

The Massachusetts Legal Assistance Corporation is the largest funding source for civil legal aid programs in Massachusetts. It was established by the State Legislature in 1983 to ensure that low-income people with critical non-criminal legal problems would have access to legal information,

Massachusetts Legal Assistance Corporation

# 2010 annual report

advice and representation.

With funding from the Commonwealth and the IOLTA program, MLAC provides grants to 17 local and statewide civil legal aid programs, as well as operational training and support to the Massachusetts legal aid community.

**The past year was the most difficult for MLAC in its 27-year history.**

The effects of the prolonged recession were devastating both for the Commonwealth's low-income residents and for the legal aid programs that serve them. For just one measure, the number of people eligible for legal assistance grew by 91,000 from 2007 to 2009.

Revenue from the Interest on Lawyers' Trust Accounts (IOLTA) program remained at record lows, and as a result, MLAC was forced to cut grants to local legal aid programs even further — 55 percent since FY08.

However, despite the constant setbacks, we were able to hold onto level funding — \$9.5 million — from the legislature for the MLAC line item in FY11 at a time when other state appropriations were significantly reduced or eliminated. Our efforts benefited greatly from the unwavering support of the Governor and General Court, Boston Bar Association and Massachusetts Bar Association members, as well as the dedicated volunteers on our Equal Justice Coalition Legislative Committee and Private Bar Advisory Committee.

Even though we had to say goodbye to many talented legal aid advocates and staff members this year, due to layoffs and resignations, we did welcome a new executive director. Alan Kerzin joined Disability Law Center in June 2010, bringing with him more than 30 years of experience with organizations that provide support to people with disabilities.

Fortunately, IOLTA revenue has been relatively steady for the beginning of FY11; however, legal aid programs have now exhausted any reserves they may have had when the bottom dropped out. We anticipate further layoffs of legal aid staff members during the current fiscal year.

As always, we commend the work of the legal aid staff members who have been doing so much more with so much less. Their unwavering dedication to “equal justice for all” in the midst of such hardship is truly an inspiration.

We are cautiously optimistic that the FY11 annual report will contain much better news!

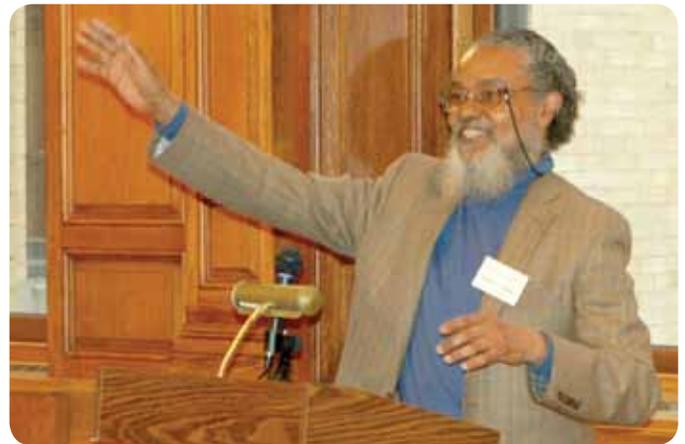
  
Marta Rush O'Mara  
Chair



  
Lonnie A. Powers  
Executive Director



Nearly 700 attorneys gathered at the State House for the 11th Annual Walk to the Hill for Civil Legal Aid on January 28, 2010. Governor Deval Patrick made a surprise appearance to announce his support for level funding of the MLAC line item in FY11.



Rep. Byron Rushing delivers his keynote address for MLAC's 27th Annual Meeting, held at the Adams Courthouse on May 18, 2010.

## Fiscal Year 2010

MLAC-funded programs **employed 205 attorneys and 51 paralegals** (full-time equivalents) in FY10, a decline from FY08 of 11 percent and 15 percent, respectively, due to the loss in funding from MLAC and other sources.

MLAC-funded programs **closed 30,642 cases** in FY10. This assistance benefitted 90,258 individuals and family members in Massachusetts.

545 private attorneys collectively **donated 47,745 hours of skilled pro-bono assistance** through MLAC-funded programs, representing a value of more than \$10 million, nearly double the assistance received in FY09. This dramatic increase was the result of full-time help provided by deferred law firm associates to some legal aid programs.

## A Tribute to Allan Rodgers

In December 2010, Allan Rodgers retired after 41 years as executive director of the Massachusetts Law Reform Institute. Rodgers leaves a legacy of determined leadership, fearless legal advocacy and a seemingly boundless devotion to the work of improving the lives of low-income people.

