

A Lawyer Without Borders

By John B. Kachuba

Photograph by Thom Sivo Photography

In 1993, only a few weeks after passing his Ohio bar exam, Richard Herman stepped off an Aeroflot jetliner at Moscow's Sheremetyevo Airport into the coldest winter in 50 years. It may have been the sight of Russian soldiers casually wielding AK-47s, the churning mob of people who thronged the airport or the biting cold weather, but the young lawyer realized he wasn't in Cleveland anymore.

His discomfort grew after a Russian friend picked him up at the airport. "Here we are," Herman says, "driving through the streets of Moscow, and I see that everything was gray, all concrete, and I see big trucks full of military stuff, and I thought, I don't know if this was the right choice to make."

The "choice" was Herman's decision to move to Russia to see if he could make a living there, now that the country was emerging from its long isolation. He was young, unemployed and single, was conversant in the Russian language and had been an avid reader of the country's literature.

"In law school, I had been attracted to emerging markets and trying to get in on the ground to make some great business," Herman says. "Russia was so rich in natural resources, so rich in intellectual capital, so huge a country that now that the gates had been opened, there was a huge economic renaissance in the former Soviet republics."

But Herman was unemployed. The typical route for American lawyers to find work overseas was to be hired by a company in the United States, get trained for a few years, and then sent abroad. Herman, not long out of Case Western Reserve University, learned this only after arriving in Moscow. Undaunted, he placed an ad in some Russian newspapers and was hired by Kenneth White, who was opening law offices in Moscow.

Herman's work with White & Associates revolved largely around U.S. business immigration issues to "help the burgeoning business class there, the new Russian and Ukrainian entrepreneurs who were, in large part, often young engineering folks who were able to adapt to a market economy."

Western goods were in high demand by the growing class of people who could afford imported goods, but they were hard to find. Imported goods were still sold mostly from kiosks scattered throughout the major cities. The emerging business class had its work cut out for it.

"Over there, the business class, the entrepreneurs, are very determined to succeed," Herman says. "It's refreshing to work with clients or a community that says, 'We're going to make this business succeed, no matter what it takes.' Things that we take for granted here are like Sisyphus pushing up that rock over there. Just making a phone call across the street in Moscow might take a couple of hours or 10 tries. The phone connection doesn't work, the lights are going out, and it goes on

and on. Yet they struggle through that and make things happen."

Living and working in Russia for two years taught Herman a lot about business and international law, and people. "The Russian people are incredibly warm, incredibly receptive, and they were incredibly tolerant of my poor Russian language skills at the time," he says.

"When you sit down and party, it's not like an American-style party. You sit around a table and you drink and you eat all night long and you recite poetry. Someone picks up a guitar and you entertain each other. That part was very, very warm.

"It's a very rich culture. In the snow of downtown Moscow you'll see bookstalls, every hundred yards, literally tables in the snow. On the subway people are reading their books and they wrap them up in newspaper book covers. Among all the mud and snow, they cherish their reading."

Herman's experiences in Russia were life-changing. "I didn't make millions over there, but it definitely paid off for me because it just changed my whole perspective on law practice, on business, on everything," he says. "I feel now that I can go anywhere in the world and make something happen."

Herman decided to make something happen back in his hometown of Cleveland. While on a visit back to the United States from Russia, Herman became aware of a large and growing immigrant population of Russian Jews in Cleveland, people who could use his legal skills, augmented by his knowledge of the Russian language and culture. So Richard T. Herman & Associates was born.

"I see two sides to what we do," Herman says. "One side is that we're a law firm that is multinational, serving diverse communities. Seventy percent of what we do is immigration-related. That includes deportation defense, federal court litigation, even representing the



Richard Herman is taking
Cleveland international

Cleveland Browns when they bring in a foreign national to play. We try to be a one-stop shop for immigrant communities.”

“The other side of what we do,” Herman says, “is we try to be public advocates for our immigrant communities, getting out front to highlight issues that we think are important and to help the immigrant communities become visible.”

This public advocacy side is implemented largely through Go Global Cleveland, a nonprofit organization Herman set up with Rose Zitiello, a local lawyer and community development specialist. A backgrounder published by the organization encourages the Northeast Ohio region to “adopt a global outlook” and to “move toward an abundance theory of economics where all ships rise by cross-cultural business alliances and global connectivity.”

Herman practices what he preaches. His own law firm is as diverse as the clients it serves. Members of the firm speak more than 10 languages. Vania Stefanova from Bulgaria heads the firm’s Deportation Defense Division, while Charmaine Rozario from Bombay, India, is in charge of the firm’s Business Immigration Division.

