



GREATER BOSTON LEGAL SERVICES

... and justice for all

Fall

2014

Great News!!



Massachusetts domestic workers along with GBLS Lead Attorney Monica Halas, Brazilian Immigrant Center Executive Director Natalicia Tracy, and other members of the Massachusetts Coalition for Domestic Workers after the Bill of Rights signing at the State House.

Photo by Elizabeth Toulan

Minimum wage and unemployment insurance reforms law passed due to efforts of GBLS and other bill supporters: In June 2014, Governor Deval Patrick signed into law Senate Bill 2195, An Act Restoring the Minimum Wage and Providing Unemployment Insurance Reforms. It is the highest minimum wage law in the country that will benefit over 600,000 low-wage earners, and also improves access to unemployment benefits (UI) and offers protections against retaliation for participating in the UI system including testifying at an unemployment hearing.

GBLS' Asian Outreach Unit helps achieve huge victory for voting rights in Boston: In July 2014 Governor Patrick signed into law House Bill 4089, An Act Relative to the Preparation of Certain Bilingual Ballots in the City of Boston. The law permanently mandates that Chinese and Vietnamese ballots be available for all elections in the City of Boston.

GBLS and partners' efforts lead to passage of Massachusetts Domestic Workers Bill of Rights: In July 2014, Governor Patrick signed into law Senate Bill 2132, A Bill Establishing the Domestic Workers' Bill of Rights. This is a huge victory for Massachusetts domestic workers, who are now afforded basic labor protections.

GBLS' Immigration Unit attorneys achieve legal victory for victim of persecution and asylum seeker: After 6 challenging years representing a client who had fled persecution at the hands of the military in his native Guatemala, in July 2014 Immigration Unit attorneys obtained a positive Court of Appeals for the First Circuit asylum decision that explicitly addresses racist military policies against the indigenous people of Guatemala.

For more details, please go to our website, www.gbls.org, and click on each story under News.

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.

Visit us on the web:
www.gbls.org

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Housing Unit Secretary and Legal Advocates Unite to Help and Comfort Homeless Mother of Three

On a Friday, “Loretta” came to GBLS seeking help to obtain shelter for her three children and herself. She was distraught and crying. Housing Unit secretary Yanira Gonzalez obtained the history of the family’s homelessness. They had been in a Department of Housing and Community Development (DHCD) shelter within the past 12 months but lost the placement when mom, who struggles with depression, became hospitalized for a mental health evaluation. Homeless with no shelter, the family bounced from place to place until they ended up sleeping in a van. Yanira knew that it is virtually impossible to get a family placed in a shelter on a Friday afternoon.

While several GBLS homeless advocates worked aggressively to obtain emergency shelter for the family, Loretta cried

inconsolably. Yanira comforted her, brought water, and kept her updated as the hours passed. After intense negotiations by GBLS advocates, DHCD agreed to place the family in shelter if the family got to its office within the hour. Yanira immediately called a cab and, although it was rush hour, the family got to the office in time.

When Yanira called Loretta to check in with her, she found out the family had been placed in a scattered site 40 miles west of Boston. Loretta had no food or money. Yanira knew all the right questions to ask, and the Housing Unit team rushed into action to help. While waiting for the client’s case manager to show up at the shelter, Yanira continued calling her to check in. A shelter resident gave Loretta some food and said she would give her \$20 to go to Boston and seek assistance

from a relative for food and basic needs. However, first GBLS housing advocates had to negotiate if Loretta could leave. They succeeded.

Yanira followed up several times with Loretta, who went from despair to having some hope. Throughout, Yanira remained calm, soothing, and compassionate with the client. Lead Paralegal Linda Garcia, Senior Attorney Steve Valero, and AmeriCorps legal advocate Liz Alfred all worked on the legal aspects of the case. Due to the Housing team’s intervention, DHCD quickly transferred the family to their home community in Boston where Loretta’s extended family is nearby to help. Linda Garcia says, “While it took a “shelter” village to help this family, the true heroine here is Yanira. I don’t know where folks in the Housing Unit would be without her!!”

Reflections on my Summer Internship with the Housing Unit

Boston College Law School student Nickie Cardamone worked as a GBLS intern from May to August 2014. Originally from Clearfield, Pennsylvania, she has a B.A. in International Studies from Boston College (B.C.). After her internship ended, Nickie shared her reflections on the experience. GBLS is grateful to B.C. Law School and all the programs that sponsor students’ internships in our law units!



B.C. Law School student Nicole (“Nickie”) Cardamone interned in GBLS’ Housing Unit during the summer of 2014.

affordable housing. Toward the end of my internship, I was given the opportunity to sit in on a meeting between my two supervising attorneys, Margaret Turner and Dick Bauer, and a client of theirs of many years. I had seen the great dedication with which they had been working on this case and had the

privilege of assisting them in researching aspects of it. Witnessing the mutual trust and respect that had been gained between the three of them was an invaluable part of my experience this summer and I hope some day to be able to work toward this kind of attorney-client relationship.

Looking back over the weeks with the Housing Unit, I feel very fortunate to have had such a broad and powerful experience, during which time I learned a great deal. Some of the many important lessons I learned include how to use persistence to find the necessary legal authority to support a proposition, learning about fair housing law as well as eviction defense, and what goes into making a strong legal argument in order to secure the

best possible outcome for your client. My internship was also made richer by collaborating on projects with the other interns in our row of carrels affectionately dubbed “Intern Alley.”

