

197 Friend Street
Boston, MA 02114
617.371.1234
www.gbls.org



GREATER BOSTON LEGAL SERVICES

... and justice for all

NEWS

Fall/Winter

2005



GBLS Family Unit client "Manuela" and her four sons at home. Photo by Linda Lank.

GBLS' Advocacy Helps Domestic Violence Victim and Her Family

Greater Boston Legal Services has a long and successful history of helping victims of domestic violence and their children escape abuse and live in safety. GBLS' advocates annually assist a remarkable number of victims—1,256 between July 2004 and June 2005—while it also engages in aggressive advocacy to bring about systemic changes to protect victims. This is the story of just one of these victims, whose life, and the lives of her four sons, changed dramatically as a result of the representation provided by GBLS family law attorney, Manisha Bhatt.

"Manuela" is an immigrant from the Dominican Republic. She and her husband, "Raphael", and their children moved to the U.S. in 2001. Unfortunately, Manuela's husband beat her throughout their relationship, and their children often witnessed the abuse. She had hoped that this would stop when they came to America. Instead, it just got worse. If Raphael returned home drunk, he would beat Manuela for little things like not opening the door quickly enough. On one such occasion, he knocked out her tooth. The children were very traumatized by witnessing their father's assaults on their mother. Their oldest son would often try to protect his mother with his own body, but his father would pry him away and then beat him.

(continued on pg. 4)

Greater Boston Legal Services is the primary provider of free civil legal assistance to poor people living in the City of Boston and 31 surrounding cities and towns.

**Visit us on the web
www.gbls.org**

This Issue...

<i>Immigration Unit Honored</i>	<i>2</i>
<i>A Student Intern's Perspective</i>	<i>2-3</i>
<i>GBLS' Award Recipients</i>	<i>3</i>
<i>GBLS Legacy Society</i>	<i>3</i>
<i>Domestic Violence (cont)</i>	<i>4</i>

GBLS' Immigration Work Gains International Support



Torture Survivors Representation Project staff. From l-r, back row: Anne Mackin, Maritza Gomez, Jane Rocamora, Jerry Wall, Hema Sarangapani, Nancy Kelly, Deborah Anker; l-r, front row: John Willshire-Carrera, Jason Corral, and Nyasha Karimakwenda. Missing: Armando Ramos, Marguerita Reczycki, and Jerry Tisme. Photo by Linda Lank.

GBLS and the work of its Immigration Unit attorneys gained international recognition when it was one of 205 non-governmental organizations worldwide awarded a grant from the United Nations High Commissioner for Human Rights' Voluntary Fund for Victims of Torture. The Fund was established by the U.N. General Assembly in 1981 to receive and distribute monies to non-governmental organizations providing humanitarian assistance to victims of torture.

The grant is to help support the Torture Survivors Representation Project of GBLS' Immigration Unit, which assists survivors of both physical and psychological torture who seek refuge in the United States through claims for asylum, withholding of removal, or protection under the United Nations Convention Against Torture, as well as other forms of immigration relief. The Project takes a unique multidisciplinary approach by not only providing legal assistance but also screening for the types of torture suffered and making appropriate referrals for forensic psychiatric evaluations, psychotherapy, and medical, dental, and social services.

GBLS attorneys Jason Corral, Nancy Kelly, Jane Rocamora, Jerry Wall, John Willshire-Carrera, legal advocates, and law students from the Harvard Immigration and Refugee Clinic and their clinical instructor, attorney Deborah Anker, provide legal representation to victims of torture before the Asylum Office of the U.S. Department of Homeland Security, the Citizenship and Immigration Services of the Department of Homeland Security, the Executive Office of Immigration Review, and the federal courts. Law students from the Clinic assist with legal research and asylum application preparations. The Project also focuses on issues of policy development and broader law reform work.

A critical component of the Project is the work of Marguerita Reczycki, a psychiatric nurse specialist and coordinator of the Mental Health Asylum Seeker Program ("MHASP"). She meets with project clients to evaluate the type(s) of torture suffered. She then works with torture treatment agencies to obtain appropriate assistance for the client. MHASP works closely with the Community Legal Services and Counseling Center ("CLSCC"), and also collaborates with several community health centers, hospitals, and local and international agencies in Boston, Cambridge, and Lowell.

