

**DOMESTIC VIOLENCE  
FELLOWSHIP**

**POST GRADUATE  
ANNUAL REPORT**

**EQUAL JUSTICE**  
A M E R I C A



**CHICAGO, IL  
FALL 2024**

**LILAH KLEBAN  
EJA FELLOW**

**LEGAL AID CHICAGO**



Lilah Kleban, J.D. 2023  
Northwestern University

Over the course of the past year, I worked on a variety of family law and domestic violence cases. My only consistent, resounding takeaway is that there is never a boring day in family law. The types of cases I take are consistent, including order of protection, dissolutions of marriage, and allocation of parental responsibilities, among others. However, I have walked away from each case with a different, nuanced understanding of how the law functions and how the nature of direct advocacy, such as working directly with clients, adverse parties, opposing counsels, and judges, can make seemingly identical cases appear to be night and day.

One of my first cases was an order of protection for client who proved to be very difficult to work with. Early on in this case, we learned that she had very different priorities than what we, as her legal counsel, had. What made this client difficult to work with was her unwillingness to listen to us and take our advice. In many scenarios, there is a general recognition that the legal profession is a service profession, meaning that the lawyers work at the client's direction. However, this direction does not always apply when it comes to determining case strategy. In this case, the client refused to listen to our advice. After explaining why we would not proceed with some of her specific requests for the hearing, she refused to accept our position. In fact, in many conversations, she indicated that she would proceed with her own agenda if the case went to hearing. As her legal counsel, we could not proceed with representing her, knowing that she would not follow our advice during her testimony.

This case had a dramatic, but mostly happy ending: before the judge allowed us to withdraw our appearance, we had a pretrial conference, through which we secured a two-year plenary order of protection for our client. This was the best possible case scenario: (1) we got our client legal protection from someone who was clearly abusing



her, (2) she did not have to testify, which we expected would severely damage her credibility, and (3) the family did not have the same collateral harm that could have occurred if there had been a hearing, further driving a wedge between parents and children.

Despite getting our client what she wanted and needed, it was difficult to recover from the residual tension that arose during our hearing preparation. Although difficult to manage this client and her expectations, learning to navigate this kind of relationship proved an integral step at the very beginning of my career. My overarching goal in this job is to advocate for survivors of domestic violence. However, emotional and mental advocacy cannot be my sole goal. In some cases, validating and supporting my clients with their goals 100%, sometimes despite legal strategy, is neither proper, effective, nor a good use of resources. This case taught me the importance of reviewing my cases holistically, figuring out how we can advocate for clients to meet their specific needs,

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and to simultaneously recognize my own role as someone who the client came to for advice, problem solving, and trusting us to take the lead on managing their case.

Another case that I worked on the past year was for a client who came to us for an order of protection and a divorce. This client suffered horrible abuse from her husband, and the harassment continued after their separation, as the husband used the children and parenting time as a mechanism for further abuse and control. However, one of the more challenging aspects of this was an aggressive and manipulative opposing counsel who refused to



hold his client accountable. In several other cases, opposing counsels have told me during meetings and calls that their client was being difficult and that they would try to steer their client towards a reasonable resolution. However, the opposing counsel in this case demonstrated neither a willingness nor an ability to keep his client in line, agreeable, or reasonable.

These interactions highlighted the husband's harassing and manipulative behaviors. However, I noticed that although this opposing counsel was difficult to work with, the issues that I was dealing with were the same issues that my client was dealing with at the hands of her husband. The husband's abusive tactics were merely being passed through his attorney to me. This opposing counsel caused me significant stress. But, this realization was helpful in moving forward with the professional relationship: this opposing counsel was being manipulative, intentionally difficult, and condescending in his conduct towards me. He also lost a lot of credibility in my view because this was not a professional relationship where I could count on him to be honest, reasonable, and dependable. This case, more than anything, taught me to choose my battles.

This case is ongoing. More recently, we have settled the order of protection and have proceeded with the divorce, including figuring out the division of property, parenting time, and child support. It has been interesting to watch my client's attitude change. In the beginning of working together, she often appeared defeated and overly tired of dealing with her husband's behaviors. At times, I was concerned because she was willing to agree to certain things, against my advice, because she wanted the path of least resistance. However, as the divorce case has progressed, she has had more distance from her husband, has more structure around parenting time, and is beginning to see how pieces will fall into place. As a result of these changes, her confidence in advocating for her wants and needs has skyrocketed. This newfound confidence is integral to my goals for working with survivors of domestic violence: I want to give clients a sense of agency and help them reclaim parts of themselves that



were lost during abusive relationships. I am not a therapist or a domestic violence counselor, but I still want to use the legal system to get my clients something tangible, which in turn can help them feel more in control.

