Veteran Breathes Easier With Help From Legal Aid

Dale is a young veteran who started suffering from severe headaches, a chronic cough, and extreme tiredness. When his symptoms got so bad that he had trouble taking care of himself, Dale moved in with his sister. Once in her home, he began feeling better and returned to his apartment. Soon thereafter, however, Dale became sick again. This time, he required hospitalization.

Based on tests run at the hospital, the doctor suspected that Dale was reacting to something in his apartment. A visual inspection of the apartment and subsequent lab tests revealed black mold growing throughout the air ducts and vents. When alerted to the problem, the apartment manager decided all that was needed was a good coat of paint, which was applied directly over the growing mold. Needless to say, Dale’s symptoms did not improve by painting over the problem. Still having health issues, Dale asked to be released from his rental obligation, but the manager refused. Dale sought help from Legal Aid.

The Legal Aid attorney contacted the manager and attempted to negotiate an early move-out for Dale as well as reimbursement of some of the rent paid by Dale during the time he could not live in the apartment due to the black mold. The attorney argued that Dale was moving out only because the apartment made him ill, not because he wanted to leave. He also argued that Dale was economically harmed by the black mold: it is not only expensive to move, but also hard to come up with another security deposit and pay to reestablish utilities and other services at a new apartment while on a limited income.

Although the manager initially refused to consider the request, he ultimately agreed that it was the right thing
to do, given Dale’s circumstances. Dale not only received a rent refund, but also the full amount of his security deposit, which enabled him to find a new and healthier place to live.

Bar Foundation Grant Improves Reach of Project Designed to Remove Employment Barriers

With the unemployment rate at its lowest in many years and recent reports of the U.S. economy adding more than 200,000 jobs at the end of 2017, it would seem that anyone who wants a job has a good chance of finding one. But for those with inaccuracies or stale information on their criminal records or those who have unaddressed issues tied to their driving record, getting a job or even finding suitable housing may be out of reach.

Legal Aid of NorthWest Texas (Legal Aid) has a history of handling expunction and nondisclosure cases to help clients remove stale or incorrect information from their criminal histories, in addition to helping clients address the issues that prevent them from being able to legally drive. This case work, augmented by organized large-scale clinics and educational seminars, was successful but Legal Aid determined that a more strategic, focused approach to barrier removal was needed. A generous grant from the Texas Bar Foundation (TBF) provided a welcome boost to this approach.

“This grant will help us expand the work that Legal Aid has been doing over the past several years to help low-income Texans remove barriers that are preventing them from getting good-paying jobs or adequate housing for themselves and their families,” says Thomas Stutz, Director of Litigation. “Our ‘Removal of Barriers to Employment’ project will benefit both urban and rural clients in our 114-county service area.”

According to Stutz, while the counties in Legal Aid’s service area most likely to benefit from this project are Collin, Dallas, Denton, Ector, Lubbock, Midland, Potter, Tarrant, Taylor, and Randall, the project also will be a vital component in serving Legal Aid’s rural populations, where job opportunities are more limited and being able to legally drive is important to remove barriers to employment.

Legal Aid’s Bankruptcy Practice Group Help Clients Get a Fresh Start

Since 2009, members of Legal Aid of NorthWest Texas’ Bankruptcy Practice Group have filed some 500 consumer bankruptcy cases, helping their clients discharge millions of dollars of unsecured debt, much of which was the result of a catastrophic life event such as the death of a spouse or long-term illness. Not only are they giving their clients a fresh start, team members also have been successful in challenging creditors who engage in unlawful practices and collection attempts, garnering nearly $170,000 in court-ordered sanctions and attorney fees against bad-actor creditors.

“Without fail, my bankruptcy clients come to Legal Aid having experienced extreme hardship—catastrophic illness, prolonged unemployment, divorce, or the death of a spouse—that has left them unable to rebound financially,” says Kay Pechin, managing attorney of Legal Aid’s Amarillo Branch Office and long-time member of the Bankruptcy Practice Group. “Every client I helped has expressed mortification that he or she has come to the point of needing to file bankruptcy in order to save their home or simply to live within their means while trying to move forward.” Yet those same clients experience deep relief once the discharge is granted, she says, and profound gratitude for the legal services that helped them reach that end.
Whether or not a client would be best served through a bankruptcy requires thoughtful analysis and scrutiny by practice group members. “Working together as a team, our members' perspectives make for better group decisions,” says John Griege, who headed up the practice group from its inception through late 2016, when he became managing attorney of Legal Aid’s Wichita Falls Branch Office. These perspectives are helped by the team members’ broad range of experience. John, for example, represented creditors for 18 years prior to joining Legal Aid. Other members of the practice group have worked for the IRS, have a strong background in family law and probate, or have worked at large consumer/debtor bankruptcy firms. This breadth of knowledge greatly benefits the team in its evaluation of cases, including whether bankruptcy is the best option for the client.