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Pro Se Divorce Clinics at the CMBA A Chance to Help Those in Need Who Have Nowhere Else to Turn

If you're old enough to be reading the Bar Journal, you're old enough to have experienced at least two or more of the most major experiences in life, like graduating from college, moving cross-country, having a child, getting married, or for some of us, getting divorced. We've handled these events as best we could at the time and hopefully were able to move on with our lives. But what if you couldn't? What if you were stuck at a point in your life because of financial difficulties or lack of procedural know-how, and you couldn't get to the next milestone that was just over the horizon?

The Pro Se and Pro Se "Plus" Divorce Clinics of the CMBA seek to help low-income individuals in our community move on with their lives by guiding them through the paperwork and process of obtaining a simple divorce without the need to hire an attorney they cannot afford. The Family Law Section of the CMBA, in partnership with The Legal Aid Society of Cleveland, hosts Pro Se clinics every month and Pro Se "Plus" clinics every other month to help those in the community seeking simple divorces, where participants have: no major assets in dispute; been separated for more than a year; no minor children from the marriage or if there are, then support and custody have already been settled; and demonstrated financial need. During these clinics, the clients are assisted by volunteers who help them fill out the necessary forms for filing a Complaint for Divorce. The clients are carefully screened for eligibility requirements and conflicts by Legal Aid before attending the clinic. In 2014-15, the clinics served 184 individuals with the help of 33 dedicated volunteers, totaling over 100 volunteer hours.

In 2012, the Pro Se Divorce Clinics were expanded to start a second clinic, held every other month, called Pro Se "Plus." This clinic was formed to reach out to clients who had minor children with their spouse, but who already had a child support order in place through a county Child Support Enforcement Agency or Juvenile Court. This clinic was historically run in the same manner as the regular clinic in terms of its structure. When that began to pose a time problem and seemed to limit the clients who could benefit from such a clinic, ways to modify the clinic were sought to extend its benefits to the most people with the smallest burden on volunteers' time.

On December 14, 2015, CMBA clinic and Legal Aid volunteers welcomed the judge and attorneys who coordinate the wildly successful divorce clinics in Lake County: Lake County Domestic Relations Court Judge Colleen Falkowski; attorneys Ann Bergen, Darya Klammer, Anna Parise; and attorney Kari White from Legal Aid. To a group of interested, potential new volunteers, the group explained how their program runs and how divorce clinics can benefit practitioners, the judiciary, and clients.

We learned that thanks to the dedication of the court and clinic volunteers, the Lake County model takes all types of clients with any type of issue. For their clinics, clients fill out intake forms with all of their necessary information in advance. Those forms are submitted to volunteer attorneys who draft the necessary paperwork, and then clients are brought in during a clinic in to meet with a volunteer attorney to review the paperwork that was drafted in advance. This clinic

through Lake County is also coordinated with the Clerk of Courts, who has a makeshift filing station set up to receive the filings as they are completed at the clinic. It is a very well-crafted system that can serve a wide range of clients who need help obtaining a divorce for a variety of reasons, but who are universally grateful for the friendly, efficient, and effective help they receive.

The presentation taught us how such clinics can be a win-win-win situation, and we heard how the program coordinators combat common myths and challenges to earn the support of volunteers. For example, many volunteers fear initially that the clinics take away paid work, when the reality is that clinics help individuals who would never be able to afford an attorney anyway — the work is pro bono for the truly needy. Volunteers are sometimes concerned that it will be too much commitment, when they're already spread thin as it is. However, both the Lake County model and the CMBA clinics offer volunteers the chance to sign up for as many clinics or as few as their schedules can bear, for just over an hour of their time on a Friday. If they can't make it downtown, volunteers can help by agreeing to review and complete simple documents on their own time to help the clinics run more quickly. And training and assistance is always available for those whose practices aren't primarily in family law — it truly is an easy way to get involved.

After reviewing the Lake County Domestic Relations Court pro se clinics this year, we sought to mirror their program as much as possible, which has seen great success in terms of recruiting volunteers and helping clients. We've created a new intake sheet for Legal Aid to use to pre-screen clients and fill out their forms in advance. The clinic has not yet been expanded to include any additional clientele, but the hope is that when this clinic gets a stronger, wider volunteer base and gains some more solid footing, we will be able to offer all income-eligible clients in

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the Cleveland community, no matter their divorce-related issues, the opportunity to attend a clinic and start down their new path in life.

As we learned at the Lake County presentation and by our own experience, these clinics offer many benefits to the court and the bar. The court is helped by having pro se litigants who are able to have appropriately filed forms and some information about the divorce process without relying on the court to do so or having their incorrectly filed cases overwhelm the system. The bar is helped by having these litigants get their divorce cases heard, with little volunteer time needed from volunteer attorneys, without causing a burden on the court system in doing so. Unlike accepting pro bono cases on a case-by-case basis, there is no risk to the volunteer attorneys of conflict issues and the amount of volunteer time is vastly diminished.

We hope that you will join us in our vision for the future of the Pro Se and Pro Se "Plus" Divorce Clinics, and help us grow our volunteer base. Whether you can commit to a single clinic or more in person throughout the year, or if you're interested in helping complete paperwork behind the scenes, there's a place for you. For more information and to sign up, please contact the CMBA at (216) 696-3525 or email Jessica Paine, Assistant Director of Community Programs, at jpaine@clemetrobar.org. Thank you for helping people in our community take their next step forward.

2016 Pro Se and "Plus" Divorce Clinics

All clinics held at the CMBA Conference Center
Regular clinics: 10–11 a.m.; Plus: 1–2:30 p.m.

- Jan. 15 (regular and Plus)
- Feb. 26 (regular only)
- March 18 (regular and Plus)
- April 15 (regular only)
- May 20 (regular and Plus)
- June 17 (regular only)
- July 29 (regular and Plus)
- Aug. 19 (regular only)
- Sept. 16 (regular only)
- Oct. 28 (Pro Bono Week: regular and Plus)
- Nov. 18 (regular only)

Jennifer Himmelein is a family law attorney for Cavitch, Familo & Durkin Co., LPA., and leads the monthly Pro Se and Pro Se "Plus" Divorce Clinics at the Bar. She currently co-chairs the CMBA's Family Law Section and has been a CMBA member since 2009. She can be reached at (216) 472-4652 or jhimmelein@cavitch.com.

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