Helenka Marculewicz interview for a Wright State University History Course

Fred Coventry

Helenka Marculewicz

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Profile

Helenka Marculewicz
Fred Coventry
02/17/2011

Greater Dayton Volunteer Lawyers Project
Key Words: activism, public service, legal, law, volunteer

A Lifetime of Service, History 685, Professor Marjorie McLellan, Winter 2011

Helenka Marculewicz attended Tolman High School in Pawtucket, RI, graduating with the class of 1963, and earned her BS in Sociology and Education at Boston University. While in school she was a member of the varsity bowling team, and later she served as a volunteer tutor for the Boston Public School System. As an undergraduate, she was involved in SPECTRUM, along with two other students from each state in the Union. The program allowed students to be involved with activism first hand, while also giving them a first-hand experience with Chicago's poor. She taught for one school year before deciding her talents were better suited for public service work. She served for seven years (1981-1988) as executive director of the YWCA of Greater Rhode Island and currently works with the Greater Dayton Volunteer Lawyers Project, where she serves as executive director on the board of trustees.

The Greater Dayton Volunteer Lawyers Project was established in 1988, and provides pro bono legal services, including adoption services, bankruptcy, consumer, custody, domestic violence, family law, individual rights, and wills for low income persons, giving cases referred by the Legal Aid Line (888-534-1432 or www.ablelaw.org) top priority. The GDVLP is associated with and supported by Legal Aid of Western Ohio, and their offices are located at the Dayton Bar Association. The services are provided by private attorneys who donate their time to assist those in need with free legal representation in civil matters, including foreclosure mediation and assistance. They do not handle criminal cases or non-civil law matters of any kind, and provide strictly civil law assistance and representation. The organization is headed by a board of trustees, and has provided legal representation for clients in over 20,000 cases to date.

The interview will be taking place in the offices of the GDVLP, which is located at the Dayton Bar Association, 610 Performance Place, 109 N. Main St, Dayton, OH, 45402.

1 http://www.classmates.com/directory/public/memberprofile/list.htm?regId=8690407565
2 http://www.linkedin.com/pub/helenka-marculewicz/12/3/379
3 http://www.gdvlp.org/main.html
4 http://www.lawyers.justia.com/firm/greater-dayton-volunteer-lawyers-project-9534
5 http://www.ablelaw.org
7 http://www.gdvlp.org/main.html
I found Ms. Marculewicz's background and long association with groups designed to help women and perform public service or activism to be extremely interesting, and I believed she would have much to say on the subject. There appears to be an impressive potential here, in terms of information and insight, and it was difficult to pass up such an opportunity with this community leader. I first made contact with Ms. Marculewicz through a mutual acquaintance here at Wright State University.
Oral History Interview

Name of the Project: A Lifetime of Service
Name of the Project Director: Marjorie McLellan, Department of Urban Affairs and Geography, Wright State University
Archives or Repository: Wright State University – Dunbar Library Archives

Narrator Name: Helenka Marculewicz
Interviewer Name: Fred Coventry
Others Present: None
Place: Offices of the GDVLP, Dayton, OH
Date: 02/17/2011
Length of Recording: 44:37
Original Format: MPEG

Notes: The interview took place in the offices of the GDVLP, which are housed in the Dayton Bar Association’s offices.

Key Words: law, poor, assistance, legal, civil rights

Indexed By: Fred Coventry

Index:

0:00:00-02:31 Introduction to the recording, and brief comments about Ms. Marculewicz’s schooling and her time growing up and living in New England. [R – nostalgic]

0:02:32-07:59 Discussion of her time in SPECTRUM in Chicago, and the impact that has had on her life. This includes brief comments about her early association with the YWCA, which sponsored SPECTRUM. [E - humor, indignation] [R – idealism, culture-shock]

keywords: SPECTRUM, civil rights, activism, YWCA

0:08:00-08:39 Discussion of the changes being made in education, and possible ramifications of those changes.

keywords: privatize, education

0:08:40-10:00 Discussion of her work after her graduation from college, and her association with the YWCA.

keywords: teaching, YWCA

0:10:01-11:15 Her arrival in Ohio, and an introduction to her role in the Greater Dayton Volunteer Lawyers Project.

keywords: attorneys, law

0:11:16-13:57 Beginning of the explanation of the work of the GDVLP, including the number of cases per year. She also talks about her methods for pairing lawyers and cases. She introduces the topic of case clinics here, and mentions how cases are referred to the GDVLP.
Her ideas about her own contributions to the GDVLP, and what she feels is most important in terms of her own contributions. [E, R – satisfaction, pride]

Introduction to and discussion of the types of cases handled by the GDVLP. Brief talk about budget reductions affecting the GDVLP. [E – sympathy] [V – fairness]

Discussion of sources of funding for the GDVLP, and budget issues. [R – concern]

The most frustrating aspects of the job are discussed, including cutting services due to funding or human resources. [E – frustration]

Her involvement in larger organizations, such as the NAPRO, the National Organization for pro bono Professionals. She also discusses the National Justice Conference which is put on by NAPRO, and her own contributions and lessons from being a part of the organization. [V – efficiency, equality]

She talks about how technology has changed her job over her twenty-two years in her job with the GDVLP. There is also some talk about integrating young attorneys into the program. [R – change]

She talks about the other volunteers besides the attorneys who work for the GDVLP, and their role in the organization, as well as her interactions with them. She also talks about the work the volunteers do within the organization.