As I get ready to begin my second year of law school, I could not have asked for a better experience than my internship with the Housing Unit at GBLS to help me develop my skills and to remind me in a very real way why I wanted to attend law school. I intend to use what I have learned this summer and apply it as I return to school and in my life in general. I am honored to have been a small part of the tremendous work of the Housing Unit and all of GBLS in serving the greater Boston community.

Children's Disability Project Awarded 2015 Mary E. O'Connell Fellowship

Northeastern University School of Law (NUSL) has awarded the 2015 Mary E. O'Connell Fellowship to GBLS' Children's Disability Project (CDP). The O'Connell Fellowship was created in 2012 through a private grant and collaboration between GBLS and NUSL. It is dedicated to funding a new or recent graduate from NUSL to work as a full-time Fellow with CDP for two years. The Fellowship is named in honor of Professor O'Connell, a mentor to CDP since it was created in 2007.

The selection process begins when NUSL posts the Fellowship position, after which NUSL and CDP select a group



From l-r: GBLS Litigation Director Dan Manning, Executive Director Jacquelynn Bowman, Northeastern University School of Law (NUSL) Professor Mary O'Connell, Children's Disability Project (CDP) volunteer attorney Jane Smith, CDP Project Director Taramattie Doucette, and NUSL Professor Wendy Parmet.

Photo by GBLS staff

of candidates to interview. Professor O'Connell then interviews the final candidates and selects the Fellow. As of

press time, the 2015 Fellow had not yet been selected.

The fellowship will start in September 2015. The Fellow will work with CDP in its representation of children with disabilities who have been wrongfully denied Supplemental Security Income disability benefits. CDP represents children at all administrative levels of appeal and appeals before the U.S. District Court.

GBLS thanks Northeastern School of Law for their continued support of this fellowship and of CDP's critical work on behalf of children with disabilities!

"You have done it again!! Every time you are called upon during a crisis, you deliver... You have never failed me... I have finally received my unemployment checks; six of them all together. Now I can finally get my car back on the road, pay my bills and get a new pair of boots for the winter. All this has happened because of your relentless efforts."

- excerpt from a letter of thanks from a client to her GBLS attorney after she received several outstanding unemployment checks

GBLS Stops Department of Unemployment Assistance from Making False Claims of Fraud

Every contested unemployment claim involves a dispute between the employer and the employee as to the reason why the employee was separated from work. In most instances this dispute was not a matter of either party lying but a good faith disagreement. However, for many workers seeking unemployment benefits (UI) the Department of Unemployment Assistance (DUA) was not only denying legitimate claims, but making ad hoc determinations that the unemployed worker had misrepresented the reason for separation. A fraud finding requires repayment of benefits, an additional week of future disqualification of UI

for each week claimed, usurious interest rates on the overpayment, and no opportunity for waivers. As a significant number of clients kept coming to GBLS seeking help to fight false claims of UI fraud by the DUA, Senior Attorney Brian Flynn realized that this was a systemic problem that needed to be addressed.

Senior Attorney Flynn, on behalf of his clients, brought the *Brugman v. DUA* lawsuit against the DUA for their standard-less determinations that claimants had committed fraud in applying for UI. When the suit was first filed, there had been 580 such

allegations in just one quarter. When GBLS reviewed random samples (100 at a time), not a single case supported a fraud finding and indeed, most cases did not support a disqualification from UI benefits. Since the lawsuit was settled, the number of fraud findings per month has gone down dramatically. From May 2013 to May 2014, there were only two instances of fraud allegations.

As GBLS Employment Law Unit Lead Attorney Monica Halas says, "Brian's suit caused a sea change and was an incredibly significant victory for our clients!"

Ensure fairness for all in the justice system. Go to www.gbls.org and click on "Donate Now!"



Congratulations to our Staff on their Honors and Awards!

Boston Bar Association (BBA) Council: Executive Director **Jacquelynne Bowman** was elected to serve as a member of the BBA's governing Council for the 2014-2015 program year starting on September 1, 2014.

Mental Health Legal Advisors Committee (MHLAC): Senior Attorney **Deb Filler** of GBLS' Cambridge and Somerville office was appointed to serve on the MHLAC by the Supreme Judicial Court. Her term is from July 1, 2014 through June 30, 2018.

Public Interest Leader, Boston Bar Association (BBA): Welfare Law Unit attorney **Lizbeth Ginsburg** was selected for the 2014-2015 class of BBA Public Interest Leaders. She specializes in public benefits law, focusing on the rights of clients with disabilities.

2014 Lelia J. Robinson Award Women's Bar Association (WBA): Employment Law Unit Lead Attorney **Monica Halas** is a recipient of this award that recognizes women who have "captured the spirit of pioneering in the legal profession and have made a difference in the community."

Ubuntu Award, Boston Center for Refugee Health & Human Rights (BCRHHR): GBLS' **Immigration Law Unit** was honored by BCRHHR at the Boston Medical Center. When it announced its awardee selection BCRHHR stated, "Ubuntu speaks of humaneness, hospitality and sacrificing for the benefit of others, and we feel that you are more than deserving of recognition for your commitment and good work on behalf of survivors of human rights violation."

2014 Top Women of Law, Massachusetts Lawyers Weekly: Asian Outreach Unit Managing Attorney **Cynthia (Cyndi) Mark** was named a Top Woman of Law, and GBLS CORI & Re-entry Project Lead Attorney **Pauline Quirion** is being inducted into the Top Women of Law Circle of Excellence.

Access to Justice Legal Services Award: GBLS Immigration Unit Senior Attorney **Jerry Wall** was honored by the Massachusetts Bar Association. The annual Access to Justice awards honor attorneys and law firms who "made significant strides in enhancing access to justice", recognizing their exemplary legal skills and service to the community.