

LEGAL AID LINK

Volume 9, Issue 2

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Want to see your news in *Legal Aid Link*? Send it to the person responsible for communications and development at your organization. The next issue will be published in August 2015.

Visit our website to read previous issues.

MLAC

Please join us for MLAC's Annual Meeting - Tuesday, June 9

MLAC's annual meeting will be held Tuesday, June 9 from 5-7 pm in the 2nd Floor Conference Suite at the Adams Courthouse. Justice Geraldine Hines of the Massachusetts Supreme Judicial Court is the event's featured speaker. The speaking program will begin promptly at 5:30 pm. Hors d'oeuvres and drinks will be served. Please email info@mlac.org or call 617-367-8544 if you plan to attend.

Bart Gordon, Racial Justice Fellowship recipients selected

The Bart Gordon & Racial Justice Fellowship committee recently gathered to review a pool of thoughtful, high-quality applications for the Bart Gordon and Racial Justice Fellowships. Both fellowships are designed to expand the reach of legal aid to communities that have difficulty accessing the justice system due to linguistic or cultural barriers. One Racial Justice Fellowship and one Bart Gordon Fellowship were jointly awarded to the Center for Law and Education/South Coastal Counties Legal Services (SCCLS), where fellows will take on a collaborative project to challenge barriers to learning in the three "Gateway Cities" of Brockton, Fall River, and New Bedford. Greater Boston Legal Services (GBLS) was awarded a Bart Gordon Fellowship for a project to address discrimination in anti-poverty programs.

MLAC Board members featured in local press

Two MLAC board members were recently featured in local press related to the state budget campaign. The Stoughton Journal [wrote a piece](#) on Rahsaan Hall, Deputy Director of the Lawyers' Committee for Civil Rights and Economic Justice, highlighting his lifelong dedication to increasing access to justice for all. Judge Geoffrey Wilson, formerly the Presiding Justice of the Franklin County Probate and Family Court, [penned an op-ed](#) in the Greenfield Recorder detailing the difficulties faced by unrepresented litigants in civil courts, and calling for increased funding for civil legal aid.

Equal Justice Coalition

News on the state budget campaign

Late last week, the Senate passed its FY16 budget, recommending \$17.1 million for civil legal aid. This amount is slightly higher than the House's \$17 million recommendation, and represents an approximately \$2 million increase over the FY15 appropriation and Governor Baker's FY16 proposed budget. We have seen unprecedented support for increased funding for civil legal aid, and thank all of you who called and emailed your legislators and built support for our budget request. Stay tuned for ways to continue advocating for civil legal aid as the House and Senate budgets head for Conference Committee and on to Governor Baker.

Get Involved

Your voice helps ensure that Governor Baker and the Massachusetts Legislature understand the importance of legal aid funding. You can follow the EJC [on Twitter](#), like the [EJC Facebook page](#) and sign up for action alerts at www.equaljusticecoalition.org.

Save the Date

May 27 & 28: *Free Legal Webinars from The National Consumer Law Center (NCLC)* NCLC offers free webinars on topics including auto fraud, consumer rights for domestic violence survivors, bankruptcy, racial justice, student loans, rural development and more. NCLC also offers a monthly elder-related webinars series through the National Elder Rights Training Project. To register, or to sign up to receive updates on upcoming webinars, visit <http://www.nclc.org/webinars.html>

June 12: *Creative and Comprehensive Advocacy for Parents with Mental Health Challenges*

The Mental Health Legal Advisors Committee (MHLAC) presents a full-day seminar focused on advocacy for parents with mental health challenges seeking custody and/or parenting time with their children. Social workers, attorneys, parents, peers, and advocates are all invited to attend. A range of practitioners—including experienced clinicians, advocates, attorneys, a parent with lived experience, and both a probate and juvenile court judge—will cover topics such as research demonstrating the success of supports and interventions for parents, specific resources available for families, as well as the application of the Americans with Disabilities Act for court- and DCF-involved parents. Participants will learn practical information for how to support families, and strategies for how to apply and advocate for accommodations in the context of court proceedings. The training will be held at Massachusetts Continuing Legal Education (MCLE), 10 Winter Place, Boston. Visit the [MHLAC website](#) for more information.

June 26: 2nd Annual Language Access Conference at UMASS Medical School in Worcester. Register for this all-day event at www.universe.com/MALanguageAccess2015

July 9-10: [Register now](#) for NCLC's Mortgage Conference, July 9-10 in Washington, D.C.

