



# GREATER BOSTON LEGAL SERVICES

... and justice for all

# NEWS

Spring/Summer

2006

## **“He said, ‘Why don’t you go across the way – to the nursing home!’”**



GBLS Housing Unit client Mary Daley  
Photo by Sarah Peck

Mary Daley, a 91-year-old West Roxbury widow, was being evicted from her home of 28 years. Her landlady had passed away, leaving the estate to family. Concerned about her future, Mrs. Daley began a search for alternative affordable housing.

### **“My GBLS lawyer worked out a great deal.”**

It was Mother’s Day when one of the family members who had inherited the house told Mrs. Daley that she had to get out at the end of the month. “I almost had a heart attack,” says

Mrs. Daley. She vividly recalls the man’s response when she told him she had nowhere else to go. “He said, ‘Why don’t you go across the way – to the nursing home!’”

The estate began formal eviction proceedings, and Mrs. Daley’s daughter called the office of state Senator Marion Walsh looking for help. Mrs. Daley had gotten onto several waiting lists for public and subsidized housing, but didn’t know how long it would be before something would come through. Senator Walsh’s office helped the daughter find information about where her mother fell on the waiting lists and encouraged her to call Greater Boston Legal Services for legal assistance.

A GBLS lawyer took Mrs. Daley’s case. She filed a legal response to the eviction and moved to have it dismissed. Faced with the legal challenge, the estate agreed to halt the eviction.

The family then sold the house with Mrs. Daley still living in her apartment. When the new landlord took over, he informed her that the rent was going to more than triple. Mrs. Daley, who had run a dry cleaning business with her husband, was now surviving on Social Security. She couldn’t afford the new rent. And she still had no alternative housing.

GBLS entered into negotiations with the new landlord to avoid another eviction proceeding. Mrs. Daley needed time to find a place to go.

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**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.**

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## **GBLS and Health Law Advocates Win Case, Leading to Expansion of Dental Care Access for 500,000 Children**

"Massachusetts, in its MassHealth programs, has long offered comprehensive medical coverage for low-income residents. Tragically, it has only offered a shell of an oral health care program," states Sarah Anderson, the Managing Attorney of GBLS' Health & Disability Unit. Massachusetts healthcare advocates have long documented the considerable challenges low-income children under 21 face in obtaining access to dental services through Medicaid. This serious problem led Health Law Advocates ("HLA"), with GBLS as co-counsel, to file a lawsuit in 2000 against the Commonwealth of Massachusetts, on behalf of a dozen families on MassHealth and Health Care For All, an advocacy group dedicated to ensuring universal access to health care.

In July 2005, Federal District Court Judge Rya Zobel found Massachusetts liable for violations of the Medicaid Act providing for dental care of MassHealth members under 21. Since Judge Zobel's groundbreaking decision, the state has been actively engaged in turning around the oral health program. The Commonwealth and

the plaintiffs worked together to develop a joint remedial plan that they filed with the court at the end of August 2005. "This remediation report specifies the significant program reforms we believe are necessary in order to expand access for the 500,000 children on MassHealth," commented HLA Executive Director Laurie Martinelli.

The initial proposed plan will make it easier for families to obtain preventive care for their children, allow dentists to be compensated appropriately for their services, and simplify the claims process for dental reimbursements. In order to keep track of progress, Health Care For All and the Commonwealth have proposed that an independent party be appointed to monitor the plan, and that measures for evaluating effectiveness be set in place.

