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GREATER BOSTON LEGAL SERVICES

... and justice for all

NEWS

Fall 2015

GBLS conducts innovative work to address emerging legal issues, thanks to donors' generous sponsorship of attorney Fellows. This issue of the newsletter highlights a few of these Fellows and the victories you helped to achieve. GBLS values our Fellows, their work assisting clients young and old, and the donors whose support made their work possible. Thank you. In order for the work of these attorneys to continue even after their Fellowships end, we ask for your continued support.

Representing Children with Disabilities so They Can Learn

GBLS' **School to Prison Pipeline Intervention Project**, created in Fall 2014, protects Boston-area children with disabilities from being illegally suspended from school, and ensures that they receive the trauma-informed treatment they need so they can learn. The project is staffed by **Elizabeth McIntyre**, an Equal Justice Works attorney Fellow in the Elder, Health and Disability Unit whose work is made possible thanks to the generous support of WilmerHale and Staples, Inc. Attorney McIntyre represents children in school discipline, Children's Behavioral Health Initiative Services, and special education cases. You can read more about the project on GBLS' website at <http://www.gbls.org/our-work> and in blog posts at <http://stppintervention.wordpress.com>.



After attorney Fellow Elizabeth McIntyre ensured the disabilities of seven-year-old "Jamal" were accommodated and defended him in suspension hearings at school, Jamal began to thrive.

Photo by "Jamal's" mother

Seven-year-old "Jamal" (a Yankees fan despite a lifetime living in Massachusetts) is one of the more than fifty children so far who have benefited from Attorney McIntyre's legal intervention. He endured violence and homelessness which led to a diagnosis of post-traumatic stress disorder. Combined with Jamal's ADHD, these traumas led to behavioral challenges. For example, one day when his class was listening to music, Jamal did not want to listen and covered his ears. One of his teachers leaned over to pry

Jamal's hands off his ears and he panicked. He screamed at his teachers, smacked their hands away, and ran out of the room down the hallway. He was chased by school staff until they encircled him. He hit, bit, and scratched them. Staff restrained and then suspended him.

After Attorney McIntyre met Jamal and his family, she organized a meeting with school *continued on page 3*

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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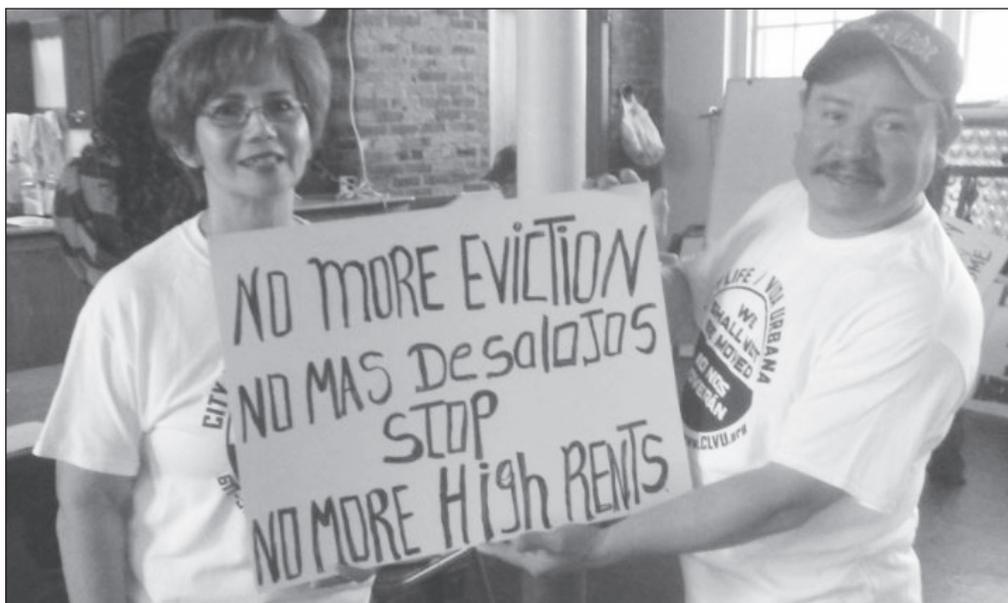
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Defending Low-Income Families against Displacement

Matt Nickell is an attorney Fellow sponsored by the Harvard Law School Public Service Venture Fund (PSVF). The one-year PSVF fellowship was created to foster the career development of public interest attorneys with a commitment to social and economic justice.

