ABA Access to Justice Headlines

August 2013

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Happy Friday, ATJ Enthusiasts, from sunny Chicago. As regular Headlines readers – all six of you – will know, I greatly enjoy our National Pastime. (I refer to baseball. I enjoy organized barbarism football too, and I know it’s more popular nowadays, but I’m a traditionalist. And at my size, playing baseball in my younger years allowed me to achieve nothing short of mediocrity, where with football success was “avoiding the hospital” and in particular an orthopedist named Dr. Muller, of whom I saw too much in high school.) While I happily call Chicago home, Philadelphia is where I’m from. So I was delighted to see the Glorious Philadelphia Phillies Baseball Franchise this week take two of three from the Cubs of Chicago. With this, I now wish to bid a warm “Hello!” to my friend Bob Glaves, a lifelong Cubs fan, of the Chicago Bar Foundation. Bob, we’ll do it again at Wrigley later this month. Tickets on me.

On to the news. In very, very short:

- ABA Annual Meeting panel looks at poor court funding and decreased access to the justice system;
- More on the project tracking self-represented litigants’ experience in Brooklyn Family Court;
- Awards from the Texas ATJ Commission;
- Pro bono report from the Tennessee ATJ Commission;
- Aloha. ATJ updates from Hawaii;
- Wisconsin ATJ Commission’s newsletter asks whether ATJ is a bipartisan issue;
- The important role of ATJ Commissions in promoting pro bono;
- Online intake launches in Idaho;
- In CT, a call to use underemployed law grads in a Civil Gideon program;
- Pro bono numbers look good in DC;
- But not so good in Santa Barbara, CA;
- A look at NY’s Attorney Emeritus Program;
- A flurry of recent writing around a preadmission pro bono requirement;
- Another federal lawmaker supports involving law school clinics in reducing the veterans-benefit claim backlog;
• A look at the NY program providing counsel to those facing deportation proceedings;
• Yale Law Journal’s current edition is Civil Gideon-centric.

The summaries:

ATJ Commission and Related Developments
• 8.9.13 – at the ABA Annual Meeting, a group of judges explored questions about the underfunding of courts and consequent limits on access to the civil justice system: “The nation’s state and federal civil courts are at a crossroads, threatened by legislative budget cuts, sequestration and a growing sense that most Americans are not served by the justice system, a panel of current and retired jurists said at an opening session of the American Bar Association Annual Meeting in San Francisco.”
• 8.4.13 – Richard Zorza of the Self Represented Litigation Network shares the materials being used to monitor the experiences of pro se litigants in Brooklyn Family Court: “I am delighted to be able to post the excellent instruments used in the Brooklyn Family Court SRL observational study…. As you may know, this project is observing and recording whether Judicial Officers are taking recommended steps to ensure access according to the ‘engaged’ model for judging, and will assess whether the use of these techniques has an impact on satisfaction.”
• 8.1.13 – the Texas ATJ Commission just presented an array of awards to “local bar associations, young lawyer associations, and State Bar of Texas sections who have demonstrated an outstanding commitment to pro bono service and improving access to justice.” Those recognized include the “State Bar of Texas Computer and Technology Section…for their mobile applications for legal services attorneys” and the Houston Bar Association “for their Veterans Legal Initiative, which provides pro bono legal advice and representation to veterans in the Harris County area.” (Story from KATY, and here’s a press release from the Commission.)
• 7.25.13 – I promised myself months ago I’d stop making jokes about pro bono in the Volunteer State. So I won’t. But here’s good news: “The Tennessee Supreme Court’s Access to Justice Commission has released an extensive study showing that attorneys in Tennessee are providing more free and reduced-rate legal services to those in need…. [I]n 2011 the number of hours that attorneys in Tennessee volunteered their services nearly tripled from 2009…. The report provides 2011 data that shows 9,736 attorneys practicing in Tennessee provided 804,961 hours of pro bono, an average of nearly 83 hours per attorney…. Reporting pro bono activity is encouraged, but not required by the Supreme Court. There were a total of 21,111 attorneys licensed in Tennessee in 2011, which means that 46% reported participating in pro bono activity.” (Here’s the ATJ Commission announcement; here’s the report.)
• July, 2013 – The Hawaii ATJ Commission was recently in touch about several positive developments in the Aloha State:
  • “Settlements in three class action suits brought by the Hawaii law firm Perkin & Faria have recently resulted in substantial cy pres awards to a number of nonprofit[s], including [legal aid providers]. The total cy pres awards…in these three cases amount to $454,200 in the aggregate to date, with $134,200 of that amount going to legal services providers. Additional distributions are expected…”
  • The ATJ Commission also presented a seminar this week on “Working Effectively with Limited English Proficient Clients,” and held a successful ATJ Conference in late June. Here are conference remarks from Chief Justice Mark Recktenwald, a thoughtful and practical ATJ advocate, which highlight the importance of self-help centers as a piece in the ATJ puzzle and ask “What’s next?” for the ATJ Commission.
Summer, 2013 – the Wisconsin ATJ Commission’s summer newsletter is hot off the presses. The lead piece, “Can Access to Justice Be Nonpartisan?”, conveys an interesting data point: four states – Florida, Idaho, Louisiana, and Wisconsin – presently provide no state funding for civil legal aid.

