

YOUNGSTOWN STATE UNIVERSITY

ORAL HISTORY PROGRAM

Northeast Ohio Legal Services

Personal Experience

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MARK R. SLACK

Interviewed

by

James B. Callen

on

April 21, 1992

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INTERVIEWEE: MARK R. SLACK
INTERVIEWER: James B. Callen
SUBJECT: Columbiana County, attitude of private bar
towards Northeast Ohio Legal Services at
first
DATE: April 21, 1992

C: This is an interview with Mark R. Slack for the Youngstown State University Oral History Program on Northeast Ohio Legal Services, by James B. Callen, at Lisbon, Ohio, on April 21, 1992, at 9:40 a.m.

Mark, could you describe a little bit of your background; where you went to school, what your work experiences were before you came to NOLS?

S: I was born in Amherst, Ohio, which is in Lorain County, up on the lake, on August 17, 1957. My parents, Robert and Lois J. Slack, and younger sister Laurie, lived in that area for about eight years. Then we moved to Ravenna, Ohio, and later Garrettsville, which is in Portage County, where we lived for five years. After that time, we relocated to Summitville and this area. I've lived here ever since. I graduated from Southern Local High School, which is the southern-most school in Columbiana County. At that point, after graduating from high school in 1975, I relocated to Ada, Ohio, where I majored in Public Administration and History, at Ohio Northern University. I had graduated in an accelerated program in 1979. At that point, I came back to Columbiana County, where I was employed with the Columbiana County--at this time, it is the Human

Services Office. At that time, it was Department of Welfare, where I served as a social worker from March 1979 through June of 1980. During the course of my employment, I also attended to graduate studies at Kent State University at Kent, where I was working on a degree in Public Finance. In June, I decided to return to Ada, which I did, and I attended a two year law program. I graduated in November, 1982 with a doctorate in law from Ada. After that, I came back to Columbiana County and opened up a private practice in May of 1983. I became employed by the Public Defender's Office, in Lisbon, in May, 1984. I left that office in September of 1984.

At that time, I received a contract with Northeast Ohio Legal Services, to provide divorce services in Columbiana County. I was needed by the office because they had an attorney in the north of the county--Attorney Richard Shelar, and because they had an attorney in the southern part of the county--Colleen Dailey, I agreed to contact and meet with the clients in this office. So, that if there was a transportation problem for any of the clients, they, instead of having to come to a rather remote part of the county, perhaps from Liverpool to Salem, I would meet them here. What that basically involved down through the years here, was I ended up providing legal services here, as I waited to meet my clients. And, I think in some way that was communicated back to Northeast Ohio Legal Services and the Executive Director, Robert Clyde. When I did apply for a divorce contract in Trumbull County, someone else was chosen; but when that individual requested personal leave, he recalled that I provided some services here, and he contacted me to not complete the contract, but to supplement it while that person was on leave.

At that time, shortly after completing the services in Trumbull County, which were approximately for three months, an opening occurred at the Legal Services office in Youngstown, itself, for an intake counsel. I understand that the individual who was in that position left rather quickly, and someone was needed very quickly. So, I agreed to fill that role. I served there from July of 1988 through December of 1989. At that time, I was offered a contract, a second contract in Columbiana County, to provide general services--more the legal services role than the domestic role. I've been at this office since that time.

C: Mark, you indicated that you were in private practice full-time; and then, you had been in private practice on a part-time basis since you have been employed at NOLS.

S: That is correct.

C: Can you compare the practice you have in your private capacity with your practice as a legal services attorney?

S: Well, in Legal Services, we have certain areas that we handle quite often because they're within our priorities. In this office, we handle a lot of housing cases and eviction cases. Particularly, we provide a lot of assistance and advice, when it comes to dealing with second causes, i.e., what a client can do--the manner in which a client can recover their security deposit. We deal a lot in the consumer area with those kind of problems. The director has indicated to us that he feels that the area where impoverished individuals suffer the most is at the hands of unscrupulous sellers. So, he has really requested that we keep a sharp eye on the way people purchase their cars and the way they become involved in rent-to-own agreements, that kind of matter. So, we do try to watch that as closely as we can, to monitor the situation.