During the first grant year, the Project provided legal assistance to 91 victims. Forty of these clients were provided with forensic/psychiatric/medical assessments and referrals. The countries from which the project's clients fled include Afghanistan, Algeria, Bulgaria, Cambodia, Cameroon, China, Colombia, El Salvador, Gambia, Guatemala, Haiti, Honduras, Iraq, Liberia, Nigeria, Iran, Brazil, Kenya, Ethiopia, Guinea, Santo Domingo, Uganda, Liberia, Tibet, Zimbabwe, Sierra Leone, Ivory Coast, and Nepal.

GBLS recently received some good news. The U.N. is both renewing and increasing its grant to support this important project.

Lessons Learned by a Summer Intern



Summer 2005 intern Vy Vu. Photo by Vuong T. Nguyen.

Before I got to Greater Boston Legal Services this summer, I harbored fancy ideas that pub-

lic interest law would somehow transform me into the champion of the justice system—fighting on behalf of the poor, under-served communities; solving people's complicated problems; and thereby improving people's lives indefinitely. Since I am not yet a full-fledged lawyer, I imagined my role this past summer as the intermediary who would transmit messages back and forth between the victim and the lawyer, facilitating communication and understanding, and eventually winning a semblance of justice for the client.

After a ten-week internship in the Asian Outreach Unit (AOU), I was finally able to put real faces on the amorphous figures whose lives I was going to help improve. Knowing these faces and hearing their stories grounds me in the difficult reality of their lives and, in some way, dispels the sense of personal glory I associated with championing people's problems.

Over the course of the summer, I got to know a handful of clients fairly well, including the "Tung Ngo" family, who are Vietnamese immigrants. GBLS was assisting

them with the naturalization application of their mentally challenged daughter. As the weeks progressed onward, I helped them with concerns about SSI benefits or public housing placement. At any given meeting, Mr. Ngo, a garrulous war veteran, would usually inundate me with repeated snippets of his life story. Meanwhile, his wife would cut in with the facts that were more relevant to their concerns.

Another client, "Hung Tran", is an elderly and mentally challenged Vietnamese man living by himself in a public housing

(continued on pg. 3)

GBLS Staff, Board Members, and Volunteer Recognized

Congratulations to all on their recent achievements!

Richard Bauer: received a GBLS Milestone Award for his twenty years of service to GBLS.

Manisha Bhatt: selected as a 2005 “Rising Star” by Boston Magazine in the family law area, and as a Boston Bar Association Public Interest Leader. This is a year-long leadership program for public and private sector lawyers.

Jacquelynn Bowman: appointed to the Access to Justice Commission by the Massachusetts Supreme Judicial Court for a two-year term, and was also appointed Chair of the Massachusetts Bar Association’s Access to Justice Section Council by MBA President Warren Fitzgerald.

Carol Chacon: received a GBLS Dow-Gardiner-Landrum Award for her patient, sympathetic, and knowledgeable assistance to elderly callers, and her helpfulness and kindness towards her co-workers.

Karen Dobak: received a Community Leadership Award from the Parent/Professional Advocacy League, for “efforts in promoting a strong voice for families who face the challenges of accessing mental health services for children and adolescents.”

Brian Flynn: received a GBLS Dow-Gardiner-Landrum Award for his many contributions to GBLS, among them the high quality of his legal work, his deep commitment to his clients, and his pursuit of social justice.

Susan Hegel: received a GBLS Milestone Award for her 20 years of service to GBLS & CASLS.

Guenter Hiort: received the GBLS Southgate Volunteer Award for his long and dedicated service to GBLS.

Linda Garcia: received a Staff Lifetime Achievement Award from the Massachusetts Legal Assistance Corporation for her dedicated work over 27 years in the Housing Unit.

Martha Koster: one of GBLS’ longest-serving Board members and former Board President received a GBLS Dow-Gardiner-Landrum Award for her dedication, leadership skills, and tireless work on behalf of GBLS and its clients.

Nhu Le: awarded a two-year fellowship from the Skadden Fellowship Foundation to work with GBLS’ Family Law Unit. The goal of Nhu Le’s project is to establish a *pro se* clinic to assist low-income custodial parents in non-complex family law cases such as uncontested divorces and paternities.

Kelly Leighton: selected as a 2005 “Rising Star” by Boston Magazine in the family law area.

Melanie Malherbe: named the recipient of the 2005 Boston Bar Association John G. Brooks Award for outstanding work as a civil legal services lawyer.

Martha Martinez: received a GBLS Milestone Award for her twenty years of service to GBLS.

Halim Moris: selected as an Up and Coming Lawyer by Massachusetts Lawyers Weekly, and a 2005 “Rising Star” by Boston Magazine in the immigration law area.

Pauline Quirion: named a “Super Lawyer” by Boston Magazine, and appointed Chair of the Massachusetts Bar Association’s Family Law Section for the upcoming year (2005-2006). No legal services lawyer has held this position before.

