

Legal Aid Link

Volume 6, Issue 4

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MLAC News

Constituent Services Briefing

The 12th annual Legal Aid Constituent Services Briefing was held February 25 at the State House. MLAC coordinates this event each year to assist legislators and their aides with constituent calls they receive regarding civil legal problems. This year six experienced legal aid attorneys spoke on domestic violence/family law, employment and unemployment, foreclosure, eviction, homelessness, health care and government benefits. At the same time, representatives from legal aid programs from across the Commonwealth provided information to legislative aides on their services and on particular legal problems. Presenting this year were Monica Halas, GBLS; Weayonnoh Nelson-Davies, SCCLS; Marc Potvin, NLS; Brian Angel Burke, MWLS; Lyonel Jean-Pierre, CLA; and Vicky Pulos, MLRI. Programs participating included GBLS, SCCLS, NLS, MWLS, CLA, MVNS, CLSACC, DLC, MAC, BCLAB and CLCM.

Upcoming MLAC Board Meetings

March 26 and April 25

3-5 p.m.

Location:

National Consumer Law Center,

7 Winthrop Sq., 4th Floor

Boston, MA 02110

Client News

January Edition of *The Unbeatable Advocate*

The Winter 2013 issue of the client newsletter *Unbeatable Advocate* is available on the [MLAC website](#). Read about MLAC's new client board member Tim Lee, a tribute to Geneva Reid, new LSC restrictions and more.

Equal Justice Coalition

Walk to the Hill Recap

The Equal Justice Coalition's 14th Annual Walk to the Hill took place January 30 at the State House. More than 650 attorneys attended this year's Walk, representing more than 40 law firms. Attendees made approximately 300 legislative visits to ask their legislators for \$15.5 million in funding for civil legal aid for fiscal year 2014 (an increase of \$3.5 million over last year's funding level). Supreme Judicial Court Chief Justice Roderick Ireland and Governor Deval Patrick addressed Walk participants. Five Associate Justices of the SJC also showed their support by attending the Walk, as did former Chief Justice Margaret Marshall. Daniele Bien-Aime, a former client of South Coastal Counties Legal Services, also spoke at the event. She described how she lost her job and health insurance and nearly became homeless during a harrowing battle with breast cancer. Thanks to the advocacy of SCCLS attorney Weayonnoh Nelson-Davies, Daniele was able to get her job back, providing her with health insurance to finish her cancer treatment and the income she needed to pay her bills and keep her family off the street. For more photos and information about the Walk, [visit the EJC website](#).



Former SCCLS client Daniele Bien-Aime at the Walk

Advocacy Update

Racial Justice Fellow Resumes work at CLE

In November, attorney Jenny Chou returned to CLE as the MLAC Racial Justice Fellow. Through the Fellowship, CLE expects to help increase the legal services community's capacity to meet the needs of low-income students, in particular, those from the City of Boston and the Central Mass. region, who have limited access to free legal assistance. Through longtime national and statewide advocacy, CLE has developed a comprehensive view of the numerous issues that impede low-income students from learning to high standards and completing school and is in a unique position to institute a targeted, regional advocacy strategy to address these issues more systemically.

New Book on Improving Education Opportunities for Incarcerated Youth

The Harvard Educational Review published "[Disrupting the School-to-Prison Pipeline](#)" in December, which includes a chapter by Joanne Karger and Kathleen Boundy of CLE that outlines serious deficits in the education provided youth in juvenile correction facilities despite their right to quality education and the importance of such education to their successful reintegration in their communities. The authors propose using a framework of universal design for learning to actualize the right to quality education and to transform education of incarcerated youth.

NCLC: 6th Circuit Court Overturns Unfair Settlement

The 6th Circuit has overturned a Fair Debt Collection Practices Act settlement in the Vassale v. Midland case from Ohio. The nationwide settlement affects 1.44 million victims of a debt buyer's "predatory practices" in using robo-signed affidavits to obtain state court collection judgments. The Court found the settlement unfair and inadequate because class members received very little benefit in return for giving up the important right to contest Midland Funding's judgments on the ground that the affidavits used to obtain them were robo-signed. NCLC helped to argue the appeal. Thanks also go out to everyone who worked on the briefs and numerous moot courts. The unanimous opinion reverses the settlement approval and remands to the federal district court for further proceedings. This step allows all of the other robo-signing cases brought against Midland around the country to proceed. [Read the decision here \[PDF\]](#).

Give Them Shelter: MLRI Releases Video on the Family Homelessness Crisis in Massachusetts

Effective August 6, 2012, the Massachusetts Department of Housing & Community Development (DHCD) implemented new regulations that deny the vast majority of homeless families with children access to emergency shelter through the Emergency Assistance program. Public hearings on the new regulations were held by DHCD with packed audiences Oct. 22 in Springfield and Oct. 25 at the State House in Boston. In addition, 70 organizations around the Commonwealth signed a letter urging Governor Patrick, Senate and House leadership to modify the new regulations and restore access to emergency shelter for vulnerable children at "imminent risk of staying



Give Them Shelter: The Crisis for Homeless Children in Massachusetts

in places not meant for human habitation." Despite testimony that the new shelter restrictions are causing harm to the health and safety of homeless children, DHCD refused to modify the final regulations to restore access to shelter. As a result, every day homeless families and children throughout the Commonwealth are being forced to sleep in unsafe places before they can get into shelter. [Watch MLRI's compelling video](#) that explains the problem and what you can do to help.

