

★ VETERANS LEGAL CLINIC PROFILES ★

At the heart of the Texas Lawyers for Texas Veterans initiative are the legal advice clinics for veterans that local bar associations across the state have started. While the State Bar has provided resource materials to aid local bars in getting clinics off the ground, the actual on-the-ground work of establishing a clinic has come from many dedicated volunteers within each local bar who have worked with local Veterans Affairs and Texas Veterans Commission representatives, established clinic logistics, recruited volunteers to work the clinic, and publicized the clinics to the veterans community. By November, clinics were established in all major metropolitan areas and in many other smaller communities throughout the state. The Texas Bar Journal talked with several attorneys who have been instrumental in organizing and participating in the veterans legal clinics in their communities.



JO ANN MERICA — AUSTIN

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Co-chair, Texas Lawyers for Texas Veterans Committee

WHY WAS IT IMPORTANT TO YOU TO BECOME SO CLOSELY INVOLVED WITH STARTING YOUR LOCAL VETERANS LEGAL CLINIC?

It was important to me to become involved with starting my local veteran's clinic for several reasons: I am the statewide co-chair and the Austin co-chair of TLTV; I have a great respect for those who have served this country, almost always at great personal sacrifice; and I believe that I have a duty to use the gifts given to me to contribute to the collective good in my community.

DO YOU HAVE A CONNECTION TO THE MILITARY?

IF SO, WHAT KIND OF IMPACT HAS THAT HAD ON YOU?

My father and two of my uncles, as well as many of my friends, have served in the military. My regard for them probably increases my respect for those who serve, but I suspect that I would have that respect regardless of these personal connections.

WHEN DID YOUR LOCAL BAR DECIDE TO START A VETERANS LEGAL CLINIC AND WHAT WERE SOME OF THE STEPS YOU TOOK TO DO SO?

The Austin Bar Association decided in the spring of this year to start a veterans clinic. We took steps to conduct a focus group among homeless vets to determine their legal needs, and we consulted the Texas Veterans Commission and the Veterans Administration to secure optimal space and communication lines to reach veterans. In addition to these steps, we solicited volunteer assistance from lawyers in the community, legal malpractice coverage from our volunteer legal services program, and participation from legal aid, our local lawyer referral service, and our local paralegal association and law students' organization.

WHAT HAS BEEN THE RESPONSE FROM ATTORNEYS AND VETERANS?

The response from both sides has been overwhelmingly positive. I am proud to say that lawyers have enthusiastically volunteered for this project in droves. Veterans have sought these services and have repeatedly expressed gratitude and appreciation for the legal advice offered to them.



A veteran receives assistance at the Austin Bar's first clinic in June.

WHAT ARE SOME STANDOUT MOMENTS OF THE CLINICS FOR YOU?

Even after conducting the clinics for only a few months, the standout moments are too many to describe. Very often, someone you have helped will effusively thank you and that, by itself, makes it all worthwhile. One "God bless you" for helping a veteran with a problem he or she cannot surmount without legal help makes my week.

In a wills clinic that we held on Sept. 11 for reservists deploying to Afghanistan, I was so moved that I wrote about the experience for the Austin Bar's newsletter. I was not alone; all of the lawyers who participated were changed that day.

At the September clinic, I counseled a veteran who had served on a nuclear submarine. I was struck by how much his military service had cost him and how little provision had been made for him by our government. This man had been exposed to significant radiation — he had lost all of his teeth within 18 months of his exposure and then had large disfiguring skin lesions that appeared (which the VA had characterized as "acne" — he showed me the scar on his arm and it's definitely not that!). His attempts to get disability compensation from the VA for the recurring headaches he has had and recent cancer have been unsuccessful. This is an unfair and deplorable situation; it is one of many situations or cases that need our attention.



DONALD L. WILLIAMS — EL PASO

*Law Offices of Donald L. Williams
Chair of El Paso Lawyers for Patriots*

WHY WAS IT IMPORTANT TO YOU TO BECOME SO CLOSELY INVOLVED WITH STARTING YOUR LOCAL VETERANS LEGAL CLINIC?

The answer to the next question will answer this one better. The El Paso Bar Association had completed a successful Access to Justice Fair in October 2009, and Carlos Cardenas (then president of the El Paso Bar Association) wanted that effort to continue into this new initiative involving veterans and the military. Knowing my background prompted Carlos to ask me to carry it out.

