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Monday, February 20, 2012

Disabled man's case gritty, ongoing

First Person: Sunday Lawyer Program helps man seeking wheelchair access to his apartment

By John E. Seay, Special to the Daily Report



(AVLF)

John E. Seay is an intellectual property and small-business lawyer and the founder of The Seay Firm. He represents clients in transactional matters involving contracts.

For the second time this week, Mr. Franklin is trapped outside in the rain. Like last time, his clothes are soaked and his wheelchair is pooling water in places water should not be pooled.

Several hours have passed, and during that time Mr. Franklin (not his real name) has urinated on himself. What separates Mr. Franklin from the warm confines of his apartment is a roughly 16-inch-tall slab of concrete encircling the building. Therefore, unless another tenant from the complex sees him and offers to physically lift him up, Mr. Franklin is subjected to the elements. Thankfully it's been a mild winter.

I first met Mr. Franklin at the Atlanta Volunteer Lawyer Foundation's Saturday Lawyers Program. The Saturday Lawyer Program pairs pro bono attorneys with low-income clients who require assistance in the areas of consumer debt, landlord-tenant disputes, and unpaid wage claims. While my own practice focuses primarily on intellectual property and entertainment law, the Saturday Lawyers Program is where I perform my pro bono work.

That day, Mr. Franklin arrived in his wheelchair anxious to tell his story (fortunately the offices where the Saturday Lawyer Program is held are fully wheelchair accessible). I learned that before signing the lease, Mr. Franklin had asked the apartment management for a wheelchair-accessible unit, as well as to see the unit he would be leasing. They vaguely suggested he would have a wheelchair-accessible unit but refused to show him the unit they had selected for him. Of course, once they placed him in a non-wheelchair-accessible unit, they promptly began ignoring his pleas for help.

Both as a human being and attorney, Mr. Franklin's story affected me. I tried to help Mr. Franklin as best I could. I wrote letters on his behalf. I called once a day for a week. I was told that if Mr. Franklin wanted a ramp built, he would have to pay for it himself. And, because the building was certified for occupancy before 1991, Mr. Franklin's options might be more limited. Of course, the advice "just move" doesn't

apply much to someone who can't bear that additional expense. Advocating on behalf of Mr. Franklin is an ongoing process, although I believe there is light at the end of the tunnel (or ramp, as it were).

My experience with Mr. Franklin and other clients I've represented through my association with the Saturday Lawyer Program has taught me that true pro bono work is more than just an afternoon of volunteering. Pro bono work can be messy, frustrating, and—in some (hopefully rare) cases—time consuming.

However, those same characteristics are also part of what makes pro bono work the most rewarding kind of law practice there is. I love my intellectual property and entertainment law practice. But working with indigent clients facing very real problems has provided me with perspective. And that perspective ultimately makes me a better, more compassionate lawyer to all of my clients.

John E. Seay, Special to the Daily Report

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