As a legal advocate, Rodgers led efforts that resulted in passage of the Massachusetts Abuse Prevention Act (Chapter 209A), was a major drafter of the Chapter 40B “anti-snob” zoning law, and was instrumental in the creation of the regulations that protect low-income utility consumers to this day. He also foresaw the need to establish an alternative mechanism for funding legal services after federal funds were slashed in the early ‘80s, becoming a leader in the effort to establish MLAC.

His greatest legacy, however, is MLRI itself, which he nurtured from infancy. Today MLRI is one of the premier state support centers in the country, combining broad support to legal services program advocates with strategic multi-forum advocacy for systemic change. Rodgers

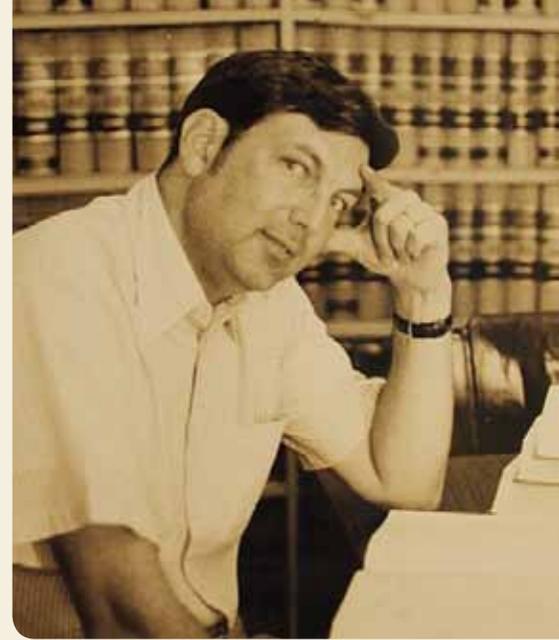
credits the program’s founders. “The model they thought of for state support in 1968 still works,” he says. “We integrate systemic advocacy and state support in everything we do.”

MLRI staff co-counsel with legal services program advocates on systemic issues, co-ordinate coalitions and task forces —

*“The model they thought of for state support in 1968 still works,” he says. “We integrate systemic advocacy and state support in everything we do.”*

where shared experiences and frustrations serve as breeding grounds for legal change strategies — and work with legal aid advocates to develop legislation and draft regulations. The program’s legal trainings, publications and websites strengthen and unite the entire legal aid system.

Under Rodgers’ leadership, MLRI



advocates have led successful efforts to dramatically expand the number of Massachusetts residents receiving food stamps, establish new legal protections for tenants evicted due to foreclosure, reform CORI and protect low-income residents under the state’s health care law.

Rodgers, whose self-effacing manner is well known, quickly deflects any praise. “The best thing I ever did was to hire great staff,” he says. His staff, and the entire legal services community, return the affection.

## Accomplishments

MLAC’s Battered Women’s Legal Assistance Project **assisted 2,909 domestic violence victims**, most with complex cases involving physical safety, child custody and support, financial security, health care coverage and other issues. The average number of court appearances for these cases was 3.1.

MLAC’s Disability Benefits Project closed 1,116 cases, **winning federal SSI/SSDI benefits for clients in 88 percent of cases in which a decision was made**. DBP brought \$795,332 in federal reimbursement to the Commonwealth and \$8,316,510 in payments to clients.

MLAC’s Medicare Advocacy Project **helped 683 elders and people with disabilities** obtain the Medicare benefits to which they were entitled.

## Diversity Coalition Spotlight

*The Massachusetts Legal Services Diversity Coalition, under the direction of Director Joyce Allen-Beckford, had a busy FY10. Some highlights include:*

**Four Generations in the Workplace** In late 2009, Joyce facilitated this workshop for 143 participants at 11 legal aid programs across the Commonwealth. The goal was to increase understanding of generational differences and how these differences impact workplace relationships.

**Attorneys of Color Annual Retreat** On November 6, 2009, Attorney Verna Myers delivered a presentation to about 25 legal aid attorneys and paralegals on organizational change and leadership.

**Boston Medical Legal Partnership Diversity Workshop** On October 29, 2009, Joyce met with about 20 participants at Boston Medical Center. The purpose of the workshop was to broaden the participants’ understanding of cultural competency and to help them understand how privilege, power and oppression impact their lives and those of their colleagues.