We also perform, what I think, is sort of a monitoring role in this county, in dealing with Farmer's Home Administration with the Metropolitan Housing Authority; and to a smaller extent, with the County Health Department and the other local public agencies here. We don't seem to have a lot of problems here. I think that is because of the relationship that the office has developed with these different agencies. We are able to have a telephone call or a conversation and, for the most part, get these problems resolved. We have a lot of contacts, in which sometimes, they will even contact us in somewhat of a preventative measure. "Well, how do you think we should handle this kind of problem?" Or, "How do you think we should proceed?" It often follows that we are all representing the same clients, and we really try to work together here.

So, I feel we have a very sound relationship here with most of the agencies. Although, I'm working a little bit with Farmer's Home Administration. They seem to be somewhat, what I would consider, to be overly sensitive with our role here; but we're working with them, too. Now, to compare that to my private practice, I handle a lot of general work in my private practice, as well. I handle a lot of criminal work. I do a lot of domestic work. I do work in the juvenile court area. In this area, we don't have enough work to really be able to specialize, yet. I think that that's the direction I need to go because the law is just becoming so immense. We handle a little bit of everything. You have to, to keep yourself fully-employed. But, I think that is a part of the challenge and joy in practice--the notion of continually learning. I've had the opportunity to

work in jobs that I really didn't appreciate or really enjoy, such as working in Human Services. Because, although you are working with the same clientele, you are working with the same forms over and over and over. [The forms] They never change. You have a very little role in interpreting things. You have either two or three levels of supervision above you, and you are very much hamstrung in what you are able to do there. That's why I enjoy private practice so much. Because first of all, I have almost zero supervision. I don't really appreciate a lot of supervision. Really, the only supervision you have, is from the bench, in a sense of what they expect, or, what they want from you. So, I like that. And, I like the notion that you are continually learning and advancing your education. To me, that's part of my definition of happiness--to continue to learn every day because that's what I enjoy.

I think that's a real benefit at Legal Services. I think what Legal Services offers to me, as a private practitioner, is this ability to contact the super-leader, the superexperts in your poverty areas. You can always check with somebody to see where you're at. I feel that in this practice. The disadvantage to general practice, here, is it's rare that you are ever on the cutting edge of the law. But, that is something that is given to you, when you are in Legal Services. You're not paid well, but you are certainly given the opportunity to be on the cutting edge. That's exciting.

C: You also have had some experience with Public Defender. That's an organization that provides free representation in criminal cases. Can you compare that and contrast that with Legal Services, in terms of how you deal with clients, given that the problems you deal with are different?

S: Well, I guess I have a certain amount of generalizations to make about the criminal area. That is, that most of the people in the criminal end of things are usually young; and they are not very experienced, or not very mature, and have not come to deal with life very well. It is extremely rare that you get anybody much past the age of twenty-five. The criminal element in this county is more or less the younger folk that really haven't grown up yet or adjusted or, maybe, really haven't had an opportunity for a job.

I don't really find the clientele in the criminal area to be the same as with Legal Services. They seem to be somewhat separate. We do have some overlapping from time to time. There have been times when I have been involved in the criminal area [that] I felt that the person really needed some referral to Legal Services,

and vice versa. I find, generally, that the folks that I have contact with in the criminal area are usually far more cooperative. If I ask them to do something, or to make an appointment, or something of that nature, they do it because their liberty is at stake, and they are more pressed to cooperate with me. It has not been uncommon for me to have people hitchhike out from East Liverpool, or Lisbon, or to Salem, to see me. Because, they really needed my services, and they were concerned about their liberty. I find it astounding that people walk that far to see me. I do find, though, in the Legal Services area, that the practice in Legal Services seems to be more crisis-oriented. Something happens and, in one way or another, becomes relieved or is no longer as pressing; and the folks aren't usually committed to carrying through and getting the problem permanently resolved.

