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Students stand out for service

Pair receives 'Volunteer of the Month' honor for mortgage foreclosure work

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Illinois Legal Aid Online chose two law students who work with some of the tens of thousands of people facing mortgage foreclosure each year in Cook County as April's "volunteers of the month."

The two, Michael Toogun, 28, of Chicago, and Dany Bourjas, 24, of Oak Lawn, are students at The John Marshall Law School. They volunteered with cases at the Daley Center.

Both Toogun and Bourjas are immigrants. Toogun's family came to the U.S. from Nigeria when he was 11. Bourjas' family came to the U.S. from Lebanon when he was 10.

"What I've learned is that really anybody could be a defendant in a foreclosure action," Bourjas said. "It doesn't take very much. ... People from all walks of life are finding themselves in this crisis."

"I'm just stunned at how many people are in foreclosure."

In March 2011, 74,154 mortgage foreclosure cases were pending in Cook County, says a circuit court report.

The "Volunteer of the Month" award from Illinois Legal Aid Online usually goes to attorneys, said Katie M. Anderson, coordinator of the pro bono program at John Marshall.

"So it's very exciting that Dany and Michael were selected for this award as students."

Toogun said he started helping people in the summer of 2011 who were in the circuit court's Mortgage Foreclosure Mediation Program. The intent is to help people facing foreclosure see what their options are, he said.

"The majority of people want to keep their homes" in the beginning,

he said.

Through the mediation process, some may be able to get a loan modification, he said.

Other homeowners may change their minds and realize they can't make the monthly payments.

One alternative to a court-ordered foreclosure, he said, is for the homeowner to give up the property to the lender without going all the way through foreclosure.

"They don't have to go to court and have a foreclosure on their name. They avoid having it on their credit record," Toogun said.

Homeowners whose mortgage payments exceed 31 percent of their gross monthly income may be eligible for the Home Affordable Modification Program, which the government says offers possible interest rate reductions, refinancing or deferred payments.

Toogun said during part of his volunteer work with Chicago Vol-

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(From left to right) Michael Toogun, 28, and Dany Bourjas, 24, students at The John Marshall Law School, received the "Volunteer of the Month" award from Illinois Legal Aid Online for their work on mortgage foreclosures. Katie M. Anderson (far right), coordinator of the law school's pro bono program, said the award usually goes to attorneys.

unteer Legal Services, he would "meet with homeowners, discuss their situation with them, their finances, their current financial situation" and tell them their options.

He appeared with homeowners in mediations along with a lawyer who represented the lender — and with the lender itself usually on the phone — all of them seeking a solution.

Toogun was under the supervision of a licensed attorney.

Before he held that role in actual mediations, Toogun said he appeared in court to represent homeowners who had already been through mediation.

He would argue their side. Again, Toogun was under an attorney's supervision.

"It's a very rewarding experience to get to work directly with clients," Toogun said. "I believe all law students should be exposed to it because it's the real world practice of law, not a simulated situation."

"When I get my license, I certainly intend to keep taking mediation cases through Chicago Volunteer Legal Services," he said.

Bourjas' role, Anderson said, was to work at first on the advice desk for the Mortgage Foreclosure Mediation Program on the 28th floor of the Daley Center.

Then he got promoted to the general Chancery Advice Desk on the 13th floor, Anderson said.

Chicago Legal Clinic runs those desks.

At both desks, "basically we provide free legal assistance to home-

owners who are in foreclosure" and who intend to represent themselves in court, Anderson said.

Bourjas said he helped such defendants fill out the legal documents. He told them what they were facing and what to expect. He explained that the court process would take about nine months.

"I've had people crying. ... I try to comfort them. ... I've had people yelling, frustrated, angry people. They feel scared," he said.

"I learned to deal with people. The real people aspect is something you don't see in law school, separating emotions from legal issues."

Asked what he learned about mortgages, Bourjas said, "Don't overestimate your ability to pay your mortgage. Figure out what you can truly afford and don't stretch your personal finances."

"Homeowners should read their promissory note," he said, and understand whether the interest rate is fixed or variable. "A lot of them don't know what they're signing."

Bourjas and Toogun "have grown and developed their skills while working for the program," Anderson said.

"They've both also demonstrated a real strong commitment to helping homeowners who are in foreclosure."

Bourjas said he wants to do business litigation as a lawyer.

Toogun said he hopes to get a job as a lawyer in the Judge Advocate General's Corps in some branch of the military.

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