DO YOU HAVE A CONNECTION TO THE MILITARY? IF SO, WHAT KIND OF IMPACT HAS THAT HAD ON YOU?

I am an Army brat. I am originally from Houston. Today, my father is 86 and is a retired disabled veteran of two wars. He volunteered to go back into the Army at 37 years old so that we would not starve to death. It was the late 1950s-early 1960s and we were in a severe recession. He served in World War II at 17 years old and served in Vietnam at 38 as a junior enlisted man. I attended high school at Bitburg American High School in Germany. At the conclusion of my junior year, we were transferred to Fort Bliss in El Paso. During my senior year, I enrolled in Army ROTC as a private and rose to the level of Command Sergeant Major within a couple of months. I received an appointment to the U.S. Military Academy at West Point and attended the summer training called "Beast Barracks." I returned to Texas due to a medical situation involving my mother and took ROTC at the University of Texas at El Paso, where I became a Distinguished Military Student/Graduate.

I received an educational delay to attend law school and went into the service in the Judge Advocate General's Corps (JAG) at the rank of Captain. My first duty station was back to Germany. I was the post Criminal Defense and Legal Assistance Officer, and in about a year and a half, I was the officer in charge of the Gelnhausen Legal Center, Chief Prosecutor, and advisor to the brigade commander, at the request of the brigade commander to the staff judge advocate (SJA), at the Division level.

Upon completion of my assignment, I was transferred to Fort Bliss and appointed the first senior defense counsel under the newly created Trial Defense Service, which was a separate command from the SJA to reduce the instances of unlawful command influence, involvement, and intimidation against criminal defense lawyers who were tasked with zealously defending their clients.



Local veterans service providers provided information at El Paso's Legal Initiative Program in May. Photo courtesy of Donald Williams.

After receiving an Honorable Discharge in 1983, I became a private practitioner and represented a disproportionate share of military clients. I began mostly representing military personnel in civilian criminal courts and military courts-martial and eventually limited my practice exclusively to family

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law. More than 90 percent of my clients are now military or military-related.

WHEN DID YOUR LOCAL BAR DECIDE TO START A VETERANS LEGAL CLINIC AND WHAT WERE SOME OF THE STEPS YOU TOOK TO DO SO?

After the Access to Justice Fair, I attended a veterans training program put on by the Houston Bar Association, and in January, assembled a planning committee. The following month, while presenting my paper, "Family Law in the Military Combat Zone," to the 14th annual Civil Trial Law Seminar, I solicited attorneys to assist us in the veterans initiative. In May, we hosted our first Veterans Mental Health Treatment Court and El Paso Lawyers for Patriots Legal Initiative Program. In August, we received a grant from the Texas Access to Justice Foundation to continue our efforts.

WHAT ARE SOME OF THE WAYS YOU'VE WORKED TO PUBLICIZE YOUR CLINIC TO THE MILITARY COMMUNITY?

My planning committee consisted of the El Paso Bar Association president and executive director; the Veterans Treatment Court judge, his coordinator and intern; a county commissioner; Texas RioGrande Legal Aid staff; attorneys from William Beaumont Army Medical Center, the Wounded Warriors Program, and Fort Bliss Legal Assistance Office; Veterans Administration and Texas Veterans Commission representatives; a MHMR Center representative; a professional publicist; the Veterans Business Association president; a USA Cares represen-

tative; and a Domestic Relations Office representative. This was the core group. It has since been expanded to include the Family Law Bar Association president; the CLE chairman; military criminal defense counsel; and social workers. Committee members wrote newspaper articles and blogs, and there were interviews on local radio shows. We also distributed flyers and leaflets at key businesses.

WHAT HAS BEEN THE RESPONSE FROM ATTORNEYS AND VETERANS IN YOUR AREA?

The response was positive and encouraging. A lot was done in a short time frame. We produced a photo show and a video that documents the response.

WHAT ARE SOME STANDOUT MOMENTS OF THE CLINICS FOR YOU?

The standout moment for me was the response and personal involvement of State Bar President Terry Tottenham, Texas Veterans Commission General Counsel Tina Carnes, Texas Access to Justice Foundation Executive Director Betty Balli Torres, the Fort Bliss SJA Office, our elected officials, other agencies and exhibitors, and attorneys and veterans that attended the program. As the program "gopher," I did not personally counsel any of the veterans, however, I did counsel a number of people at a VFW post when I observed a clinic in Houston. A lady was so pleased with my advice that she gave me some handmade bookmarkers that said "God Bless You."

