



GREATER BOSTON LEGAL SERVICES

... and justice for all

With GBLS' Help, Rwandan Victim of Torture Gains Asylum in the U.S.

After his search for justice for his father's murder led to government officials torturing him nearly to death, "Bosco" fled to the U.S. from Rwanda. He was a child when the genocide in Rwanda broke out in 1994. Bosco's Hutu father was brutally murdered when the Rwandan Patriotic Army (RPA) entered Kigali, the capital city, to stop the genocide of the Tutsis, but then aided retaliatory killings of Hutus.

Bosco's Tutsi mother and older brother fled the country after receiving serious threats, leaving Bosco and his younger siblings behind to grow up in Rwanda. After finishing his studies and obtaining a job, Bosco filed a criminal case in the Rwandan courts to obtain justice for his father's murder, invoking legal procedures designed specifically for those, like him, who sought justice for the inhuman acts that had occurred during the genocide. The filing of the case led to government officials detaining and torturing him. He almost died, but was ultimately released through the intervention of a relative.

After recovering from his wounds and carefully planning his escape, Bosco fled Rwanda, needing to leave his wife behind. Upon arriving in the U.S., he knew that he needed to seek political asylum to stay. Bosco had no money to hire a private lawyer. He learned, through word-of-mouth, about the services that GBLS' Immigration Law Unit provides. GBLS



With GBLS' help, this victim of torture and refugee from Rwanda was granted asylum in the U.S.

Photo by Linda Lank

attorney Jane Rocamora and volunteer attorney Guenter Hiort represented Bosco and filed an application for political asylum on his behalf. In fall 2011, Bosco was granted asylum by the U.S. immigration authorities. GBLS then provided him with assistance to file a petition allowing his wife to reunite with him in the U.S.

When no one else can help, GBLS provides free assistance on civil (noncriminal) legal matters to poor people living in Greater Boston who need help obtaining food, income, shelter, and safety.

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Joint Advocacy Efforts Lead to Restoration of TAFDC Children's Clothing Allowance Amount

Thanks to the team efforts of GBLS attorney Elizabeth Toulan, Massachusetts Law Reform Institute attorneys Ruth Bourquin and Deborah Harris, Massachusetts Coalition for the Homeless Director of Legislative Advocacy Kelly Turly, and other

advocates, a basic benefit of tens of thousands of children in low-income households has been restored. The team's legislative and administrative advocacy, coupled with their engagement of committed allies statewide, helped secure passage of a supplemental budget

restoring the Transitional Aid to Families with Dependent Children (TAFDC) Children's Clothing Allowance from the grossly-inadequate \$40 per child back to the long-standing \$150 per child — a major victory in these especially-tough fiscal times.

Because of You, Disabled Vietnam Veteran Retains His Home, Regains Benefits

Your support and the support of all who believe in justice for the poor made it possible for GBLS to assist over 550 disabled elders in the last year.

One example is "Richard", an elderly disabled man who contacted GBLS for assistance with his eviction due to nonpayment of rent. Elder, Health and Disability Unit paralegal Karen Dobak learned that he had not paid his rent because his veterans benefits of \$2,673 per month had been terminated six months earlier. He had been receiving these benefits due to severe injuries to his legs during the Vietnam War, as well as resulting severe Post Traumatic Stress Disorder.

Karen discovered that his income and health benefits were terminated due to inaccurate Social Security Administration (SSA) computer records showing that he was in prison, and SSA reporting this information to the Veteran's Benefits Administration (VBA). Her investigation found that another individual was using Richard's identity in prison. Karen was able to obtain records from Richard's medical providers showing

that he had been receiving treatment throughout that time, as well as obtain other records showing he was not in prison.

At Richard's VBA hearing, the hearing officer agreed to expedite the decision and agreed that the client was not in prison. She also had his SSA file coded to indicate that he was the victim of identity theft so that his checks would not immediately terminate in the future. Richard was issued a six-month retroactive check in less than a week. Richard was able to pay his overdue



Paralegal Karen Dobak helped a disabled Vietnam vet to retain his home and regain his benefits.

Photo by Blanca Ruiz

rent and keep his housing, as well as resume necessary medical care.

Advocates Save Nursing Home Bed Hold Program

In early November 2011, after weeks of meetings with legislators and MassHealth staff, elder advocates from GBLS, in coalition with other advocacy groups including Massachusetts Advocates for Nursing Home Reform, Cape United Elders, and nursing home representatives, were successful in preventing the end of the nursing home "bed hold" program. It was slated to be cut from the current year's state budget on November 1, 2011 as a cost-saving measure. The program pays nursing homes to hold

residents' beds for up to 10 days after brief hospital stays or family visits. The continuation of the program is important for the quality of life of residents. Bed hold provides stability and comfort, particularly to patients with dementia, allowing residents to return to a familiar room many of them consider home.

