

Reflections on 75 Years of Civil Legal Aid



WILLIAM M. LAFFERTY, ESQUIRE
MORRIS NICHOLS ARSHT & TUNNELL LLP
CCJ LEAD CAMPAIGN CHAIR

Delaware's three nonprofit civil legal aid agencies, Community Legal Aid Society, Inc. (CLASI), Delaware Volunteer Legal Services, Inc. (DVLS), and Legal Services Corporation of Delaware, Inc. (LSCD) provide essential, life altering, and community preserving legal assistance to the most vulnerable among us. This year is an exciting year for each agency, as we celebrate 75 years of legal services in Delaware with the anniversary of CLASI's founding, 40 years of DVLS, and 25 years of LSCD. The nobility of the work these three organizations do each day is unmatched.

The Combined Campaign for Justice (CCJ) raises money for each of these three nonprofits and represents the embodiment of "the Delaware Way" — lawyers and non-lawyers recognizing the critical importance of providing equal access to justice to low income and vulnerable Delawareans and rallying together to support Delaware's three nonprofit civil legal aid agencies. Funds raised by CCJ

represent 15 percent of the combined operating budgets of these agencies enabling them to serve another 1,000 people who would otherwise have gone unrepresented in matters that are critical to their safety, health, and well-being.

Due to the economic and health crises caused by COVID-19, legal aid is more vital than ever in the frontline defense against issues related to unemployment, housing, public benefits, and domestic violence. Legal aid can help keep people stable, housed, and secure. Together, we can make a powerful difference in helping our neighbors and community members through this crisis. If you are in a position to contribute now, that would help immensely as the agencies prepare for an expected unprecedented increase in demand over the course of this year. On behalf of myself and the entire CCJ leadership team, we thank you for helping us narrow the justice gap in Delaware and congratulations to our three agencies on their prominent anniversaries!



CYNTHIA L. DEPUE, ESQUIRE
LEGAL SERVICES CORPORATION
OF DELAWARE, INC.
EXECUTIVE DIRECTOR

I had been interested in a career in public service when I first attended law school. I'd been in private practice but decided I still wanted to pursue that goal. In 2003, I was hired by Doug Canfield as a Staff Attorney in our Dover office. Since then, I've enjoyed accomplishing LSCD's mission of providing legal representation and advocacy on behalf of individuals who would ordinarily be precluded from representation because of the cost of hiring an attorney. It is a career that is both rewarding and challenging. Through various rounds of funding cuts and other obstacles along the way, LSCD has continued to strive to provide quality representation and zealous advocacy for Delawareans who would otherwise be left to fend for themselves in the legal arena.

During the last 18 months, as we've all adjusted to both professional and personal challenges during the pandemic, I've been struck by the dedication of our staff and their willingness to face obstacles with good humor and grace, as well as offering creative solutions to meet the needs of our clients. I've also been impressed by the willingness of other members of Delaware's legal community to support and assist our efforts, and who have joined together to help the three legal aid agencies secure resources to enable us to continue to fulfill our respective missions well into the future.

Beginning my tenure as Executive Director during the pandemic has brought some unique challenges and I credit my predecessor, Doug Canfield, who led LSCD for the past 25 years, with helping me meet those challenges. He has been both a mentor and a friend, and someone I have been able to turn to for guidance about matters which would have been much more daunting without his knowledge and insight. Doug worked tirelessly on behalf of LSCD's clients and the low income community in Delaware. He never took his eyes off of the big picture while at the same time recognizing the circumstances and challenges faced by LSCD's clients. He mentored many attorneys throughout his tenure at LSCD and always encouraged them to find effective and creative solutions for their clients' situations. As we recognize our 25 year milestone here at LSCD, I want to personally thank him, as well as extend thanks to him from LSCD's employees and our Board of Directors, for his commitment to accomplishing our goal of providing effective legal advocacy and representation for vulnerable Delaware citizens.

