

A Paper Trail Of Pain And Sorrow

Lawyer Helps Families Of WTC Victims With Death Certificates

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(CBS) CBSNews.com's David Kohn reports on a New York lawyer who is spending much of his free time trying to help victims' families.

Over the past month, Michael Miller has heard story after story, so many that they begin to blur. Strangers sit down at his desk, put down folders filled with birth and marriage certificates, tax returns and pay stubs, and tell him about their husbands, wives, children, parents and siblings.

"Every story is different," he says. "But they all have the same ending."

One man told Miller that he and his wife had been trying without success to have a baby. On Sept. 10, they found out she was pregnant. One woman told him that her husband had recently returned to work after a long recovery from quadruple bypass surgery. Someone's daughter had come from California for a one-day seminar at the World Trade Center. A husband had just come back from his wedding in India. On Sept. 10, he started a new job, on the 105th floor of Tower 1.

Miller is one of a squad of volunteer lawyers helping families of the World Trade Center's missing apply for death certificates. In the days after Sept. 11, it became clear that with so many people missing and unlikely ever to be found, the death certificate process had to be simplified.

Without death certificates, families of the missing have difficulty getting benefits, transferring ownership, or closing financial accounts. Normally, getting a certificate takes months or years; legal fees and other costs often run into the thousands of dollars.

A native New Yorker who lives in the same midtown apartment where he grew up, Miller began working on the effort soon after the attack. While the city and state devised a new procedure, Miller, who is president-elect of the New York County Lawyers Association, helped assemble volunteers. When the streamlined process (which takes a few days and costs nothing) was rolled out late last month, several hundred volunteer lawyers were ready to help guide families through the forms. As of a few days ago, more than 2,000 applications had been sent in to the New York State Surrogate Court, which makes the final decision.

Sitting in a coffee shop on 57th Street one evening last week, Miller talked about his recent work. A smooth-faced 50-year-old with neatly trimmed white hair, Miller has a soothing presence. He has experience talking to people in anguish: As a trusts and estates lawyer, he often deals with relatives of the recently deceased. In 1999, working for the International War Crimes Tribunal, he interviewed Kosovar refugees.

But this is entirely different from anything he's done before. "It's grueling," says Miller. "Here, people are still in the moment, still experiencing their grief. And they are coming to us when they have finally given up all hope."

"The most painful interview I've had was with a man from one of the former Soviet Republics," he says. "He was in his late 20s. He had come here with his wife and 4-year-old daughter. They had arrived on Aug. 23, 'to start their new life,' as he put it. His wife started her new job on Sept. 11. He was a very gentle soul. It was as though his guts were just ripped out. He told me how excited they were about her new job. They had decided together what clothes she would wear."

Fate seems to hover over the proceedings. Miller is often overwhelmed by a sense of, as he puts it, "There but for the grace of God go any of us." One missing woman bore a striking resemblance to his wife; her children were the same age as his. One evening, another volunteer, a close friend of his, looked down at the documents in front of him to find that he and the missing person had the same name. "That," says Miller, "freaked him out."

Miller actually has reason to think along these lines. On the morning of Sept. 11, he had a 9 a.m. meeting a half block from the World Trade Center. But at 8:48 a.m., he was still in his apartment: "I was running late, I had the radio on, I was rushing. Then I heard that a plane had hit the tower. I thought 'If I was on schedule, I'd be there.'"

The interviews take place at the Family Assistance Center, a sprawling warehouse on the Hudson River at 54th Street. The Center provides almost every kind of service a grieving family might need. Insurance agents, social workers, police officers, therapists, and even family court officers (for those with child custody concerns) are all available. "It's one-stop shopping for the victims' families," says Miller.

Miller has helped more than 100 families navigate the process. At one point, he worked nine straight days at the Center, 10 to 12 hours at a stretch. Although the number of people applying for certificates has decreased over the past week, Miller still goes to the Center almost every day, for at least a few hours. A solo practitioner, he doesn't draw a salary; the time he spends volunteering comes out of his own pocket.

Most of the stories Miller hears have little to do with the process at hand. The paperwork itself takes perhaps 10 minutes; most interviews last between one and two hours. "More often than not, they want to talk," he says. "There is so much frustration, particularly when it was wives calling husbands. Imagine the frustration of your wife calling, saying she's trapped."

During one interview, a man in his 20s began sobbing while talking about his wife. "He was a tough kid, but he broke down," says Miller. "I tried to change the subject – when it gets emotional I try to lighten it up. The guy was wearing a Mets jersey, so I asked him if he and his wife liked to watch sports together. He told me that she hated sports. They had two TVs, one in the living room, one in the bedroom. He usually watched sports in the bedroom, while she watched her shows in the living room. He told me he couldn't eat in the bedroom, so they used to fight over the TV in the living room. Then he broke down weeping. He said 'I guess I won't have to have that fight anymore.'"

Two questions in particular trigger memories: "When was the last time you heard from or saw the missing person?" and "What measures have you taken to ascertain the whereabouts of the missing person?"

"They tell you about going to every single hospital in the metro area," says Miller. "They tell you about posting the pictures and descriptions everywhere. They tell you about getting dental records." At some point, almost everyone breaks down. Lawyers sometimes end up crying, too. So far, Miller has kept his emotions under control.

Miller also reviews applications that have been mailed in. Sometimes he has to call the senders to tell them that their documents contain invalidating mistakes. People often become irate, imagining him to be a particularly unfeeling bureaucrat: "They'll say 'What do you mean I have to *prove* she's my daughter? She's my daughter!'"

He lets them rage. "It's just people in terrible pain," he says with a shrug.

Despite his aplomb, Miller has been acutely affected by the work. "I need a damn therapist," he says with a little laugh. He has made "ample use" of the psychologists available for all Assistance Center volunteers. Over the weeks he has moved from feeling sorrow for the individual deaths to a more sweeping despair over human cruelty.

"When it was on the sadness level it was feeling sorrow for these people," he says. "The depressing side is looking at it more globally, at the terrible things human beings do to each other. It doesn't seem that we as a species have grown very much. A lot of innocent people were murdered here. We're dropping bombs over there. I'm not suggesting that that's not the appropriate response. But it's depressing."

Yet he keeps going back.

"I'm helping people to move on. It's a very small contribution, but it's a contribution," he says. "Lawyers are often seen as mercenary. We're the butt of a lot of jokes. But this effort shows that the law can be a very noble profession. It isn't always, but it can be."

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