



Cleveland lawyers see borderless world when it comes to offering free help

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March 18, 2010, 5:45PM



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Scott Shaw, The Plain Dealer

Cleveland lawyers are demonstrating the world is borderless when it comes to offering free legal help. From left, Andrew Zashin, Michael Scharf and Craig Owen White.

CLEVELAND, Ohio -- Around the globe, a small army of lawyers from Cleveland donate their skills in the name of justice. Their work can be as personal as solving a fight over child custody or as profound as redressing some of history's most heinous crimes against humanity.

"There's an expression about punching beyond your weight class," said Andrew Zashin, a local divorce attorney who founded a non-profit clearinghouse on international child custody disputes. "I think the legal profession in Cleveland is beyond its sort of poetic weight class."

The Jones Day law firm is among those doing free, or pro bono, work on global legal troubles. The firm lends attorneys to a young organization called Lawyers Without Borders that works throughout Africa in election disruptions, inheritance disputes and land conflicts. A dozen Jones Day lawyers are preparing for a project this summer to enhance the trial abilities of Kenyan lawyers, with a goal of eradicating violence against women in the sub-Saharan nation.

One by one, lawyers at other Cleveland firms, too, have responded to the call to serve in what amounts to an international Peace Corps of legal practitioners. Among them are these three attorneys who have taken their skills to foreign shores.

Andrew Zashin, co-managing partner, Zashin & Rich

Family law attorney Andrew Zashin was reading a newspaper at a Shaker Heights coffee shop when he learned of an international custody dispute that put him on a new mission.

A federal court in Minnesota had ruled in favor of a mother who took her children out of Israel without their father's consent and argued they couldn't be returned because the country was a dangerous war zone.

Zashin said the ruling by that court and others suggested that terrorism was gaining the upper hand, since courts had decided that children abducted abroad should not go back to Israel.

"I couldn't believe this article," said Zashin, whose exuberant personality cranks up a notch recalling the case that led him to found the non-profit Center for International Child Custody and Relocation last fall.

CICCAR, on the Israel coast north of Tel Aviv, is Hebrew for "roundabout," a type of traffic circle that cuts down on collisions at intersections. The concept fits the organization's goal: Finding solutions to international child abduction and custody fights that are best for children and parents.

CICCAR focuses on the 1983 Hague Convention, which binds 81 nations that have agreed to extradition in custody disputes. The trouble is that although Hague is embraced by all the countries, each has its own way of applying the treaty under local laws.

Zashin hopes CICCAR will bring coherence to the situation.

"We have the barest structure, the barest skeleton of rules about this treaty. We're trying to apply some flesh, to fatten it up. To help provide a compass in this uncharted area of law so people know what they should do," he said.

CICCAR draws on the skills not only of lawyers, but also of psychologists and academics who contribute to an online clearinghouse on the Hague Convention -- how it works, where to go for resources, how to fashion arguments, why Hague matters and why children should be returned to their appropriate home.

The U.S. State Department reported last year that 845 children were abducted either from the U.S. or into the U.S. over a 12-month period.

In a world where "people and their children spin around the globe as never before," Zashin contends, those numbers are just a fraction of the problem's scope.

Craig Owen White, partner, Hahn Loeser & Parks

Craig White, a seasoned deal lawyer in Cleveland, has spent part of his summer for the past three years teaching black attorneys in South Africa about commercial law.

The apartheid that divided South Africa until 1994 gave few economic rights to black South Africans. For the most part, they couldn't own businesses. They were allowed to visit cities during the day but had to leave by sundown.

Black lawyers were trained in litigation, family and criminal defense work, but not in commercial law that

would help them and clients be a bigger part of South Africa's economy. As a member of the International Senior Lawyers Project, White is helping address that historic disadvantage.

ISLP, founded 11 years ago, enlists senior attorneys to help in some of the poorest countries in the world. Some are retired. Others, like White, have active practices.

The volunteers work for weeks at a time without pay -- renegotiating exploitative mining agreements, teaching trade negotiating, advising on human rights violations in Peru, China, Liberia and other African hotspots. They donated 26,560 hours of legal work in 2009, valued at \$11.5 million.

White and other ISLP lawyers have taught commercial law classes in Johannesburg, Durban and Cape Town, South Africa. The eight-week course exposes South African lawyers to business skills -- drafting contracts, negotiating deals, setting up corporations and raising capital. ISLP is taking the training to Zambia in 2010.

"Business dealings are centered around risk," White said. "It's amazing how these things transcend national boundaries."

Michael Scharf, director, Frederick K. Cox International Law Center, Case Western Reserve University School of Law

You wouldn't know it from his cheery demeanor, but Michael Scharf spends a lot of his waking hours pursuing legal redress for some of mankind's grimmest episodes.

Recently he's been in Uganda, where the parliament on March 10 established a Ugandan War Crimes Division with jurisdiction over genocide, crimes against humanity and war crimes.

Scharf and other lawyers had worked for a year helping the Ugandan government draft revisions to the bill.

"We are ecstatic that it was finally enacted into law," Scharf said in an e-mail.

The son of a social worker and businessman, Scharf grew up in Shaker Heights, where he was president of the school's award-winning Model United Nations team.

After law school and a four-year stint at the U.S. State Department, Scharf and a former State Department colleague formed the Public International Law and Policy Group. The global pro bono firm now has offices in Washington and Cleveland, as well as 10 field offices around the world.

Scharf returned to Cleveland in 2002 to lead the Frederick K. Cox International Law Center at the Case Western Reserve University School of Law. He and his students concentrate on war crimes research. The work led to Scharf's nomination in 2005 for the Nobel Peace Prize by the chief prosecutor of the Special Court for Sierra Leone. Other work has involved war crimes tribunals in Yugoslavia, Rwanda, Iraq, Cambodia and Liberia.

A horrifying memory from Cambodia haunts Scharf: The blood-splattered classroom walls of a high school used by members of the Khmer Rouge to torture citizens. A few miles away lay the "killing fields" with a six-story tower of skulls and pits filled with human remains.

The Case law professor said 16th century philosopher Thomas Hobbes got it right when he said there was a thin line between civilization and barbarism.

"The only thing that keeps me going is it's a good fight," Scharf said. "The law is what keeps us on the right side of the line."