



UPCOMING EVENTS

OCTOBER

95th Anniversary Celebration and Presentation of Distinguished Alumni Awards

NOVEMBER

Inter-organizational Meet and Greet
Quality Assurance Checks for Members

DECEMBER

Bureau Holiday Party

JANUARY

2009 Board Elections

See inside for more information.

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Harvard Legal Aid Bureau
23 Everett Street
Cambridge, MA 02138

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**LETTER FROM THE PRESIDENT**

Dear Alumni,

From developments in the organization's substantive legal work to successful celebrations of alumni and clinical instructors, 2008 has been an incredible year at the Legal Aid Bureau. The Board has brought passion, talent and commitment to its work, in hopes of continuing the Bureau's legacy as the oldest and greatest student-run legal services organization in the country.

The Membership. This year, 47 dynamic student advocates call the organization home. Every single one of the 25 students in last year's 2L class returned to the Bureau for the new academic year. Further, there are 22 fantastic second year students beginning their tenure at the organization. The Bureau's new class brings with it a wide array of experience - from the Peace Corps, Teach for America and the military, to work with some of the world's largest law firms. The Bureau's new members are already hard at work on new cases, policy developments and administrative tasks.

Community Life. This year, the Board has continued to take steps to strengthen and enhance the membership experience. In-office happy hours, pub crawls, a celebratory 3L dinner and other social events have provided our members a chance to take a

break from the daily grind and connect with one another. In March, students, alumni and staff came together to honor over a century of combined service by three of the organization's clinical instructors: Clarissa Bronson, Lee Goldstein and Verner Moore. Over 60 alumni and 30 students joined together at the Bureau for this special event. This October, the Bureau's fall retreat brought students together at Camp Burgess in Sandwich, MA. The Bureau will host a Halloween party and a holiday party for its members in the upcoming months.

Outreach. This year has been a landmark year for the Bureau's outreach efforts. Led by Joe Kennedy, the Bureau has developed a series of new strategic initiatives to reach potential client communities. First, two Bureau students - Nick Hartigan and Dave Haller - initiated the "Foreclosure Task Force" (see feature below) to address the overwhelming increase in post-foreclosure evictions facing the Boston community. Second, Laura Dellatorre, a family law student, developed a Community Partnerships Program that allows the Bureau to formalize its partnerships with sister organizations across the Greater Boston area (see feature below). Through this program, the Bureau has begun to conduct "outtakes," intake interviews performed at the site of a battered women's service provider. These outtakes allow women in shelters and counseling centers to find legal

help in the comfort of an agency that they are already working with. Finally, the Bureau will host an Inter-organizational Meet and Greet on November 20, bringing over 20 organizations in the Greater Boston community together to share information and connect.

Training. Under the leadership of Eli Schlam, the Bureau has developed a number of exciting new training opportunities for its members. This year's 2L class enjoyed enhanced training opportunities at New Member Orientation in August. For instance, new students received substantive training in the Bureau's four core areas of law as well as sessions on negotiation, domestic violence, ethics, technology, client interviewing and more. Also, every student advocate is required to attend at least three "BCLE" (Bureau Continuing Legal Education) seminars each year. In 2008, so far, students have enjoyed ten BCLE opportunities, including sessions on mediation, domestic violence, mental illness, foreclosure law and benefits law.

Alumni Relations. The dedication and work of this year's Development Director, Dave Haller, has brought the Bureau closer to its greatest asset - its alumni. The Bureau hosted a Celebration of Service event in March that brought many alumni together to celebrate the work of three clinical instructors. Over the summer, Bureau members hosted casual cocktail parties for alumni and current students in three cities: Boston, New York and Washington, D.C. The events were well attended and greatly enjoyed. On October 25, the Bureau will host another alumni event, honoring two of its distinguished alums: Governor Deval Patrick and Jerome Shestack. For more information about these events, see the articles below.

Practice Standards. The Bureau has continued to broaden its practice standards management, with the help of Joel Fifield. Beyond the organization's student-run Quality Assurance Checks, it has strengthened its mentorship program. The 3L course,

Advanced Clinical Practice, in its first year as a mandatory course, focuses on the responsibilities and opportunities of mentorship at the Bureau. The mentorship program offers 2Ls a safe space to find guidance and become comfortable with their work.

Technology. Under the leadership of Lindsay Breedlove, the organization created an internal web site, allowing students to share information, download training materials, post meeting agendas and minutes and communicate regarding policy issues. The organization is also working to enhance its use of case management software.

As we continue our work at Harvard and in the Boston community, we hope that you share our pride for the organization's commitment to public service, student management and practical skills training. Moreover, we hope that you remember your time fondly and stay in touch.

