Three-dollar cases. That’s what they called the lawsuits brought on behalf of indigent clients of Gene Bayer’s legal practice in Cleveland, Ohio, where Peter Joy worked during law school in the mid-1970s at Case Western Reserve University. The normal $50 court-filing fee was waived for those who couldn’t afford it, but three dollars was still required.

“Gene was on the referral list of the Cleveland Legal Aid Society. He would take an average of three to five of those three-dollar cases a week,” recalls Joy, professor of law and director of the School of Law’s Trial and Advocacy Program and its Criminal Justice Clinic. “These were divorces for low-income women and women on public assistance, with quite a few involving domestic abuse.”

Joy remembers being impressed not only with Bayer’s unflagging efforts to take on these cases for people who otherwise would have no options for legal representation, but also with how those same people would seek Bayer out again and again. “Gene was probably the lawyer for more poor families in Cleveland than any other,” he recalls. “He never turned anyone away because they weren’t able to pay.”

Bayer’s practice did well financially, partly because the pro bono work often provided a return in the form of bigger cases later when the families would pay for his help. The lesson from these “three-dollar cases” that stuck with Joy, however, was the legal profession’s capacity to help those who otherwise would be helpless. It is a lesson he seeks to impart to his students.

Jennifer Neumann, JD ’02, participated in last year’s Criminal Justice Clinic. She remembers Joy’s constant emphasis on the attorney’s role as a guide and defender of the client’s interests and on the importance of keeping those interests at the forefront of every action.

“I’ve learned that the real reward in practicing law is to be able to look in the eyes of a client who is afraid or confused and be able to explain how the system works,” says Neumann, now an attorney with Dykema Gossett PLLC, in Michigan. “It comes in the interaction with people who need you to do good for them.”

Joy began leveraging his ability to use the law to benefit others right after graduation, serving as the national co-director of the Law Students Civil Rights Research Council in Atlanta, Georgia. This position allowed Joy to retain and focus his interest in social justice and public interest law and to multiply his ability to effect social change through the law students in the program.

“Rather than it being just me working on a single case that I thought was interesting or important, we had a program where 20 students worked during the school year, and 200 students were placed with an array of public interest groups in the summer,” Joy recalls.

Wanting to broaden his own legal skills, Joy moved into private practice before joining the law faculty of Case Western Reserve University, where he directed the Milton A. Kramer Law Clinic. It was in that context, as well as Joy’s involvement...
with the Association of American Law Schools’ (AALS) Section on Clinical Legal Education, that Joy first crossed paths with Charles Weisselberg, professor of law and director of the Center for Clinical Education for Boalt Hall at the University of California—Berkeley.

“Peter is a powerful thinker, a careful scholar,” says Weisselberg. “He is deservedly well-known for his work in clinical education and legal professional responsibility.”

Weisselberg was involved with the AALS Political Affairs Interference Committee in 1996, when he learned that Tulane University’s Environmental Law Clinic was under attack. The clinic had worked with community advocacy groups to block development of a PVC plant in an area near Baton Rouge, Louisiana. Previous industrial development and the accompanying toxins released into the air and water had created high rates of cancer and other diseases among residents.

“The governor and parts of the business community tried to retaliate against Tulane University and the Environmental Law Clinic,” says Weisselberg. “They attacked the clinic and its faculty, called them ‘vigilantes,’ threatened to end the university’s tax-exempt status, and tried to push through an amendment to a student practice rule that would have effectively killed the clinic at Tulane and at other schools in Louisiana.”

When Weisselberg learned what was happening, he put out a call for help to members of various AALS committees. “Peter immediately stepped forward, and we worked to take a formal stand,” says Weisselberg, who, with Joy and a student, wrote a brief that was filed with the Louisiana Supreme Court. “Peter worked tirelessly on this issue for several years, including organizing a petition drive and leading a march on the Supreme Court, while they were debating the issue. You couldn’t ask for a more thoughtful, dedicated, terrific colleague.”

Joy’s devotion to the issues of social justice is matched only by his commitment to preparing students to fight those same battles. In the Criminal Justice Clinic, he replays with students seemingly straightforward court appearances for hours until they’ve explored all angles and examined together every potential turn and nuance. This way—as much as is possible when dealing with people—nothing is unexpected.

“Professor Joy always emphasizes not taking any shortcuts. He taught that you have to think through every issue, to look at it from all perspectives,” says Neumann. “That way, when you come up with an answer, you know it is the right one.”

Joy believes in the clinical program’s role of taking the theoretical learning students have absorbed in the classroom and helping them apply that knowledge in real-life situations.

“That is the transition period when a student becomes a lawyer,” says Joy. “It is extremely gratifying for me to see the satisfaction students feel when it all comes together as they prepare and argue a case.”

So the lessons those three-dollar cases taught Joy about the law as a tool for good have been passed on to former School of Law students, now attorneys working on “three-dollar cases” of their own. ◆