Discussion of the personal impact of working with the poor and unfortunate on her personally. Brief comments about her motivation for doing community work. [E, R – sadness] [V – outrage]

Her reasons for not being involved in any outside volunteer work or social activism. Discussion of eviction court as an example of the extreme scope of the problems facing the poor in the Miami Valley and America in general. [E – sadness] [R – drained]

Reflections on her most satisfying and darkest moments in her work.

Discussion of how much longer she plans to be with the GDVLP, and where she will go afterwards. Plans to get involved with animal rescue, likely with dogs. [R – desire for simplicity] [V – innocence]
keywords: animal rescue, retire

0:43:44-44:38 Closing remarks, and my thanks for her time and patience.
Coventry: Ok, so this is Fred Coventry. I’m interviewing Helenka Marculewicz. It is February 17th. Let’s start at the beginning, I guess. You did not grow up in Ohio?

Marculewicz: I did not. [shakes head]

Coventry: So, where are you from, and what was that like?

Marculewicz: I’m from Rhode Island. Actually, I was raised in Pawtucket, Rhode Island, but if you live in Rhode Island, you’re a New Englander. You just... Rhode Island’s probably the size of Dayton, I’m not really sure, but it’s pretty small. The Midwest was a bit of an adjustment for me, that I’m still making.

Coventry: Big, uh, big change?

Marculewicz: Yeah. Um, the East Coast is very different. I had an – I don’t know how much you want me to talk about this... ok. I had an interesting experience at a meeting yesterday morning. Somebody had gone and spent a year or two living in New England, and was very upset about the fact that at a red light if you’re waiting to make a left turn and the light turns green, you go. First. And they were horrified and thought this was a terrible thing, and I thought no, that’s just a courtesy. And the reason you do it is there’s so much traffic, when the light turns green, if you’re making a left turn, the first few cars go because if you wait for all of the cars that are going straight, you’ll be sitting at that light forever. So it’s a common courtesy in New England.

Coventry: So it’s kind of a...

Marculewicz: But here people are quite – I remember the first time I did it here, people were horrified.

Coventry: Oh yes. You never make the left turn first here. [laughter]

Marculewicz: But then again, two cars going in the same direction is a traffic jam here.
Coventry: Yes, yes it is. Ok, so you went to - and I want to make sure I have this right - you went to Boston University?

Marculewicz: I did.

Coventry: For sociology and education?


Coventry: And, any good, uh - I also noticed you were on the varsity bowling team.

Marculewicz: I was, that’s right. [laughs]

Coventry: Uh, any good... any good college stories?

Marculewicz: Not! [laughter] I’m not a fool. [laughter]

Coventry: Any good college stories you can tell?

Marculewicz: No. [laughs and shakes head] Absolutely not.

Coventry: That’s fair. It was the sixties, that’s fair.

Marculewicz: Yes.

Coventry: So, ah, I noticed you were involved in SPECTRUM, and that was in Chicago?

Marculewicz: Chicago, summer of sixty-six.

Coventry: And what can you tell me about SPECTRUM? Because I’m not familiar with it.

Marculewicz: It was – they brought two college students from every state in the nation to Chicago for eight weeks, and we were assigned either to work in grocery stores, or to work with community action agencies, or just all different places so that we could experience all of the different things that were occurring, um, in terms of the minority community in Chicago. I was a very naive New Englander, Rhode Islander, and um, it really was a culture shock for me. Not to say that there was no prejudice or racism in New England. There obviously is, but I didn’t come from a community where I would have experienced that. It also was the same summer that Jesse Jackson and Jim Bevel and Martin Luther King were there, so I did participate in a number of marches, and I came home a very different person. As I think probably the other ninety-nine students that were there with me, um... I’m sure it changed their lives, too. Or at least those of them who came from sort of sheltered backgrounds, let’s say. And it changed the way I looked at the world, and it changed what I decided to do for a living. I did go into teaching after that summer, and I graduated that following year, and I lasted one year. Teaching was not for me, you know, and I decided to go into social service agencies or social service administration, and so, here I am.

Coventry: So you think SPECTRUM sort of led directly to your engagement with...

