

The VLP and The Thief

By Pamela H. Bucy

“Two big extravaganza pizzas!

She ordered two of the biggest pizzas from Domino’s and paid for them with *my* checks! On two different nights! She had them delivered to her right around the corner!”

Mr. Monroe¹ railed as he told me about the woman who stole his wallet.

According to Mr. Monroe, the woman, a neighbor, stole his wallet the morning after a “roundabout.” This, Mr. Monroe later learned, was this woman’s scam. Ultimately, the woman was arrested and convicted for the theft of Mr. Monroe’s wallet, but not until she ran up \$5,000 in bills using his credit card checks.

Mr. Monroe told me about his case as we sat in his small apartment on a tree-shaded street in the blocks of subsidized housing in Huntsville. Confined to a wheelchair with diabetes, rheumatoid arthritis and a weak heart, Mr. Monroe moves easily in his motorized wheelchair through his handicap-modified apartment.

After the woman ran up the \$5,000 in bills, creditors began calling Mr. Monroe, then hounding him and finally threatening to sue. Soon, Mr. Monroe was served with a copy of a lawsuit filed by a credit collection agency. He submitted a handwritten response explaining that his wallet had been stolen and the bills were not his. In his wheelchair, Mr. Monroe took a bus downtown to the Madison County Courthouse. He appeared in court, as he had been instructed to do. **District Court Judge Lynn Sherrod** listened to him and then recommended that he contact **Legal Services Alabama’s** Huntsville office for help. He did, which is how he met **Richard J. R. Raleigh, Jr.**, his Volunteer Lawyers Program attorney.

Started in 1991, the Alabama State Bar’s VLP recruits lawyers throughout the

state to provide, pro bono, up to 20 hours of legal services per year for those who cannot afford them.² Offices of Legal Services Alabama, Inc., located throughout the state, screen cases that come in to determine if those cases are appropriate for referral to VLP attorneys. Cases which meet the following criteria are eligible for referral to the VLP: (1) the case involves certain issues of law³ and (2) the case is simple, straightforward and appears to be resolvable within 20 hours or less.⁴ In Alabama, 23 percent of licensed attorneys are volunteers in the VLP.⁵

Mr. Monroe and Raleigh met at Raleigh’s office. Thereafter, Raleigh filed an amended answer to the complaint and had subpoenas served on the Huntsville Police Department to obtain records confirming the thief’s arrest and conviction for stealing Mr. Monroe’s wallet. Raleigh collected all this information and presented it to counsel for the collection company. The company was not impressed. It offered, once again, to settle for a significant payment by Mr. Monroe. Monroe refused and the case was set for trial.

It was a hot summer day in 2008 when Mr. Monroe, in his mechanized wheelchair, got off the bus at the Madison County Courthouse and met Raleigh for trial. They went to the courtroom to find a crowded docket. When Judge Sherrod called their case, counsel for the collection company announced that the company was not prepared to proceed. Counsel for the company had brought no witnesses or documents to prove that Mr. Monroe owed anything. Mr. Monroe testified. He explained once again that his wallet had been stolen and that the bills were not his. Judge Sherrod ordered judgment for Mr. Monroe. He owed nothing. He had won his case.

What does Mr. Monroe think about Rich Raleigh? “He got a lot of satisfaction for me. He helped me quite a bit. He

was real nice. He sat down and listened to my problem.”

What does Mr. Monroe think about the legal system? “It worked. It worked real well.”

What does Mr. Monroe think about the collection agency? “They’re still after me! I got a letter a couple of weeks ago, offering to settle the \$5,000 for \$800. I just threw the letter away.” ▲▲▲

Endnotes

1. A pseudonym
2. Individuals qualify as VLP clients if they live below the poverty level, which is currently \$13,538 gross income per year for an individual, or \$27,563 gross income per year for a family of four.
3. Adoption—by relatives with consent of natural parents; Bankruptcy—Chapter 7; Child Support Modification—caller has major change in circumstances; Collections—small claims with attorney on other side; Contracts and Warranties; Custody—by agreement; Divorce—uncontested parties are separated or defendant’s whereabouts are unknown; Education; Guardianship of Child—if needed to enter child in school; Guardianship of Adult—person not of sound mind or medical condition prevents person from caring for self; Home Ownership—deed preparation, pre-foreclosure negotiation or land dispute; Landlord/Tenant—private housing; Legitimations—by consent; Name Change—adult and minor; Power of Attorney; Probate—wills, living wills, small estate administration; Tax; Tort Defense; Visitation Change—by agreement
4. The average VLP case actually takes five and a half hours to resolve.
5. If you would like to volunteer for the VLP, go to the Alabama State Bar’s Web site (www.alabar.org) and click on the VLP link.



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commissioner and as vice president of the Alabama State Bar.