Wishing you all the best,

Lauren Leahy



A CENTURY OF SERVICE BUREAU HONORS CLINICAL INSTRUCTORS

On March 14, 2008, the Harvard Legal Aid Bureau celebrated the combined century of service of supervising attorneys Clarissa Bronson, Lee Goldstein and Verner Moore. In an event that was attended by many of their current and former students and other Bureau alums, the three were presented with plaques recognizing their many years of dedicated service. During the presentation, current and former students offered moving comments and thanks. The honorees also shared their thoughts about how much their experience as supervising attorneys at the Bureau has meant to them. Throughout their many years of dedicated work at the Bureau, Clarissa, Lee and Verner have impacted innumerable students and clients. The organization was and is proud to celebrate their past and continuing service.



SINCE 1913

The Harvard Legal Aid Bureau was established in 1913 "for the purpose of rendering legal aid and assistance, gratuitously, to all persons or associations who by reason of financial embarrassment or social position, or for any other reason, appear worthy thereof." As the nation's oldest student legal services organization, the Legal Aid Bureau aspires to be an engine for progressive change and social justice.

THE LEGAL AID BUREAU CELEBRATES ITS 95TH ANNIVERSARY

As the nation's oldest student legal services organization, the Harvard Legal Aid Bureau has become a safe haven for gifted and passionate minds on a quest for social justice, producing exceptional civil servants and shedding light on the inequities in America's legal system. The organization will honor both its history and its alumni at its 95th Anniversary Celebration on October 25th, 2008 in Austin Hall on the campus of Harvard Law School.

The event will commence at 4:30 pm with a panel on Civil Gideon moderated by Michael Greco, Partner at K&L Gates in Boston and former President of the American Bar Association. The panelists will be Anthony Doniger, President of the Boston Bar Association and chair of the Business Litigation department at the Boston law firm of Sugarman, Rogers, Barshk & Cohen; Lonnie Powers, Executive Director of the Massachusetts Legal Assistance Corporation

(MLAC) since it was established in 1983; and Professor Charles Ogletree, Jesse Climenko Professor of law, Founding and Executive Director of the Charles Hamilton Houston Institute for Race and Justice.

Following the panel, the Bureau will honor and celebrate the accomplishments of two unyielding citizen lawyers, Mr. Jerome Shestack and Governor Deval Patrick, as we present each of them with the Bureau's Distinguished Alumni Award.

About the Awardees

Jerome Shestack. Among his many accomplishments, Mr. Shestack has served as President of the American Bar Association (1997-98), Chair of ABA's Standing Committee on Legal Aid, founder of the ABA's Pro Bono Center, President of the International League for Human Rights for 20 years, former U.S. Ambassador to the United Nations Commission on Human Rights, founder of Human Rights

First, and a founding member of The Lawyers Committee for Civil Rights. Mr. Shestack is also a nationally renowned trial lawyer who is cited by the National Law Journal as one of the "100 Most Influential Lawyers" in the United States. He is currently of counsel at WolfBlock.

Governor Deval Patrick. Mr. Patrick became Governor in November of 2006. His life has traced a trajectory from the South Side of Chicago to the U.S. Justice Department, Fortune 500 boardrooms, and now the Massachusetts Statehouse. As the Commonwealth's first African-American Governor, Deval Patrick has governed with a grassroots message of hope, community and hard work. By focusing on transparency and inclusion, he has increased accessibility to government and encouraged the civic engagement so crucial to shared progress in education, health care, economic development and other issues.

BUREAU STUDENTS FIGHT THE FORECLOSURE CRISIS

In 2007, lenders foreclosed 7,653 homes in Massachusetts, up 148 percent from 2006 and 600 percent from 2005. On average, almost 150 homeowners lost their homes to foreclosure every week in 2007 and these numbers are expected to rise in 2008. Worse, an estimated one-third of these homes are multi-family units, and the standard practice of banks in these cases is to evict all tenants in a foreclosed building. Many of these tenants have faithfully tendered rent and complied with the terms of their leases and yet face a serious and immediate risk of homelessness. “The current situation can only be described as a crisis,” says Lauren Leahy, the President of the Harvard Legal Aid Bureau. “Legal aid organizations across the state, and even across the nation, are coming together to fight no-fault evictions due to foreclosure and to innovate solutions to this devastating trend.”

Foreclosing lenders, through local real estate brokers, use a program dubbed “cash-for-keys,” through which they offer a one-time payment of around \$500 to tenants in exchange for their voluntary abandonment of the property. Many tenants, unaware that possession is worth significantly more money, and facing intimidation from banks and constables, leave their homes with almost nothing. Additionally, banks serve deficient 5 and 15 day Notices to Quit, pressuring tenants to quickly leave apartments before filing actual eviction notices with the Court. Tenants lack the knowledge to fight these tactics, the money to pay for representation, and the resources to avoid homelessness.