HOW WOULD YOU LIKE TO SEE THE VETERANS LEGAL CLINIC GROW, BOTH LOCALLY AND STATEWIDE?

The El Paso initiative was unofficially linked to the creation and initiation of the Veterans Mental Health Treatment Court; thus, our program was called the Veterans Mental Health Treatment Court and El Paso Lawyers for Patriots Veterans Legal Initiative Program. I want the program to become a permanent stand-alone entity or incorporated into a permanent existing organization or entity. Fortunately, current El Paso Bar President Chantel Crews is just as passionate about the program as her predecessor. Because Fort Bliss is a major military installation, it is quite natural that the services or programs now offered or proposed will eventually have to be increased to serve the increasing needs of active duty, veteran, and retirement populations.

The military legal offices are not equipped to do more than advise this unique constituency. We will need more resources not only to train the local bar for pro bono representation but also in handling veterans who will also produce fee-generating cases. In order to adequately serve this population, we need the formation of an office with specially trained personnel who have a vested interest in its success for a continuing coordinated program to reach the greatest number of qualified veterans and active duty personnel.

STATE BAR SECTIONS PROVIDE EXPERT ASSISTANCE

The State Bar of Texas Sections are recruiting volunteer expert panels to provide an additional level of support to local bar association veterans clinics. Certain cases or legal questions might require a level of expertise beyond what could reasonably be provided at the clinics and would be referred to the Section expert panels to assist in the matter or help find an attorney willing to assist. The response has been overwhelming, and State Bar Sections are providing experts in most major substantive areas.

Qualified attorneys willing to provide expert support are needed in the areas of family law, civil litigation, real estate, probate and estate planning, criminal law, civil and criminal appeals, administrative law (including administrative appeals regarding benefits), and military law. To volunteer, email sections@texasbar.com. Please indicate the subject matter you are qualified to address in your email. Don't miss this opportunity to support your section and our veterans.



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ALLAN K. DUBOIS — SAN ANTONIO
Law Office of Allan K. DuBois

TELL US A LITTLE ABOUT YOUR MILITARY SERVICE.

I was raised in a military family and received a Regular Army commission before attending law school on the Judge Advocate General's Corps Excess Leave Program. I served as a captain in the U.S. Army Judge Advocate General's Corps from 1970 to 1974, primarily as an appellate defense attorney.

AS A VETERAN, WHAT WAS YOUR INITIAL RESPONSE TO HEARING ABOUT THE TEXAS LAWYERS FOR TEXAS VETERANS INITIATIVE?

I was delighted to first hear about Terry Tottenham's initiative when he was in town running for State Bar president. We both had a common background as military lawyers, and he was passionate about doing something significant for our veterans during his year in office, which was inspirational to me.

HOW DID THE SAN ANTONIO BAR DECIDE TO START A VETERANS LEGAL CLINIC, AND WHAT WERE SOME OF THE



San Antonio attorney Adolph "Jake" Jacobson (right) counsels a fellow veteran at the San Antonio Bar's first clinic. Photo courtesy of San Antonio Bar.

STEPS IT TOOK TO DO SO?

Under the leadership of the San Antonio Bar Association President Justice Phylis Speedlin, herself an army nurse veteran, the SABA Board immediately felt it was a good idea. We are in a city with a great military presence and many retired veterans in our community. With Justice Speedlin's direction, Community Justice Program Director Amanda Buckert applied for a Texas Access to Justice Foundation grant to be able to staff veterans legal clinics on a regular basis at the Audie L. Murphy Veterans Hospital. Justice Sandee Bryan Marion and District Judge Larry Noll, co-chairs of our Community Justice Program, worked with our volunteer base in order to facilitate a smooth transition.

WHAT HAS BEEN THE RESPONSE FROM ATTORNEYS AND VETERANS IN YOUR AREA?

The response from attorneys and veterans has been tremendous. We have had an overflow of applications from qualified veterans for our clinics, working in conjunction with Ann Zaragoza, branch manager of Texas RioGrande Legal Aid in San Antonio. We have planned a huge day-long clinic around Veterans Day in November. This effort has generated a lot of excitement in the legal community and has been publicized in the local media.

WHAT ARE SOME STANDOUT MOMENTS OF THE CLINICS FOR YOU? HAS THERE BEEN A PARTICULAR VETERAN WHOSE STORY HAS STOOD OUT TO YOU?