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**JUSTICE RANDY J. HOLLAND**

WILSON SONSINI GOODRICH & ROSATI, SENIOR OF COUNSEL

The Delaware State Bar Association is emphasizing the importance of providing legal services for the poor. It is an appropriate time to pay tribute to a champion of that cause, Doug Canfield, on his retirement from the Legal Services Corporation of Delaware, Inc. Doug has

devoted his professional career to the goal of LSCD: “protecting low income families in the areas of safe and affordable housing, financial stability and consumer protection.” It was inspiring each year for the Bar Foundation to hear Doug relate the accomplishments of LSCD when he made the annual presentation for an IOLTA grant. Justice O’Connor said that a law degree gives one the key to the

courthouse with an obligation to open the courthouse doors for both the rich and the poor. Doug put those words into action as he worked to achieve LSCD’s mission: “to use the practice of law to help low income families in Delaware.” We thank Doug and salute him for his unselfish legal representation that made a qualitative difference in the lives of thousands of low income Delawareans.

**THE HONORABLE JAMES G. MCGIFFIN, JR.**

FAMILY COURT OF THE STATE OF DELAWARE

Forty years ago I was a serious music student without a passion for life as a serious musician. I was a versatile and competent bass player, but I did not burn with desire to make music my mission. I faced graduation with a music degree and no path to personal happiness and fulfilment. I knew law school would accept me with my music credential, so I sat for the LSAT to encourage results. Without committing to the idea, I applied to schools. I discovered I was an acceptable prospect. I enrolled with Atticus Finch and Arthur Kirkland¹ as my role models.

My first year of law school was a dreadful ordeal, but I survived. In my second year, to avoid the classroom as much as possible, I signed up for the civil legal clinic. I was obligated to spend at least 20 hours each week for both semesters handling cases for disadvantaged folks. I was immersed in poverty law — I did divorces, landlord-tenant disputes, a Supplemental Security Income appeal to Federal District Court. And I loved it. With my humble skill and knowledge I could help people improve their lives. That was a career path that sparked passion.

My job search covered every civil legal services program from as far west as Pittsburg and as far south as Richmond. As luck would have it CLASI had received some new money, generated by the nascent IOLTA program, and was hiring staff attorneys. I was one of those new attorneys.

I started in the poverty law program in the Georgetown office, under the tutelage of Bill Moore. Bill is a brilliant and eccentric lawyer who inspired me with the love he demonstrated for our clients and taught me to channel my own passion productively. After 18 months I moved to Dover to manage that office, and responsibility became my teacher.

As CLASI’s representative in Kent County, I joined with agencies and in activities to help our current and potential clients. My initial interest was in addressing the affordable housing crisis. I joined other advocates and experts in the Delaware Housing Coalition, shedding light on the problem and suggesting solutions.

Governor Carper appointed me to the position of Family Court Commissioner and in that job dove deeply into the issues of domestic violence. After serving a four-year term, I succeeded Judy Schuenemeyer as CLASI’s Executive Director. With Deputy Director Chris White at my side, I helped CLASI enjoy a period of program growth.

As much as I enjoyed the Executive Director job, I missed the day-to-day lawyering of a staff attorney, so when such a job opened in Dover (where I live), I proposed to the Board of Directors that I step down from the big chair and resume direct client service. Fortunately, Chris White was ready to take the reins and did so without missing a beat. For the next 11 years I toiled in the Family Court for victims of domestic violence, in the Justice of the Peace Court for tenants facing wrongful eviction, and in various venues for manufactured home owners holding community owners to the law. I was helping lots of people and I was happy.

I believe many of us have a calling. We are meant to do something to make the world a better place. My colleagues at CLASI shared my calling to work with skill and passion for folks in great need. The reward of answering that call is immeasurable. And I still have fun playing the bass on the weekends.