Marculewicz: Yeah. I was working with KOCO, Kenwood-Oakwood Community Organization. I still remember everything about it, which is pretty incredible. I also remember having my boyfriend’s car at the time. He was in the military, and I, like a fool, used his car to drive some of the community organizers from a march in gage Park back to the march headquarters. And actually, the people that were in the car with me were Jesse Jackson and Jim Bevel. I’m sure that they don’t remember me but, I was just this lowly little driver. I always wondered if he got in trouble because his car with those license plates [laughs] with his license plates was at this march. But anyway... yeah, it changed my life, and as I told you, I even remember
what it stood for. Student Project Evoking Critical Thought Regarding Urban Metropolises. So, SPECTRUM, good project.

Coventry: So is it – do they do that any more, or is it something that...

Marculewicz: [shakes head] It was a one-shot deal, I believe. And the YW, it was actually sponsored by the YWCA. Or not sponsored, but a lot of the students came from the YWCAs, and that’s how I was sent there. The condition was that when I came back, I had to do community service and work with the YWCA in Boston for that whole year following that summer, which I did.

Coventry: What was that like, when you got back and you worked at the Y?

Marculewicz: Um, well, it was not a good experience, because you come back quite changed, um… a lot of enthusiasm, a lot of commitment, and a lot of immaturity, and a lack of understanding that things are not going to change overnight. Obviously I came back, and I immediately went to the executive director of the Y and said, ‘Hey, we’ve gotta change all of this right away,’ you know, and it was unrealistic. I look back on it now. Um, but… I still, I would never have given that summer up for anything. It really did change my life.

Coventry: So, you had Jesse Jackson in the car?

Marculewicz: Uh-huh, and Jim Bevel. I don’t know what happened to Jim Bevel! At the time he was as famous as, or relatively speaking, as Jesse Jackson. What were they like? I don’t know, I was too scared. [laughs]

Coventry: So what kind of things did you see? I mean, you went to marches and whatnot.

Marculewicz: Oh, we were harassed by people. I remember we marched through a Polish neighborhood, and I’m Polish and people were saying all kinds of things to us in Polish. And the rule was that you were not to talk back. You know, you weren’t allowed to carry anything that could be construed as a weapon, even a comb. So, we just had to take this and I remember being horrified at these people and the things they were saying, and I thought, ‘You can’t really believe all this.’ But, clearly at the time, and somewhat today, people still do.

Coventry: Yeah, that’s an unfortunate, the unfortunate side of our society, I guess.

Marculewicz: Yeah. I saw an interesting quote today, and it, um… I don’t even remember who the quote was from, but it was something like, “If the people who made the rules or made the laws had to live by them, if they were the people that were going to be affected by them, I wonder what this country would really... really be like.” Because we’re making a lot of changes today, and what we’re damaging and what we’re doing is we are really creating a lower class or an impoverished class that will suffer for years. Education has become, um... education is becoming something that you purchase. It’s being privatized, and when we privatize anything that means it’s only available to those who can afford it. A good education, you know. I don’t know when that comes back to haunt you.

Coventry: Nor do I. So, you, you did SPECTRUM, you came back. Eventually you were a volunteer tutor for the Boston Public Schools, is that right?

Marculewicz: Um, yeah, I... let’s see. You know, I’m kind of old so I have to think about all of this. I came back, taught a year of school after I graduated. Then I thought, ‘No, this is not working.’ I went to work for the YWCA in Rhode Island as a program director. I think I stayed there two years. Then I went to University Hospital in Boston, which actually is part of Boston University, and I was the Director of Therapeutic Recreation, for I think about six years. From there, I interestingly enough took the job as the Executive Director of the YWCA in Rhode Island. When I was a child growing up, um, I actually grew up in that YWCA. That’s where my mom would take me for swimming classes and all the other stuff, and I remember saying to the Executive Director at the time, because she had this office on the first floor,
someday I was going to sit in her chair. And I obviously got the job, and I did sit in her chair. I did become the Executive Director. I stayed there seven years, until my partner took a job at Miami University, and I moved here. And, that’s when I took this job. Now, there were a group of local attorneys who were looking to create an organization like this, and they hired me, and I thought this was interesting, so... here I am, and now, that’s my entire life in a nutshell. How long have I been here? twenty-two years.

Coventry: You’ve been in Ohio twenty-two years?

Marculewicz: In this job. And in Ohio.

Coventry: So do you, and I don’t mean to, um, give away any lapses in my research, but, um, do you, yourself, practice law?

Marculewicz: I’m not a lawyer.

Coventry: Ok, so you, you don’t – you’re not engaged in that side of the, um...

Marculewicz: No. I give no legal advice here. [chuckles] What I do is I register most of the private attorneys in the Miami Valley to provide free legal services in civil case areas. I personally don’t practice law. I do, however, have tremendous respect for the attorneys that uh, are always willing to volunteer. Very little trouble finding attorneys to take cases.

Coventry: And you, uh, well not you specifically – the organization, which is, I want to make sure I get this right, the Greater Dayton Volunteer Lawyers Project.

