

Daily Journal 05/14/02

Attorneys Sharing Their Legal Know-How Aid in Cancer Fight

Gary Ross, partner at Beverly Hills' Ross & Morrison, met Barbara Schwerin in 1999 when he was trying a case for Vivian Beck. Beck had been terminated from her job at Sybase Inc. just after she was diagnosed with cancer.

Schwerin and her staff at the Cancer Legal Resource Center approached Ross and offered to help with the case.

The center, founded in 1997, helps people with cancer deal with the legal issues they may encounter during their illness. This includes disability policies, estate planning, consumer debt, health insurance and employment.

Ross decided to continue working with the center after he won a \$1.8 million judgment for Beck in her three-week jury trial. Ross and 40 or 50 lawyers work at the center as volunteer attorneys. The center and its volunteer attorneys work to ease the pains of clients who are faced with cancer and then ensuing legal battles, such as getting their jobs back or continuing their health insurance. These people often do not know where to go to get help after they are diagnosed. "It's a unique opportunity to be able to truly help people who have nowhere to turn when they receive the worst news of their lives," Ross said.

Ross' firm specializes in workers' rights cases, especially cancer discrimination. The lawyers there assist cancer victims in getting their jobs back suing for wrongful termination. The clients often come to the firm on a referral from the center, which farms out the pro bono work to its volunteer attorneys.

"It's enough that they're dealing with the treatment and the upheaval. We try to deal with the other stuff," Schwerin said.

The center has two full-time employees and one part-time assistant. Students at Loyola Law School make up the rest of the staff, serving as externs who receive school credit for the work they do at the center. Schwerin has eight to 12 students who work eight to 12 hours a week each. The students answer all the calls that come into the center and obtain preliminary information from callers, such as why they are calling and how to contact them, according to student volunteer Han Lee, a third-year law student.

Lee and the other students then consult with Schwerin as to what action the caller should take. The student calls the person and advises him or her of the options.

Many of the people simply need information about government benefits. "I've applied, been denied, what do I do?" Schwerin said. The students gather that information and help the callers with their inquiries.

If the problem is something more complicated, the center might suggest speaking with one of the volunteer attorneys. About 10 to 20 percent of the calls are referred to attorneys, according to Schwerin, but the center and its attorneys do everything they can to stay away from litigation. Instead, attorneys might help a person write a letter to his or her employer or insurance company. However, the attorneys will litigate a case if they cannot secure a satisfactory result without going to trial.

The center likes to have attorneys, such as Ross, who specialize in one of the areas that it needs help in, including health insurance, employment and estate planning. Schwerin asks that an

attorney who wishes to volunteer his or her time at least be able to talk with someone on the phone.

"Try to help troubleshoot and give them a sense of what they can do," Schwerin said.

-- Stefanie Knapp