Summer, 2013 – in the summer edition of the ABA’s Dialogue magazine, yours truly contributed a piece focused on the roles that ATJ Commissions can play in promoting pro bono: “Access to Justice Commissions are spearheading creative, and replicable, initiatives to engage all segments of the private bar in pro bono work that rewards lawyers while narrowing the justice gap.”

Legal Aid Funding & Service Delivery

- 8.8.13 – good news from the Gem State: using funds from an LSC Technology Initiative Grant (TIG) grant, Idaho Legal Aid Services has launched an interactive, online application and intake system.
- 7.26.13 – the Connecticut Bar Association president and vice president highlight the civil justice gap, the underemployment of law school grads, and “join with many others in calling upon our legislators, our judges, legal educators and our fellow lawyers to create a ‘civil Gideon’ program in Connecticut providing free or low-cost legal services to all of our citizens in matters where basic human needs are involved.” (Hartford Courant op-ed.)

Pro Bono (see next section for law school pro bono/public service)

- 8.1.13 – “Pro bono work by Washington-based lawyers is on the rise, according to a new survey released this week by the D.C. Bar Pro Bono Committee. In 2012, 62 of the city’s largest law firms reported that more than 10,000 D.C.-based lawyers completed over 825,000 hours of pro bono service—an average of 81 hours per lawyer. The numbers are up from 2011, when lawyers reported an average of 78 hours of pro bono service.” (Post from the Blog of the Legal Times.)
- 7.31.13 – “[O]f the 1,385 lawyers listed by the state bar who are active in Santa Barbara County, it appears from polling, interviews and anecdotes that only a small fraction do pro bono work.” This long-form article from Mission & State, a new nonprofit journalism venture, takes a comprehensive look at the legal culture in the county, and how pro bono and legal aid figure into it. Well worth a read. And it seems that Mission & State, in collaboration with the Pacific Coast Business Times, will produce future articles on pro bono in neighboring counties.
- 7.26.13 – a look at New York’s “Attorney Emeritus Program” for retired lawyers to do pro bono. “The idea is simple: Some 2.3 million people navigated the courts in New York State without legal help last year. At the same time, there are hundreds of baby boomer lawyers retiring from The Am Law 200 annually. The attorney emeritus program encourages firms to include retired lawyers in their pro bono matters. Firms provide work spaces, secretarial help, technology support, and malpractice insurance. And the retired lawyer’s compensation or other retiree benefits is unaffected by the work.” So far, nine law firms have signed on to formally participate in the program. (Read the American Lawyer piece.)

Law School Pro Bono/Public Service

- 8.6.13 – Should the ABA’s law school accreditation standards include a pro bono mandate? Prof. Deborah Rhode of Stanford Law and David Udell of Cardozo Law’s National Center for Access to Justice say yes: “Pro bono service is certainly within the mission of legal education and offers an opportunity for the ABA…to show that it understands the reality of our justice system. [I]f the ABA does not embrace a national approach to pro bono service, individual states will likely move to establish their own rules, extending differing bar admission requirements to…graduating law students. That possibility is nearer to becoming a reality, as [officials] in New Jersey and…California [consider] bono service bar admission requirements that differ from one another, and from the requirement…in place in New York.” (Rhode/Udell op-ed in the Nat’l. Law Journal.)