Marculewicz: Yep.

Coventry: They handle a lot of different kinds of cases, so maybe you could talk a little bit about that?

Marculewicz: Civil cases, no criminal. The difference being, a criminal case is anything that has, um, jail time attached to it. So, a civil case that you could misconstrue as a criminal case would be like an expungement. If you wanted to expunge something for your – from your – record, that would be a civil case, as would divorce, custody, child support, bankruptcy, foreclosure actions, consumer actions, and we, we handle here, believe it or not, we’re a two, two and a half person office, um, we handle about sixteen hundred cases a year, that pass through here and are referred on to attorneys. That sounds very simple, doesn’t it? It’s really not.

Coventry: I’m sure it’s more complicated...

Marculewicz: It’s very complicated. [laughs]

Coventry: So how do you, um, how do you do it? I mean, how do you, um, find the right...

Marculewicz: Attorneys register with us. They tell us what kind of cases they’re willing to take, and how many they’ll take a year. I promise them – I consider the attorneys to be my clients, and I’ve always said that, and I think that’s why this program works so well. Yes, we provide services to people who can’t afford it, but we take very good care of the attorneys who work with us. Um, I promise attorneys I’ll never give them more than one case at a time, unless they’re doing a clinic. Um, and a clinic is where I ask an attorney to take a whole batch of cases, ten to twelve simple divorces, let’s say. But I give them a paralegal who does almost all of the paperwork for them so it minimizes the time that they put in. Um, a case is referred to me by Legal Aid Line, which is the central intake line here in um, western Ohio. They’ll refer cases to me online. We have, um, software that we all share in this state, and when that case comes into my, um, what’s called holding pen, I take the case out, I look at it, I figure out what type of attorney is appropriate for the case, and I’ll call them, send them an email, send them a fax, and ask them if they’ll take the case. And the turn-around time, I try to keep the turn-around time at about forty-eight hours.
Coventry: That's pretty quick.

Marculewicz: Yeah. It doesn’t always work, but yeah.

Coventry: So with, uh – in your time here, what would be, uh, some of your, your most satisfying accomplishments or contributions to, you know, to the system? To the project?

Marculewicz: I guess I, I have, we have a nationally recognized program. Um, and I guess the big thing, and I’ve had many conversations, I go to a conference every year. It’s called the Equal Justice Conference, and it’s put on by the ABA, and it’s specifically geared to pro bono, and right now I’m serving - I serve on this committee, it’s the American Bar Association Standing Committee on pro bono and Public Service that actually manages that conference. Um, and I have – every year I’ve gone I’ve always said that a successful pro bono project is an attorney driven project, or a project that considers attorneys their clients, and I would have many discussions over the years with many people who would say to me, “No, no, no, you have to deal with the client.” And I have watched the world change, um, and now people talk – the most successful programs I think in this country are the programs that are attorney driven. The programs that do think that, um, attorneys are really our clients, and people are now saying it to me and I think, ‘Yeah, and I’ve been saying this, you know, for twenty-two years.’ Yeah, I feel like I’ve accomplished that. Other than that, everything else we’ve accomplished really belongs to the attorneys who do the work. I mean, I could tell you about great cases I’ve heard about, but it doesn’t, it doesn’t really matter if an attorney put three hundred hours into a case and got this person a thousand dollars, which could be a fortune to some of our clients. Or if the attorney put in two hours and, and got the person a simple divorce from somebody they married twenty years ago and haven’t been able to find ever since. The truth of the matter is, the fact that you, that these attorneys are providing access to the judicial system for people who would never in a million years be able to afford their services is what really matters. So, as far as my accomplishments, I think that the only one that I, I really appreciate is the fact that people have come around to my way of thinking over the years. So...

Coventry: So, there are obviously some things that you can’t tell, but can you tell us about some of the cases that have come through?