But, I think in some ways, this office is a little bit frustrating, because I think if some of our clients would follow all the way through on some of the problems; then we might be able to get them resolved all at once, rather than perpetually dealing with them to come back every time something pops up. So, I guess that's one major difference I see between the criminal practice and between Legal Services' practice.

C: What is your opinion of the attitude of the courts and the private bar towards Legal Services?

S: I think we have a much better relationship than I would have had as a public defender. More or less, I have somewhat of a disappointed view of the public defender's system because you are more or less trained to put the client's rights on record. You are taught you are not there to prove their innocence. If in some way you can keep the person out of jail, that is your primary goal. That's an extremely frustrating and aggravating experience. It was for me because you are trained in law school that you are to be that person's best advocate, that you are trying to do everything possible for him. But, yet, through the public defender's system, I feel that it is more or less intended to be certain, or that the prosecutor's convictions are solid. So, I have had a very negative view of the public defender's system here. I have even voiced my concerns to the state public defender that I'm not really certain what they are trying to accomplish because that was the way I was trained in this county.

You are here to get the client's rights on the record. If you can keep them out of jail, so be it; but that's the extent of your role, here. If you, in fact, try to be a zealous advocate for every client that you have, you just totally burn out. You cannot cope with that

pressure here. You do feel like somewhat of a second-class lawyer because you really are not respected here. Anybody that spends the time to try to really help a client is perceived to be "rocking the boat," here. I have a real problem with that. I do rock the boat here with Legal Services; but for some reason, the bar and bench don't seem to be as upset. I think that what we've done, is slowly established a pretty solid record here because we don't go in and aimlessly present defenses that really aren't defenses. You are required to do that as a public defender. If the client says, "I want this defense. I want the jury trial regardless of the facts of the evidence," you go in and you do that. That discredits you in the eyes of the bench. We have the luxury here of having a little bit more control over what we try and over what we present. That gives us a lot more credibility. I found that by doing slow, thorough work, documenting what you have to say, briefing what you have to say, that we are establishing a good record here. There has been some discussion about the relationship of NOLS with the bench and bar, in this county, before. I've not really been a part of that because I came, more or less, after the problems had developed here.

Slowly, through my relationship with the bar and with the bench, I think we are overcoming that. There are still some hard feelings, but I don't feel those feelings are anywhere near the surface, as they used to be. I think a large part that has to do with the fact that we have local counsel here. The bench and the bar see me everyday in different courts, in different places, either representing my clients or representing this office. In some ways, they don't always know which "hat" I'm wearing. Very often, I've had some of my private work mailed to this office, and vice versa. I've had some of NOLS work mailed to my office because they really can't keep straight what "hat" I'm wearing. I think that really has played well for the office. I think, slowly, in a few more years, we are going to have completely healed whatever hard feelings that there might have been at one time. At least, if I behave myself, anyway.

C: Have you had any specific occasions when you've witnessed some of these hard feelings you've described, come to the surface?

S: Yes.

C: Could you describe those?

S: Well, the one that makes me laugh is when our new Executive Director came down here. I alerted him to the fact that, in the past, there had been some hard

feelings there. I said, "I'm a little astounded because we're talking at least ten years ago, and that should be water over the dam." When we went over to introduce him to the members of the courthouse and the judges, the first thing the common pleas judge--Judge Jenkins said, "You know, I still have a lot of hard feelings between me and NOLS, and it really should be water over the dam". Those were the exact words I had used to him. He was very frank in putting his feelings out. He laid them right out for the director. There had been several times when I have been trying cases, when he has very much attacked me, as representing Legal Services. My response usually has been no response. I was afraid he'd hold me in for contempt. I think that was the best way to handle him because he just kind of vented himself. He actually did it on the record. But, down through the years, that has happened less and less. We now have judges in the county courts that really don't have that much recollection of this previous feud between Legal Services and the bar. So, in that sense, this is only something that is being carried through at the Common Pleas [Court] level, because these judges have more experience and have been around longer. And, I really think that the county court judges aren't even aware of this feud; or if they were, they're not involved in it.