- Richard Zorza highlights the Rhode/Udell piece and chimes in on the issue of requiring preadmission pro bono: “What the opponents [of law-practice regulators
requiring pre-admission pro bono work] seem to forget is that this is about far more than getting a few more pro bono hours out of law students, or even impacting the long term views of young lawyers. It is about whether the institutions of the bar recognize that they are organizations with a responsibility to support and facilitate access.”

- On a related note the Conference of Chief Justices just adopted a resolution “In Support of Encouraging Pro Bono in Law Schools” that includes the following: “…the Conference of Chief Justices encourages the Chief Justice of each state to discuss with the Deans of their law schools a proposal that students perform pro bono service prior to law school graduation as a condition of admittance to the State bar.”

- It occurs to me that it’s worth highlighting a potential conflation of two related issues. The ABA’s law school accreditation standards are the rules law schools must follow to maintain an ABA accreditation. State law-practice regulators – whether a bar association or a high court – are the gatekeepers for allowing people to practice law in that jurisdiction. The idea of including a pro bono mandate in the ABA law school standards and the idea of state regulators mandating pre-admission pro bono are related – and could certainly impact each other – but they are different. In thinking through the various actors and possibilities for requiring pro bono of tomorrow’s lawyers, this is an important distinction to observe.

- 7.30.13 – in a previous ATJ Headlines edition we covered the push among federal legislative officials for the Department of Veterans Affairs to partner with law school clinics in resolving veterans-benefit claim backlogs. Congressman Rob Wittman (R – VA) has joined the call, having written a letter to Secretary Eric Shinseki “citing the performance of the Lewis B. Puller, Jr. Veterans Benefits Clinic at William and Mary Law School and its associated Helping Military Veterans through Higher Education Consortium….”

Civil Right to Counsel

- 8.1.13 – not entirely in the civil arena, but here’s a favorable take on the first-of-its-kind program to provide representation to all detainees facing deportation proceedings. Writes Brooklyn Law School Professor Mark Noferi: “…New York’s pilot project shows that immigration appointed counsel is achievable, politically, financially, and logistically. More importantly, the New York model is a first step towards a nationwide immigration public defender system.”

- June, 2013 – the Yale Law Journal’s current edition has extensive content focused on Civil Gideon and related topics.
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Happy Friday, ATJ Enthusiasts! Let us begin with my astonishment upon learning, last night, the ages of some Revolutionary War Era bigwigs. Thomas Jefferson was 34 years old in July, 1776, when he was planting the seeds for modern liberal democracy. Marquis de Lafayette, whose battlefield exploits were crucial to the Revolution’s outcome, was…wait for it…18. I am 37 – over twice the age of the Marquis. Yesterday morning I successfully replaced a roll on a motion-activated paper towel dispenser. I had half a mind to throw my hands in the air, declare victory, and call it a week. Now I am depressed.

(On the other hand, I’d love to see Le Dashing Daring Marquis change that paper towel roll.)

By way of transition into ATJ news, here’s coverage of an issue that’s becoming ever more important to how we engage client communities: Internet access. The New York Times reports: “Seventy-six percent of white American households use the Internet, compared with 57 percent of African-American households, according to the ‘Exploring the Digital Nation,’ a Commerce Department report released this summer and based on 2011 data. The figures also show that Internet use over all is much higher among those with at least some college experience and household income of more than $50,000. Low adoption rates among older people remain a major hurdle. Slightly more than half of Americans 65 and older use the Internet, compared with well over three-quarters of those under 65. In addition, Internet use is lowest in the South, particularly in Mississippi, Alabama and Arkansas.”

Speaking of technology, I learned of that NYT article from Mike Monahan, pro bono director with the State Bar of Georgia, via Twitter. Mike had “retweeted” the article, having originally picked it up from the Twitter feed of Will Hornsby. Will’s office is…hang on a sec….six doors down from mine. Perhaps I’ll email Mike and ask him to tweet along my thanks to Will. Or maybe I’ll thank Will in person. Then Will, in turn, can thank me for all the paper towels he has access to.

