

# Legal Aid Link

Volume 6, Issue 1

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*If you have any questions, comments or suggestions about this e-newsletter, please contact Brianne Miers at [bmiers@mlac.org](mailto:bmiers@mlac.org) or 617-391-5621.*



## MLAC

### **Economic Benefits Report Released**

On January 18, MLAC released a report that showed MLAC-funded legal aid programs generated an estimated \$53.2 million in new revenue and cost savings to the Commonwealth in FY11, of which \$27.7 million was in the form of new federal revenue. The report was distributed to legislators and the media. The full version of the report as well as a 2-page fact sheet can be found [here](#). If you have any questions about the report, please contact Donna Southwell at [dsouthwell@mlac.org](mailto:dsouthwell@mlac.org).

### **New Poverty Guidelines Released**

On January 26, the U.S. Department for Health and Human Services released its [2012 poverty guidelines](#). Eligibility for civil legal aid - 125% of the guidelines - is now \$28,813 for a family of four.

### **Strategic Planning Committee Releases Draft Report**

The Strategic Planning Committee presented a draft of its 2012 plan to a joint meeting of the MLAC Board and Staff on January 19. The facilitated session gave participants an opportunity to comment on the plan, which now will be sent to other members of the legal services system, including Project Directors, MBA and BBA staff, Access to Justice Commission members, and legal services clients who are involved in project governance. The February 23 meeting of the MLAC Board will be devoted largely to hearing comments from these stakeholders. In March, the Board will review all comments about the plan, and consider its final form for an April adoption.

### **Legal Aid Constituent Services Briefing to be Held February 13**

The 11th annual Constituent Services Briefing will be held at the State House on Monday, February 13. As always, legislators and legislative staff will have the opportunity to visit with representatives from local and statewide legal aid programs. For the first time this year, advocates from across the state will participate in a panel presentation covering a wide range of civil legal issues. If you have any questions, please contact Janne Hellgren at [jhellgren@mlac.org](mailto:jhellgren@mlac.org).

### Read the Winter Issue of the Unbeatable Advocate

The winter issue of the Unbeatable Advocate, the bi-annual client newsletter, was distributed in January 2012 and can be read [here](#). The next issue will be produced in May 2012. If you have any story ideas, please contact the newsletter team at [advocate@mlac.org](mailto:advocate@mlac.org).

### Save the Dates for Upcoming MLAC Board Meetings

- \* February 23 - 2:30 to 5:30 p.m. at Mintz Levin
- \* December 15 - 3 to 5 p.m. at NCLC (4th floor)

## Equal Justice Coalition



**Remon Jourdan, former GBLS client, shares his story at Walk to the Hill.**

### Lt. Gov. Murray, Justice Gants Rally Attorneys at Walk to the Hill

The 13th annual Walk to the Hill for Civil Legal Aid was held on Thursday, January 26, at the State House. This year there were nearly 700 attendees representing more than 50 law firms and organizations. Highlights included a surprise appearance by Lt. Gov. Tim Murray, who expressed his support for increasing civil legal aid funding, and moving remarks by Associate Justice Ralph Gants. Gants encouraged participants to ask their legislators, "What kind of a Commonwealth would we be if we did not protect the rights of those in need by providing them with adequate legal services?" There were also speeches by the MBA and BBA presidents, and Remon Jourdan, a former client of Greater Boston Legal Services, shared his emotional story involving a problem with his MassHealth benefits.

### Gov. Patrick Recommends Increased Funding for Civil Legal Aid

On January 25, Gov. Patrick released his FY13 budget recommendations, which included \$12 million for the MLAC line item.

The appropriation has held steady at \$9.5 million for the past three years, so to prevent further cuts to MLAC-funded programs, we're asking for \$14.5 million from the state this year. The Governor's support is commendable, and it's a step in the right direction. However, we still have a lot of work to do with the legislature. Next step is the House, which is set to release its budget later this month. Also in recent campaign news, a supplemental FY12 appropriation of \$1 million for the civil legal aid line item is pending in the legislature. Stay tuned as the campaign unfolds!

## Diversity Coalition & Retention Task Force

The **Diversity Coalition Advisory and Steering Committee** met on November 15 at MetroWest Legal Services. The committee was excited to have five new members join the group: Sandy Yeung of GBLS, Courtney Mulligan of DLC, Leticia Richman of CLA, and Sandy Mayes and Chantal St. Fleur of MJP. The membership drive continues, as the group is still short by at least three members. There is a need for representation from the Northeast Region, the West/Central region and Eastern Region. Please let Director [Joyce Allen-Beckford](#) know if you are interested in becoming a member.