C: Have you gotten a sense from some of the comments made as to what the reasons for the feelings towards Ohio Legal Service were?

S: My perception is that it really wasn't as much the bar as it was particular members of the bar--particular members who felt by having the local bar run Legal Services here, that in some way they would have received a benefit. I think the hard feelings aren't so much the entire bar, as it is those people who thought they were going to receive a benefit by having that funding come here. I believe the rationale of having a centralized office. I think that that's a good thing. I think that the services that are being offered to the county, by using a central office--I think that we're getting better quality services. The only issue that I take is [that] sometimes, I think that some of the people that are serving in the central office forget that our perception here is; we're more or less of a nuts and bolts, and we need that support. I think sometimes that is forgotten. I think it's forgotten that . . . I think there is a perception in the office that everybody has their territory and you take care of your territory. I think, to a certain extent, that that's the right thing to do. Those of us who are not full-time, those of us that have other practices, those of us that are new, perhaps that are . . . I think that sometimes the central office forgets that we really

need that extra support. We don't have the ability to do everything that we want to do. That is the only real criticism that I have. It may well be that the office, itself is so involved in what they're doing that they sometimes forget. Maybe they don't even agree with me on that point. That's my perception on how the office should work. For the most part, I usually get the help that I need, sometimes not as fast; but that's the only real criticism that I think I have here.

C: During the time you've been here, have you noticed a change in the attitude of the courts and the bar towards you and towards the Legal Services office?

S: You're talking about the office as a whole, or are you talking about this office?

C: Anyway that you care to address it. Either you, this local office, or Legal Services, in general.

S: I think that what's happened, at least on a local level, is that we're not perceived as Legal Services. We are, more or less, perceived as two practitioners that are helping Legal Services out. So, in that sense, I don't really think that we have a relationship problem here. I sometimes believe, though, that there are personal animosities between local lawyers and, perhaps, lawyers in the head office. I think it may well be that the general practitioners here have been beaten by the specialists in the office. I think there may be a little bit of professional animosity there, or simply the fact that these guys have to do a little bit of everything and, maybe, didn't have the prerequisite skills in a particular case. [It may be that] they long remember that. I don't know, I'm just speculating there.

I do know that there are personal animosities, and I do think that it goes beyond Legal Services. I think it's an animosity between two lawyers, and it just happens that the one lawyer works for Legal Services from what I've heard. You have this kind of animosity even in a general practice. I'm certain that there isn't a lawyer in this county that doesn't have somebody else that he'd like to zing really good and hard if he gets the chance. So, I'm not certain that I put a lot of weight on that. The fact that one person happens to work for Legal Services . . . I just seem to think that that is an issue that's kind of healing--the fact that there have been problems between NOLS and particular lawyers in the bar. The one lawyer was John Thorne. He was a local referee here. I continually would go in there, and he would be able to tell, by the type of case I had, who I was representing.

As I started out, things were a little rough, but things became a little more personable. I used to eat lunch with him quite often. I think that in some ways . . . I think he's almost forgotten that I work for Legal Services. So, many animosities that I might have had, when he first became referee, has seemed to dissipate as I practiced with him longer and longer.

C: You mentioned a little earlier, Mark, some of the types of problems that your clients face at Legal Services. What do you see as the major problems and needs of low-income people in Columbiana County?

S: Well, I have kind of a strong view about this county because I've had the privilege of serving in three different counties. I think that the poverty that I've seen in each county is different. I think that in Trumbull County, and I think in Youngstown, the poverty seems to be somewhat transitional. Somebody becomes impoverished because they've lost their job. Maybe they've even gotten to the point where they've lost their home and their property. Here, I term the poverty as more generational. People are locked into poverty down here. We've never had a real solid industrial base county. We've had an industrial base in a sense that people have been able to rely on Lordstown, or the steel industry in Youngstown, or the steel industry in Midland. But those industries are gone--Midland and Youngstown. So, we've had some folks who have had a fairly decent living here that no longer have that.