The ATJ news, in very short:

- The ATJ picture in Canada isn’t good (new report released);
- Much better news in Illinois (ATJ Act signed into law);
- Two big ATJ resolutions from the ABA and CCJ;
- The Milwaukee Justice Center is hitting the streets;
- More good news from IL, this time on unbundling;
- Self-help resources are hot commodities in Michigan;
- Q&A with the legal-aid architect of Minnesota’s new Foreclosure Relief Law;
- HHS healthcare support grants go to legal aid providers in FL, KY, MO, PA, VA, WI;
ABA president exploring a legal aid job corps, but is there $?

Some Sandy victims still mired in legal problems;

SCOTUS to explore cy pres?

Indianapolis Legal Aid Society braces for United Way funding cut;

Proposed rule change in MA would impact use of cy pres funds;

NY committee exploring how to engage more in-house counsel on pro bono;

So what became of those “deferred associates,” anyway?

ABA’s Pro Bono Standards get an update;

NM Chief Justice makes the pro bono pitch directly

ABA, LSC and the VA team up on the mother of all abbreviations: a veterans pro bono program;

LSC’s president urges DC lawyers to support legal aid and pro bono;

State-by-state chart on “emeritus” pro bono attorney practice rules;

A look at CA’s Shriver Housing Project, a pilot program to expand access to counsel;

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read on for the news summaries:

**ATJ Commission Activity & Related Developments**

8.18.13 – Whoa, Canada. “Access to justice in Canada is being described as ‘abysmal’ in a new report from the Canadian Bar Association, which also calls for much more than ‘quick fix’ solutions. The summary report, released Sunday at the association’s conference in Saskatoon, says there is profoundly unequal access to justice in Canada.” Here’s the *Global Post* article. Here’s the preliminary CBA report, “*Reaching Equal Justice: An Invitation to Envision and Act*”.

8.15.13 – great news from here in Illinois. The “Access to Justice Act” just became law. This press release from Governor Pat Quinn’s office focuses on the Act’s pilot program to provide legal services for veterans. But the law, which was strongly supported by the Illinois Supreme Court Commission on Access to Justice, makes progress on a number of ATJ fronts: “[The law] ‘provides funding for self-help centers in law libraries, creates a task force to review the statutory fees imposed on litigation and will establish a pilot project to test how best to provide legal representation in certain civil cases to those who can’t afford an attorney,’ Chief Justice Kilbride added.”

- Richard Zorza, while supportive of the new law, sounds a cautionary note:
  “[W]hile there is much talk about civil Gideon pilots, almost if not all of those going into place are actually representation expansion pilots, which is a very different thing altogether. None of them will tell us what will happen if we do create a right to counsel in certain situations, or what is the different in impact between allocating resources as a matter of right, or [through] a discretionary or triage system.”

- Here’s the bill’s text, and note that an “Access to Justice Fund”, drawing revenue from court fees, will be the funding source for the pilot legal assistance programs.

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August, 2013 – two terrific ATJ developments stemming from the annual meetings of both the Conference of Chief Justices (CCJ) and the ABA. First, at its annual joint meeting with the
Conference of State Court Administrators (COSCA), CCJ/COSCA passed a resolution “Reaffirming Commitment to Access to Justice Leadership and Expressing Appreciation for Access to Justice Progress and Collaboration.” Second, the ABA House of Delegates acted on an ATJ resolution. Read the resolution and the detailed report which accompanied it here. Here’s the resolution language:

- RESOLVED, That the American Bar Association urges establishment of and support of access to justice commissions or comparable bodies in all states and territories.

- FURTHER RESOLVED, That the American Bar Association urges its members to support state or territorial supreme court initiatives to create and promote access to justice commissions or comparable bodies.

Legal Aid Funding & Service Delivery

- 8.22.12 – the Milwaukee Justice Center is going mobile. From their Facebook page: “The Milwaukee Justice Center Mobile Legal Clinic, a project of Marquette University Law School and the Milwaukee Bar Association, will provide MJC programs to Milwaukee neighborhoods lacking convenient access to the Courthouse. Utilizing the popular and effective Marquette Volunteer Legal Clinic model, the Mobile Legal Clinic will offer the services of volunteer attorneys, aided by law students, providing brief legal advice on a variety of civil legal matters. The clinic also will offer family law “forms” assistance.”

- Interestingly, we’ve seen legal aid and pro bono providers using buses for both urban and rural outreach. This Shriver Center blog post highlights bus outreach in both settings.