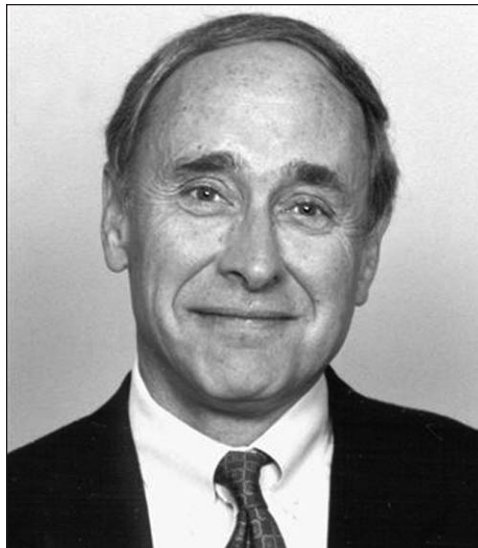
GBLS' Sarah Anderson reported that the suit was "a terrific opportunity to work with our fellow public interest advocates, and private practice attorneys. The synergy improved the outcomes for our clients."

## **Steve Young: Lawyer, GBLS Board Member, and Donor**

The commitment to legal services of GBLS Board of Directors' longest-serving member, Steve Young, began at the beginning of his career as a lawyer. After graduating from law school, Steve volunteered for the legal branch of VISTA, where he was assigned to live and work in Chicago – arriving just as history was unfolding at the 1968 Democratic National Convention.

**"GBLS is the last resort for civil justice for low-income people in Boston."**

Steve was assigned to the community of Uptown on the north side of Chicago, where he was the first legal services lawyer to serve in this low-income community. The neighborhood was unique because of its extreme diversity, being comprised largely of Appalachian, African American, and Native American residents. Steve's primary function was to open an office, work with organizers to create community organizations and incorporate them as not-for-profits, and then to represent those organizations in overseeing implementation of the then new federal housing programs, a complex task which required navigating the



*GBLS Board Member Steve Young  
Photo by Holland & Knight LLP*

conflicting agendas of the city, state, and federal governments.

When Steve returned to Boston, he joined the 17-lawyer firm of Sherburne, Powers and Needham (which merged with 1200-lawyer Holland & Knight LLP in 1998), where he became the third trial lawyer in the firm. Being one of only three trial lawyers in the firm gave him the opportunity to represent both large corporations and individuals as plaintiffs and defendants

in a wide variety of cases. Wanting to continue his connection with legal services, Steve joined the board of the Boston Legal Assistance Project (BLAP). When BLAP merged with the Boston Legal Aid Society, Steve had the unique opportunity for a trial lawyer of drafting the by-laws for the newly-formed Greater Boston Legal Services.

Steve has been an active member of GBLS' Board since 1976. He has served on every major Board committee including the Finance Committee, Executive Committee, the Nominating Committee, and the Awards Committee. During his long service to GBLS, Steve has been constantly impressed by the work and commitment of all of the people involved, including staff, staff attorneys, and board members. He says, "GBLS is the last resort for civil justice for low-income people in Boston." Now, after more than 30 years of service, Steve is helping to ensure that GBLS remains strong into the future, by making a bequest to GBLS in his will. As Steve said, "the services GBLS provides were essential services for low-income people long before I started in legal services, and will remain essential long after I am no longer involved – so keep up the good work!"

## Boston Law Firm Associates Raise Money for GBLS' Family Law Unit



Law firm Associates and GBLS Family Law Unit Attorney Nhu Le at the Associates' Fund Drive kick-off event  
Photo by Ilene Weismehl

Associate attorneys representing nearly thirty Boston law firms gathered at the law firm of McDermott, Will & Emery on March 14, 2006 to kick off the 2006 Boston Associates' Fund Drive to raise money from their peers to support the work of attorneys in GBLS' Family Law Unit.

The Associates' Fund Drive is yet another example of Boston's legal community's commitment to ensuring that some of the most vulnerable members of our community have access to the civil legal assistance they need. Proceeds from the Associates' Fund Drive support the work of GBLS' Family Law attorneys, who provide representation for victims of domestic violence facing issues of child custody, restraining orders, divorce, and other safety concerns. The Boston Associates' Fund Drive has become a national model for associates in other cities to emulate. The goal of this year's drive is to raise at least \$150,000.