Through my experiences at one point, I had a contract, and I worked for the Juvenile Court here. When I worked there, I could literally see three generations of juvenile offenders. Each one would generate the next one, which would generate the next one. I think that we need to have something down here. I have expressed my views to my director, in that he's talked about developing some kind of program which would actually advance employment here. I think that's what we need here. Even the Agrarian economy in this county has positioned itself so that it really isn't as sound as it used to be. More and more farming can be done on less ground. More and more people don't have the ability to support their farms. More and more farms have gone under. A lot of these farms have been purchased for reasons other than for farming. So, you would even have less tillable ground to make available for farming.

The biggest personal problem I have with my clients is that so many of my clients do not have telephones. This makes life very difficult for me in trying to quickly deal with my clients. I think that's an even

larger problem than it is in other offices because so many of the folks down here do not have telephones. We have a lot of people that don't have plumbing down here, too. I think what we really need to do here is to suggest it to our director that we look at what funds are available, to see what programs could be advanced down here, to bring more of an economy to this area. We have the prison that's been discussed here. I'm amazed that so many people are against it. I really don't understand why. As I understand, only twelve families are going to lose their ground to put this twelve hundred or fifteen hundred-acre prison in. That's going to bring a lot of jobs in this county. That's the kind of thing that we need here. I don't think it's going to cure the economy down here by any means, but it's going to give a lot of those people, or their children, who used to work at the steel plants, an opportunity to have a decent living. I don't think they're going to get rich down here off of that either. But that's the kind of thing that we need here. It just seems as if there are so many people down here that want to resist any change to bringing things in. I'm not thoroughly educated on the issues of WTI, [which is] Waste Technologies Industries. I understand that many of the people that are employees--what is going to really happen, is that they are going to emit toxic fumes and gases and particulants. . . .

C: Are you referring to the Waste Technology Industries proposed toxic waste incinerator, down in East Liverpool?

S: That's correct. I think that a lot of the folks down there believe that a lot more is going to be emitted than what they are telling the people. I don't really have an opinion on that. But, I am astounded that the amount of employment that that's going to bring in here. . . . But, there just seems to be so much distrust of government. I don't have an opinion on whether the people down there are right or not. I don't have to live down there, so it may have something to do with my lack of knowledge of what's really going to happen down there. It just seems to me that there is so much distrust in this county for anybody trying to bring anything in.

C: Have you seen a change over the years that you've worked here and the type of problems clients are bringing in?

S: I'm very much frightened about what I see coming in now. Where we used to deal with the basic issues of people receiving their benefits, or having a spat with Human Services, or being evicted, what I'm seeing now, and I find it very frightening, is that so many people

owe so much money for health issues. They owe doctor bills; they owe hospital bills. Salem Community Hospital still has limited funding from the Hill-Burton Act. We use that when we have to. But, there is so much that's happening here. People cannot buy health insurance. People cannot get health insurance. They are not offered health insurance through their employment down here. Many people are exposed to actually paying for the costs of medical care, dental care, hospital care. The people just can't pay for it. I feel sometimes that it's just going to fall in on us. It's a very serious problem here. I think there are a lot of people here that are not even going to the doctors or the hospitals that take care of their health, and I think that that's a problem that is just going to continue to grow. I think that the largest services area that we are going to have at some point, is dealing with these issues. We can't keep up with it. We just don't have enough options to help people with. All I have with the Salem Hospital is the Hill-Burton Act. On a few occasions, if the person was receiving Medicare, I could get a Medicare write-off. But, we have doctors down here that won't even accept a medical card anymore. I'm just very much frightened by what's happening.

