

HELPING TO HEAL

After Sutherland Springs Shooting, Lawyers
Give Time to a Reeling Community

BY ANGELA MORRIS

LAST NOVEMBER, WILSON COUNTY ATTORNEY TOM CALDWELL WAS driving his family home from the renaissance festival in Houston when his cellphone blew up with emergency text messages.

As 911 calls started coming in from Sutherland Springs, a rural, tight-knit community within Caldwell's jurisdiction, he dropped off his family and waited for an investigator from his office to pick him up. Caldwell arrived at the First Baptist Church in Sutherland Springs within an hour of the devastating mass shooting that killed 26 people and wounded 20 more.

"It's my community—I live seven miles from there," he said.

On Nov. 5, 2017, around 11 a.m. during Sunday service, a man in black tactical gear walked onto the grounds of the tiny church and opened fire outside with a semi-automatic rifle, the San Antonio Express-News reported. He entered the church and continued shooting, killing and injuring victims who ranged in age from 5 to 72, including an 8-months pregnant woman. A Sutherland Springs resident who heard the gunfire confronted and shot the 26-year-old gunman with a semi-automatic rifle, and then flagged down a passing vehicle to chase the shooter, who fled in his SUV. In the end, the car chase ended in a crash after the gunman died by suicide, the Express-News reported.

"I was a fireman for 20 years before I became an attorney. I've handled all sorts of terrible things. I was in combat in Afghanistan, and I guarantee you—I've never handled anything like that," Caldwell said.

He spent a long day at the scene with other county officials, doing whatever he could to help, such as securing a search warrant for the gunman's cellphone. That night at home, he was shaken up, pacing the floors, as his mind raced through all the scenarios he would need to address.

"I was processing the totality of it. I saw right then and there we were going to have family law issues, probate issues," Caldwell recalled. "When I came home that night, I was so shook up by it, I told my wife I would handle them all. She said, 'No, you are not.'"



A memorial for the victims of the shooting at Sutherland Springs First Baptist Church, including 26 white chairs each painted with a cross and a rose, is displayed in the church in Sutherland Springs, Texas.

Next, he called for help from his friend, Tom Keyser, a past president of the San Antonio Bar Association, who put Caldwell in touch with SABA's Community Justice Program, which assists low-income people with civil legal matters.

That connection set a plan in motion that eventually attracted 100 lawyers from the San Antonio community who pledged to volunteer to help victims, survivors and their families with legal issues that arose from the tragic shooting. SABA's Sutherland Springs initiative has already called upon half of those 100 volunteer attorneys, helping with matters large and small—from answering a client's question over the phone, to taking on full representation. All of the lawyers gave their services free of charge, and volunteer attorneys are still standing by today to help survivors and victims' families with legal issues that spring up later.

Sarah Dingivan, managing attorney of SABA's Community Justice Program, shaped the Sutherland Springs project into what it is today. She said that although lawyers sometimes get bad press, they have a unique skill set that they can put to use to solve tremendous problems.

"It made me very proud to be an attorney," Dingivan said. "This was the most stark example of what a difference

we can make when we use our training to assist vulnerable communities."

The State Bar of Texas board of directors in January honored both Caldwell and Dingivan for helping Sutherland Springs victims.

"Ms. Dingivan has been a reassuring lifeline for clients in need," said a Jan. 26 resolution by the state bar board of directors.

The resolution about Caldwell said that he and others "selflessly gave of their time and skills to make sure those affected by the tragedy knew they were not alone and could receive the legal assistance they needed."

RESPONDING TO SUTHERLAND SPRINGS

SABA Executive Director June Moynihan said that the Community Justice Program used to be a more limited endeavor that organized legal clinics for low-income people. Yet in the past year, SABA's leadership changed hands and its board re-evaluated the CJP's scope, deciding to hire a lawyer to lead the program for the first time. Shortly afterward, two huge disasters—Hurricane Harvey and the Sutherland Springs shooting—occurred, and San Antonio lawyers were clamoring to help in some way. That's when the Community

Justice Program leaped into action to provide emergency legal responses.

“She’s done something with our program that’s exactly what our community would want her to do,” Moynihan said about Dingivan.

Dingivan said that SABA started out its initiative by contacting the Las Vegas Bar Association, which was still responding to legal needs of the victims and survivors of the Oct. 1, 2017, mass shooting at the Route 91 Harvest music festival on the Las Vegas Strip. The Las Vegas bar shared a document to distribute to victims that covered the common legal issues after mass casualties.

With 26 victims in Sutherland Springs, the courts saw quite a few probate cases—easy when the decedent had a will, more difficult without a will, or if heirs contested how to divide the estate. Because there were children who lost parents in the tragedy, family law cases came up when their relatives sought custody—again, easy if everyone agreed who got the child, and very difficult otherwise.

Dingivan said another common legal issue arises in the employment law context because those impacted must notify their employers and keep in touch about absences.

With the legal issues document in hand, SABA set up a table in a disaster response center for about 10 days so that lawyers and law students could answer victims’ questions.

“It was emotional,” Dingivan said. “Seeing the people who came through days after it happened—watching the heartbreak on their faces—it was bone-chilling.”

Much of SABA’s involvement has played out over the long term. Dingivan attended meetings in Sutherland Springs so she could meet potential clients, answer their questions, and find pro bono lawyers if they needed representation. Volunteer lawyers came from all over San Antonio’s legal community.

“We had folks with big firms who decided they were equipped to take the bigger, more contentious cases, then solo practitioners and corporate counsel who had prior expertise,

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something relevant, who said, ‘I can handle this one limited issue. Let me take that,’” Dingivan said.

Caldwell himself took on one pro bono child custody case. He also offered to serve as local counsel for out-of-town lawyers, answering their questions about local court rules, and even walking to the courthouse to deliver orders for judges to sign.

Because Caldwell is a deeply entwined member of the community—he knew victims who died in the shooting—he



In January, the State Bar’s board of directors passed resolutions to honor Caldwell and Dingivan’s work helping victims of the Sutherland Springs church shooting.

was able to repeatedly stress to families and survivors that they would have legal issues arise, and they needed to contact SABA to get free help.

“I think what I did is I reached out to SABA and I was their liaison in the county who actually had a connection to the incident,” he said. “This is a small, private little church, and these people were simple folks, and they had never had a need for things like this.”

Because some victims’ families and survivors didn’t have much money or insurance, Caldwell visited the courthouse to talk with local judges and court clerks about waiving the service and filing fees, which can add up to several hundred dollars.

“They agreed,” he noted.

Dingivan said that Caldwell is too humble about his role.

“He was a one-man show down there from the legal perspective. He moved mountains,” she said. “He’s just one of those people—calm under pressure. At a time things are chaotic, you need someone who is a cool head. He played that role well for that community.”

Seeing so many volunteer attorneys rushing into his community to help victims was one of the good things to come out of the tragedy, Caldwell said.

“It made me do a lot of soul-searching, and made me proud of the profession,” he said. “It was one other thing I saw in this community in the past year that’s affirmed my faith in human beings and their resiliency—because the community itself has done so much.”

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