. RILEY ANDERSON,
OAK RIDGE
Interviewed by
Dalton L. Townsend



ROBERT R. CAMPBELL,
KNOXVILLE
Interviewed by
Dalton L. Townsend



DOUGLAS M. FISHER,
NASHVILLE
Interviewed by
Judge Frank G. Clement, Jr.

Providing Help and Creating Hope

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tem.”

While the common perception of immigration services is one of assisting those who have entered our country solely for economic benefit, Catholic Charities’ OIS often works with those who have fled political or religious oppression in their home country.

Others helped through the OIS include victims of human trafficking and domestic violence, whose circumstances are addressed by specific immigration statutes.

McClary recalls the case of “Anita” who was brought into the country illegally, as a domestic servant for a wealthy Saudi studying at UT.

Anita received no wages and her employer confiscated her Filipino passport. When this modern-day slavery was reported to the FBI, Anita was abandoned. “She was freed from oppressive conditions, but she was alone, spoke no English and lacked any concept of our culture,” McClary said. Anita found her way to the OIS to discover that she had no legal status or ability to maintain employment.

Within the framework of the human trafficking laws, the OIS helped Anita gain legal status; she was then able to work and live independently in the U.S. [Clients like Anita have extremely limited means, but their heartfelt gratitude

is priceless. A thank you note from a similar case, sent to another IOLTA grant recipient, the Tennessee Coalition Against Domestic and Sexual Violence, is reprinted on the next page.]

Occasionally, McClary says, the OIS is simply unable to help someone, because he or she is undocumented and without legal recourse. Sadly, these individuals are

often victims of fraud. They paid for and were promised representation after entering the country, only to have their hoped-for legal status disappear with their money.

For these immigrants, McClary explains, all that can be

done is to provide truthful information about their situation and the potential consequences of remaining in the U.S.

Father Ragan Schriver, ACSW, executive director of Catholic Charities of East Tennessee, expressed gratitude for the Tennessee Bar Foundation’s support for OIS. “Immigration is such a political hot button right now,” Schriver said, “but we can’t turn our backs on families who need and deserve our help.

“Without the funding and backing of the IOLTA program, we would be unable to serve the hundreds who look to us for assistance; we would be unable to help these families stay together, maintain their legal status and make a better life for themselves.”

The mission of Catholic Charities of East Tennessee is to address the unmet needs of the most vulnerable, by providing shelter, nourishment, counseling and education, in order to foster human dignity. There are no religious requirements to utilize the organization’s services; fewer than

five percent of the more than 14,000 clients served annually are Catholic. ■

Freddi Birdwell is Community Relations and Development Director of Catholic Charities of East Tennessee, Inc.

“Without the funding and backing of the IOLTA program, we would be unable to serve the hundreds who look to us for assistance; we would be unable to help these families stay together, maintain their legal status and make a better life for themselves.”

“We will never pay your efforts”

The Tennessee Coalition Against Domestic and Sexual Violence (TCADSV), headquartered in Nashville, is a statewide network that promotes prevention and intervention in cases of domestic violence and sexual assault. For the past two years, TCADSV's Immigrant Legal Clinic has received an IOLTA grant award of \$25,000, to support attorney salaries. The Clinic's sole purpose is to provide legal representation to *immigrant* victims of trafficking and domestic/sexual violence, a burgeoning problem in Tennessee. This Clinic and the Office of Immigrant Services at Catholic Charities of East Tennessee (profiled in the cover story) make referrals to one another to ensure clients get the most appropriate representation.

Dawn Gerhart is one of the Clinic's three staff attorneys. Her extraordinary perseverance prevailed in the difficult case of “Zelda,” a trafficking victim from Ethiopia, who had been in the immigration process for seven years. Below is a thank you note from her grateful husband.

This is a verbatim reprint. Only the name was changed:

I couldn't wait to tell you this good news until your office is open. I just emailed you at this time. On Friday I stopped by mail room. Zelda was at home. When I pulled some mails [letters], I found two mails from immigration. One was sent to me and the other one was to Zelda. I quickly opened it mine first and then Zelda's, and they both have approval notice. I went home and surprised Zelda. We both couldn't believe that her immigration issue was over, we both cried.

Mrs. Dawn [Gerhart], without your generous time, energy, and efforts Zelda's immigration issues wouldn't have come to end. What can we say to you? We will never pay your efforts. Mrs. Dawn thank you very very much. May God bless you and your family. Mrs. Dawn, Please thank TCADSV for us. Your all generous and compassion will never forgotten. You all are truly making a difference in people's life. You all are kind and wonderful people. Thank you for everything you have done for us and for others in need as well.

