Winsted 'Community Lawyer' Is Involved

By DEBRA A. ALEKSINAS

WINSTED—When the family of consumer advocate and Winsted native Ralph Nader hired a "community lawyer" over three years ago, its aim was to assure that government become more accessible to residents. But these days, the non-partisan post, established by a trust as a national model for community advocacy, has found its way into the middle of an ongoing political firestorm.

Some say that community lawyer Charlene LaVoie has helped pit town officials against each other by battling on behalf of residents angered by the firing of former town manager Wayne Dove. However, others say the role of the community lawyer will inevitably ruffle some feathers, but gives residents a valuable voice in town affairs.

"If you don't exercise your muscles, they atrophy...and we haven't been exercising our citizenry muscle," says resident Claire Nader, who with her brother, Ralph Nader, established the new post in the fall of 1988. Called the Community Lawyer/Advocate Project, the role was created in memory of their brother, Shafeek, who prior to his death in 1986, was active in community affairs and helped found Northwestern Connecticut Community College in Winsted.

Her role, Ms. LaVoie explains, is quite different from the "traditional ombudsman" setup, where "the government funds the position and the person [filling it] tries to help citizens resolve disputes they may be having with local government." Winsted's community lawyer, accessible to residents only on significant townwide issues, is funded entirely through the Nader trust.

"This is not an... office where I will provide private legal services" to individual residents on real estate transactions, personal injury matters and divorce proceedings, Ms. LaVoie continued. Though the attorney says she sometimes moderates conflicts between the residents and government, "my role is more as an advocate. The whole concept of the community lawyer project is to give a voice to citizens' concerns."

According to Miss Nader, a director of the trust, the current endowment of the Shafeek Nader trust is $1.6 million. She declined to disclose the amount of funding allocated to the position of community lawyer, referring the question to Ms. LaVoie, but said the salary is "very little compared to the commercial market." Ms. LaVoie also declined to disclose the figure.

While Ms. Lavoie has focused on such issues as proposing a ban on Styrofoam packaging, the office only recently was thrust into the political limelight.

In November, a number of residents, outraged at the Board of Selectmen's decision to fire Mr. Dove, sought the assistance of Ms. LaVoie. "The whole concept of the community lawyer project is to give a voice to citizens' concerns, which is the reason I became involved in [the town manager] issue," said Ms. LaVoie. "I never publicly came out in favor of Mr. Dove, ever," she emphasized. "My concern was the process" by which his job was terminated, "and the focus of my effort was the process."

Many Winsted residents expressed surprise when selectmen revealed their intention to fire Mr. Dove. Despite residents' efforts to compel selectmen to reverse their decision, including the collection of more than 1,600 signatures on a petition supporting Mr. Dove, the board voted 4 to 3 to terminate his employment.

The consensus of residents who spoke out at the meeting was that town officials provided no evidence to support their decision.

"I was engaged because the citizens called me the next day and they were furious," explained Ms. LaVoie. "They asked 'what can we do?' They turned to me because that's my role in town. They don't turn to the town attorney," explained Ms. LaVoie.

Since public outcry failed to make an impression on selectmen, Ms. Lavoie filed a civil complaint in Litchfield Superior Court, seeking an injunction blocking action by selectmen, and a referendum to determine the fate of Mr. Dove's position. Ms. LaVoie argued that the citizens have a right by charter to challenge the Board of Selectmen's decision to fire the town manager by bringing the issue to referendum. However, a Superior Court judge ruled that the town's charter has no such provision.

In the past few months, several political insiders, including former Democratic Selectman Marie Kamens and current Democratic Selectman Nancy Habbal, have publicly criticized the community lawyer for becoming involved in what was a political battle.

Claiming Ms. LaVoie acted properly in taking the issue to court, Miss Nader said, "In this case the majority of the board did not explain to the people the reasons for firing the town manager, and they still haven't. It just happened" that the views of some selectmen "matched" the community lawyer's position. "She was not taking the side of Democrats or Republicans."

As a result of the town manager dispute, residents, with the help of Ms. Lavoie, have formed a group called Citizens' Coalition for Open Government, which may eventually propose changes to the town charter to give residents a greater say in decisions.

Republican Mayor William McCabe, who was highly criticized for voting to fire Mr. Dove, said he views the concept of community lawyer as an asset as long as it remains independent of the political process.

Mayor McCabe has said, however, that Mr. Dove's firing was not an issue for the courts. Since the town had to pay attorney's fees in responding to Ms. LaVoie's complaint, the challenge may not have been in the best interest of Winsted, the Mayor said.

But, he added, "I like to look at this on the bright side," meaning that the town is fortunate to have the community lawyer position. "I personally feel that under the right circumstances, it can be very helpful," noted Mayor McCabe, adding that had it not been for the efforts of the community lawyer's office, the ban on Styrofoam packaging may never have materialized.

The community lawyer's staff at 97 Main Street has been recently expanded to include an associate, Jamie Scrimgeour, a recent graduate of Amherst College who interned with Ms. LaVoie during the summer of 1990, the Winsted lawyer explained.

In perhaps one of its more aggressive moves, in December of 1990, the community lawyer's office drafted a resolution prohibiting the use, storage, disposal or transportation of radioactive waste in Winsted. "Jamie put together an extensive statewide report on the issue...this was well ahead of what's go-