Natacha Richardson: awarded a two-year Equal Justice Fellowship to work with GBLS’ Employment Unit on workers’ rights and tax-related matters.

David Rosenberg: a GBLS Board member and former Board President, David was appointed to the Access to Justice Commission by the Massachusetts Supreme Judicial Court.

Summer Intern (continued from pg. 2)

complex for the elderly and the disabled. He is currently embroiled in a legal conflict with a public housing authority which wants to evict him. Although accompanied by a bilingual Vietnamese GBLS lawyer, I was to be Mr. Tran’s main interlocutor. Communication with someone who could neither read English, nor remember relevant facts was a demanding task. From this episode, I learned that clients sometimes cannot provide their legal advocates with all the facts, owing to extenuating circumstances outside of the lawyers’ and even the clients’ control.

Sometimes, it is also the case that lawyers have to balance their control over a case with the wishes of the client. “Ms. Vo” is a young recent immigrant from Vietnam who came to the United States to be with her U.S. citizen spouse. Still in the process of applying for legal permanent status, she was assaulted by her spouse. Now living in a domestic violence shelter, she and her son have some hard decisions to face about their future here in a foreign country by themselves. As an aspiring lawyer, I wanted her to choose the legal remedy I deemed to be in her best physical interest, i.e., keeping a restraining order against her abusive husband; but as a person whose life is not directly impacted by the client’s legal decisions, I had to take a step back and let her decide about her own life.

These three short portraits of clients capture the essence of who may come to Greater Boston Legal Services—uninformed, often desperate, and struggling to make it in society. I am humbled by the resiliency of these people who are also fighting defiantly through legal means for their chance to survive. At the end of my internship, I have learned that I am not the champion of these people’s fights, but I do hope to be a ready advocate to aid in their struggles.

The GBLS Legacy Society

Members of the GBLS Legacy Society make a lasting commitment to legal services by including GBLS in their wills or other planned giving vehicles.

Members

David W. Rosenberg, Robert A. & Sloan Sable,

Richard W. Southgate, Toni Wolfman, Stephen S. Young

For more information on how to become a member of the GBLS Legacy Society, please contact your attorney, financial advisor, or Tamar Lewis at GBLS (617-603-1595).

Domestic Violence *(continued from pg. 1)*

In June 2003, when Raphael again returned home drunk and Manuela did not open the door quickly enough, he broke the door down and beat her. This so frightened her youngest child that he called the police, crying. This was the last straw. After the trauma they had suffered, the four boys had no desire to be with their father. This gave Manuela the courage to do something to protect her children and herself. She went to court and obtained a restraining order that included prohibiting visits by the father. In response, her husband instigated divorce proceedings. In the proceedings, he claimed that Manuela owed him a significant amount of money and that he should be awarded custody of the children.

Manuela shared her story with an advocate who was a staff member at her local health clinic as well as at Children's Hospital's AWAKE program. The advocate had worked with GBLS attorney Manisha Bhatt many times before with different clients. The advocate arranged to bring Manuela the next day to GBLS' Domestic Violence Center in the Suffolk Probate and Family Court when Manisha would be staffing the center. After meeting with Manuela, Manisha agreed to take on Manuela's divorce case and to address the husband's petition to see the children.

As a result of Manisha's representation, Manuela was able to obtain a divorce based on cruel and abusive treatment, full custody of her four sons, a substantial weekly amount of child support, and con-

vinced the court that she did not owe her husband any money as he had claimed. Furthermore, Manisha argued for a court-ordered investigation which ultimately determined that it would not be in the children's interest to impose a visitation schedule with their abusive father. The children were therefore empowered to start a relationship with their father when they were emotionally ready. A judgment of no visitation in the family court system is often a difficult result to obtain.

As Manisha and her client left the courthouse on the day Manuela's divorce was granted, Manuela gave Manisha a big hug and told her she didn't know how she could ever thank her for the difference she had made in her life. Manisha states that "the facts of the case were compelling, but [Manuela] needed an advocate." This case is "a testament to what a difference legal services make."

Online Giving

Use a modern invention to support a timeless ideal!

You can help ensure access to justice for low-income people in Boston without leaving your computer! Make a donation online to help support our services to clients. Visit us at www.gbls.org, and click on DONATE.

GREATER BOSTON
LEGAL SERVICES

197 Friend Street
Boston, MA 02114
617.371.1234
www.gbls.org



Non-Profit Org.
US Postage Paid
Permit #54162
Boston, MA