“I like helping people,” Rozario says. “If I were not an attorney, I’d be a social worker. I like the gratification of winning a case that helps people and their families stay together. That’s what prompted me to work for Richard, and that’s what I like about him because he is totally selfless in helping our clients.”

Herman says there is a new wave of immigration to the United States, a flow that had ebbed after 9/11. According to the 2003 report by the Civic Task Force on International Cleveland, immigration accounted for nearly 60 percent of the population growth in the United States between 1990 and 2000. “Half of America will be minorities by 2040,” Herman says. “How will we deal with that?”

Herman sees immigration as an economic boon to cities such as Cleveland, which has seen a dramatic decline in population as a result of the faltering Rust Belt economy.

“The international community is coming in and globalization is acting upon us, without any sort of response from us,” he says. “Jobs are going overseas. We should be more proactive. Some people in Cleveland say globalization and international competition is a bad thing, but I see the intensity immigrants bring here to their businesses and their jobs. A lot of the folks I represent don’t speak English very well, or at all, yet they work their businesses 80, 90, 100 hours a week. They have to make it work.”

Arnon Chait, an Israeli immigrant, and Boris Zaslowsky, a Russian immigrant, met in the U.S. and founded Analiza in Cleveland in 1997, a biotech company that provides new diagnostic technologies and discovery technologies to pharmaceutical companies. Herman helped the partners obtain work permits for some scientists from the Russian Academy of Sciences to come and work at Analiza and continues to help the company with immigration issues.

“He is very personable and dedicated to a hands-on approach,” Chait says of Herman. “He shares my interests in getting together local ethnic groups to help them get ahead. He’s really been a joy to work with.”

Herman’s law firm has helped Rueben Mendiola, personnel manager for the steel fabricating company Ferragon, deal with the mountain of legal paperwork associated with hiring immigrant workers. “He’s very outreaching to the community with the various events he puts on and the organizations he’s involved with,” Mendiola says. “He’s really making an extended effort in the Hispanic and Asian communities, in all the communities, to stimulate the economy. He’s making a difference out there.”

In addition to providing business services to immigrant communities, Herman’s firm is often involved with other legal issues unique to immigrants. Herman recalls one case in which a Cameroon man, Nasiru Uba Alhadji, seeking political asylum in the United States, was eventually deported. Alhadji’s family had been associated with a failed coup d’etat in Cameroon and he fled to the United States. Here, he filed for a green card, married an American woman, found employment and had a baby. Somewhere along the line, however, a mistake was made in his paperwork, a seemingly minor error, but one that allowed Immigration and Naturalization Services to deport Alhadji back to Cameroon.

“It was one of the worst cases of bureaucratic indifference I’ve ever encountered,” says Herman. Mr. Alhadji’s case is still pending. “We’re trying to get him back in and think we’ve got a great case to get him back in, but meantime his wife and baby are back here struggling in Toledo. It makes no sense.”

In another case, the bureaucracy eventually did the right thing, only much too late. Orilda Gramajo, a Guatemalan woman, had been living in the United States illegally for more than 10 years. With two

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small children at home, she worked at a McDonald’s in Cleveland and spoke relatively little English.

“She had opportunities, had she known about them, to legalize her status at some point,” says Herman, “but for whatever reason it never happened. In large part, there’s very little communication from INS to help different communities.”

Gramajo suffered from end-stage liver disease. The 31-year-old mother was told that, without a liver transplant, she had only weeks to live. At the Cleveland Clinic, Gramajo was given a battery of diagnostic tests and the woman’s hopes were raised when it seemed that she would be added to the hospital’s liver transplant list.

But that was not to be. The Cleveland Clinic did not accept her to the list when authorities there discovered she was an illegal immigrant. Gramajo’s family consulted Herman, who enlisted the aid of a dozen members of Cleveland’s City Council, the Cuyahoga County commissioners, and even U.S. Representative Dennis Kucinich, to exert their influence on the clinic. Shortly thereafter, Gramajo was put on the list but passed away before an organ could be found for her.

Herman viewed the case as a civil rights issue. In his view, immigrants, regardless of legal status, should not be excluded from the system.

Even Herman’s personal life is global. He is married to Dr. Kimberly Chen, an internal medicine specialist, whose family emigrated here from Taiwan. Their two children, Nathan and Isabella, speak both English and Chinese at home and are learning Spanish at their day care center. “We try to expose them to as many cultures as possible. The kids have been to Taiwan at least two times and when they get a little bit older, we hope to travel all over the world with them,” Herman says. ❖