Advocacy & Program Updates

Represented by GBLS Managing Attorney Nadine Cohen, 17 Latino homeowners who paid an attorney for loan modifications they never received recently won a discrimination case at the Massachusetts Commission against Discrimination (MCAD). The clients were awarded compensatory and emotional distress damages of over \$200,000. Attorney David Zak was found to have discriminated by specifically targeting Latinos for his services. In many cases, homeowners who paid for loan modifications found themselves losing their homes to foreclosure instead. The Chelsea Collaborative, a community organization dedicated to improving the lives of people of Chelsea, began hearing complaints about Zak from people in the Latino community in 2010. The work of the Chelsea Collaborative in supporting the victims of Zak's discrimination was invaluable in GBLS's ability to represent the Latino homeowners and achieve justice for the victims.

Community Legal Aid (CLA) Staff Attorney Shelley Barron represented a woman whose benefits through HomeBase, an essential state-funded housing support, were terminated because of the criminal activity of the client's husband, who had assaulted her. Attorney Barron was able to convince the Department of Housing and Community Development to reinstate the woman's benefits, and the Department agreed that going forward victims of domestic violence will not face termination of their benefits due to actions of their abusers.

The Massachusetts Court of Appeals upheld a decision of the Worcester Housing Court awarding damages to a CLA client. Staff Attorney Jane Edmonstone, who represented the tenant at his eviction trial and on appeal, raised claims that the landlord violated state and federal fair housing laws by seeking to evict the tenant because of his HIV status.

CLA Staff Attorney Amy Romero defended a tenant facing eviction who had complained repeatedly to her landlord about a bedbug infestation. After a two-day trial, a jury returned a verdict in favor of the tenant and awarded damages which, after trebling by the judge, equaled \$28,625, plus attorneys' fees.

On a case referred through CLA's Volunteer Lawyers Service, pro bono attorney Patrick Nicoletti from Springfield received a decision in an eviction case he took to trial. A Western Housing Court judge awarded the tenant \$37,800 in damages plus attorneys' fees. The decision is notable as it involves, among other defective conditions that the landlord did not repair, raccoons run amok.

CLA Staff Attorneys Uri Strauss and Mandy Winalski received a decision from Magistrate Judge Katherine Robertson of the Springfield Division of the U.S. District Court in a case of first impression in this circuit. After the Federal Home Loan Mortgage Corp. (commonly known as Freddie Mac) foreclosed on the clients' home and started an eviction case in the Springfield District Court, Uri and Mandy transferred the case to Housing Court and asserted counterclaims. Freddie Mac then removed the case to federal court, and Uri and Mandy filed a motion in federal court to have the case remanded to Housing Court. The Magistrate Judge agreed with Uri and Mandy that Congress could not have intended that Freddie Mac be allowed to commence a case in state court and then remove the case to federal court, and she recommended that the case be remanded to Housing Court.

As the Boston Globe [recently reported](#), the SNAP caseload in Massachusetts has been plummeting faster than the national average. Hastily implemented state policies have resulted in 70,000 income-eligible SNAP recipients losing benefits, and legal aid programs around the state are responding, including the Massachusetts Law Reform Institute (MLRI) and CLA. As MLRI's advocates and their partners work to address the practices and policies that have created this hardship, MLRI's Senior Policy Analyst Pat Baker with the Greater Boston Food Bank organized a training for local social service advocates to provide advice, advocacy, and/or referrals for clients who have lost benefits. Over 200 advocates from



community organizations across the state attended the April 29 "SNAP Triage" training including staff and volunteers from food pantries, social service agencies, councils on aging, and health care workers. The training was made possible through support from Mazon: A Jewish Response to Hunger, and the venue was generously provided by MCLE. In Central and Western Massachusetts, Weayonnoh Nelson-Davies, Staff Attorney at the Central West Justice Center (CWJC) in Worcester, has been engaging with top management of the Worcester Department of Transitional Assistance (DTA) office to discuss the problems with the SNAP program. Some local efforts the DTA office has made include assigning supervisors to review Worcester-specific applications and cases for quick and accurate resolutions; assigning two workers to provide reasonable accommodation assistance; accepting documents at the Worcester office which a worker can scan into the statewide system; and responding to calls made directly to the Worcester office if the matter could not be resolved through the statewide assistance line. The DTA managers expressed optimism that Massachusetts will soon be able to resolve many of the problems that have led to the decline in SNAP households with more staff training, an upgrade of the phone systems, and better access to the My Account Page which will give people updated information on their cases.

Event Recap

3rd Annual Legal Services Conference: A Success!

On May 11, over 300 legal services advocates from across the state attended the 3rd Annual Legal Services Conference, hosted by MCLE. Mary Bonauto, Civil Rights Project Director at Gay and Lesbian Advocates & Defenders and a nationally recognized pioneer for marriage equality, delivered the keynote remarks. The 2015 conference was co-chaired by Jacquelynne Bowman (GBLS), Georgia Katsoulomitis (MLRI) and Valerie Zolezzi-Wyndham (CLA).