Notes:

1. The protagonist of the movie *And Justice for All* (1979), played by Al Pacino.



DANIEL G. ATKINS, ESQUIRE
COMMUNITY LEGAL AID SOCIETY, INC.
EXECUTIVE DIRECTOR

Seventy-five years ago three giants of the Delaware legal community created the legal aid society in Delaware. Collins J. Seitz and William Poole came up with the idea, and Clarence Southerland (who later became the first Chief Justice of the Delaware Supreme Court) secured the necessary financial and community support. The first-year budget was \$3,600 (raised almost exclusively from members of the Bar Association) and the one part-time attorney served 204 clients in civil and criminal matters. The civil cases mostly involved matters involving family law and public benefits — in particular, the GI Bill for WWII veterans. There was a pressing concern nationally and in Delaware that the widows and children of the veterans be protected.¹

Today, Community Legal Aid Society, Inc. (CLASI) unsurprisingly looks different. We now operate with a budget of \$7 million, 60 staff members including more than 30 lawyers, and a full-service office in each county helping 4,000 families a year. We have units focused on domestic violence, immigration, housing, public benefits, disability, and elder law. We administer 35 funding sources: federal, state, county, philanthropic — with accountants, development professionals, and support staff to keep it all in order. Today, we represent more than just people who are poor — we help people with disabilities, the elderly, immigrants, and members of almost any marginalized population.

But in some fundamental ways, decades later, some things remain the same. Today, half of Delaware's civil legal aid cases involve housing or domestic violence. The bread and butter of our work remains helping people, just like we did in 1946, with issues necessary to keep people housed and safe. While our funding sources are diversified, we still rely heavily on the generosity of the Delaware Bar for support through our Combined Campaign for Justice which funds about 15 percent of the work of three civil legal aid agencies. And perhaps most glaringly, the demand for our services still far outstrips available resources. Studies repeatedly show that around the country, and in Delaware, more than 80 percent of the civil legal needs are going unmet.²

Today, we represent more than just people who are poor — we help people with disabilities, the elderly, immigrants, and members of almost any marginalized population.

Nevertheless, we have achieved significant successes over the years: removing lead paint from public housing, establishing due process rights for public benefit recipients, ending the use of solitary confinement in state prisons, and most recently, increasing public school funding for children in low-income communities. These and other victories were won because of the tireless work of so many — clients, partners, people who have dedicated significant portions of their careers, their lives, to working at CLASI. It is not easy work — our clients are in precarious circumstances, the law does not right every wrong, and there is no worse feeling than not being able to help people who need us so much.

CLASI has survived, and in fact thrived for 75 years, in no small part due to the Delaware Bar's and judiciary's respect for the work we do. CLASI's success is a reflection of the commitment and support we receive from you all in the Delaware Bar. We are grateful for that support and feel privileged to be able to do work that remains so vitally important to so many of our community members. Please continue to reach out to us when you know of anyone who could use our help.

Notes:

1. I owe thanks for this paragraph to the excellent history of legal aid in Delaware written by CLASI's former executive director, Judith Schuenmeyer, in *The Delaware Bar in the Twentieth Century* (1994).
2. The Justice Gap: Measuring the Unmet Civil Legal Needs of Low-income Americans. Legal Services Corporation (2017) accessed at <https://www.lsc.gov/our-impact/publications/other-publications-and-reports/justice-gap-report>; Delaware Access to Justice Commission Reports of the Subcommittee on the Efficient Delivery and Adequate Funding of Legal Services to the Poor (2017) accessed at <https://courts.delaware.gov/supreme/access.aspx>.