We love you all.

At Work with the IOLTA Grant Review Committee

Since 1987, 104 Tennessee attorneys have given of their time to serve on the Foundation's IOLTA Grant Review Committee. The Committee is composed of representatives of 11 bar organizations, some local and others with a statewide focus. Members serve three-year terms. According to Anne Arney, who represents the Lawyers' Association for Women of Nashville, "The staggered terms are like law school (only more pleasant). We have first years, second years and third years, and we rely on those third years for guidance in the process." Committee members read each grant application and look into the operation of each organization. Members then report their findings to the full Committee. After all applications are presented, the group compiles, by negotiation, compromise, horse-trading and/or vote, a recommended slate of

grant recipients and amounts for submission to the Foundation's Board of Trustees.

Over the years, the members of the Committee have represented a cross-section of the practicing bar in the state. They are from big cities and small, large law firms and solo practice. They are corporate counsel, federal and state judges, members of the legislature, public defenders, attorneys general, plaintiff's lawyers, defense lawyers, transactional lawyers and resistant-to-a-label lawyers. Knoxville's David Eldridge, who just completed his three-year term, summed up the experience: "I've seen Committee members learn quite a bit about the law-related service providers in the state, wrestle with tough decisions, share "in" jokes and, as a bonus, acquire several new friends. It was a working committee, but it was also a pleasure." ■



Jeff Boyd – Jackson and Alan Easterly – Chattanooga



Van Turner – Memphis



Judge Eddie Beckner – Morristown and Floyd Flippin – Humboldt



Anne Arney – Nashville



Fran Riley – Memphis



Michelle Sellers – Jackson and Heather Anderson – Knoxville



Erica Stiff-Coopwood – Nashville



"Third Years" at their final meeting: David Eldridge – Knoxville, Cindy Chappell – Nashville, Committee Chairman Mike Spitzer – Hohenwald and Wallace Harvill – Centerville

Tennessee IOLTA Grant Recipients & Awards 2008

Arranged by main office location.

WEST TENNESSEE

- Jackson, CASA of Madison and Henderson Counties — **\$8,000**
- Jackson, West Tennessee Legal Services, Inc. — **\$72,300**
- Memphis, CASA of Memphis & Shelby County, Inc. — **\$9,000**
- Memphis, Community Legal Center — **\$32,000**
- Memphis, Memphis Area Legal Services, Inc. — **\$150,495**
- Memphis, Exchange Club Family Center of the Mid-South, Inc. — **\$10,000**
- Memphis, University of Memphis School of Law Scholarship — **\$3,000**
- Memphis, YWCA of Greater Memphis — **\$10,000**

EAST TENNESSEE

- Athens, CASA Corridor of East Tennessee — **\$5,000**
- Athens, The H.O.P.E. Center — **\$7,000**
- Bristol, Abuse Alternatives, Inc. — **\$5,000**
- Chattanooga, Community Reconciliation, Inc. — **\$7,500**
- Chattanooga, Southeast Tennessee Legal Services — **\$10,000**
- Crossville, Avalon Center — **\$11,000**
- Crossville, VORP/Community Mediation Center, Inc. — **\$15,000**
- Jacksboro, CASA of Campbell County, Inc. — **\$6,000**
- Kingsport, CASA for Kids, Inc. — **\$9,000**
- Knoxville, CAN-LEARN Project — **\$5,000**
- Knoxville, CASA of East Tennessee, Inc. — **\$10,000**
- Knoxville, Catholic Charities / Parent Place — **\$12,000**
- Knoxville, Catholic Charities / Immigrant Services — **\$7,500**
- Knoxville, Knoxville Family Justice Center — **\$11,000**
- Knoxville, Legal Aid of East Tennessee — **\$212,157**
- Knoxville, Safe Haven Center — **\$7,500**
- Knoxville, UT College of Law Scholarship — **\$3,000**
- Knoxville, YWCA of Knoxville — **\$12,000**
- Madisonville, Monroe County Health Council — **\$6,000**
- Morristown, CEASE Domestic Violence & Sexual Assault — **\$5,500**

- Oak Ridge, CASA of the Tennessee Heartland, Inc. — **\$14,000**
- Oak Ridge, Community Mediation Services — **\$5,000**
- Oak Ridge, YWCA of Oak Ridge — **\$4,000**