C: In addition to the increased demand for medical care with respect to medical care problems, are there any other changes that you've seen?

S: I would say beyond that, I can't really explain why, but it seems as if this office is understaffed. I can't explain why that is because when Steve . . . at one point, I understand there were several lawyers; and Steve has always been part-time here. It seems as if the needs here were always met. Yet, when I came I can't seem to keep up with all the work that comes in here. I have to constantly make the decision, "Well, do I talk to this person and send them on their way, or do I actually try to sit down and spend some time on this case." It's a constant problem. It seems as if the more I dig, the more it comes in. At least from my point of view, in the limited time I've been in this office, which has been about three years, it seems as if the service area is continuing to grow. It just keeps growing and growing. I have a difficult time sometimes deciding, "well, am I going to treat this person on the phone and send them on their way, or just how much can I do for this person?" Anytime I spend more than a minimal amount of time on a case, I'm definitely taking time away from somebody else. On some cases, by doing that, I haven't even been able to recontact a person that's called in here. I really think that we're barely touching the iceberg here in the services that we need to provide to these folks.

Another service area that we have there that we are not meeting is the divorce area. We provide sixty divorces a year. This county averages about one thousand divorce cases a year. So, we're basically providing, I think, 6 percent of the need, and 6 percent is not sufficient. I understand that about 20 percent of this county is under the poverty guidelines. I wouldn't, perhaps, make the argument that we're only meeting about one-third of the divorce need itself, if you suspect that the divorce figures are in line with the rest of the poverty. I'm not even certain that's correct either, but I do know that that's another area that we could provide a lot of service in. Beyond that, I don't have enough background here. I did provide services to the office before I had a contract here. But, I didn't provide enough services to really say, "This is what has changed. This is what's remained constant." But, I do think that we are really understaffed here.

C: What have been some of the significant changes that you've seen? You've talked about problems. How about just in the operation of the office and the courts or in law practice, or the practice of law in general?

S: One positive change that I've seen is that we've had a lot of elderly members as part of the bench system down here. That's really pretty much gone by the wayside. Most of the members of the bench are my age or just a few years older.

The amount of changes that are taking place here are just incredible. Our Clerk Courts Office is being computerized. Rather than calling up files . . . it's incredible the amount of times I've gone in to find a file, and they can't find it. Everything is going to be on computer, attorneys are going to be able to punch in some keys and pull up a file. The bench will be able to punch in those same keys and pull up the same file. So hopefully, we are going to have a lot less things lost.

The other thing that they do here is they hand-journalize all the documents. That's amazing. It's like this giant vault in the basement where everything goes; and at some point, it comes back, and nobody can really tell you when. When you have to chase down something that is being journalized, it's just an incredible traumatic experience, because you have to go find it when you don't know where it's at. Then, when you get to the right place, the person that has the job of pulling it out, really doesn't care to see you there. So, those are all the things that are being

taken care of. We stored all our files in the hallway in the court. If I got mad at somebody, I could have went in there with my bic and flicked it, and the whole darn place, all the records, would have been lost. That never happened. Although some of the courthouse records were stored in the former Welfare Building and those were torched, because somebody got mad at Welfare and torched the building. So, we have several decades of court records that are history now because they were torched. All those records have been taken out of the hallways. Where they are going to, I don't know. But you actually have space where you can walk down the hallways there. They're working on lighting. The lighting that was in here, I think, was from about 1920. So, we are now getting lighting that is easy on the eyes, they are painting the inside of the building, corridors and rooms, in reasonable colors now. We don't have prison green up and down all the hallways now. These are small things, but believe me, it really changes the impression of the courthouse. They are carpeting a lot of places. They've put wallpaper up in a lot of the rooms. In the last few years we've developed referees, full-time referees, which we've never had before. That is speeding things along. They're really developing progressive means in handling in the office there.