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JANINE N. HOWARD-O'RANGERS, ESQUIRE

DELAWARE VOLUNTEER LEGAL SERVICES, INC.
EXECUTIVE DIRECTOR



As we approach the 75th Anniversary of Civil Legal Aid in Delaware, I am proud to say that I have been a part of this community for more than 25 years in one capacity or another. My interest in the law was piqued in a seventh grade social studies class when my teacher would regale us with stories of his sister, a civil legal aid attorney in the Midwest, who provided legal services to low-income Native Americans. That was the year I decided that I wanted to be a lawyer when I grew up and obviously I never changed my mind. Over the years through high school, college, and law school I continued my pursuit of my goal to become a lawyer. By the time I entered law school I believed I would be better suited to a career in corporate law or transactional work. I focused my studies on various corporate law classes like Corporate Finance and Mergers and Acquisitions. My reintroduction to legal aid occurred over the summer between my first and second years of law school when I volunteered with Delaware Volunteer Legal Services, Inc. (DVLS) conducting intakes for the agency. At the same time, I also worked for a Delaware office of a large law firm as a paralegal/law clerk continuing to believe that I was destined for a career in corporate law.

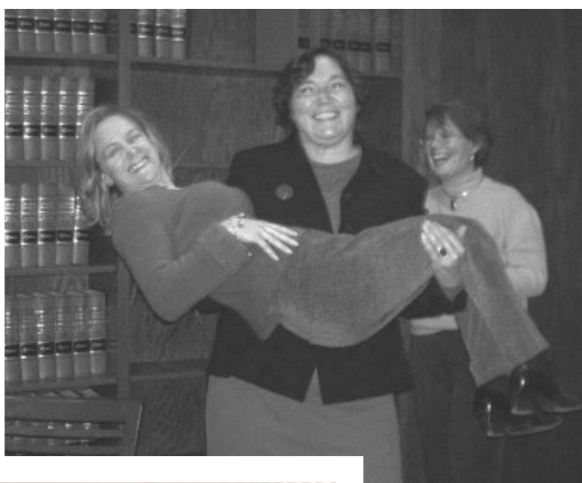
In my final year of law school, at the suggestion of my first legal mentor, the late Professor Christine McDermott, I made the fateful, life-changing decision to take a clinic so that I could face my reticence about litigation. What I discovered was a love of litigation and a real passion for helping those in need and I have never looked back. I was assigned to be the law clerk for then Domestic Violence Attorney, now Professor, Dana Harrington Conner. I was in awe of Dana as I assisted her in representing hundreds of victims of domestic violence in securing protection from abuse, custody of their children, and divorce from their abusers. To put it lightly, Dana was a whirlwind, and I learned a tremendous amount about practicing law in Delaware in Family Court. Having Christine and Dana as mentors so early in my career had a significant impact on all my career choices through the years. These strong women are two of the most dedicated advocates I have had the opportunity to work with and I am honored to be able to call them my friends.

I started my career at DVLS as a staff domestic violence attorney. After three years, I decided to go into private practice. I truly feel as if my time in private practice made me a much better lawyer and I became more well-rounded as a professional. I continued taking on *pro bono* cases and helped DVLS with CLE presentations and always encouraged my colleagues to get involved in *pro bono* work. After a few years of private practice, an opportunity arose to apply for a new staff attorney position with DVLS that combined litigation with recruitment and training of

pro bono attorneys. I jumped at the opportunity to return to the legal services community. In fact, I recall one Family Court Commissioner commenting that she was not surprised I returned to DVLS as she always thought that was where my heart was. I guess I should have known that legal aid is where I belonged given the roots of my interest in the law. In 2004, I was selected to be the next Executive Director of DVLS, and I am proud to say that I have been the longest serving Director for the agency. I cannot say enough good things about the Delaware legal aid community. The legal services providers in Delaware have a very collegial and collaborative relationship that I believe is unrivaled. We are also lucky to have a very supportive legal community in general. Many members of our esteemed Bar contribute their time and money to support legal services. In the first year of operations, DVLS was able to recruit 150 volunteer attorneys. Today we have a roster of approximately 800 volunteer attorneys. Prior to the pandemic we regularly would place 500 or more cases a year with *pro bono* attorneys through our various programs. Although that number has decreased as we have navigated the pandemic, I am confident that the Delaware Bar will step up as it always does, and we will return to our pre-pandemic numbers.