Legislators reinstated the program in a spending plan that Governor Patrick signed into law on Veterans Day. Now Massachusetts families can feel secure

in the knowledge that their loved ones in nursing homes will be able to return to the comfort of their familiar rooms, and residents' quality of life will not be diminished after brief absences. GBLS' nursing home reform coalition continues to advocate for a bill which would codify and maintain the bed hold protection through statutory language. Special thanks to Senator Mark Montigny, Senator Pat Jehlen and Representative Alice Wolf for their work on this issue.

Child with Cerebral Palsy Obtains Disability Benefits, Thanks to EMD Serono Pro Bono Attorney Helping Children’s Disability Project

As part of a valued *pro bono* partnership between EMD Serono, Inc. and GBLS’ Children’s Disability Project (CDP), attorney Vasiliki (Viki) Kalaitzidis has been providing her services to CDP since April 2010. Recently, she successfully represented “Desiree”, a 4-year-old with cerebral palsy, in her application for Supplemental Security Income benefits from the Social Security Administration (SSA). Her mother had turned to GBLS for help after Desiree had been denied benefits twice.

“Desiree” was born significantly premature weighing only 2lbs, 14oz. Immediately after birth she suffered from an intracranial bleed which is likely one of the causes of her cerebral palsy. She wears leg braces every day that cause her pain, blistering, irritation, bruising, and constant discomfort. Desiree’s form of cerebral palsy significantly impacts the development in her lower extremities. She also suffers from a delay in her fine motor skills.

Desiree’s medical record is lengthy, and primarily made up of occupational, physical, and special education therapists’ reports with a small section composed of medical doctors’ reports. The SSA experts who reviewed Desiree’s application did not believe that she had the limitations/impairments required to be eligible for disability benefits.

Viki highlighted the therapists’ reports in a hearing before an



“Desiree”, a 4-year-old with cerebral palsy, was approved for disability benefits after being twice denied before her mother turned to GBLS for help. Desiree is pictured with her family and her Children’s Disability Project *pro bono* attorney, Viki Kalaitzidis of EMD Serono, Inc.

Photo by Chris Wurster

Administrative Law Judge (ALJ), stressing that more weight needed to be given to the reports of the experts that were seeing Desiree every day, as opposed to those of doctors who were evaluating her every six months. The ALJ told her she had drafted an excellent brief that persuaded him to issue a favorable finding: Desiree was found to be disabled from the day she was born and was approved for benefits. Thank you, Viki and EMD Serono, for this spectacular result for this disabled child!

A Conversation with Alex Peña, Northeastern Law Student

Annually, GBLS and our clients benefit from the assistance of close to 100 law students who intern for one or several semesters. In turn, the students gain invaluable legal experience. GBLS is grateful to the students for their hard work and to all the law schools that sponsored them.



Northeastern University School of Law student Alex Peña interned in GBLS’ Employment Law Unit.

Photo by Linda Lank

How did you hear about GBLS? GBLS is widely known at Northeastern due to the fact a large number of students are working at GBLS every quarter on coop assignment.

Why did you decide to intern here? I decided to intern at GBLS, specifically the Employment Unit, because I saw that there was a need for Spanish-speaking interns and I

thought it would be a great opportunity for me to help my fellow Latinos.

Please describe a client/case that is particularly memorable for you. I worked on a case in which the Department of Unemployment Assistance has subjected a client to ten different hearings on the same issue due to an error on their part.

What are some of the things you learned working in the Employment Law Unit, e.g. that surprised you? Inspired you? Moved you? What most surprised me

is the amount of stress and work that the Department of Unemployment Assistance causes for clients due to errors they have made. It was eye opening to see what some of the clients have to go through in order to rectify an error they had nothing to do with.

Has your experience at GBLS impacted the type of legal work you would like to do after earning your law degree? I am definitely more interested in employment law now that I have been exposed to the injustices that occur on a daily basis.

Thank You, Friends of the Asian Outreach Unit!

In response to the fiscal crisis that threatens GBLS' ability to maintain services, a group of Asian Outreach Unit alumni (former staff, interns, and volunteers) organized the "Friends of AOU" and kicked off a campaign with the goal of raising \$100,000 each year for three years. The Harry H. Dow Memorial Legal Assistance Fund contributed \$25,000 and promised another \$25,000 if AOU could raise an additional \$50,000 in the first year of the campaign.

Thanks to individual donors as well as grants from the Dow Fund, the Wang Foundation, the Saffron Circle, and Asian Americans/Pacific Islanders in Philanthropy, the Friends of AOU met the Dow Fund's challenge in

June 2011. Special thanks are due to Jenny Chou, Sarah Kim, Zenobia Lai, Marian Tse, and Emily Yu for their leadership. Year two got off to a strong start with a grant from the Yahoo! Employee Foundation that was initiated by an AOU alum, Melanie Shui. AOU Managing Attorney Cyndi Mark is pleased to announce that the campaign is more than halfway to its three-year goal.

The generosity of time and money from members of the Greater Boston Asian-American community means that AOU staff will be able to sustain the legal services they have been providing to low-income Asian immigrants and community groups, in areas including employment, housing, family law, and immigrant rights. Thank you.

Please make a donation today, it's just a click away.
Visit us at **www.gbls.org**, and click on **DONATE**.

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