MLRI's Rebuttal to Recent Press Reports of SNAP/Food Stamp Waste

Recent news reports suggest the Department of Transitional Assistance is wasting taxpayer dollars and mismanaging the SNAP (food stamps) program, including a \$27m overpayment of federal funds. There was no fraud and no fault on the part of SNAP recipients involved. All of the Massachusetts SNAP households played by the rules. They timely reported changes in advance of their next recertification period. The United States Department of Agriculture has found no fault on the part of Massachusetts SNAP recipients in determining this overpayment. [Click here to download the fact sheet \[PDF\]](#).

MLRI Analysis of Recent Inspector General Report of DTA Record Keeping

The Massachusetts Inspector General issued a report on January 30, 2013 that found gaps in the Department of Transitional Assistance record keeping for cash assistance cases. Despite these gaps, the IG did not find any fraud or evidence that welfare benefits were wasted. The report also did not find that families were ineligible or overpaid. [Read MLRI's analysis to get the facts \[PDF\]](#).

Free Resources from NCLC:

Reports:

- [At a Crossroads: Lessons from the Home Affordable Modification Program \(HAMP\)](#), January 2013
- [2013 Survey of Unemployment Compensation Prepaid Cards](#), January 2013
- [Low-Income Weatherization: Stimulus-Funded Program Shines but Storm Clouds Are on the Horizon](#), November 2012

Issue Briefs:

- [New Requirements for Electronic Payment of Social Security and Other Federal Benefits Kicks in March 1, 2013: Most Paper Checks to Be Phased Out \[PDF\]](#), February 2013
- [Promoting Equal Access to Higher Education Priority Agenda \[PDF\]](#) 2013

People

CLSACC Volunteer Attorney Awarded for Commitment to Legal Services

CLSACC Volunteer Family Law Attorney **Susan Corcoran** was honored by the Massachusetts Supreme Judicial Court on October 24 with the 2012 Adams Pro Bono Publico Award for her "outstanding commitment to volunteer legal services for the poor and disadvantaged." Susan began volunteering at CLSACC six years ago and has worked on over 70 cases representing survivors of domestic violence. At the award ceremony, SJC Justice Ralph Gants commended Susan not only for her legal representation but also for helping to create a community of committed volunteers at CLSACC and for taking on endless administrative tasks to help the program run more smoothly.



CLE Welcomes Back Law Student Intern

The Center for Law and Education is especially pleased to welcome back **Harold Hinds**, a 3L who is enrolled in the joint degree program at BC Law School and the Lynch School of Education, and who interned at CLE in 2011. He joins Hoa Nha Nguyen, a doctoral student at Boston College in the Applied Developmental Psychology Program, who is also working closely with CLE attorneys on research related to both individual client representation and equitable systemic remedies.

IOLTA Director Jayne Tyrrell Receives Award

The Women's Bar Association presented its Lelia J. Robinson Award to **Jayne Tyrrell**, executive director of the Massachusetts IOLTA Committee, in November. The award, presented annually since 1994, is named for the first woman admitted to practice in Massachusetts. The award recognizes women who have captured the spirit of pioneering in the legal profession, served as mentors and role models and made a difference in the community while exemplifying professional excellence.

GBLS Attorneys Receive Awards for Foreclosure Work and Community Activism

GBLS Attorney **Zoe Cronin** was honored for her commitment and work on behalf of people facing foreclosure and eviction, at City Life/Vida Urbana's annual meeting on December 1, 2012. GBLS Senior Attorneys **Dick Bauer** and **Ellen Shachter** were awarded a Hazel Hughes Award for community activism by the Somerville Community Corporation (SCC), for their roles on the Somerville Community Preservation Act campaign. The act, which was voted into law with close to a 75 percent approval rate, imposes a property tax surcharge to be used for affordable housing, open space and historic preservation. Dick and Ellen, along with other Community Preservation Act Committee core members, were given the awards at the SCC Annual Meeting on January 31, 2013.

Save the Date

Attorneys' Fees Workgroup to Offer Webinars

In response to requests from numerous programs for training on attorneys' fees, the Attorneys' Fees Workgroup will offer two webinars during March and April. The trainings will be led by Joel Feldman, a former legal services attorney, and Steven Schwartz from the Center for Public Representation. Each webinar will be roughly one-and-a-half hours, with an additional half hour for questions. All legal services attorneys and advocates are welcome and encouraged to attend. The first webinar will be on **Wednesday, March 13, 2013, from 2-4 pm**. It will cover the basic skills and

strategies for obtaining a fee award, including preliminary activities when initiating a potential fee case, drafting the fee motion, reviewing time records, assembling affidavits and seeking reimbursement for expenses. The second webinar will be on **Wednesday, April 10, 2013 from 2-4 pm**. It will cover ethical issues and collection strategies for obtaining fees. [Click here to register](#).

2013 Nancy King Memorial Golf Tournament

The tournament, which benefits MetroWest Legal Services, will be held on Monday, June 3 at the Framingham Country Club. This year's presenting sponsor is MutualOne Bank. [Click here](#) for photos from last year's tournament.



HomeCorps Event Recap

January 15:

NCLC's Meg Connolly, Jessica Heimenz, and Chi Chi Wu attended a Massachusetts HomeCorps legal services training program in Boston. Chi Chi presented "Fair Credit as Related to Foreclosures."

February 12:

NCLC's Charles Delbaum presented at Ropes & Gray law firm in Boston as part of the HomeCorps training program of legal aid attorneys. Topic: Seeking Attorneys' Fees.

"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 feature on MassLegalServices.org.

Got News?

Do you have news that you'd like to share with the Massachusetts legal services community?

Contact the person responsible for communications at your program, or email your submissions to the editor (tbrant@mlac.org). Legal Aid Link is a quarterly newsletter. The next edition will be published in April 2013.

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