I would also be remiss if I did not mention the incredibly dedicated staff of DVLS. Each member of the DVLS team is committed to making the world a better place and to doing our best to make access to justice available to as many deserving individuals as we can. I would like to recognize staff member Tina Ventresca, who has been with the agency since 1993, first as Legal Secretary, then Executive Assistant and now as Director of Finance and Administration. She serves as the backbone of the agency staff and is the longest tenured staff member of DVLS. Although all the DVLS staff are invaluable members of our team, I would like to specially thank staff attorney Jacki Chacona for her incredible commitment to the organization and her unwavering support of the agency. Jacki is one of the hardest working individuals I know, and I would be lost without her constant support

Christine McDermott holding Dana Harrington Conner in the 1990s at a DVLS office gathering. Tina Ventresca is in the background.



The DVLS staff in the 1990s.

and encouragement. Jacki is not only a great friend to me, but she is my work confidant and sounding board. I can always rely on Jacki for her sound judgment when evaluating possible programs and policies for the agency.

The DVLS Board of Directors also deserves our congratulations on leading the agency through its formation 40 years ago to the vibrant agency it is today. I want to specifically thank David Brown for his years of dedication to DVLS. Among others, David was one of the original founders of the agency in 1981. He served longer than any other Board President for the agency and continues to serve on the Board to this day. David is an invaluable member of Board as he brings a wealth of information and historical context to the table at Board meetings. I have had the pleasure of serving as the Executive Director of the agency during the Board Presidency of several esteemed members of the Delaware Bar, including Karen Jacobs, Rich Morse, John Dorsey, and Tiffany Poole. Each of them brought their own unique strengths to the Board in leading the agency forward but what they all had in common was a commitment to the strength and growth of the agency and in serving the community and securing access to justice for as many as our resources will allow. I have frequently said that if I had followed my initial inclination to go into corporate law I would be much richer financially, but I do not know that I would be as rich as I am personally and professionally. Here's to the next 75 years of civil legal aid in Delaware!

PROFESSOR DANA HARRINGTON CONNER

WIDENER UNIVERSITY
DELAWARE LAW SCHOOL

My first encounter with Delaware Volunteer Legal Services, Inc. (DVLS) was in 1989 when I was in my first year of law school at Delaware Law School (DLS). I met with a law professor about my desire to become a Delaware attorney and he recommended I speak with a woman named Christine McDermott. Christine was the executive director of DVLS and a law professor. At the time, DVLS was located in Shipley Residence Hall, an old dorm building with a converted first floor for DVLS office space and the law school clinical programs. I recall this meeting very well. Christine's energy and personality were captivating. To this day, whenever I think about DVLS, Christine comes to my mind.

We met in the first few weeks of my first semester of classes and Christine was very clear that I should focus on my studies and come to see her once I had successfully completed my first year of law school. I gave her a copy of my resume and asked her to contact me if she needed any help. Yet, I feared I would not hear from her. In January, following our August meeting, Delaware had a snowstorm. My phone rang and it was Christine. She said she was calling to ask me if I could make my way to the office to help answer the phone lines. That was the beginning of my long-term relationship with Christine and DVLS.

I ended up volunteering to answer the phone on a limited basis in my second semester of law school. In the first semester of my second year, I again volunteered to answer the phones, primarily conducting intake interviews for perspective clients. In my second semester of that year, Christine provided approval for me and another student to enroll in the clinic and work for DVLS for a course credit. During that semester I engaged in outreach at the Sunday Breakfast Mission speaking with prospective clients, conducting intake interviews, and providing limited advice. It was during that time that I met my husband, Todd Conner, who was a certified legal intern working for the clinic and DVLS.