Marculewicz: Yeah, I could tell you about the gentleman whose wife was his, um, accountant in his business and when he – she developed Alzheimer’s, or was in the beginning stages, and, apparently stopped paying all the taxes. Unbeknownst to him. So I found an attorney who worked with him – his wife since has passed away – and the attorney managed to get his, I think it was a fifty-thousand dollar, um, IRS bill, down to something like fifty dollars. Which was a good thing to do. I can also tell you about a woman who had a house that was being foreclosed on. She owed about sixty thousand dollars; the house, in reality, was worth about fifteen, and the bank had the good sense to realize that they were better off not foreclosing on the house and just giving it back to her for a dollar, which they did. I’m not even sure the dollar ever exchanged hands, but, um, that was the case of a person who was dying of cancer and wanted to die in her house, regardless of what – I mean, we could talk about the condition of the house, but that why I say, it’s – some of these cases, they, they – it doesn’t matter if it’s a, a big case or a little case. I can tell you about the woman who came in here and who’ve been married to somebody for twenty-five years and all she wanted was to close that part of her life. She hadn’t seen the man in twenty-two years. So, you know, an attorney did the divorce for her, and she was just so thankful because that was just – for her that was a big deal. Um, for some of our clients, I don’t know, but um, I mean, foreclosure is a very big deal right now, and it’s a problem. But we’re seeing a different kind of client, um, we’ve been seeing foreclosures for about fifteen years, and in the past they were clients who were – had just, um, been taken advantage of. And I say ‘taken advantage of’ because we made owning a home the great panacea, but this was what was going to be the wonderful thing that everybody was going to get. But if you have a, what I consider a dishonest appraiser and a mortgage broker who, say, appraises a house at sixty or seventy thousand dollars and gives you – says, “I’m going to give you a mortgage for that,” you know? And the house isn’t worth that kind of money, and then you don’t even understand that maybe your payments were... let’s say a hundred or five hundred – not a hundred, but six hundred, seven hundred dollars a month for a year, and then at the end of twelve months, that was going to increase. I actually saw a mortgage once where the mortgage payment was going to increase to twenty-five – by twenty-five percent after the first year, and it was going to
increase in increments every three months. I'm sure this person had no idea what they'd signed, but I also
know, considering their income, there was no way they were ever going to pay that mortgage. So, now
we're seeing people who have lost their jobs, who really could have afforded their houses in the past, and
now they can't. So... and attorneys continue to step up to the plate and try and deal with these things. And
that's what I'm impressed with.

Coventry: And have you seen, um, I mean have you seen an increase overall in the number of cases you're
getting? Or is it...

Marculewicz: Yeah. It's much worse. But, then again, we've had to lay off our half - our part-time staff
person because we've taken a budget cut. Congress is talking about cutting the legal services budget more,
so the person who's going to get hurt is the person who doesn't have anything. And I don't know how far
you can bang people into the ground... before they fight back. But, yeah, we'll see.

Coventry: So where, uh, I mean I know the lawyers sort of donate their time, but, um, where does the, uh,
the support and the funding for the program come from? I mean there has to be some funding, right?

Marculewicz: It, uh, about eighty percent of our budget is from legal services corporation. We're a sub
grantee of legal aid. They're required to spend twelve and a half percent of the money they get from the
government on what's called 'private attorney involvement.' That means that they have to either hire
somebody in-house to do pro bono or to create or pay for a program like ours. The most successful
programs around the country are separate from Legal Aid. They're run separately, um, and I think it goes
back to what I was saying earlier, it becomes an attorney-driven program. We're housed in the Bar
Association, so we have, um - the Bar Association, the members of the Bar have a very different
perception of the Volunteer Lawyers Project [hiccup] excuse me, as opposed to [hiccup] excuse me, as
opposed to Legal Aid. So... and then the rest of our money comes from donations.

Coventry: Have you seen any, any decrease in that with the economy the way it is, or...

Marculewicz: No, but I suspect we will next year. Um, I... we generally ask for donations - we do a joint
campaign here. We have a very cooperative or collaborating program with Legal Aid, so all of the fund
raising is done - there are actually two Legal Aids; one that accepts the, uh, federal money, and that money
is restricted. So, they can't - there are certain kinds of cases they can't do, like class-actions and things like
that. So they created a second agency called Advocates for Basic Legal Equality, and they do the work,
migrant farm worker programs, things that um, Legal Service Corporation is not - doesn't allow you to do.
So there are three programs, um, and all the fundraising is done by the three of us in one collaboration, and
we share it equally. Um, I suspect, uh... we don't raise a lot of money, um, here, but we raise enough. But I
suspect we may take a hit. Attorneys are hurting as much as anyone else right now. Large firms are not
picking up as many young associates as they used to. Um... on the flip-side of that, we have a lot of young
attorneys who are looking to volunteer. The problem is, you have to pair them up with an experienced
attorney or provide them with a mentor. If you recall, I said I promise attorneys I'll never give them more
than one case at a time, so... that does affect the number of cases I can refer out.

Coventry: Which kind of brings me to my next question, which is; what are some of the, the uh - in your
time here, the biggest obstacles or frustrations, or, or challenges - disappointments that you've run into in
your time here? You've been here twenty-two years, so... I'm sure there's at least one?

Marculewicz: Um, I can't, honestly, I can't think of one. I really can't! Um... I wish we had more money
and could grow the project. It's disappointing to see that, uh, the funding level from Legal Service
Corporation has always fluctuated. It goes up and down. But right now they're talking about, I think, a
seventy million dollar cut, immediately, at Legal Service Corporation. That would amount to about, I think,
a seventeen to eighteen percent cut in our budget immediately. That would be pretty hard to take. Um, we
would really have to cut our services, and that's because people, I talk to people on the phone. They get
angry, when I say no. And I have to say no sometimes, so... yeah, and I'm a firm believer in - I don't give
people another telephone number. If somebody calls and says, "I've called Legal Aid and they won't help
me," so, I'll explain to them Legal Aid Line actually does intake for us also, and if they said no then the
only alternative is to hire an attorney. And the answer to that, of course, is, “I can’t afford one.” And I have
to say, “I’m sorry, but there is nothing else,” because there really isn’t. So... and I think people in the
Miami Valley would be surprised to know how fortunate they are in some ways, because they have this
triple program that really does a lot more cases than you would find in other areas.