**“Proceeds from the Associates' Fund Drive support...victims of domestic violence facing issues of child custody, restraining orders, divorce and other safety concerns.”**

The Co-Chairs of the 2006 Boston Associates' Fund Drive are Kate Haffner of **Brown Rudnick Berlack Israels** and Jerry Tichner of **McDermott, Will & Emery**. This year's participating firms and

their captains include: **Bingham McCutchen LLP** (Noreen A. Martin, Neil McGaraghan, Martin W. Sybblis); **Bromberg & Sunstein LLP** (John F. Ward); **Brown Rudnick Berlack Israels, LLP** (Ian Prior); **Burns & Levinson LLP** (Victoria L. Walton); **Choate, Hall & Stewart** (Terrence M. Schwab); **Day, Berry & Howard LLP** (Jillian B. Hirsch); **Dechert LLP** (Erica Hovani); **DLA Piper Rudnick Gray Cary US LLP** (Bryan C. Connolly); **Dwyer & Collora, LLP** (Jacob Elberg); **Edwards Angell Palmer & Dodge** (Melissa Allison, Katherine B. Hollingsworth, Elizabeth M. Spinney); **Fish & Richardson, P.C.** (Amy L. Brosius); **Foley Hoag LLP** (Katherine Fick, Sheila O'Leary); **Goodwin Procter LLP** (Sheryl A. Koval, Anne Trinquet); **Goulston & Storrs** (Laura D'Amato); **Greenberg Traurig, LLP** (Andy Kang, Jennifer H. Yen); **Holland & Knight LLP** (Jennifer L. Antoniazzi, Kristin Moody); **Kirkpatrick & Lockhart Nicholson Graham LLP** (Sharleen Davis, Stacey Gorman); **McDermott, Will & Emery** (Jerome Tichner); **Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.** (Steven J. Torres); **Nixon Peabody LLP** (Meghan Boyle, Kim M. Clarke); **Nutter, McClennen & Fish, LLP** (Matthew Hanaghan, Robert Kanapka); **Peabody & Arnold LLP** (Elizabeth Houlding); **Robinson & Cole LLP** (Matthew J. Lawlor, Catherine N. O'Donnell); **Ropes & Gray LLP** (Kathleen Miller, Sidd Pattanayak); **Sherin and Lodgen LLP** (Vasiliki Kalaitzidis); **Skadden, Arps, Slate, Meagher & Flom LLP** (Carolyn A. Brenner, Eugenia T. La Fontaine); **Sullivan & Worcester, LLP** (Lisa M. Hodes, Joyce L. Tong); **Wilmer Cutler Pickering Hale and Dorr LLP** (Karen Abrams, Ariella Feingold, Karen Stringer); **Wolf, Greenfield & Sacks, PC** (Adam Kessel, Laura Topper).

## **Oak Foundation Awards 3-Year Grant to GBLS**

GBLS is pleased to announce that The Oak Foundation, a philanthropic organization based in England, has pledged to fund GBLS' Affordable Housing Preservation Project in the amount of \$240,000. The grant began in January 2006 and will fund the Housing Unit's critical work in this area at \$80,000 a year for three years.

## **GBLS Honored by The Boston Foundation**

Greater Boston Legal Services (GBLS) was honored by The Boston Foundation at the Foundation's 90th Anniversary Celebration on November 16, 2005. GBLS is one of twenty organizations which The Boston Foundation funded in its first year of operation and has continued to fund over the past nine decades. The Boston Foundation is a community foundation which funds agencies to help bring about measurable change in key areas of community life involving individuals and public policies that affect them. The award recognizes the significant role GBLS' legal advocacy plays in bringing about positive change for the lives of the poor in our community.

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## **Mrs. Daley (continued from pg. 1)**

The GBLS lawyer was able to convince the landlord that patience would pay off in this case, and the landlord agreed to hold off on the eviction.

Several months later, Mrs. Daley moved into a subsidized elderly housing development in Hyde Park. Her GBLS attorney's efforts had given her the time she needed to find another suitable place to live.

## **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](http://www.gbls.org), and click on **DONATE**.

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