*"I WANT TO GIVE CLIENTS A SENSE OF AGENCY AND HELP THEM RECLAIM PARTS OF THEMSELVES THAT WERE LOST DURING ABUSIVE RELATIONSHIPS."*

One client who I have worked with has had a different kind of energy in her approach to her legal case: she is fighting for the protection of her kids and will let nothing stop her. The client came to us first

with an order of protection. The father of her children had engaged in terrifying and threatening behavior when he did not get what he wanted with regards to parenting time. The order of protection was a no-brainer for us; we had a strong case, and it became apparent in the courtroom that the adverse party needed serious and extensive interventions before he could safely have contact with our client or have parenting time with their children.

With the order of protection resolved, this case ballooned into an example of the diverse and intersectional needs of survivors of domestic violence in family law. Our client needed child support, she needed to figure out the division of some property, she needed to figure out how to balance her children's schedules with employment, and she needed to figure out how she could maintain her family network to continue providing for her and the children's needs. When the adverse party filed to request parenting time with the children, despite the order of protection, all these issues faced by our client were suddenly at the forefront of issues she needed to deal with. This case has highlighted how all these different issues intersect in family law cases. Throughout this case, I have been pleased to see this client respond to obstacles, all while remaining level-headed and maintaining a strong sense of advocacy for their children, without pettiness and without baseless suspicions or accusations.



Another case that I worked on was post-decree allocation of parental responsibilities case for a client whose children's father has engaged in insurmountable physical abuse against his household members and fostered a toxic environment in his home. While the people directly abused were not our client, we were deeply concerned about the children's exposure to this abuse while living in their father's home. Our goal was to deny the father's parenting time with the children until he addressed the major issues contributing to the violent environment in his home. While this case is ongoing, this case is a great example of getting something tangible for our client and immediately addressing her concerns of exposing children to abuse.

In order of protection cases, to win a case is to get an order of protection, which is a piece of paper that, if violated, can be enforced by the court. However, at the end of the day, an order of protection is a piece of paper that we hope will be adhered to. In this case, we got something tangible: we protected children by getting them out of an abusive environment and got a long list of requirements that the father must complete before he can safely have parenting time with the children.

Along the lines of getting something tangible for clients, I recently had a case where the issues of physical abuse were previously addressed by a criminal order of protection. The outstanding issues for the client were the logistical and financial matters of getting her divorced from her abuser. Throughout the course of this case, I had to conduct extensive financial discovery to investigate the whereabouts of certain funds to get something for my client.

In this specific case, our client's husband claimed that a large amount of money, which was acquired during the marriage and was therefore part of the marital estate, was lost. We conducted extensive discovery, including interrogatories, requests to produce, and issuing subpoenas to various financial institutions. I also worked with our client to try to find as many documents as possible that she had access to on her own, to avoid having to go through her husband. By the end of this investigation, I had



stacks and stacks of documents to comb through to determine the whereabouts of the money that our client's husband said was "lost."

A stark difference between this kind of financial investigation and investigations into incidents of abuse is that there can be a clear answer. For example, when the issue before the court is an incident of abuse, most cases involve testimony evidence, maybe a witness, maybe a photograph of an injury or damage after abuse, and occasionally a phone recording of an actual incident of abuse. In these cases, the judge typically reviews the various accounts of what did or did not happen and ultimately makes a decision about the credibility of a party to the case. However, in this case, which focused on financial issues, many of our points brought up at trial were undisputed. My evidence included statements from banking and investment accounts, tax documents, and certified records from various financial institutions. Through these documents, I could present a verified paper trail of financial transactions, up until the money was "lost." Proving up our claim that the husband stole this money from the marital estate felt like a TV lawyer moment because there was such a clear answer. Importantly, for the first time since the beginning of our involvement with this case, the husband was quiet and listened in court.

While it may be exceedingly difficult to actually obtain any marital assets from her husband, our client's main goal was to get divorced from her husband so she could move past the abuse and rebuild her life. She, of course, also wanted her share of the marital estate. However, she had a good grasp on reality to understand that she had a strong case and could get a judgment from the Court. At the end of the day, her biggest win would be to sever her ties from her abuser.

Extensive review and analysis of financial documents is a substantial part of my job, which I did not expect when I started. However, control over finances is a common form of abuse used to maintain dominance in a relationship. Even when someone leaves their abuser, the abuser can still use finances as a way to assert control from



a distance. As such, this experience, leveraging review and analysis of financial documents, will certainly not be my last.

The above paragraphs discuss a few demonstrative examples of cases that I've worked on over the past year. These by no means make up an exhaustive list of cases or lessons learned from the past year. I have also worked on cases where one of the main issues was managing the client's expectations for what we can reasonably accomplish. I've also learned how to navigate standard procedure for family law, how to negotiate with opposing counsels or with pro se litigants, and generally how to manage my composure throughout the litigation process.

In the last few weeks, I've noticed a shift in how I approach cases. I am still learning the ropes, which I'm certain will continue for many years to come.

