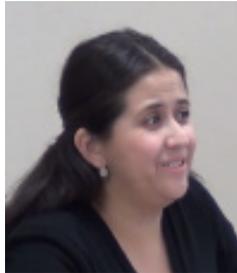




## Two new seminars available for viewing.

CVLS is happy to introduce two new CLE seminars available for immediate viewing online to all of our volunteers.



*Vanessa Esparza-Lopez, NIJC*

### **Immigration 101: Overview of DACA (Deferred Action for Childhood Arrivals) and How it Affects Your Clients**

**Presented by: Vanessa Esparza-Lopez, NIJC**

On June 15, 2012, the Secretary of Homeland Security announced that certain people who came to the United States as children and meet several key guidelines may request consideration of deferred action for a period of two years, subject to renewal, and would then be eligible for work authorization. Watch this seminar to find out who is eligible to apply for DACA, what the process entails, and how this new law might affect your clients.

### **Using Motions to Frame (and Win) Your Case**

**Presented by: Janet Hermann**



*Janet Hermann*

Janet Hermann, an experienced litigator, discusses valuable pre- and post-trial motions including: summary judgment motions, 2-615 and 2-619 Motions to Dismiss, 2-1301 and 2-1401 Motions to Vacate and motions for reconsideration.

These seminars and many others are available for viewing online, worth CLE credit and free to our volunteers, at: [www.cvls.org/archived-seminars](http://www.cvls.org/archived-seminars).

## Honor Roll.



An invaluable and sensitive pro bono attorney at CVLS' Drinker Biddle & Reath/Our Lady of Mercy Legal Clinic, **Noah Lauricella** never shies away from challenging cases. With his talent for sorting through the legal and social needs of clinic clients, Noah puts his clients at ease while diligently working to address all of their issues. Noah has also been a great help with clinic coordination and management and has been key to the clinic's success this past year.

**Jennifer Foster** has been one of the Sidley/CVLS Salvation Army Temple Corps Clinic's most dedicated volunteers, staffing the clinic multiple times and always willing to step in, even on short notice. Jennifer was instrumental in getting the firm to help handle a substantial litigation matter for a DePaul undergraduate and successfully handled a difficult adoption case for a clinic family, much to their delight. Her substantial contribution has been invaluable to this much-needed clinic in Chicago's Austin neighborhood.



A litigator, **Adam Ingber** has been a volunteer at CVLS' Visitation Clinic since 1996. Adam always has at least one CVLS litigation case open, returning for another as soon as one closes. His efforts on behalf of our clients are almost always successful, regardless of how slim the client's chances appear. Adam is a real asset to the Visitation Clinic, to CVLS and to the clients in the clinic's Englewood neighborhood.

## Susan shines!

CVLS is blessed to have fantastic attorneys on staff who help make possible our mission of providing equal access to justice to all. Susan DeCostanza, CVLS staff attorney in the Guardian ad litem for Minors program, is one of those shining stars. We would like to thank Susan and share this letter that we received from a volunteer attorney:

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Hi Susan,

I hope you had a wonderful Fourth of July! :) Thank you very much for covering for me on Tuesday. I'm so happy to hear that things went well!

I wanted to take a moment to thank you for everything that you've done throughout this process. I have learned SO MUCH from you over the last eight months. You're truly one of the most professional, intelligent and generous attorneys I've met. I remember the last time we were in court together, there was a woman you didn't know who sat next to you and asked you to look over her pleading/report; you didn't hesitate for a moment to proofread her report and help her. Those are the types of qualities that have inspired me throughout this process. I hope that your generosity continues to improve the lives of others, and that you are blessed for all that you contribute to the world around you.

With Gratitude,  
Salmah

## 19,136 reasons to give.

When Vernice's home was in foreclosure, CVLS was appointed by the court to represent her. When an insurance company asked the court to decide who was entitled to an annuity, CVLS agreed to represent the beneficiary. And when the court needed a guardian ad litem for Shukuru, we were there.

When Yuk Wa and Saman needed legal help, pro bono attorneys from CVLS represented them. They didn't have to look far to find the help that they needed because CVLS has a legal clinic in each of their communities.

CVLS volunteers help people from Rogers Park to Englewood; from the Loop to Austin and the suburbs. Last year alone, CVLS was appointed in more than 500 pending court cases and in nearly 1,000 foreclosure mediation cases. Program-wide, 2,315 active CVLS attorneys helped 19,136 people for free.