Coventry: Now are you part - I mean, you cover the Miami Valley, but are you part of any larger group?
Sort of, are there national groups that sort of collaborate or, or...

Marculewicz: Well, I serve on the executive committee for the National Association of pro bono
Professionals, um, but that’s just - it’s a professional association for those of us who do this, so... but other
than that, no.

Coventry: So, so what’s that like? What’s that all about?

Marculewicz: Well... this is a kind of lonely job, because there’s really only one person who does it in an
area. So, NAPRO is like a way for us all to get together and talk about, and commiserate about the things
that we would like, the things we hate, the things we’d like to change. Uh, and we - I was talking earlier
about the Equal Justice Conference. Most of us go to that conference, um, and the Executive Committee
has, we have a mid-year meeting that we usually hold in Chicago at the American Bar Association, and we
have Executive Committee conference calls on a bi-monthly basis. Monthly when we gear up for the Equal
Justice Conference. Um, and the Equal Justice Conference is an opportunity for all of us to present, um,
different innovative things that we do. And learn what different and innovative things that other people are
doing.

Coventry: And what kind of innovative things have you...

Marculewicz: I don’t do anything! I’ve been here twenty-two years! I can’t be innovative any more!
[laughs] I mean, I think the, um, as a matter of fact, that’s what I’m on a committee to work on the, uh, we
have something called ‘Beyond the Basics,’ at the Equal Justice Conference, and that’s for people who
have been doing this for a long period of time. And what we’re going to be talking about this year is how
to, um, collaborate and reinvigorate programs, and maybe change them. I mean, because I have, I’ve been
doing the same thing for twenty-two years. We - our innovation is that we A) always consider the attorneys
our clients, B) we do simple things in what we call ‘batch clinics.’ Um, I early on realized that it was a
waste of time to send a divorce out to an attorney if you could look at it and say, “There are no issues.
There’s nothing to argue about.” Might as well ask the attorney to take two or three. Then I realized that if
we got all of the information from the clients ahead of time, so we have an application they fill out, and we
provide the attorney with a paralegal who’s going to take all that information and merge it into standardized
documents, and send those documents to the attorney so he can review them and say, “I want this, this, and
this changed,” then we could say to them, “How about you take ten or twelve of these at once?” So then we
went to the court, and said to the court, “Look, if we have an attorney do twelve of these at the same time,
would you be willing to make sure that they’re heard on the same day?” And the court said, “Yes,” so for
actual time the attorney spends let’s say three hours here meeting with the clients, individually, twelve
clients, then we go through the process of getting service on the other person, and there may be phone calls
that the attorney has to deal with from the client, and then we go to court on a Friday morning, and all
twelve of those people go to court, and each one individually goes before the judge with their witness and
gets their divorce, well the attorney’s put in maybe ten hours, and we’ve got twelve divorces done. Um, we
do that for divorces with children, without children, we do it for bankruptcies, we only do three or four
bankruptcies for an attorney at a time, and we’ve done it for expungements, and now we’re doing - we’re
going to be starting batch clinics for wills, durable health-care powers of attorney, and um, um, and, uh,
living wills. So, that was my innovation, twenty-two years ago. Well, maybe it was actually eighteen. I
think it may have taken four years for it to sink into my head, but, so, I haven’t changed a lot, and that’s an
issue now, because maybe there are things I need to do differently. Like, communicate with younger
attorneys who don’t like snail-mail. They don’t like the telephone. They like Tweeting and uh, what is this?
We recently got a Facebook page, so I’m working on that, but...

Coventry: So, how is that, I mean, you’ve seen that sort of, that sort of innovation come in. How...
Marculewicz: Well, I was just at a, um – doing a presentation at the University of Dayton School of Law and it was at lunch time, and I was saying to the students – what I do is, I allow, I get students to, um, sign up for this Volunteer Student Law Project, and I pair them with an attorney. And I said to them, I said, “One thing you’re going to have to be really careful of is, if you assume that the attorney is only going to talk to you by email, you’re going to miss out on some really good opportunities.” Because right now, the majority of the experienced attorneys in town will not communicate by email. So you have the mature attorneys who do snail mail, and you have the young attorneys who do email and, and um, texting, and right now the train is not going to meet in the middle. [laughs] So, um, I suggest very strongly they to the younger attorneys that if they really want to be mentored by somebody who has experience, then they need to be a little – a lot more flexible. But that means I have to learn to communicate all those different ways. I know how to use snail mail, I know how to use a telephone. Um, I have a Facebook page; that’s all I can say.