The committee decided that once the **Retention Task Force** recommendations are adopted by the MLAC board, the document will be used to guide its efforts toward achieving its long-term goal re: recruitment and retention. The committee will also strategize ways to support programs as they adopt the recommendations.

The Retention Task Force writing committee, led by Jacqui Bowman, is currently editing the recommendations, incorporating feedback received from members of the entire group. The next step would be to circulate the document to the larger legal services community. Once the feedback from the community at large has been incorporated, it will then be presented to the MLAC board.

## People

**Ken MacIver**, executive director of Merrimack Valley Legal Services, has been elected chair of The Non-Profit Alliance of Greater Lowell, a coalition of 60 non-profits that strengthens the ability of its members to make Lowell a better place to live and work.



**Manisha Bhatt**

**Manisha Bhatt**, Family Law Unit Senior Attorney, was named President of the South Asian Bar Association of Greater Boston.



**Monica Halas**

**Monica Halas**, Employment Law Unit Lead Attorney, received the Jerry Hildebrand Unemployment Insurance Champion Award at the National Employment Law Project annual

conference in December 2011. She was honored for her statewide advocacy around unemployment insurance reform. The award is named after the late Gerard W. "Jerry" Hildebrand, chief of the legislation division at the U.S. Department of Labor's office of unemployment insurance.

## Events



**The honorees**

### **MerrimackValley Legal Services Hosts Legislative Breakfast**

At a breakfast on December 22, 2011, Merrimack Valley Legal Services (MVLS) honored Senators Eileen Donoghue and James Eldridge, along with Representatives Thomas Golden, Kevin Murphy and David Nangle, for their support of advocacy for victims of domestic violence. The event was attended by MVLS staff and board, including past Board Presidents Jay Thiel and Maxa Berid. Staff Attorneys Zona Sharfman, Glenna Goldis, Geoff Ketcham and Associate Director Carol Coyne briefed the legislators on their successful legal representation in helping victims of domestic

violence with child custody and support, safety and shelter, and divorce.

### **NCLC to Hold Fair Debt Collection Practices Training Conference**

The National Consumer Law Center's Fair Debt Collection Training Conference, which will be held in New Orleans on February 23 and 24, is a great introduction to litigating federal and state claims for abusive and deceptive debt collection. The training is presented by the top lawyers in this field. The Conference is open to NACA, legal services attorneys, assistant attorney generals, and members of NACBA. Hotel and registration information is available [here](#).

## Awards

### **MLRI Receives Award for Anti-Hunger Advocacy**

In November 2011, Mass. Law Reform Institute received the 2011 Harvester Award from the Worcester County Food Bank in recognition of its anti-hunger work. The Harvester Award is given to organizations that demonstrate outstanding commitment to the food bank's mission of creating a hunger-free community. Patricia Baker, senior policy advocate and director of MLRI's nationally recognized Food/SNAP Project, accepted the award on behalf of the organization. In the photo at right, Pat displays her award with Peter Sasso, director of community relations of the Department of Transitional Assistance's Worcester office.



**Peter and Pat**

## Resources

**New Resources Available from National Consumer Law Center**

- 1.) The **Foreclosures & Mortgages** section of NCLC's Web site has been refreshed and reorganized to improve navigation, and content has been updated. [Click here](#) to give it a spin.
- 2.) Special Report: *State Inaction: Gaps in State Oversight of For-Profit Higher Education* reviews what states can do to rein in for-profit school fraud. [Click here](#) to download for free.
- 3.) NCLC and Consumers Union teamed up to create a model state law for debt settlement. You can download it [here](#).
- 4.) Recently released the following legal publications. Order them [here](#) or call 617-542-9595.
  - **4 Revised Editions:** Consumer Arbitration Agreements (6th ed.), Automobile Fraud (4th ed.), Access to Utility Service (5th ed), Consumer Law Pleadings (Website and 2011 Index Guide)
  - **6 Supplements:** Consumer Bankruptcy Law and Practice 2011 Supp., Truth in Lending 2011 Supp., Fair Credit Reporting 2011 Supp., Unfair and Deceptive Acts and Practices 2011 Supp., Student Loan Law 2011 Supp., Repossessions 2011 Supp.

## Advocacy

### Youth Facing Revocation Hearings Now Have Right to Counsel, Thanks to CPR and CLCM

In 2007 the Mass. Access to Justice Commission identified the lack of counsel for DYS youth facing the revocation of their grant of conditional liberty (the juvenile equivalent of parole) as one of the most critical barriers to justice in the Commonwealth. Shortly thereafter, CPR and CLCM teamed up to address this problem and are now pleased to announce that they have succeeded. *All youth facing a revocation hearing now have the right to appointed counsel.*

CPR and CLCM wish to express their appreciation to Jane Tewksbury, Commissioner of DYS, and Josh Dohan, Director of the Youth Advocacy Department of CPCS, for their recognition of the importance of this issue and their commitment to implementing this project in a thoughtful, collaborative and timely manner. **Bob Fleischner** and **Pat Rae** from CPR and **Barbara Kaban** from CLCM developed the issue and negotiated the settlement.