People

CLA is welcoming two new staff members to its team. **Kristen Williams** will be a disability/benefits attorney in Worcester after completing her AmeriCorps service this summer. **Eileen Messier** joins CLA as Human Resources Officer. Eileen comes to CLA after having served for a number of years in several HR positions.

Awards & Recognition



Congratulations to MLRI's Sr. Immigration Attorney **Iris Gomez**, recipient of the 2015 National Lawyers Guild/MA Chapter Rob Doyle Lawyer Award, in recognition of her outstanding, nationally recognized advocacy for immigrant justice. An award-winning author and poet, Iris is the first Latina attorney to receive this prestigious award. To quote from the NLG dinner program book: "Iris Gomez is probably the only person in the NLG's rich history who has published a novel endorsed by Oprah Winfrey in her O Magazine and has written law review articles and briefs cited by the U.S. Supreme Court."



The Massachusetts Bar Association (MBA) recently honored **Willard Ogburn** with its Lifetime Achievement Award. Will has served as the National Consumer Law Center's executive director since 1987. Will is pictured (left) with MBA Secretary Christopher Sullivan. (Photo courtesy of the MBA.)

Also honored by the MBA was **Elizabeth Toulan**, Senior Attorney in GBL's Employment Law and Welfare Law Units, who received the Access to Justice Legal Services Award. To learn more about her work, please visit [the MBA website](#). In addition to the Legal Services Award, Toulan also received the 2015 Massachusetts AFL-CIO Merit Award. Elizabeth was honored for dedicating her career to social and economic justice, for epitomizing what it means to be a union legal services advocate, and for making earned sick time a reality in the lives of nearly one million workers. Massachusetts AFL-CIO is the state's largest labor umbrella organization. (Photo by Jeff Thiebauth.)



Mithra Merryman, GBL's Family Law Unit Senior Attorney and Boston College Law School Adjunct Professor, was the honoree of this year's BC Law Public Interest Law Foundation (PILF) Annual Auction on March 27, 2015. The PILF Board honored Attorney Merryman for her extensive work in support of victims of domestic violence. The annual auction is a great event and supports BC's students who are interested in a public interest law career.

Dianne Sandman, Senior Paralegal at CLA, was the recipient of the Worcester County Bar Association's Liberty Bell Award, which recognizes non-attorneys who promote understanding of and encourage greater respect for the law. Dianne is being recognized for her thirty-three years of advocacy on behalf of elders in central Massachusetts.

Jane Edmonstone, CLA Staff Attorney, is being honored at the Mass. Lawyers Weekly Excellence In The Law event as an "Up and coming" lawyer.

Longtime legal services leaders **Barbara Mitchell** and **Jack Ward** were [recently honored](#) at the Boston Bar Association's Law Day Dinner. Mitchell, Executive Director of Community Legal Services and Counseling Center (CLSACC), received the John G. Brooks Legal Services Award for her enduring commitment to legal services, her leadership of CLSACC, and her effectiveness as an advocate. Ward, who recently retired from GBL after 30 years of service, received the President's Award for his leadership of GBL's finance and development efforts, which ultimately ensured access to justice for more people in the community.

Media Highlights

These are just a few highlights of recent media coverage. For a full list, visit the [News section of the MLAC website](#).

[Antifraud effort on food stamps hurts poor, advocates say](#) (Boston Globe)

Efforts to modernize the state's food stamp system have erroneously revoked the benefits of thousands of people, creating a crisis for some of state's most vulnerable populations, including elderly and disabled residents.

[Community Legal Aid became a savior for my family](#) (Greenfield Recorder)

The Recorder tells the story of one family helped by CLA family law attorney Wendy Berg, and how receiving legal aid helped turn their lives around.

[Mass. leads on protecting rights for domestic workers](#) (Boston Globe)

A domestic workers bill of rights, passed last summer, recently took effect in Massachusetts. The law, fought for by a coalition of advocates that includes several legal aid programs, establishes basic protections to nannies, housekeepers, and other in-home caregivers.

[Civil legal aid is good for business](#) (Lynn Daily Item)

Northeast Legal Aid (NLA) Executive Director George Weber describes some of the economic benefits of civil legal aid, including those of NLA's unique Community Development Practice, which assists low-income entrepreneurs in overcoming barriers to starting and growing their businesses.

[Civil legal assistance critical to ending intimate partner violence](#) (New Bedford Standard Times)

Susan Nagl, Executive Director of SCCLS, shares the story of a young mother and domestic violence survivor who found stability and safety with the help of civil legal aid.

People Pages

[CLICK HERE](#) to print "People Pages," an alphabetical directory of Massachusetts Legal Services staff members and their contact information. (Note: You must log in to MassLegalServices.org to access this list.) You can also look up staff individually by last name using the search function on MassLegalServices.org



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