Guess who wins when the plaintiff is a feisty 97-year-old represented by a VLP lawyer, and the defendant is a crooked contractor? Hint: It isn’t the contractor.

Betty Brinson was sitting in the tiny, screened-in front porch of her Montgomery home when I arrived on a summer afternoon to talk with her about her VLP case. Her case was over, she had won and she was excited to talk about it. As we sat on her porch, wary neighbors “dropped in,” to ensure, I suspect, that Mrs. Brinson’s visitor meant no harm.

Although she is 97 years old, Mrs. Brinson could pass for a 70-year-old. Her eyes are bright, her mind is sharp and she is still mad as hell about the contractor who tried to cheat her. Born in 1910, Mrs. Brinson’s life has not been easy. Her father died when she was seven years old. She never finished high school, dropping out to go to work. She worked as a maid, earning $3 per week, working six days a week. Life became easier as she grew into adulthood. She married, and her husband was a brick mason and worked on houses. He built the house where Mrs. Brinson, now a widow, lives.

Some years after her husband passed away, the floors in Mrs. Brinson’s house began to buckle. Her floor surfaces became so uneven that she was scared to go into her kitchen for fear of tripping and falling. Lifting up the linoleum one day, Mrs. Brinson discovered termites, and soft and rotten wood.

Mrs. Brinson hired a contractor to repair her damaged floor. The contractor worked on her floors and submitted his bill, which Mrs. Brinson paid. For a short while, the floors seemed fine. But they began to buckle again. When Mrs. Brinson lifted up linoleum this time, she found the same rotten, squashy wood, now covered with a layer of bricks on which the linoleum rested. Mrs. Brinson sought help and was referred to the Volunteer Lawyers Program, which is how she became a client of Beasley, Allen, Crow, Methvin, Portis & Miles of Montgomery.
Rhon E. Jones, of Beasley, Allen, was at a bar luncheon one day when the attorneys in attendance were asked to sign up for one VLP case. Jones did. Soon thereafter, Mrs. Brinson became his first VLP client. Jones and two associates in his firm, Kimberly Ward and Alyce Robertson, worked on Mrs. Brinson’s case. They hired an expert to look at the floors. They contacted the contractor on their client’s behalf. The contractor would not admit fault, repair the floors or return the money he had been paid by Mrs. Brinson. Jones and his firm filed a complaint, conducted discovery and went to trial in district court. Using blown-up pictures of the buckling floors, Alyce Robertson tried the case.

Mrs. Brinson took the stand at trial. According to her lawyers, “She did a good job. She was happy and proud of herself.” During cross-examination, insulted by defense counsel’s questions, Mrs. Brinson described, in glowing detail, exactly what the defendant had promised, done and not done. At one point during Mrs. Brinson’s cross-exam, the court offered advice to the defense counsel, “Well counselor, I think you have asked one question too many.”

Mrs. Brinson was victorious at trial, and won a judgment of $3,500. Collecting the judgment was a problem, however. Jones and his firm filed an execution of judgment which was served by the Montgomery County Sheriff. Eventually, the contractor paid the judgment and Mrs. Brinson was able to get her floors repaired. At least most of them. She ran out of money before she was able to repair all of the buckled floors. At the end of our visit, Mrs. Brinson took me inside her home and pointed proudly to her kitchen and bathroom floors. The floors were flat and straight.

What does Rhon Jones think of Mrs. Brinson? “She was a person without much hope. She asked us to help her through the legal system and we did. The system worked. She got her day in court.” What does Mrs. Brinson think about her VLP lawyers? “They are real good lawyers. They got me some help.”

ENDNOTES
1. A pseudonym.
2. The Volunteer Lawyers Program (VLP) began statewide in Alabama in 1991. Modeled after the highly successful Mobile Bar Association Volunteer Lawyers Program, it provides a way for lawyers in Alabama to help their communities. Attorneys enroll in the program by agreeing to provide up to 20 hours per year of free legal service to poor citizens of Alabama. Cases are referred to the VLP from Legal Services offices around the state. Before referral, the cases are screened for merit and complexity (to see if the case is resolvable in 20 hours or less) and the potential client is screened for income eligibility (must live at 125 percent of poverty level, currently $2,151.08 monthly, for a family of four.)

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