CVLS' volunteers leverage a depth and breadth of experience, knowledge and skills unparalleled in legal aid. The comprehensive, solid support we provide to our volunteers means that your dollars help far more people than any one person can.

Please contribute to CVLS today-because equal access to justice is everyone's fight.

The CVLS staff and board wish you and your family a wonderful holiday season. Thank you again for your commitment to CVLS. We very much appreciate your continued support.

Make a donation online at  
[www.cvls.org/donate](http://www.cvls.org/donate)

# CVLS' FORECLOSURE FOLLIES

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## Home sale turns sour.

Brian purchased his first home from a family member a few years ago. Because he'd intended to live there for many years to come, he began to remodel the place and make extensive repairs. Then, Brian lost his job. He didn't want to fall behind on his mortgage and end up in foreclosure, so he sold the home. Although it went through several inspections before the sale closed, the buyer sued Brian for \$50,000 claiming that Brian had knowledge of defects in the roof, the basement and the heating system. CVLS volunteers **Thomas Hurka**, **Megan Braden** and **Tinos Diamantatos** of **Morgan, Lewis and Bockius** agreed to represent Brian. After several years of litigation and a four day trial with numerous expert witnesses, the judge split the pot, concluding that Brian was liable for the defects in the roof but not the basement and heating systems. The Morgan Lewis team cut Brian's liability from \$50,000 to \$16,000. While not a perfect outcome, Brian came out much better than he would have without the help of CVLS volunteers.

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## Another home saved.

In 2011, Blanca was fighting foreclosure, trying to keep her home, but growing increasingly discouraged by the ridiculous amount of documentation she had to submit over and over. Fortunately, after she was referred to the Cook County Foreclosure Mediation Program, CVLS volunteer **Trevor Clarke** began to represent her. Trevor immediately began digging through the mountain of paperwork that

had been exchanged over the years. Then he presented a complete, timely application for a loan modification to the bank and negotiated a permanent loan modification. Now Blanca is out of foreclosure, living comfortably in the home that she and Trevor fought so hard to keep.

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## Multi-year struggle ends with success.

After a series of setbacks, including loss of employment and reduced income, the Ivanoffs struggled to make ends meet. Despite their constant efforts to pay their mortgage, by January of 2010 their lender had filed for foreclosure. Devastated and in search of guidance, the Ivanoffs received help from CVLS. Volunteer attorney **Kori Bazanos** stepped in to support and guide the couple through the grueling mediation process. She negotiated a modification of the couple's existing loan agreement, which provided for principal loan forgiveness of almost \$150,000 and lowered their monthly mortgage payment from a \$1122 to \$706. The Ivanoffs can afford their new loan payments and are very grateful that they could retain their family home.

## Persistence is key.

Ora fell behind on her mortgage after two of her tenants failed to pay rent, then left the units uninhabitable. Forced to renovate both apartments down to the bathtubs, the cost was too much and she became another foreclosure statistic. That's how she ended up in the foreclosure mediation program in February, 2011.

Despite Ora's diligence submitting documents and complying with court orders, she faced a seemingly endless series of obstacles, including bouncing around various housing counselors. Finally, in May 2012, Ora was assigned her very own CVLS attorney. That July, she submitted a full financial package to the lender.

The July packet was never reviewed by the bank. Its attorneys asked for a completely new application in September. Ora gave it to them in November. In January, 2013, the lender's attorney asked the court to kick the case out of mediation. Ora's attorney successfully fought that motion. Then, of course, the bank demanded more documents. Although they'd been provided before, Ora gave them new copies.

In May, after no fewer than ten additional minor document requests, Ora was offered a trial payment plan. After successfully making all of those payments, Ora received a permanent HAMP modification in September. Now she has an affordable payment with more than \$130,000 in possible principal forgiveness. She, and her tenants, kept their homes.

## Second chance given to deserving couple.

Don and Yvonne had been in their home for 14 years when the real estate crisis hit. It hit Don, a career real estate agent, especially hard because his income dried up. However, refusing to hide from their problems, or put their heads in the sand, they both went to work looking for new careers. Don found employment first. He also worked a second job and continued to sell real estate on the side. When their lender filed foreclosure, they panicked, but not for long. Once their case was referred to the Circuit Court of Cook County Foreclosure Mediation Program, CVLS volunteer attorney **Michael van Zalingen** began to represent them. He helped Don and Yvonne get a permanent, affordable loan modification. All their hard work, and Michael's, paid off.