I was struck by the humility and gratitude of our veteran clients. Many are older, with long-standing histories of post-traumatic stress disorder, with severe medical and social consequences. For many years, this mental illness had been a "stepchild" of the range of disabilities within the veterans assistance community. This disease had not previously received appropriate benefits backing within the system. At the end of the first clinic, it was an emotional moment to be presented with a commemorative volunteer coin from the VA Hospital System, a symbolic reminder of their commitment to continu-

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ing excellent service to veterans. Working alongside counselors for the Texas Veterans Commission, Jim Samson and Gary Lee, was a special learning experience. These men compassionately and patiently listened to the stories of these veterans. Some had long carried their personal exposure to the horrors of war on the inside, while maintaining a strong exterior façade to the world. The most moving experience in that regard was listening to the story of a wounded, disabled Vietnam War combat medic, who also turned out to be a hero in more ways than one.

WHAT ARE SOME OF THE MAIN LEGAL ISSUES THAT YOU'VE SEEN AT THE SAN ANTONIO VETERANS CLINICS?
The main legal issues we faced were veterans disability claims, either initial or cases for upgrades under some of the newer and more compassionate laws. Additionally, we have had landlord/tenant and consumer fraud issues, as well as some family law matters, including child support. We have been able to provide numerous onsite simple wills for grateful veterans and sometimes for their spouses in our clinics.

HOW WOULD YOU LIKE TO SEE THE VETERANS LEGAL CLINICS GROW, BOTH LOCALLY AND STATEWIDE?
I would like to see the legal clinics expand in our community:

(1) by being held more frequently; (2) increasing the clients served at each clinic; and (3) being held at other accessible locations. Additionally, since many of our veterans have traditionally been required to come here long distances from the Valley for their VA care, it would be great to see these legal clinics expand throughout that vast part of our state served by Texas RioGrande Legal Aid, as part of its ongoing veterans outreach.

WHAT ADVICE WOULD YOU GIVE OTHER LOCAL BARS INTERESTED IN STARTING A VETERANS CLINIC?
It is not that difficult to start a clinic. The State Bar will send your bar a "clinic in a box," which has all you need to conduct a clinic, even with only a handful of volunteers. You will be glad you decided to do at least one. It is exciting to anticipate what story the next walk-in veteran client might tell. Most matters are relatively simple to handle that day, or find a colleague who has that expertise. Although some cases regarding veterans disability rights may take a while to progress, it is not rocket science. Finally, you can take baby steps, as we did in San Antonio. Enthusiasm will grow naturally by word of mouth from your volunteer lawyers. It will spring from the rewards of serving these grateful veterans.

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WHY WAS IT IMPORTANT TO YOU TO BECOME SO CLOSELY INVOLVED WITH STARTING YOUR LOCAL VETERANS LEGAL CLINIC?

My father, grandfather, as well as my father-in-law were or are veterans. I have been able to see firsthand the struggles that they have had to go through trying to obtain well-deserved services in different areas. In one of my first jobs as a law school graduate, I was fortunate to work for a law firm in Florida that handled VA compensation and disability claims. I was able to work directly with many veterans and their families to help them get service-connected disability benefits. That job, for me, was an eye-opener. After I moved to Texas, I always felt the need to help veterans, so the TLTV program was the perfect opportunity for me to give back to those who so unselfishly have put their lives on the line for me to be able to enjoy my life.

HOW DID YOUR LOCAL BAR DECIDE TO START A VETERANS LEGAL CLINIC, AND WHAT WERE SOME OF THE STEPS YOU TOOK?

The Tarrant County Bar Association was immediately interested in the program and sent representatives to the TLTV orientation in April. After the report from that orientation, the TCBA president decided to set up a committee to implement the program. The committee contacted other counties that were already involved in the program, like Dallas and El Paso, and those groups graciously answered all of our questions and gave us their feedback and support. The TCBA has a dedicated committee of 20-plus members to take care of the different aspects of the program, such as volunteer attorney recruiting, sponsorships, and management of the attorney pro bono network. We secured partnerships with different organizations such as Mental Health Mental Retardation of Tarrant County (MHMR), Texas Veterans Courts in Tarrant County, Legal Aid of NorthWest Texas, Texas Wesleyan School of Law, and the Tarrant County Family Law Bar Association, which has approximately 350 members.