# Meet Some of the People We



*Carmelita T.,*  
**Greater Boston Legal Services**

Carmelita, a single mother of three from Mattapan, had to face a difficult choice that is all-too-common for single working parents. She had to choose between work and family.

Her 7-year-old daughter was having serious behavior problems in school and becoming more and more disturbed and unhappy. Children's Hospital diagnosed her with emotional and psychological disorders, and they confirmed what

Carmelita already knew — that her daughter would do better with more attention from her. Carmelita tried to be with her daughter as much as possible, but she had a full-time job at a health center that required working on Saturdays.

While at work, Carmelita received calls almost daily from her daughter's school and from her after-school program because her behavior was unmanageable. Carmelita often had to leave work early to get her daughter. She also relied on help from her 17-year-old son, who would have to leave school early or even miss an entire day to watch his sister.

Carmelita asked her supervisor if she could reduce her hours, but there was no part-time work available. So she decided to resign and look for part-time work.

She thought she would be eligible for unemployment while she looked for a new job, but she was denied. The Department of Unemployment Assistance (DUA) had a regulation that automatically denied benefits to anyone looking for part-time work after a recent history of full-time employment. Carmelita was told that she could appeal, but winning did not seem likely.

She had nearly given up when she called Greater Boston Legal Services. Attorney Monica Halas took up her case and represented her at the appeal. Monica successfully argued that the unemployment regulation had exceptions for people with disabilities and it should be the same for the caretaker of a child with disabilities. The case set a precedent for other working parents.

Carmelita's daughter improved significantly once her mother was around more, and the unemployment benefits provided a lifeline for the family. Unfortunately, Carmelita is still looking for work, but she remains positive about her and her children's futures.

*“I’m proud that my case set a precedent for other working parents.”*

Joanne Kwarta,  
**MetroWest Legal Services**

In 2002, after nearly 40 years as a school teacher, principal and administrator, Joanne accepted an offer of early retirement. Her elderly father was dying, and her mother was also ill. At 62 years old, she could no longer handle the strain of caring for her parents and holding a full-time job.

After several months, though, Joanne began to realize that accepting the retirement offer had been a disastrous move financially. Her income was half of what it had been, and she could no longer keep up with her expenses. She was barely managing to pay the mortgage on her Wayland home and was falling further behind on a \$12,000 home equity loan.

But in September 2007, the bank that held the home equity line foreclosed on the house. With a foreclosure auction only a week away, Joanne finally reached out for help. The local Council on Aging referred her to MetroWest Legal Services (MWLS).

MWLS moved quickly to stop the foreclosure. They helped Joanne collect the necessary documentation and file for

*“I wouldn’t be sounding so happy today without legal services!”*



bankruptcy. The bankruptcy stopped the auction and gave Joanne time to reorganize. “Legal services was amazing,” she says.

The bankruptcy plan included a provision that Joanne would sell the house and move elsewhere. But things started looking up — she found a part-time retail job and a roommate. She also worked out a budget and got on top of her finances. MWLS returned with her to court and got the bankruptcy order amended to one that allowed Joanne to stay in her home.

But MWLS's work wasn't done. The monthly payments on Joanne's main mortgage soon ballooned from \$1,500 to more than \$2,000 per month. MWLS helped her apply for a loan modification. When the modification was improperly denied, they filed a consumer protection complaint on her behalf and had the decision reversed. Today Joanne is happily living with her roommate in her home of 27 years.

# Help

## José Muñoz, Greater Boston Legal Services

José, a hotel housekeeper from Charlestown, had always worked hard to support his family. But when his work hours were cut and his health started to fail, he began to fall behind on his rent. Soon José, his wife and their two young children were facing eviction and a frightening future.

Like so many other Americans, José and his family were victims of the recession. First, his wife lost her

housekeeping job. Then, with the number of hotel guests lagging, José's hours were cut from full time to a fluctuating schedule, sometimes as low as 20 hours per week.

*“My attorney was able to keep my family in our home.”*

At the same time, José was battling a painful knee problem. With the reduced work schedule and increased medical costs, he found that he couldn't keep up with the rent at the family's public housing apartment. He tried repeatedly to get the housing authority to adjust the rent to reflect his reduced income, but they told him he would not be reevaluated until the end of the year. José knew that if the family was evicted they would probably lose their public housing subsidy permanently. The next step was homelessness. “We didn't know where to turn,” he says.