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## The great email/fax debate of 2010 finally resolved!

When Larry and Jean fell behind on their mortgage and applied for a loan modification, they never dreamed of what awaited them. In 2010, the Court appointed CVLS to represent them in the foreclosure mediation program. Over the next 3 years, the couple and their attorney endured eight mediation sessions and fifteen court dates. It took more than two years to resolve issues with junior liens. Finally, they had only one hurdle left. Their remaining junior lienholder insisted that it could submit a subordination agreement only by email. The lender insisted that it could accept a subordination agreement only by fax. Finally, in 2013, CVLS attorneys found a solution to the madness which allowed Larry and Jean to get their permanent loan modification.

## Mediation training.

You've heard about the foreclosure crisis but did you know that you can become a part of the solution? On January 24th CVLS will be hosting a Mortgage Foreclosure Mediation training session aimed at teaching volunteer attorneys everything they need to know to represent homeowners in pre-trial mediation. Volunteer attorneys with all levels of experience are welcome to attend. The training is free and will be worth 3.5 hours of MCLE credit to all attendees. For more information or to register for the training visit <http://cvls.org/seminar/seminar-mortgage-foreclosure-mediation-training-9>.

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## Rebekah had her baby!



Rebekah Rashidfarokhi, Director of CVLS' GAL for Minors program, and her husband Dennis Foldenauer welcomed their new baby girl Frida into the family on November 19th. Congratulations you two!

## CVLS holiday schedule.

Please note that starting December 20th CVLS will be operating with reduced staff for the holidays. Volunteers are still welcome to use our office space to meet with their clients but please call before hand to let us know. We will be observing regular working hours with the following exceptions:

December 24, 9 am to 1 pm

December 25, CLOSED

December 31, 9 am to 1 pm

January 1, CLOSED

Thank you for your understanding and cooperation during this holiday season.

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## Little Denizka



Congratulations to CVLS board member, Anna Kazaz, and her husband Tayfun on the birth of their baby boy Denizka (Dennis). We are glad to report that everybody is great and, as you can see for yourself, little Dennis is a cutie!

# Upcoming CVLS Seminars

## **January 21 "Hearsay"**

**by JMLS Prof Hugh Mundy, 12:15 PM to 1:15 PM**

"Objection your Honor, hearsay!" "Sustained." Not so fast Mr or Ms Litigator. Hearsay is one of the most used and least understood evidentiary rules in the history of jurisprudence. Attorneys familiar with what is and is not hearsay and with its many exceptions can command the courtroom during direct examination. If you don't understand this rule, you may not be able to get essential information in for your case. Just as badly, you may not be able to prevent damaging information from your opponent. Do not despair. On January 21, 2014, Hugh M. Mundy, Assistant Professor of Law at John Marshall Law School, will explain the ins and outs of the troublesome hearsay rules. Start the new year off right and sign up now.

## **January 24 "Mortgage Foreclosure Mediation Training"**

**by Ashley Griffith, CVLS Supervising Mediation Attorney,  
12:00 PM to 4:00 PM, located at the Chicago Bar Association,  
321 S. Plymouth Ct., Chicago, IL 60604**

CVLS staff will train volunteers to represent homeowners in pre-trial mediation. Attendees will learn: Basic information about mortgages and the foreclosure process; why mediation is an important tool for conflict resolution and how the mediation process works; how to effectively represent your client in foreclosure mediation including information about relevant federal foreclosure relief programs, loss mitigation and negotiating a graceful exit. Volunteer attorneys with all levels of experience are welcome to attend.

## **January 31 "Administrative Review Actions"**

**by Matthew Hulstein, CVLS Staff Attorney, 12:15 PM to 1:15 PM**

CVLS is hosting a comprehensive training on administrative review actions in circuit court. Using Chicago Housing Authority cases as examples, our staff attorney will cover procedure, standards of review, framing arguments, effective brief writing, and motions for a TRO. We will also cover trying a case before an administrative agency if the review action results in a remand. Because these case-types are relatively self-contained and heavy on legal research and writing, they are perfect for attorneys interested in a new field of law or starting up their pro bono career.

Please visit [www.cvls.org/seminars](http://www.cvls.org/seminars) to register

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