The Juvenile court has gone, more or less, to a hierarchy of a number of officers that are running that place. It used to be that you had one clerk that did this job and they didn't deal with any other clerk. You had to go from clerk to clerk. We now have supervision. Things are becoming more professional. They're just making the entire environment in the courthouse more amiable to the eye. They have counters. Certain places you go, where you don't go and disturb the clerk now. You have a certain hierarchy of clerks that you go to. It makes the whole system much more efficient. They are getting work done much quicker. The other thing that really helped this county incredibly, is the fact that the county really got down and passed the sales tax, which has made a tremendous amount of difference.

I've worked for the Juvenile court since I've come here and I've had bills that were between two and three years old. I just was not getting paid. Now, all of the sudden, they've got the entire system caught up. I get paid in the course of three months for my court-appointed service. So, I think that is a really good sign of the health of the place. We still need a new courthouse. I don't know what they are going to do. Originally, they were going to put a new Courthouse in, and they tore down half of the block south of the courthouse to put the new Courthouse in. But, it has

become so beloved as our parking place now. I think we could have a riot on the streets if they try to take that, because no one will have a place to park if they take that for the Courthouse. One of the things that they've done, is they've bought the old David Anderson High School, and that is now going to become a court complex, an annex and a Juvenile Court will be located there with all the court officers. Within that building, they are also going to rent it out to other county facilities, so we're going to have things much more centralized. In this area, you won't believe how far you have to go to all the different buildings in this place. There is one up on the hill about a mile and a half away from here. The Health Department used to be in Salem, up there next to Bliss. The election board used to be at the back of a theater in East Liverpool. Everything was all over the county. They just put in whatever they could. Now, they are slowly drawing things in closer and closer. So, it's making it much easier to come to one place and being able to get all your business done, instead of running around.

So, I guess I would cite the fact that perhaps there is more money down here, and they are getting things modernized. Plus, the fact that we have newer members serving on the bench, and they are bringing more progressive ideas to running the courts. We even have a little more liberal interpretation, sometimes, on some of the laws, that, I think, we really need down here. It used to be that I could predict what was going to happen before I went to court. Now sometimes, I really have to be a serious advocate because I don't know what will happen. I think that's a good and healthy change.

C: What's a typical day like for you at Legal Services? Could you describe that?

S: A typical day: one of the things that I do is I start early because, in addition to working here, I also have to go back to my office. So, I don't really have the luxury of being able to start at a reasonable hour. If I would start at a reasonable hour, that would cut into some of the time that I would have for my practice. I start here very early. Normally, what I do is I'm usually here first and open the office. So, I make the coffee, turn on the lights, and turn on the copier, and unlock the place. Generally, our secretary, Mary Ellen is very thorough. Everything is piled on my desk so I know exactly what happened while I wasn't here. So, I can go through the pile and see what has to be dealt with immediately, and what can take more time. She also is very thorough in documenting what is going to happen that day; so I check the calender to see where I'm supposed to be, or what hearing is coming up, or who I'm supposed to see that day.

One thing I would like is to have my day more segmented, in that at certain times of the day, I would do this or do that. I really don't have that luxury here. Because our clients don't have telephones, we have to take our calls when they come in. So, more or less, it's a hodge podge each day. What we do, if we have a hearing coming up, then, obviously, we have to block that off and try to get done on those days, for maybe whatever reason, things are slow. I try to get caught up with opening or closing files, maybe putting files in order, trying to get some research done. We're usually kept hopping quite a bit in that we have a lot of calls that come in. We try to provide as much service on the phone as we can. Then, as a continuing problem, we ask them to get back in touch with us. So, I just kind of have to treat my day as a puzzle. I fit things in as I can. The one comment that Mr. Hill and I both have is usually when we leave this day, we're usually pretty close to being exhausted because the work we do here is so draining. That's again, because I think so much of what we do is somewhat crises-oriented. They don't call until it's really serious and it has to be dealt with. So many days, I'm just about to leave, the phone rings, and the secretary snaps her fingers. That means, "No, you may not leave, because you got something serious!" I have to stay and maybe three or four phone calls later, then we may be able to get it resolved for them. But, we do try to intervene a lot over the telephone and get a hold of people, and see if we can get it resolved. As I said, if I could, I'd like to have my day a little more segmented. I think in some ways I could be more productive that way. At this point, that is just a luxury that we really can't ask for because of the fact that so many of these clients call in when they can get to a phone. We don't have the luxury of saying, "I'm not in," or, "I'm busy, call back." We have to take the calls.