Since joining GBLS' Housing Unit in September 2014, Attorney Nickell has been working on a **project to curb displacement** in greater Boston's working-class neighborhoods and communities of color. Collaborating with organizers from City Life/Vida Urbana (CLVU), whose meetings he attends every Tuesday and Wednesday night, Attorney Nickell has defended dozens of families — including tenant families in multiple buildings being evicted all at once — against no-fault eviction actions. Speculators have been gobbling up foreclosed and run-down buildings and raising the rents up to two and three times their original rates, and as a result displacing long-time residents.

Using a collaborative “sword and shield” model that coordinates the public action efforts of organizers with strategic legal defense, Attorney Nickell and his community organizer allies have brought several large landlords to the table to



“Raul” and “Luisa” are active tenant leaders who had been assisted by fellow Attorney Nickell, other GBLS housing attorneys, and City Life/Vida Urbana as part of their project to curb displacement and gentrification in lower-income neighborhoods and communities of color.

Photo by Matt Nickell

negotiate directly with the families they are displacing. He has also worked closely with community organizers from the Chinese Progressive Association (CPA) to protect the rights of tenants displaced from multi-unit buildings in Chinatown. When an East Boston building collapsed due to structural defects and long-deferred maintenance, Attorney Nickell, together with CLVU, was among those first on the scene at 1:00am, to help the 31 tenants who had been instantly rendered homeless.

Attorney Nickell's and his fellow GBLS housing attorneys' work with CLVU has already resulted in several major victories. After extensive litigation and negotiation, in Spring 2015 they reached a major agreement with major Boston landlord City Realty. As part of the agreement, a group of Boston and Chelsea tenants won security and stability for themselves and their families with a five-year lease agreement that caps annual rent increases at 3%. The tenants, who are members of CLVU and the CPA, had been battling City Realty for years after it purchased their buildings. When City Realty sought rent increases from

them as high as 50% without addressing terrible rodent and cockroach infestations or trash and rubbish that had accumulated in the building common areas, the tenants said no and reached out for legal and organizing help.

Two of the tenants, “Raul” and “Luisa”, rallied outside City Realty's headquarters, and helped build a coalition of City Realty tenants to demand reasonable rents and fair treatment. After extensive negotiations involving State Representative Liz Malia and Boston City Councilor Tito Jackson, Attorney Nickell along with CLVU and CPA secured long-term lease agreements, as well as a groundbreaking commitment from City Realty to limit the contract rents of its Section 8 tenants to the payment standard, and to engage in negotiations with tenants and their community organizer-allies when tenancy disputes arise. After their victory, Raul and Luisa have continued to be active tenant leaders, advocating devotedly on behalf of other working-class families facing displacement in East Boston and Chelsea.

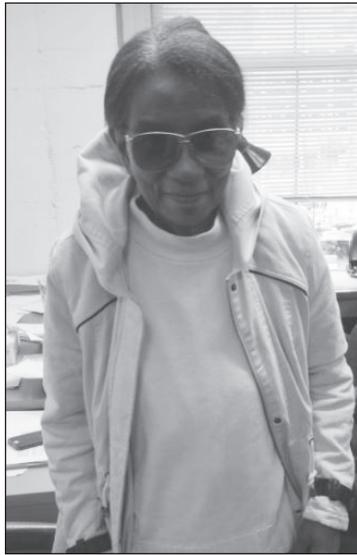
Transitions

Between the end of 2014 and the end of 2015, GBLS will have regretfully said **good-bye and thank you** to 22 permanent attorneys, paralegals, or administrative staff who took voluntary lay-offs and/or left to pursue new opportunities, 10 attorney Fellows, and 5 AmeriCorps legal advocates. We wish every one of them the best!



Helping Elders Live Free from Abuse and Neglect

Emily Crim joined GBLS as a Boston University School of Law Fellow in September 2014, following a year-long internship with Elder, Health & Disability Unit. Committed to serving the diverse and rapidly growing elder population, her focus at GBLS has been the **Elder Abuse Prevention Project**. The Project, which is the brainchild of Senior Attorney Betsey Crimmins, works with older adults and their care providers and community stakeholders in the greater Boston area to help ensure that they live free from abuse, neglect, and exploitation.



Attorney Fellow Emily Crim of GBLS' Elder Abuse Prevention Project helped restore 87-year-old "Marge's" monthly SSI benefits that had been erroneously terminated.

