



# GREATER BOSTON LEGAL SERVICES

... and justice for all

Fall

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## GBLS Attorney Prevents Young Cambridge Family's Eviction due to Accounting Error

Shanice, the young mother of a 7-year-old and a 2-year-old, was shocked and frightened when she received notice from the Cambridge Housing Authority (CHA) that within 48 hours an eviction moving truck would be at her door. CHA alleged \$197 was due in back rent, and Shanice had not shown up when they tried to take her to court. In fact Shanice had never received the initial summons, so had been unaware of her court date.

Needing help, Shanice contacted the Cambridge Multi-Service Center who immediately referred her to GBLS' Cambridge and Somerville office (CASLS). Attorney Ellen Shachter took the case, and through her review of CHA's ledgers discovered that the CHA had unlawfully mixed in maintenance charges and fees for minor issues, such as trash can lids not attached, with Shanice's rent and was trying to evict her for non-payment of non-rent fees. Attorney Shachter was



Senior Attorney Ellen Shachter (r) helped Shanice (l) and her children remain in their home after the public housing authority tried to evict them based on a faulty accounting mechanism.

*Photo by Linda Lank*

successful in getting the supposed default removed. At this point Shanice offered to pay CHA all the money allegedly due, using some of her own money as well as monies from a City of Cambridge homelessness prevention grant, however the CHA was unwilling to accept the payment. Shanice therefore had to go to court to preserve her tenancy.

The implications of a trial were great. If Shanice lost at trial, not only would she and her children be evicted, they would also be unable to obtain any other affordable housing or even to access emergency shelter. Attorney Shachter and Shanice won the trial on the basis that CHA's accounting

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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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# GBLS Prevents a Young Family's Eviction

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mechanism was faulty, and Shanice and her children were able to stay in their home.

Shanice has since completed a job training program and works in the hospitality industry. With a steady income, she no longer needs Transitional Aid for Families with Dependent Children benefits. She also transferred into a beautiful new affordable unit much closer to work and the children's childcare. With her

attorney's help, Shanice went from being faced with losing her home and being on the streets with her children, to a stable living situation and promising future.

*Due to your support, hundreds of vulnerable families like Shanice's are able to remain in their homes when faced with unlawful attempts at eviction. THANK YOU for giving to GBLS.*

## GBLS' and Partners' Efforts Lead to Landmark Bill to Halt Temporary Worker Exploitation

Many temporary workers have reported being sent off to dangerous jobs with virtually no information about their employment and being cheated out of their wages. After finding themselves injured and underpaid and unable to obtain justice, workers secured the support of immigrant worker centers, unions, and faith-based, community, and legal groups, including GBLS, to seek reforms in the temporary employment industry.

In response, in August 2012 Governor Deval Patrick signed into law An Act Establishing a Temporary Worker's Right to Know. The law serves to prevent unethical temporary employment agencies from exploiting workers and undermining law-abiding businesses. It requires temp agencies to provide written notice of key details of job assignments, disclosure to workers of how to reach the Department of Labor



From l-r: Employment Law Unit Lead Attorney Monica Halas, Temp Worker's Right to Know bill co-sponsor Representative Linda Forry (not pictured: co-sponsor Senator Jack Hart), and REAL Coalition and GBLS Board member Yessenia Alfaro.

*Photo by Anna Marie Ventura*

Standards, and the name of the workers' compensation provider, among other protections.

GBLS Senior Attorney Monica Halas drafted the bill. "We had so many temporary workers coming to us for legal assistance – with unpaid wages, injuries, illegal fees – and we couldn't help them," she said. "There was no documentation of where

they worked and what they were supposed to be paid to take legal action."

GBLS Board Member Yessenia Alfaro of the Chelsea Collaborative, also a member of the REAL (Reform Employment Agency Law) Coalition noted, "Workers in our communities stood up and said, 'We want to be able to work for someone who appreciates our hard labor.'"

The bill was sponsored by Representative Linda Forry and Senator Jack Hart. It benefited from the strong support of House Speaker Robert DeLeo, Senate President Therese Murray, Secretary of Labor and Workforce Development Joanne F. Goldstein, the Massachusetts Attorney General's Office, the Massachusetts AFL-CIO, and the Massachusetts Bar Association.

## GBLS Welcomes New Fellows to Children's Disability Project

In September 2012 GBLS welcomed two Fellows, Stephanie Cocce and Katherine Tarpley, both of whom are assigned to the Children's Disability Project (CDP) in the Elder, Health and Disability Unit. They are 2012 Northeastern University School of Law (NUSL) graduates who have returned to GBLS after doing NUSL Co-ops here.

Due to the complex and inconsistent practices governing Supplemental Security Income (SSI) eligibility, children with disabilities and their families are often faced with a myriad of financial problems including: Termination, suspension, or reduction of benefits, overpayments and underpayments. Stephanie Cocce was awarded an Equal Justice Works fellowship



Stephanie Cocce (l) and Katherine Tarpley (r) have returned to GBLS as Fellows, after doing Northeastern University School of Law co-ops at GBLS.