Coventry: So you’re catching up?

Marculewicz: Not really, but... [laughs]

Coventry: So do you think, I mean, just from your observation, that’s – do you think it’s going to go more toward the younger crowd’s technology? Or are there legal issues where you really want that piece of paper?

Marculewicz: Well, I would suspect – well, no, because the courts, some of the courts, do all-electronic filing. There is no paper anymore. Um... it’s – I guess it’s going to change. I don’t know how you’re going to deal with the confidentiality issue. I, uh, I’m sure you know as well as I how much information is available online. Even from the courts. I mean, you can go onto a court website and see all kinds of things, and uh, I don’t know, um... you know what? It’s going to change and I’m probably not going to be here for it. Um... but right now I need to do all of those things, so I do, I try to – I am trying to become more technologically proficient. [smiles and nods]

Coventry: As am I. [laughs] Um...

Marculewicz: Is that a camera? [laughs]

Coventry: Um, do you... do you use any volunteers besides the – I mean, you have the lawyers themselves, and you mentioned paralegals. Are they also volunteers?

Marculewicz: [nods] Yes.

Coventry: And they... what do they do?

Marculewicz: Well, they would prepare paperwork, um, let’s take bankruptcy as an example. I would assign – for an older client, I would assign a paralegal to that person, and that paralegal would help them. People don’t realize – to file a bankruptcy today – the law changed in, I think it was in 2008, and it’s become much more stringent. So you have to have, have to have, your last four years’ tax returns. So when we say to somebody, “We need your tax returns,” they’ll say, “Well, I don’t have them anymore.” So, we have a paralegal that works with them and says, “Ok, this is how you get your tax returns, this is how you get all your bank statements, this...,” and actually helps the person accumulate all this stuff. Also, some people, if, um... if they have a lot of bills, have stopped – maybe they’ve moved and not provided a forwarding address to some of their, um, creditors, so we suggest to them, “You really need to do that.” We need to see who you owe money to, and who’s taken a judgment against you unbeknownst to you. So, we would have a volunteer paralegal work with them. Same thing with the divorces. It’s simple that I say, “We give them an application,” but there are some issues, some particular items, that are absolutely necessary to the court. Um, as an example, the court wants to know if there are children of the marriage, where those children – every single address those children have lived at for the last five years, and what adults have lived with those children. Now, if you... are low-income, chances are you have lived at a few addresses,
so... and chances are, you don’t remember them all. So, we would provide a volunteer to help you work that out. Um, we also have volunteers who come in here and do – like right now I have an intern from Wright State University who’s, um, working with us two days a week, and he does filing. I also have – we try and give him an experience that, um, shows him not just what we do, but what the law is like, so he’s had a chance to talk to some clients. Um, when we need more information from clients, I’ll let him call them on the phone.

Coventry: So you pull, you know, a wider range of, of volunteers than just, just...

Marculewicz: Yeah. [nods]

Coventry: And you yourself coordinate all that?

Marculewicz: Myself, and then I have a paralegal who does all of the batch clinics. So two of us, yeah. [nods]

Coventry: That’s a big load. [chuckles]

Marculewicz: Yeah. I said it wasn’t as simple as it sounded, but... [nods]

Coventry: So, you’ve been doing this... for a while.

Marculewicz: Yeah.

Coventry: Um, what... what effect has your involvement with, uh, with the Lawyers Project had on sort of your, your life in general? I mean outside of here, you know?

Marculewicz: [long pause] Wow, is that a hard question. [sighs] I guess the biggest effect it’s had on my life is I – there isn’t a day – there isn’t a day- goes by that I don’t say, “There but for fortune.” I don’t know what makes some of us lucky, but I think I, I – to go home, I have to go down Patterson, which, um, here passes by the, um, shelter. Homeless shelter, and the Dayton program for homeless people, and I have gone by on days and seen a grandmother and her daughter, and her daughter’s children walking on the street. People with walkers, people in wheelchairs who I know are homeless. And I, and I say to myself, “When did we become – when did we become a country that thought this was ok?” That we thought it was ok to do this to people, and... [pauses and makes a helpless gesture] While others – there are others of us who are comfortable in our nice warm little homes, or big homes, or whatever. I just – and I was in Chicago – Philadelphia, recently, and there was a man lying on the sidewalk, his leg was in the street, he was like sprawled out, and I – I didn’t stop, and I – it bothered me for two – I can’t tell you how many hours – that I didn’t at least stop to see if the man was ok. When did we become a society that could walk over people when they were dead or alive? I mean, even ants pick up the bodies of dead ants. So, that’s what this has done to me.

Coventry: Kind of made you – not kind of, it’s made you more aware, then, of...