*"I AM STILL LEARNING THE ROPES, WHICH I'M CERTAIN WILL CONTINUE FOR MANY YEARS TO COME. HOWEVER, I AM ALSO STARTING TO FIGURE OUT MY PLACE AS A DOMESTIC VIOLENCE LAWYER IN THIS ORGANIZATION."*

However, I am also starting to figure out my place as a domestic violence lawyer in this organization. In the coming months, I hope to focus on a more nuanced understanding of domestic violence and emotional abuse. Specifically, I hope to incorporate those understandings into my client-focused work and to expand conversations within our organization about the impacts of more nuanced abuse.





# **SUPERVISOR EVALUATION SPRING 2024**



March 13, 2024

TO: Equal Justice America

RE: Lilah Kleban's Six Month Supervisor Report

Dear Equal Justice America,

I am writing to provide my six-month supervisor report for Lilah Kleban. I am Ms. Kleban's direct supervisor. Ms. Kleban previously interned with the Children and Families Practice Group of Legal Aid Chicago, and in October 2023, she started with Legal Aid Chicago as a full time staff attorney.

I am very pleased to report that Ms. Kleban has performed very well and is a pleasure to work with. Ms. Kleban focuses on cases that involve domestic violence, child abuse, sexual crimes, and stalking. Many of her cases are contentious and involve difficult and emotional fact sets. In this letter, I will focus on some of Ms. Kleban's attributes that stand out.

The first attribute that I will write about is Ms. Kleban's ability to advocate for her clients in a strong, compassionate, and respectful manner. Ms. Kleban has shown that she can gather necessary facts, apply law to those facts, and achieve great results for her clients and their children. Ms. Kleban achieves this while being compassionate to her clients, respectful to the courts, and polite with her coworkers. Additionally, Ms. Kleban sets healthy boundaries between her clients' experiences and herself. That ability, perhaps more than any other, is what helps young attorneys continue working in what is a challenging and emotional legal field.

The second attribute that I will write about is Ms. Kleban's ability to write effectively and convincingly. A few of Ms. Kleban's cases have involved drafting complex pleadings. In these pleadings, Ms. Kleban has stated the relevant facts in a compelling manner, has accurately listed the applicable laws, and then has convincingly applied the law to the facts. In one particularly heavily contested case, the motions Ms. Kleban drafted and filed had a noticeable impact on the judge and very likely led the judge to grant favorable relief for her client.

The third attribute that I will write about is Ms. Kleban's ability to do intakes of potential clients in an efficient and thorough manner. Ms. Kleban has learned techniques to gather large amounts of information and evidence from potential clients, organize that information and evidence, apply the law to that information and evidence, and synthesize it all into a case presentation at our weekly case acceptance meetings. Ms. Kleban's thoroughness leads to us being able to make timely and well-informed decisions as to whether we can represent a potential client.

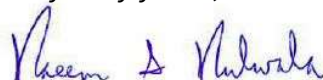
The fourth attribute that I will write about is Ms. Kleban's drive to be fully prepared for hearings. In her short time as an attorney, Ms. Kleban has already had a few cases that have been scheduled for hearings. Ms. Kleban has effectively used model question sets we have, modified those questions to reflect the given fact set, integrated the necessary foundational questions for the entry of exhibits, and prepared her witnesses to answer those questions during hearing. I have reviewed the questions she has drafted and observed her while she is preparing her witnesses for court. Ms. Kleban has done great with both. This preparation has directly led to Ms. Kleban being able to get favorable relief for her clients. The opposing parties and attorneys very often know how prepared Ms. Kleban and her witnesses are and that has a direct effect on their willingness to agree to the relief Ms. Kleban is requesting for her clients.

The fifth attribute that I will write about is Ms. Kleban's organization. From Ms. Kleban's first day with us, she has been organized. Ms. Kleban has not missed any court dates, or any deadlines for filings of pleadings, exchanges of documents or evidence with opposing parties or attorneys, or for providing courtesy copies of pleadings, exhibits, or other necessary documents to the court prior to hearings. I am confident that Ms. Kleban's level of organization will serve her very well throughout her career.

The last attribute of Ms. Kleban that I want to highlight in this letter is her ability to learn and retain information. The reality is that when anyone starts a new career (or a new job), s(he) is flooded with new information, new procedures, and new requirements. This is especially true for new attorneys. For the most part, when I explain something to Ms. Kleban, she remembers, and if she does not remember or does not fully understand, she follows up with me.

It has been fun working with Ms. Kleban, teaching her, and watching her grow as an attorney. She has taken on her role at Legal Aid Chicago with gusto and I am excited to see how she will continue to learn and grow as an attorney.

Very truly yours,



Naeem S. Nulwala



# **SUPERVISOR EVALUATION FALL 2024**