### MLRI Files Class Action Lawsuit to Protect Housing Admission Priorities

On December 21, 2011, Mass. Law Reform Institute filed a lawsuit against the Massachusetts Department of Housing and Community Development (DHCD). The complaint challenges DHCD's failure to comply with the state legislature's directive requiring DHCD to issue regulations safeguarding the homeless-related housing admissions priorities of families receiving temporary rental subsidies such as HomeBASE. [Click here](#) for a link to the complaint.

## Media Highlights

**These are just some highlights for 2012. For a full list of media coverage, visit the [News](#) section of MLAC's Web site.**

### [State Budget Spotlight: Civil Legal Aid \(WGBH\)](#)

1/26/2012 - Emily Rooney, host of the Emily Rooney Show, spoke with MLAC Executive Director Lonnie Powers about how legal aid programs help low-income Massachusetts residents, and how they are struggling to overcome critical funding shortages.

### [Lawyers Call on Beacon Hill to Increase Legal Aid \(WBUR\)](#)

1/26/2012 - Hundreds of Massachusetts lawyers, including one Supreme Judicial Court justice, rallied at the State House on Jan. 26, urging legislators to increase legal aid funding.

### [Civic Legal Aid is a Sound Investment for All of Us \(Boston Globe\)](#)

1/26/2012 - A column by Yvonne Abrahams highlights the funding crisis facing Massachusetts legal aid programs, who have lost a third of their staff in the last three years. Lonnie Powers, MLAC executive director, is quoted, along with Remon Jourdan, a former client of Greater Boston Legal Services

[Disabled Patients' Wishes Ignored \(Boston Globe\)](#)

1/23/2012 - This article quotes attorneys from the Center for Public Representation and Disability Law Center of Massachusetts following the recent family court ruling that a woman diagnosed with schizophrenia should undergo an abortion and be sterilized.

[SJC: Watered Down Health Program for Legal Immigrants Violates Equal Protection \(Boston Herald\)](#)

1/5/2012 - The Supreme Judicial Court ruled that a move by the state Legislature to strip 30,000 legal immigrants from a taxpayer-subsidized state-run insurance program in 2009 violated their constitutional rights. The Massachusetts Law Reform Institute in filing a friend-of-the-court brief in the case.

[Advocates for Disabled: Criteria for Aid Need to be More Flexible \(Sentinel & Enterprise\)](#)

1/3/2012 - This article discusses how Mass. determines eligibility for youth with developmental disabilities in order for them to receive adult services from the Department of Disability Services. The Disability Law Center is backing a bill that would change the way Disability Services determines eligibility. "We're not proposing that we don't draw lines -- we have scarce resources in state government," Rick Glassman told the Joint Committee on Children, Families and Persons with Disabilities in November.

[Special-ed Advocates Sue Schools over Placement \(Boston Globe\)](#)

1/3/2012 - Boston Public Schools is facing a class-action lawsuit in federal court asserting that the district routinely violates state and federal law by delaying evaluations and classroom placements for preschoolers with special needs. The lawsuit was brought by Massachusetts Advocates for Children on behalf of two families.

[Brain-Injured Plaintiffs Living Fuller Lives after Class Action Lawsuit \(Springfield Republican\)](#)

1/1/2012 - This article profiles Raymond Puchalski, who has been living with a brain injury since 2003. The Center for Public Representation successfully settled a lawsuit in 2008 on behalf of Puchalski and three others with brain injuries for community-based, individual care. In the settlement, the state agreed to place 100 brain-injured residents in less restrictive environments each year for three years: 300 total.

## Tech Tips

### Adding & Removing Items on the Quick Launch Toolbar in Windows 7

*By Patricia Shaughnessy, MLAC's Support and Training Specialist*

To Add to the Quick Launch Toolbar:

Click the icon of the program you wish to add.  
Press CTRL & drag the item to the Quick Launch Toolbar.  
Release mouse.

*Note:* Holding CTRL will keep the original location available on the Menu.

(To drag: Click & hold the mouse button down, release once you see the vertical bar on the toolbar.)



To Remove from the Quick Launch Toolbar:

Hover over icon to be removed.  
Right-mouse click, select Delete.

## "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 in order to access the list). You can also look up staff individually by last name using the search function on MassLegalServices.org.

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