Marculewicz: Has made me very sad. Made me very sad that we live in a country that’s like this. We live in a country where we are so complacent, we think it’s ok to privatize education, to privatize health care, and complain when the government – when somebody steps up and tries to do something. To make health care more responsive to the needs of people. But no, we guarantee, every time we privatize something, we guarantee that the only people that will have it are the people who have money. And what is it, ninety-five percent of the wealth in this country is held by one percent of the population? I don’t know why that doesn’t sink in with more people, but it doesn’t.

Coventry: So do you feel like that, that’s a big part of your motivation to keep doing this kind of work?

Marculewicz: Yeah, I think it is Right.
Coventry: So, you know, even beyond, even beyond this, you've done, obviously, um, quite a bit of... volunteer work, of community, uh, service involvement. Now, do you currently do anything else besides this? You know, service or community related?

Marculewicz: [shakes head] I really can't. I find this -- I find this draining, some days. So when I say, "I really can't," I -- I could. I choose not to. [pauses] I think there comes a point -- I hope there comes a point for people where you realize, for your own well-being, that you -- it's not possible to spend thirty-five, forty, forty-five hours a week, whatever amount of time I spend here, working and talking with people who have needs that are so... in some cases, insurmountable, because certainly their legal problems are one small portion of their issues - and I'll give you another example in a minute -- um, and then go home and try and do it with another agency -- I just -- I couldn't do that. I had an interesting experience, uh, a few months ago, because we're looking at doing a clinic for landlord/tenant work. If you were to go sit in the court on a Friday morning -- every Friday morning, in landlord/tenant court, you would watch sixty-five to seventy people being evicted every Friday. That's in Dayton.

Coventry: That's just in Dayton?

Marculewicz: That's just in Dayton. [nods]

Coventry: Not the whole Miami Valley, but just here in Dayton?

Marculewicz: That's right. It gives you pause. And now, we're in a society where landlords have access to so much more information, they - well, there are lots of ramifications for an eviction. A) If you ever are evicted, chances are you'll never get into, um, public housing. Um, that eviction will be on your record, um, another landlord may not give you a place. So it's almost like we, little by little, inch by inch, are forcing, um, a portion of this population -- we don't educate a certain portion of the population -- we don't give them jobs, and we don't give them housing. And [gestures] something has to come of it at some point, but...

Coventry: So, going back all the way to your, your days with SPECTRUM, all the way to the present, what are some of your -- what are some of your favorite moments? Just things that maybe gave you a little bit of hope, or... you know, that just made you think, you know, that it's all worth it?

Marculewicz: [pauses and sighs] I guess it's the small, um, successes that make you feel like it's worth it. When somebody says, "Thank you." It's that simple.

Coventry: Have there been any -- any dark moments, where you just thought...

Marculewicz: Not really. Uh, I gave you enough dark moments when I talked about how I see this world moving, or this country moving. Um, no. I keep doing what I do.

Coventry: So, is this, is this something that you really see yourself continuing to do for...

Marculewicz: Three more years.

Coventry: That's...

Marculewicz: I plan to retire. I plan to, uh... and then I... [chuckles] And then I'm probably going to get into rescuing dogs. I have to rescue boxers right now, and I do like animals, but I'll probably volunteer for a rescue operation somewhere.

Coventry: Is that something you, you know, you've kind of got a passion for?

Marculewicz: Yeah, I think it would be fun... and less stressful.

Coventry: [laughs] Less stressful, huh? I'm a cat owner, so...
Marculewicz: Well, we have a twenty-one year old cat, who no longer lives with us, but... she lives with our daughter. Because we have a rescue boxer right now who’s... somewhat unfriendly to small animals. [chuckles]

Coventry: That, uh... that’s common. [laughs]

Marculewicz: Right. [smiles]

Coventry: So is that – I mean, I know you’ve – I mean, you’ve done so much, um... is, is there anything that I’ve missed that you – that you’d like to say something about?

Marculewicz: I honestly think you’ve covered it all. You’ve asked some very good questions.

Coventry: And is there anything you want to go back to, maybe say a little more about?

Marculewicz: Nope. Nope, honest. [laughs]

Coventry: Alright, well, um, thank you for...

Marculewicz: Thank you.

Coventry: For uh, taking the time to do this and, and for, you know, waiting for me after hours.

Marculewicz: It’s not a problem.

Coventry: I appreciate it, and I know the professor also appreciates it, so...

Marculewicz: Not a problem, honestly. My pleasure. And now, as soon as you shut that off, I’ll show you a picture of our twenty year old cat.

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Glossary:

**ABA** – The American Bar Association, an organization for attorneys.

**GDVLP** – Greater Dayton Volunteer Lawyers Project, a group of lawyers who do *pro bono* legal work in the Miami Valley.

**NAPRO** – National Association of *pro bono* Professionals.