C: Other than segmenting the phone calls out, are there any other changes that you'd like to see made, either in the practice of law in general or in your work at Legal Services?

S: I guess I have some particular views about it, especially in the housing area--how it should be interpreted. My interpretations are just not being accepted all that readily by the county courts here, and I work on that slowly. But, I think that the point is, is that things here are not mechanical. They aren't, and I really can't go in, drop the ball, and make an argument; because they really do listen here. But, I do think that there seems to be a tendency on the part of

many of the judges that own property. So, I think somewhat, that has an inherent bias sometimes in the way they handle their housing cases. That really isn't a criticism, I guess that is just the reality of the situation. That means that I should strive more in my advocacy of the clients' rights. I think in most cases, people are treated pretty fairly down here. What was the second part of your question?

C: What are any changes in the operation of the office that you would like to see?

S: I requested several times, that I think, at least for a while, we can use an intern here, simply because there is a number of memoranda that I'd like to see written, that I've not been able to do. We do not have a library here, beyond the code of a few regulations and a few books. We are right across the street from the Courthouse, and at the bottom of the Courthouse is a library. But, what ends up happening, is that I have to take calls over there as I'm researching from this office. It's not very efficient. I think we should have a basic library here. The director suggested at some point, he wants us to move to a first floor level. We're not very optimistic here that that will happen, because there is almost no reasonable first floor space in this area, short of building something. There are times when I sometimes think we even need a second part-time--I hate to say secretary, so I'll say assistant. I sometimes feel that we're the last office within Northeast Ohio Legal Services in receiving things. Some things that are taken for granted in our offices, we've never even seen here. Then, again, we're part-time, and that may just be a question of economics, things being used by one office, versus another. I'm just being honest, but I sometimes feel that way, that we are kind of like the last office on the totem pole of things.

C: Mark, is there anything that you think is important that we haven't covered?

S: That sounds like the final question. I would just like to say that I think working in the office is really exciting, and it's simply because I feel that we always have the opportunity to be on the cutting-edge in changes in the law. That's exciting. That's not something that I think is offered to me in private practice. I really like working with the folks in the office. They are very professional. I work with a lot of people, a lot of places, a lot of different counties, a lot of different cities, and I think that is really important too. In some ways, some of those folks have been role models for me down the road, when I've been dealing with other folks and say, "Well, wait

a minute, now. I want to do it this way; but I saw it done by the office this way, and that was a lot better to deal with." So, it's been a viable learning experience and a very positive experience. That's good because I think sometimes when you are involved in poverty areas, a lot of those experiences are not all that positive. But, I think that this one has been. I don't compare this to my public defender experience at all. I did think it was important to leave that area because I thought that it wasn't training me to be a very good lawyer because I think that you should be as zealous as possible. This notion of going in with a chip on your shoulder--that I'm just more or less there to see that this guy is properly convicted--that really bothers me. But, we have had the opportunity here to impact in small ways on the benches here. We've obtained a restraining order here that we've never used. I've gotten it not only in one court but in two courts. I've had the opportunity to change judges' minds when I went in. I knew what they we're going to do, but yet, I was able to persuade them that my course of action was legally sound. To be able to see that actually occur is a real positive experience for me. Those are experiences I may not have had, but for serving at Northeast Ohio Legal Services. So, I would determine it a very positive experience. I have just been very appreciative for the opportunity, and I'm certain that it's made me a much better lawyer than I may have been.

C: Well, thank you very much.

S: You're welcome.

END OF INTERVIEW