MIDDLE TENNESSEE

- Columbia, CASA of Maury County, Inc. — **\$10,000**
- Columbia, Hope House — **\$10,000**
- Columbia, The Mediation Center — **\$6,000**
- Cookeville, Aging Services for the Upper Cumberland — **\$9,000**
- Cookeville, Genesis House, Inc. — **\$10,000**
- Cookeville, Mediation Services of Putnam County, Inc. — **\$12,000**
- Cookeville, Putnam County CASA — **\$7,500**
- Franklin, Williamson County CASA, Inc. — **\$3,800**
- Gallatin, Sumner County CASA — **\$5,000**
- Hohenwald, Mid South Mediation Services — **\$8,000**
- Lebanon, Wilson County CASA — **\$7,000**
- Madison, Morning Star Sanctuary — **\$5,000**
- McMinnville, Families In Crisis, Inc. — **\$2,000**
- Murfreesboro, CASA of Rutherford County — **\$7,000**
- Murfreesboro, Domestic Violence Program, Inc. — **\$15,400**
- Nashville, CASA, Inc. of Nashville — **\$10,000**
- Nashville, Disability Law & Advocacy Center of TN — **\$4,200**
- Nashville, Dismas House of Nashville — **\$5,000**
- Nashville, Domestic Violence Intervention Center — **\$2,500**
- Nashville, Legal Aid Society of Middle Tennessee and the Cumberland — **\$242,648**
- Nashville, Reconciliation, Inc. — **\$13,000**
- Nashville, Tennessee Coalition Against Domestic and Sexual Violence — **\$25,000**
- Nashville, Tennessee Justice Center — **\$275,000**
- Nashville, The Exchange Club Family Center — **\$10,000**
- Shelbyville, CASA, the Center for Family Development — **\$10,000**

Total: \$1,400,000



**The Tennessee Bar Foundation
publishes *Points of Interest*.**

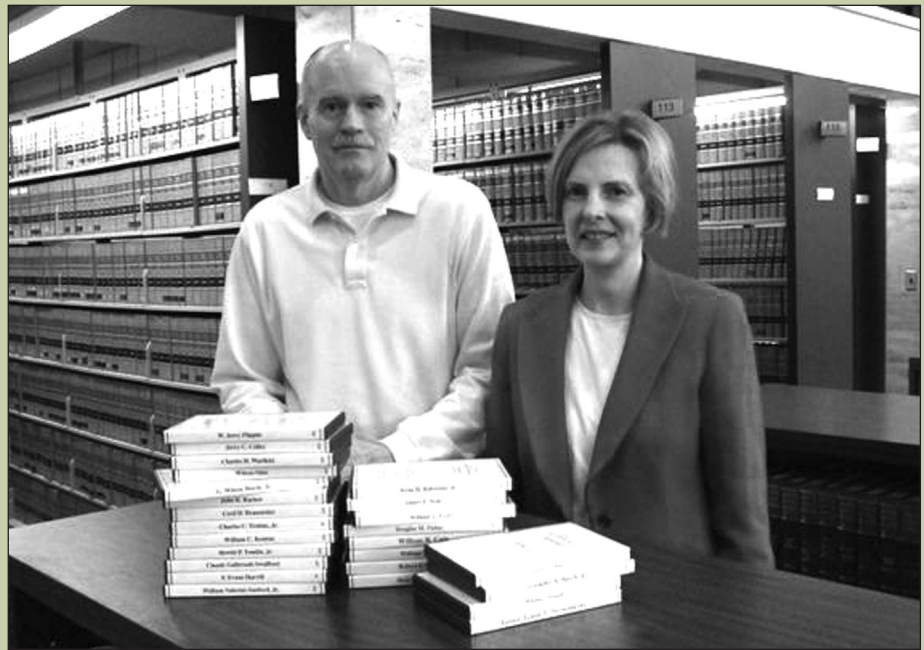
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Acquisition by Vanderbilt Law School Library

Bill Walker, acquisitions librarian, and Mary Miles Prince, associate director of the Massey Library at Vanderbilt University Law School, are pictured with DVDs from the Foundation's Legal History Project. The library purchased copies of the interviews of all lawyers from middle Tennessee and of the law school's alumni from east and west Tennessee. The DVDs are on reserve and available from the library.

Be sure to visit our website!

- News from the Foundation
- Photos of Legal History Project interviewees
- IOLTA program forms and information for attorneys, bankers and grant applicants
- Helpful links

www.tnbarfoundation.org

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