The eviction notice arrived, saying that José owed \$7,000. With no hope of paying that amount, he called Greater Boston Legal Services (GBLS). GBLS housing attorney Alex Munevar (in photo, right) took the case and began to look into the housing authority's claim.

Alex discovered that José's rent had been wrongly set too high – José actually qualified for an “earned income adjustment” that the housing authority had failed to consider. Instead of owing \$7,000, José had actually overpaid his rent by \$1,400! When Alex pointed out the error to the housing authority, they lowered José's rent, repaid the \$1,400 and dropped the eviction. José and his family had their home back.

Speaking through an interpreter, José describes how he felt that day. “Try to imagine someone who is at the edge,” he says. “Everything is against you. Then GBLS saved our housing. It seemed like some sort of magic.

“I didn't think there was any hope, and my GBLS attorney was able to keep my family in our home.”



## Mary Burns, South Coastal Counties Legal Services

Mary's 18-year-old daughter Makayla was only two when she was diagnosed with severe degenerative kidney disease. It then took Mary two years of applications and appeals for the Social Security Administration (SSA) to approve Makayla's Supplemental Security Income (SSI) disability benefits. During that time, Mary incurred \$90,000 in medical debt.

Once approved, the SSI benefits provided valuable income for Mary, as well as expanded medical insurance for Makayla. Due to Makayla's grueling treatment schedule – she has received infusion therapy three times a week at Children's Hospital Boston, a 65-mile round trip from their home in Taunton – it has always been difficult for Mary to maintain steady employment.



Mary, who has worked part time when possible, was careful to keep in close contact with the local SSA office, regularly providing wage and unemployment benefit stubs as required to show proof of income.

Then in October 2008, Mary began receiving notices saying that SSA had overpaid her almost \$4,000, and she would have to repay that amount. Mary knew that she had consistently given SSA the correct information about her income. Feeling hopeless, she called her state representative, and his office referred her to South Coastal Counties Legal Services (SCCLS).

SCCLS Attorney Melissa Fletcher took the case. She represented Mary and Makayla at an SSA hearing, arguing that the overpayment was not Mary's fault, and an injustice would result if she were ordered to pay the amount back given her financial situation. The administrative law judge agreed and waived the overpayment in its entirety.

*“Without legal aid, nobody stands a chance.”*

“She handled it all so nicely,” says Mary of Melissa's work. “It meant so much to just have someone listen.”

Despite missing weeks, and sometimes months, of school due to complications from her medications and treatments, Makayla graduated from high school in June with her class. She is currently enrolled in community college, hoping to become a child psychologist.

# MLAC Grants FY10

## LOCAL PROGRAMS

### Eastern Region

<b>Greater Boston Legal Services</b>	<b>\$3,630,224</b>
General Support:	\$2,082,496
Disability Benefits Project:	\$327,284
Medicare Advocacy Project:	\$335,004
Battered Women's Legal Assistance Project:	\$766,096
Technology Grants & Equipment:	\$119,344

*Subgrantees of GBLs:*

<b>Community Legal Services and Counseling Center</b>	<b>\$103,788</b>
General Support:	\$57,536
Disability Benefits Project:	\$25,086
Battered Women's Legal Assistance Project:	\$21,166

<b>MetroWest Legal Services</b>	<b>\$438,575</b>
General Support:	\$273,344
Disability Benefits Project:	\$49,315
Battered Women's Legal Assistance Project:	\$100,556
Technology Grants & Equipment:	\$15,360

### Central/West Region

<b>Legal Assistance Corporation of Central Massachusetts</b>	<b>\$1,287,290</b>
General Support:	\$746,750
Disability Benefits Project:	\$111,443
Medicare Advocacy Project:	\$49,670
Battered Women's Legal Assistance Project:	\$274,711
Technology Grants & Equipment:	\$54,716
Fellowships:	\$50,000

## STATEWIDE PROGRAMS

<b>Center for Law and Education</b>	<b>\$82,233</b>
General Support:	\$80,000
Technology Grants and Equipment:	\$2,233

<b>Center for Public Representation</b>	<b>\$175,945</b>
General Support:	\$136,000
Disability Benefits Project:	\$32,560
Technology Grants & Equipment:	\$7,385

<b>Disability Law Center</b>	<b>\$343,927</b>
General Support:	\$160,000
Disability Benefits Project:	\$182,256
Technology Grants and Equipment:	\$1,671