As a result, members of the Bureau spent much of the Spring 2007 semester formulating a focused plan to address the foreclosure crisis. “This issue requires our immediate and focused attention,” says Nick Hartigan, a second year student at the Bureau. Students have formed a “Foreclosure Task Force,” working with legal services providers and community groups across Suffolk and Middlesex Counties to assist tenants facing eviction due to foreclosure. One team of students is already hard at work drafting legislation to propose to city and state leaders. Numerous others represent tenants who are facing no-fault evictions due to foreclosure. The median settlement in these cases is \$18,000, a life-changing sum for many tenants. “Part of this process is about making it more expensive for banks to litigate these cases. We’re trying to change the cost/benefit analysis of no-fault evictions,” says Dave Haller, another second year student.

Many Bureau students are also participating in community organizing efforts with City Life/Vida Urbana and other Boston non-profits in an effort to spread the word about tenants’ rights in the wake of the foreclosure crisis. When litigation fails, some Bureau students, working with community partners, are turning to extra-legal measures such as a recent blockade at a foreclosed home in Dorchester. “Bureau students recognize that this is a serious issue,” says Dave Grossman, the Faculty Director at the Bureau. “They are demonstrating both passion and thoughtfulness in deploying a variety of strategies to help solve a crisis that is threatening to devastate our client community.”

RECENT DEVELOPMENTS

Bureau students are using direct door-to-door outreach to inform tenants and former owners of foreclosed properties of their legal rights. Through flyers, hand-outs and pro-se clinics, students provide these individuals with resources to fight evictions and increase communication with banks. Such resources include a pro se answer form, pro se discovery requests (including interrogatories and document requests) and a conditions letter to send to banks and agents. Each week, Bureau students and clinical instructors, in conjunction with the Wilmer Hale Legal Services Center, host a pro-se clinic at the LSC’s offices in Jamaica Plain. At these clinics, individuals facing eviction post-foreclosure gain face-to-face assistance and advice. The Bureau often staffs an “Attorney for the Day” table at Boston Housing Court to further assist clinic participants and others facing eviction.



FALL RETREAT STUDENTS BOND IN CAPE COD

On October 4-5, Bureau students joined together for the organization's annual fall retreat. Students participated in a low ropes course, team building activities and water sports. Members also met to discuss substantive issues, including a brainstorming session about ways in which the Bureau can better serve its clients. Also, three 2L Representatives were elected to the Board: Casselle Smith, Marcus Hedrick and Lauren Seffel.



THE BUREAU REACHES OUT TO DOMESTIC VIOLENCE SURVIVORS

The Legal Aid Bureau's family practice has developed a series of exciting new community outreach programs. Led by Laura Dellatorre, a family law student and former Peace Corps volunteer, students began to explore the Bureau's existing intake procedures and question how to better reach out to domestic violence survivors in the Greater Boston area. Typically, the organization relies on incoming phone calls to access potential clients.

This method, while essential, fails to capture important sub-sections of potential client populations. Often, women who experience domestic violence suffer from post-traumatic stress disorder and feel intimidated and isolated by their batterers. For these reasons, domestic violence victims often struggle to seek out and find legal services. In response, the Bureau initiated a long-term strategy to combat this reality.

In the Spring of 2008, the Board of Directors approved a formal Community Partnerships Program, initiated by Dellatorre. The program allows the Bureau to develop relationships with potential clients through a collaborative partnership model. Rather than targeting the clients themselves, the Bureau is establishing and deepening relationships with existing organizations in the Greater Boston area that serve its potential client population. These partnerships allow the Bureau to develop a strong referral base and maintain a connection with the

larger community of service providers. Currently, the Bureau has established three working partnerships and students are working to establish partnerships with two more.

One such partner is REACH, a battered women's service provider and shelter in Waltham, MA. As a part of the partnership model, Bureau students conduct "outtakes" with REACH clients. Outtakes allow students to screen potential clients for eligibility at the office of the shelter or partner organization. Thus, potential clients who are unable or afraid to travel to Cambridge for an initial intake interview can meet with Bureau students in a less stressful environment and learn more about the organization's services.

Besides the Bureau's work with REACH, it has also partnered with Elizabeth Stone House, Casa Myrna Vazquez, the Family Justice Center of Boston and the Adbar Ethiopian Women's Association. Further, students hope to initiate a domestic violence outreach working group, composed of staff members from community partnership organizations. The working group will meet bimonthly to discuss ways to collaborate more effectively and mobilize community support for combating domestic violence.