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In my third year of law school, I was admitted to the limited practice of law, pursuant to Delaware Supreme Court Rule 56, and represented indigent clients in need of legal representation in the Family Court. My experience working with Christine, DVLS, and the DCC (Delaware Civil Law Clinic) led me back to DVLS in 1994, when the agency was seeking a domestic violence (DV) attorney shortly after the Protection from Abuse Act was enacted in Delaware. DVLS obtained Victims of Crime Act (VOCA) funding in order to provide legal assistance to survivors of intimate partner violence statewide.

Serving as the DV attorney was one of the most difficult and rewarding experiences I have had in my legal career. I handled Protection from Abuse (PFA) cases, as well as custody, visitation, and divorce matters in all three counties in the State of Delaware in the early years. My primary office was located at the YWCA in the City of Wilmington. The office space was so small that I could reach everything in the room without getting up from my chair. It was a very cozy space to meet with my clients and put them at ease so they would feel comfortable sharing their personal and often difficult accounts of the abuse they suffered. The clients were the same as they are today, very grateful for the representation that DVLS was able to offer free of charge.

The opportunity DVLS provided to me was invaluable. I learned from the best, which made me want to do my best. My mentors included Christine McDermott, David Brown, Dick Kirk, and Karen Jacobs. They were fantastic lawyers willing to take time out of their busy schedules to help a new attorney figure out how to practice law.

The opportunity DVLS provided to me was invaluable. I learned from the best, which made me want to do my best.

In 1996, I was promoted to managing attorney. I served in that capacity until Delaware Law School hired me as a full-time faculty member in 2004. I was very fortunate to work with some talented attorneys hired by DVLS in the 1990s, including but not limited to Janine Howard-O'Rangers, Jacki Chacona, Karin Volker, Bill Dunne, and Sonal Patel. The work we engaged in was very serious and at times difficult to handle given the gravity of our clients' circumstances. Yet, it was also a very enjoyable experience as everyone was so committed to the success of the organization and to each individual client.

The one constant at DVLS is Tina Ventresca, the Director of Finance and Administration. Yet, the title does not do justice to the many responsibilities Tina has at the agency. To my knowledge, Tina has been with DVLS longer than any other employee in the history of the organization. Moreover, Tina was instrumental in securing the VOCA and VAWA grants that sparked my lifelong commitment to survivors of intimate partner violence.

I am very thankful for the DVLS Board of Directors, past and present, as well as the DVLS staff and volunteers for all of their important work over the past 40 years. The State of Delaware is very fortunate to have such a dedicated and hard-working group of individuals who have accomplished so much, in what many of us would say, is such a short timeframe. 🌟

Introducing: Lunchtime with Legal Aid!

Community Legal Aid Society, Inc. (CLASI) was founded in 1946 by a group of Delaware attorneys who were striving to meet the unmet need of civil legal services in the state. CLASI's creative and persistent advocacy on behalf of vulnerable and underserved Delawareans has helped thousands across the state secure greater equity. In the years following CLASI's inception, Delaware Volunteer Legal Services, Inc. (DVLS) was founded. DVLS began in 1981 with the mission to help members of the Delaware Bar provide free legal services to folks in crisis who qualified for assistance. Twenty-five years ago, Legal Services Corporation

of Delaware (LSCD) was founded to ensure that the legal service industry was reaching as many people as it could, statewide. These three organizations have worked incredibly hard over the last 75 years to help ensure that more and more Delawareans had access to representation through some of their most challenging life experiences.

As the COVID-19 pandemic ravages on, these organizations have done their best to continue to show up for their client populations, the legal community, and each other. Join us this fall for our Lunchtime with Legal Aid series and hear from the folks on the front lines about the important work that

these organizations are doing. Each month from October to December one of the three legal aid agencies will be sitting down with you on Zoom, to share their experiences and answer questions you have about the work. 🌟

SAVE THE DATE!

CLASI: 12 p.m. - 12:45 p.m. on October 27, 2021

DVLS: 12 p.m. - 12:45 p.m. on November 10, 2021

LSCD: 12 p.m. - 12:45 p.m. on December 15, 2021