<b>Massachusetts Advocates for Children</b>	<b>\$63,200</b>
General Support:	\$63,200

<b>Western Massachusetts Legal Services</b>	<b>\$1,658,399</b>
General Support:	\$1,067,777
Disability Benefits Project:	\$126,792
Medicare Advocacy Project:	\$71,023
Battered Women's Legal Assistance Project:	\$392,807

### Northeast Region

<b>Neighborhood Legal Services</b>	<b>\$1,480,325</b>
General Support:	\$951,232
Disability Benefits Project:	\$152,696

*Subgrantees of NLS:*

<b>Children's Law Center of Massachusetts</b>	<b>\$90,282</b>
General Support Local:	\$71,937
General Support Statewide:	\$16,800
Technology Grants & Equipment:	\$1,545

*Children's Law Center of Massachusetts receives both statewide and local funding.*

<b>Merrimack Valley Legal Services</b>	<b>\$376,397</b>
Battered Women's Legal Assistance Project:	\$376,397

### Southeast Region

<b>South Coastal Counties Legal Services</b>	<b>\$1,904,059</b>
General Support:	\$1,148,927
Disability Benefits Project:	\$171,464
Medicare Advocacy Project:	\$76,420
Battered Women's Legal Assistance Project:	\$422,661
Fellowships:	\$84,587

<b>Prisoners' Legal Services</b> (formerly Massachusetts Correctional Legal Services)	<b>\$106,577</b>
General Support:	\$104,000
Technology Grants and Equipment:	\$2,577

<b>Massachusetts Law Reform Institute</b>	<b>\$1,420,220</b>
General Support:	\$960,000
Battered Women's Legal Assistance Project:	\$82,867
Websites Project:	\$282,088
Farm Workers:	\$20,000
Technology Grants & Equipment:	\$75,265

<b>National Consumer Law Center</b>	<b>\$80,000</b>
General Support:	\$80,000

# Financials

## Statement of Activities and Changes in Net Assets for the year ended June 30, 2010

Appropriated Projects

	Disability Benefits Project	Medicare Advocacy Project	Battered Women's Legal Assistance Project	General Support	Technical Assistance	IOLTA Administrative Services	MLAC Administrative	Fixed Asset Funds	Total All Funds
<b>Revenue</b>									
Commonwealth of Massachusetts	1,178,889	532,119	2,437,261	5,351,732					9,500,001
IOLTA				5,832,496		66,034			5,832,496
Management fees					16,500				66,034
Net Assets released from restrictions									16,500
Interest and other income	1,546	695	3,186	9,148	89,485		28,949		133,019
<b>TOTAL REVENUE</b>	<b>1,180,435</b>	<b>532,814</b>	<b>2,440,447</b>	<b>11,193,376</b>	<b>105,995</b>	<b>66,034</b>	<b>28,949</b>		<b>15,548,050</b>
<b>Expenses</b>									
Grants awarded	1,178,908	532,120	2,437,258	8,251,853	163,703				12,563,842
Loan forgiveness				124,004					124,004
Salaries				500,375		16,142	637,568		1,154,085
Occupancy				31,520		45,016	213,064		289,600
Professional services				34,6616			176,837		523,453
Payroll taxes and fringe benefits				118,189		4,876	158,573		281,638
Other support services				80,700			41,837		122,537
Fellowships				129,934					129,934
Depreciation							151,826		151,826
Travel				6,615			2,436		9,051
Office				9,109			10,813		19,922
Total expenses before allocation of administrative expense	1,178,908	532,120	2,437,258	8,375,857	1,386,761	66,034	1,241,128	151,826	15,369,892
Allocation of administrative expense	96,306	43,470	199,105	902,247			-1,241,128		
<b>TOTAL EXPENSES</b>	<b>1,275,214</b>	<b>575,590</b>	<b>2,636,363</b>	<b>9,278,104</b>	<b>1,386,761</b>	<b>66,034</b>	<b>0</b>	<b>151,826</b>	<b>15,369,892</b>
Excess (deficiency) of revenue	-94,779	-42,776	-195,916	1,915,272	-1,280,766	0	28,949	-151,826	178,158
<b>NET ASSETS June 30, 2009</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>208,550</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>216,383</b>	<b>424,933</b>
Transfer to other funds	94,779	42,776	195,916	-1,599,413	1,280,766	0	-28,949	14,125	0
<b>NET ASSETS, June 30, 2010</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>524,409</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>78,682</b>	<b>603,091</b>

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