*Photo by Linda Lank*

focused on resolving these financial issues, lest CDP clients face an abrupt and devastating loss of economic support. Less than two days into her fellowship, Stephanie was at Social Security working on a critical underpayment matter for a family facing eviction. She was successful in resolving it.

Stephanie said, "My Equal Justice Works fellowship was

inspired by the clients that CDP serves every day. As an intern, I saw first hand how critical SSI benefits are to the families of child SSI recipients. With these benefits, families are better able to provide for their children's everyday care and needs. It is an honor to have the opportunity...to help preserve these important benefits for the families that we serve."

Katherine Tarpley was awarded the first Mary E. O'Connell Fellowship at The Children's Disability Project, created by a donor to NUSL in recognition of the unique collaboration between NUSL and GBLS. The two-year Fellowship was named in honor of NUSL Professor Mary O'Connell, a mentor to the project since its creation in 2007.

Katherine has a wealth of

experience including her work with undocumented children who suffered abuse and neglect. She is working with CDP in its representation at all levels of appeal for children who have been wrongfully denied SSI disability benefits. Katherine, who is multi-lingual, has also begun doing community outreach in Spanish and English about GBLS and her work. She said, "I am thrilled to be back at GBLS for the next two years as an O'Connell Fellow. I look forward, in particular, to being an advocate and resource for non-English speaking families and communities. I did my very first legal work here and I was inspired by the work being done for low-income families...I have seen the tremendous impact that an advocate can have on a family's SSI case."

## GBLS Helps Mother to Obtain Child Custody, Support, and Protection

"Pilar" came to GBLS seeking representation for a divorce. Her husband "Jorge", with whom she has a 4-year-old son, was both verbally and physically abusive. The parties had been separated



Advocacy by Senior Attorney Abbe Hershberg, above, led to young mother "Pilar" being awarded sole custody and child support from her abusive husband.

*Photo by Linda Lank*

since 2010. One night, Jorge appeared at Pilar's door at 1:30 a.m., demanding to be let in, appearing to be both drunk and high. He was very agitated and aggressive. Once inside, he raped Pilar and beat her until 6:00 a.m. Pilar went that morning to get medical help and then to the police to report the crimes. She got a temporary abuse prevention order against her husband.

Jorge left soon afterwards for the Dominican Republic where he stayed for three months. He stopped paying the bills and failed to provide support for his son and Pilar. She had no choice but to get public

assistance and Food Stamps. Her landlord moved to evict her and the child.

When Jorge returned to the U.S., he was served with GBLS' divorce complaint. He responded by seeking full custody of the child. However, Pilar's attorney, Family Law Unit attorney Abbe Hershberg, provided the details of what Pilar had endured and the court awarded her sole custody, along with child support of \$568 per week. Jorge was allowed supervised visits with his son and agreed to pay all of the back rent.

Since Pilar had only a

temporary protective order, GBLS enlisted the aid of a *pro bono* attorney to represent her at the hearing to extend her District Court order. Now she is fully protected for the next year.

Her GBLS attorney believes Pilar will have a bright future. GBLS is continuing to represent her in her divorce case. She is in affordable housing, has enough income from child support to live on, is going to Bunker Hill Community College to learn English, and with a protective order in hand, Pilar can now move safely through her life with GBLS' help.



## Kudos!

### 2012 Top Women of Law Awards:

Housing Law Unit Senior Attorney **Stefanie Balandis**, Executive Director **Jacquelynn Bowman**, and former Family Law Unit Senior Attorney **Kelly Leighton** were honored by Massachusetts Lawyers Weekly in October 2012. The award honors “the women making a difference in the legal community”.

### Community Change, Inc. Leadership Award:

Consumer Rights Unit Managing Attorney **Nadine Cohen**, a “longtime activist for racial justice”, was honored with a Drylongso Award in November 2012. The Drylongso Award honors “ordinary people doing extraordinary work” in challenging structural racism.

**Up and Coming Award:** Employment Law Unit Attorney **Sherley Cruz** was honored by Massachusetts Lawyers Weekly (MLW) and the Massachusetts Bar Association (MBA), at the Excellence in the Law event in May 2012. This is an annual celebration co-hosted by MLW and the MBA that honors outstanding individuals and their contributions to the legal profession.

### Chief Justice Margaret H. Marshall Award:

**Marc Gary** and **Bob Sable** were honored by the Boston Lawyer Chapter of the American Constitution Society in September 2012 for their efforts to improve access to justice. Marc served until recently on GBLS’ Board of Directors and co-chaired the Marshall Plan, a major fundraising

campaign on behalf of GBLS. Bob is the former Executive Director of GBLS.

### Massachusetts Access to Justice Commission Pro Bono Fellows Program:

**Bob Sable** was selected by the Commission to participate in this new statewide pilot project in which senior lawyers will partner with non-profit and legal service organizations to provide critical legal assistance to underserved populations.

Since March of this year Bob has been a volunteer attorney in GBLS’ Consumer Rights and Elder, Health and Disability Units, helping staff with bankruptcy matters for clients who need this assistance.



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