- 8.19.13 – More Illinois! A piece on the National Law Review website highlights an Illinois practice-rule change to permit limited scope representation: “Rule 13 now specifically permits attorneys to make a limited scope appearance on behalf of a civil litigant. The attorney must have entered into a written agreement with the client to provide limited scope representation. The rule also requires attorneys to file a Notice of Limited Scope Appearance that specifically identifies which aspects of the proceeding the attorney is representing the client in.”

- 8.19.13 – business is bustling at self-help website MichiganLegalHelp.org, and that’s also the case at brick & mortar self-help centers that are running in five (and growing) counties. East Village Magazine has the details

- 8.17.13 – a Star-Tribune Q&A with Legal Services Advocacy Project attorney Ron Elwood, who was a driver in bringing Minnesota’s new Foreclosure Relief Law, to fruition. Of the law, Elwood says, “Its fundamental premise is that a homeowner who is eligible for a loan modification or other option to avert foreclosure must be offered one, and if…that doesn’t happen…then the homeowner can…force a "time out" to make sure every opportunity to save the home is provided….” Elwood goes on to note that the Minnesota Bankers Association was a partner in creating the legislation. As an aside, if the photo in the story does not scream “Serious Legislative Business” well then, man, I just don’t know.

- 8.14.13 – new ABA president James Silkenat pledged to support ATJ efforts in both the criminal and civil arenas. As to the latter, “Silkenat said he plans to help develop a Legal Access Job Corps, which will seek to address the country’s growing unmet legal needs and the underemployment of recent law graduates. ‘Instead of looking at the dearth of jobs and the large number of unmet legal needs as two separate silos, we will find ways to match young lawyers who need practical job experience with disadvantaged clients who need legal assistance,’ the new president said.” (Report from Legal Newsline.)

- An 8/19 article on the Law360 site questions whether there exists the funding to support such an infrastructure: “The American Bar Association’s plan to create a job corps to match young lawyers with opportunities in underserved areas of the
country faces challenges related to local rules, insurance and mentoring, but by far the biggest hurdle, in an era of budget pain, is finding money to fund a flock of legal eagles, experts say.

- 8.13.13 – Almost a year after “superstorm” Sandy hit, those affected are dealing with thorny legal problems. From the Associated Press: “Thousands of people with damaged homes and businesses have sought help with legal headaches ranging from fights with building contractors to insurance disputes. In the first days after the Oct. 29 storm, mobile legal clinics sprang up in flooded communities to help people apply for emergency aid and navigate the federal bureaucracy. Nearly 10 months later, some are still operating, and the issues have become increasingly complex.” The piece notes the work of Touro Law Center’s Disaster Relief Clinic, among other providers.

- 8.12.13 – the Supreme Court may take up a case that, while on the merits having nothing to do with legal aid, could have implications for the use of cy pres funds. From the New York Times: “The Supreme Court will soon decide whether to hear the case, Marek v. Lane, No. 13-136. The justices have been quite active in restricting other aspects of class actions, and they may decide it is time to consider settlements that critics say leave plaintiffs worse off than when they started. Class-action lawyers call the diversion of settlement money from victims to other uses ‘cy pres’.” (Marek deals with a class action against Facebook, the result of which was a settlement from which the plaintiff class got no cash award – although the lawyers were compensated – and Facebook agreed to contribute $6.5 million toward founding a foundation.)

- 8.7.13 – From Massachusetts: “The Supreme Judicial Court’s Rules Committee invites comments on proposed amendments to Mass. R. Civ. P. 23(e). The proposed amendments would require that at least fifty percent (50%) of residual funds in a class action be disbursed to the Massachusetts IOLTA Committee to support activities and programs that promote access to the civil justice system for low income residents of the Commonwealth of Massachusetts.” Here’s the announcement about the comment period, which closes on 9/6/13.

- 8.15.13 – an example of a federal funding stream with which the legal aid community may not be familiar. The Department of Health and Human Services announced that it provided 105 grants – $67 million all told – to organizations that will serve as “Navigators,” who will help people understand their healthcare options as federal reforms take root. Of the 105 recipients, I see at least three legal aid providers:
  - Legal Aid Society of Palm Beach County (FL), Inc. – Anticipated grant amount: $446,783
  - Virginia Poverty Law Center, Inc. – Anticipated grant amount: $1,278,592. (They got some local press, and the story suggests that some of the grant $ may flow through the Poverty Law Center to other providers.)
  - Legal Action of Wisconsin, Inc./SeniorLAW. – Anticipated grant amount: $70,000

  Here’s the full list of navigators, organized by state (105 grant recipients).