Photo by Sheila Gholkar

Attorney Crim's practice spans the advocacy spectrum, ranging from direct representation and counseling to community outreach. In addition to affirmative litigation to create changes in the systems that affect elders, she directly represents elders to save their public housing tenancies and maintain their social security, food stamp and medical insurance benefits. She also gives presentations, was a selected speaker at the 2015 LGBT

Elders in an Ever Changing World Conference, and writes blog posts for the Project at <https://elderjusticegbls.wordpress.com/>.

In one of Attorney Crim's cases, she embarked on what can only be described as a virtual wild goose chase across the Caribbean Sea to help restore a client's monthly SSI benefits. Her client "Marge," pictured, was a frail, 87-year old woman whose SSI benefits were erroneously

terminated because the Social Security Administration (SSA) mistakenly believed she owned a house in Barbados. With no income for seven months, when Marge sought GBLS' help she was in a desperate situation. She could not pay her rent, and she lived in constant fear that her utilities would be shut off and that she would be evicted. Accordingly, Attorney Crim began an extensive campaign to seek the property deed from the Barbados Land Registry. After numerous email, phone, and fax requests, the Barbados Registrar of Title finally confirmed that there were no Barbados property records in Marge's name. In fact, the only records relating to the property in question were two mortgages that listed the property in Marge's husband's name. However, the SSA had strangely deemed these mortgages inadequate proof.

Attorney Crim then submitted a legal memorandum to the Administrative Law Judge (ALJ) stating that the documented efforts of GBLS and the Barbados Registrar of Title conclusively

showed that there was no property in Marge's name in Barbados and that there was no available deed for the property in question at that time. She argued that Marge had exhausted all legal and administrative efforts toward proving she did not own property in Barbados, and that the SSA's decision to disregard these documented efforts and arbitrarily require a deed were in direct opposition to the SSA's stated mission to "administer national Social Security programs...in an equitable, effective, efficient and caring manner." The ALJ eventually returned a fully-favorable decision and immediately reinstated Marge's benefits, ordering that she be reimbursed all retroactive benefits erroneously withheld from her.

This is just one of many cases that Attorney Crim resolved successfully on behalf of her clients, thanks to the support of her Fellowship sponsor. **Thank you again** to the BU School of Law and the sponsors of all of GBLS's attorney Fellows!

Representing Children with Disabilities

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staff. She reminded them of the stringent legal standard for restraints and impressed upon them how damaging it is for school staff to restrain a child with a trauma history. They discussed the school's obligations under the new school discipline law that requires schools to use suspension only as a last resort. Attorney McIntyre then defend-

ed Jamal in suspension hearings and connected Jamal's family with mental health care providers who provided child-centered, trauma-sensitive therapy.

As of this writing, Jamal has not been suspended or restrained in over a year. After his disabilities were accommodat-

ed, he started soaking up the material at an astonishing rate and his reading and writing skills improved greatly. Just a few months after Attorney McIntyre's intervention began, he cheerfully showed her his school papers on his family's refrigerator, proudly pointed to the sticker proclaiming "GREAT!", and told her, "That's because I'm great."

Awards and Honors

Stefanie Balandis, Housing Unit Senior Attorney, will start a new position as Associate Director of Northeast Legal Aid in December 2015, after nineteen years at GBLS.

Betsey Crimmins, Elder, Health and Disability Unit Senior Attorney, was awarded an Innovator of the Year Award by the Mass. Councils on Aging for her elder abuse work.

Lydia Edwards, Equal Justice Works attorney Fellow in the Employment Law Unit, was selected by the National Law Journal and Connecticut Law Tribune to join the 2015 Boston Rising Stars list of 40 outstanding lawyers in the Boston area age 40 or younger.

Lizbeth Ginsburg, Welfare Law Unit Attorney, was selected by the Women's Bar Association of Mass. to participate in the 2015-2016 Women's Leadership Initiative that provides mentoring and leadership development for Mass. women attorneys identified as rising stars.

Cynthia "Cyndi" Mark, Asian Outreach Unit Managing Attorney, was appointed Chief of the Fair Labor Division of the Mass. Office of the Attorney General starting in October 2015, after twenty years at GBLS.

Mithra Merryman, Family Law Unit Senior Attorney and Boston College (BC) Law School Adjunct Professor, was honored by the BC Law Public Interest Law Foundation (PILF) Board for her extensive work in support of victims of domestic violence.

Elizabeth Toulan, Senior Attorney in the Employment and Welfare Law Units, received the 2015 Massachusetts Bar Association Access to Justice Legal Services Award. She also received the 2015 Mass. AFL-CIO Merit Award for dedicating her career to social and economic justice, epitomizing what it means to be a union legal services advocate, and making earned sick time a reality in the lives of nearly one million workers.

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