Local technical company, Juris Fabrilis, through its owner Jeff Sanford who is a veteran, donated our website, www.txltxv.org, and also designed, at a huge discount, a web-based database to help us manage our pro bono network, facilitate appointments, and monitor the clinic intake. Committee member Nadia Gilkes has helped provide us with a Facebook and Twitter presence to keep people informed about the progress of the program.

WHAT WERE SOME OF THE CHALLENGES YOU OR THE BAR FACED IN GETTING THE CLINIC STARTED?

Funding was a major issue, as well as setting up our own pro



Texas Wesleyan law students (black shirts) assist with intake at a Tarrant County Bar clinic at Liberty House in Fort Worth. Photo courtesy of Tarrant County Bar.

bono network. We are open and running thanks to the help of private sponsors, a Texas Access to Justice Foundation grant, and all the private attorneys that have worked long hours to establish this program. We are still working on getting more attorneys to participate in our in-house pro bono network, but with our partnership with the Tarrant County Family Bar Association, we are hoping to boost the number of volunteer attorneys.

WHAT HAS BEEN THE RESPONSE FROM ATTORNEYS AND VETERANS IN YOUR AREA?

The response has been overwhelming. When we opened the dedicated phone number for the first clinic in August, all the appointments were taken by the third day. For the second clinic in September, there were some days where more than 50 calls came in from veterans requesting help. At this time, we are taking only 20 appointments per clinic, but hope to increase that number to 40 appointments by the end of the year.

The attorneys in Tarrant County are the pillar of this program. If it was not for their generosity and commitment to this program, we would not have been able to have the program running in such a short time. More than 100 attorneys have signed up to take one or more pro bono cases per year. Every time we make requests for intake attorneys to participate in a clinic, within a few hours we have more attorney volunteers that we need. Also, the staff of Legal Aid of NorthWest Texas has worked hand-in-hand with us to review each client from the clinic for qualification to be represented in this program. Law students from Texas Wesleyan School of Law have volunteered to be the intake staff at each clinic, to attend the attorney/client conferences at the clinics, and to assist pro bono attorneys in the actual representation of the clinic matters.

WHAT ARE SOME STANDOUT MOMENTS OF THE CLINICS FOR YOU? HAS THERE BEEN A PARTICULAR VETERAN WHOSE STORY STOOD OUT TO YOU?

The gratitude that we have received from the veterans that have participated in the program has been overwhelming. After the



first clinic, we received a letter from Michael, our MHMR Center volunteer who takes our appointments and works with veterans daily at Liberty House, a half-way facility to assist homeless veterans get back into the workforce. Michael received great feedback from the veterans at the facility who had been through our first clinic. He wrote, "Y'all have helped countless veterans begin to re-learn responsibility! It is an integral part of our becoming part of society instead of apart from." The day after our second clinic, a veteran client sent an email to State Bar President Terry Tottenham stating, "It is very difficult when one is homeless, jobless, and without funds or resources to be able to defend against those that would take advantage of someone's difficult circumstance." This is what the program is all about — this is our reward.

WHAT ARE SOME OF THE MAIN LEGAL ISSUES THAT YOU'VE SEEN AT THE VETERANS CLINICS?

Family law, including divorce, child support, and child custody matters. We've seen more misdemeanor criminal matters than anticipated, including many with veterans trying to obtain expunctions or orders of non-disclosure or occupational licenses to get a job or obtain better employment opportunities.

HOW WOULD YOU LIKE TO SEE THE VETERANS LEGAL CLINICS GROW, BOTH LOCALLY AND STATEWIDE?

I would like for the TLTV-TCBA program to have a solid network of more than 1,000 pro bono attorneys. This would allow us to increase the amount of clinics per month and allow us to take cases that have close deadlines or emergencies. I would like to see the program implemented in more counties of Texas. Through the TLTV website, we receive many calls from all over Texas and refer them to a closer program, but many counties do not have this program. We try to give counseling and advice to veterans who have issues in other counties, but if there is not a veterans program in that county, we cannot furnish legal representation.

WHAT ADVICE WOULD YOU GIVE OTHER LOCAL BARS INTERESTED IN STARTING A VETERANS CLINIC?

Talk and coordinate with as many agencies and local leaders as you can to secure their feedback and support. Our partnerships have been key in obtaining the much-needed resources for the program and in providing us with support and experienced personnel. The TLTV-TCBA program has only had two clinics as of this writing, and we have served 37 veterans with legal advice or representation. ☺

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