- And on a related note, in early July a separate pot of Affordable Care Act funding – “Connecting Kids to Coverage Outreach and Enrollment Grants” – resulted in grants for legal aid providers in KY, MO, and PA.

- 8.12.13 – “A change in policy from its largest contributor is pushing Indianapolis Legal Aid Society to introduce itself to a wider audience. The nonprofit was notified this summer that the United Way of Central Indiana would be reducing its contribution by nearly $126,000, according to John Floreancig, general counsel of ILAS and Ron Walker, president of the ILAS board of directors. The cut is the result of a recent shift in United Way policy. Specifically, the organization does not want its contributions to exceed 35 percent of any receiving agency’s annual budget. In the UWCI’s 2012-2013 fiscal year, ILAS has an annual budget of approximately $760,000, of which United Way support comprises about 51 percent or $384,541. The reduction will be phased in over the next three years until the amount cut comes close to $126,000. (Story from The Indiana Lawyer via the Indianapolis Business Journal.)
Pro Bono

- 8.20.13 – in NY, a committee appointed by Chief Judge Lippman to engage more in-house counsel in pro bono is progressing. From Law360 (password-protected, though): “New York is closing in on a plan to allow nonadmitted, in-house counsel to do pro bono work, Court of Appeals Judge Victoria Graffeo said Tuesday, but she also issued a plea for lawyers who fall into that category to fill out the papers required to make them eligible to help close the ‘justice gap’.” Here’s more on the commission from the New York Law Journal, which covered the commission’s July launch.

- 8.16.13 – some phrases belong to specific time periods. “Grunge music” is so early 90s. And “deferred associates” is so late 2000s. Lo and behold, the Legal Aid Society of DC checked in with two (formerly) deferred associates who spent their deferral periods as legal aid attorneys. I’m delighted to learn that they remain committed to the cause. These days one attorney handles pro bono DV and family matters, while the other handles pro bono Social Security disability cases. Kudos, Scott Armstrong and Henry Smith.

- 8.12.13 – the ABA’s House of Delegates adopted proposed updates to the “Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means.” (Congrats to my colleagues in the ABA Center for Pro Bono, who worked on the revisions.)

- 8.11.13 – in New Mexico, the Chief Justice is making the pro bono pitch directly. “A Farmington-based legal aid organization is teaming up with the New Mexico Supreme Court to expand free and reduced cost legal coverage in San Juan County. Daniel Abeyta, managing attorney at the Farmington office of DNA People’s Legal Services, and Petra Maes, Chief Justice of the New Mexico Supreme Court, will hold a pro bono representation seminar on Aug. 20 and offer continuing legal education credits to attorneys who attend and commit to take one case through DNA’s volunteer lawyer program.” (Story from the Farmington Daily Times.)

- 8.10.13 – A new initiative to provide pro bono legal assistance to military veterans was announced Saturday by the ABA, the Department of Veterans Affairs and the Legal Services Corp. The initiative, which will launch as a pilot program in Chicago and St. Petersburg, Fla., will recruit lawyers to help veterans prepare their claims with the VA for disability pay.” (Story from the ABA Journal.)

- August, 2013 – LSC President Jim Sandman is also chair of the DC Bar’s Pro Bono Committee. In this month’s Washington Lawyer magazine, Sandman highlights the strength of DC’s legal community, but also the persistent justice gap in the District. He calls on DC lawyers to 1) do pro bono that benefits local, low-income clients and 2) donate to local legal-aid providers.

- June, 2013 – the ABA Section on Law and Aging recently updated a chart laying out state practice rules pertaining to “emeritus” pro bono programs for retired or senior lawyers.

Civil Right to Counsel

- A “Marketplace” story from California on the Shriver Housing Project, “…a pilot program offering lawyers to people facing life-altering cases in civil court. [Mike Feuer, a former state legislator who wrote the bill creating the Project,] says it provides more justice, and it’s more cost-effective, because having an attorney can actually help avoid a trial. Out of 2,500 cases the Shriver Housing Project has seen so far in LA, all but forty have been settled out of court.

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