



MSU Law's Eviction Diversion Program Builds Better Lawyers

By Lynn P. Ingram

When Ben Franklin famously said, “An ounce of prevention is worth a pound of cure,” he wasn’t referring specifically to Michigan State University College of Law’s new Eviction Diversion Program, but it certainly fits.

Prevention and the growing epidemic of evictions in Ingham County were the impetus behind the program, which launched in September and has already served more than 150 residents facing eviction.

As part of MSU’s Housing Law Clinic, the diversion program is a collaboration among the Ingham County Department of Human Services (DHS), Capital Area Community Services (CACCS), the Veterans of America, the Salvation Army, and 55th District Court Judges Thomas Boyd and Donald Allen. Together, they work to find ways to keep residents in their homes and off the streets.



Michael Siracuse, staff attorney for the MSU Housing Law Clinic.

Public Interest Law Fellow Michael Siracuse, who manages student participation in the program, said that with more than 8,000 evictions in Ingham County in 2011 and a serious shortage of shelters, something had to be done. He noted that the same program began in Kalamazoo seven years ago and has been highly

successful, adding that prevention is much more efficient and cost-effective than treatment after the fact.

Siracuse and the students he oversees begin by screening the eviction complaints for affirmative defenses before they open

negotiations with opposing counsel. Typically, he explained, it comes down to getting the landlord to agree to more time to pay, and then working with the partner organizations to secure financial aid for the clients.

Human Interest

Kasey Mahoney, a third-year law student who recently helped a woman on the verge of eviction stay in her home, said that from a human standpoint, it is “incredibly rewarding” to help those in need.

“The reason I came to law school was because I wanted to work with people who might not have the financial resources to hire an attorney,” she said.

Mahoney realized this goal when she helped the woman beat the odds and stay in her home.

Siracuse said the case was fairly typical, but that getting a settlement was still remarkable because the woman’s relationship with her landlord had rapidly deteriorated.

Her housing was subsidized, but she had lost the subsidy after failing to recertify, Siracuse explained, noting that she had failed to recertify because she got busy helping her daughter who had cancer. As a result, she fell two months behind at the full monthly rate and simply couldn’t catch up.

That’s when Mahoney got involved, and the program worked to perfection. They were able to reach a payment agreement with the landlord’s attorney and secure funding assistance from program partners DHS and CACS.

This coordinated effort saved the woman from losing her place, Mahoney said.

“Without the Eviction Diversion Program [this woman] would likely not have been able to facilitate a payment plan, which would likely have resulted in an eviction proceeding and [she]

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would have been without a property to go to," Mahoney explained, adding that the personal issues she was dealing with would have prevented her from being able to focus on finding a new place.

Second-year law student Lee Schuchart agreed with Mahoney's assessment of the human side of the work.

"It's humbling to see what people do and how they persevere," he said. "It really gives you perspective."

Work Like a Lawyer

One of the great things about the program is that it helps not only the community, but also the students and the legal profession as a whole.

"The benefit to the community is substantial," Siracuse said. "But the benefit to the students is also a driving factor."

Siracuse said the students can make several court appearances weekly, which he and the students agree is invaluable.

"The first year of law school trains you to think like a lawyer," Schuchart said, "but it's programs like this one that teach you to work like one."

The clinic, he said, provides the opportunity to meet regularly with clients, other lawyers, and judges, which is something many students don't get until they're practicing lawyers.

Mahoney said this "real-world experience" is particularly valuable.

"The Eviction Diversion Program shows us the value of coming to resolutions outside of the courtroom, and we are able to see personally how beneficial it is for our clients and how relieved they are when the issue is resolved," she said. "Beyond simply learning about the value of such negotiation, the program

Photos by G. L. Kohuth, Michigan State University



Michael Siracuse discusses a case with clinicians Brock Artfitch and Lee Schuchart.

teaches us how to do this. We are given the opportunity to interact both with clients and other attorneys and to go on the record before a judge."

This program, Siracuse said, will make them better lawyers. Not to mention better people. ■

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