As the Community Partnership Program continues to develop, the Bureau will enjoy new opportunities to connect with and assist some of the client populations that need its help the most.

A FELON ON SIX DOLLARS A DAY: ONE MAN'S STRUGGLE WITH SSA

By Andrew Kalloch

John was homeless. He was hungry. He was sick. But it wasn't always this way. John had grown up in Pasadena, California, the son of an Army official and a stay-at-home mother. But by the time he reached his twenties, the discipline instilled in him by his severe father had whittled away—suffocated by the unrelenting blows of alcoholism and mental illness. John lost his home, his motorcycle, and everything he owned to disease and addiction. It was only when he had not a possession in the world to call his own that he made his way to one of the greatest airports in the world, the Ellis Island of the Pacific: Los Angeles International. The year was 1987.

John lived in the terminal, collecting the carts people used to carry bags from the terminal to their automobiles. For each cart returned to its docking station, he received 25 cents. It was lucrative enough to buy a hot meal once a day in the airport lounge. Apparently this bounty was too much for the manager of the airport cart service, who contacted LAX police and had John arrested on larceny/robbery charges.

After being arraigned in the Airport Courthouse, John was released on his own recognizance. He believed that the case was over and that he would not have to worry about it again. Little did he know that no matter how far he traveled, or how much time transpired, that his \$6.25/day operation at LAX would follow him every day of his life thereafter.

John began to hitchhike across the country. He even tried the same scheme at the El Paso airport in Texas before continuing his journey east. Eventually, he reached Cambridge, Massachusetts, where police identified him as a man desperately in need of hospital care. At a mental hospital in Massachusetts, John was first introduced to Social Security Disability benefits. They would be his lifeline for the next 17 years.

In the years that followed, John was able to live comfortably on his own, earning money from various jobs in the Metro-Boston area. However, his struggles with substance abuse continued, and he was hospitalized multiple times over the nearly two decades he spent in the Bay State.

During one of these hospitalizations, in 2006, John received startling news: the Social Security Department was cutting off his benefits and charging him an overpayment of nearly \$20,000. Apparently, as John suffered with substance abuse, Congress was busy making it harder for "fleeing felons" to get Social Security Disability benefits. The motivation was reasonable enough: to prevent fugitives from using federal money to fuel their escape from justice. The execution of this new law, however, was anything but reasonable.

John, having never returned to the Airport Courthouse following his ROR, was technically a "fleeing felon" under California law. However, California had refused to have him extradited to face charges,

most likely because of the trivial nature of the charges. With the help of the LA county public defender's office, John was able to get the warrant for his arrest vacated and the charges quashed. As far as the State of California was concerned, John's cart-pushing was the product of a desperate, sick man, not the work of a felonious criminal.

Nevertheless, SSA continued to demand that John repay the benefits granted to him from January 2005, when the so-called "Fleeing Felons" statute went into effect, to Mid-2006. SSA reinstated his benefits following the dismissal of the charges but negotiated a payment system with John to assuage the back pay—25 dollars per month would be deducted from his benefits. That was when the Bureau got involved.

The Bureau had not represented a client like John in its history, and as a result, our vast institutional memory did little to aid our strategy. Luckily, the Urban Justice Center's Mental Health Project, based in New York City, had compiled numerous complaints of similar stories from across the country. With UJC's help and some investigative digging, we appealed the overcharges and filed for the reinstatement of all past benefits for John. We should receive word from SSA soon. And when we do, a painful element of John's past will cease to follow him wherever he chooses to go.



SUCCESS STORIES

Joe Kennedy. In April, Joe Kennedy and his clinical instructor, Liz Nessen, settled a post-foreclosure eviction case for \$100,000 cash and nearly \$25,000 in free rent and utilities. A single mother of three, the client refused several "cash for keys" offers and decided to stay in her home as she thought it best for her family. Unfortunately, others wanted her out. Upon arriving home from grocery shopping one day, she realized that agents for the opposing party had changed her locks to her apartment. Her son, who is bipolar, arrived home to see the Boston Fire Department removing the door to let them back into their home. He suffered several breakdowns and plunged into severe distress.

Several months later, the family remains in the home, happy that their housing issues are over for the foreseeable future. The apartment has been nearly completely overhauled in an effort to bring it in line with the State Sanitary Code. Furthermore, as part of the settlement offer, \$70,000 was delivered to the son through the creation of a trust fund set up by the Bureau, with his mother acting as trustee.

Dave Haller. David Haller, a 3L housing student, recently represented four siblings who lived in different floors of a triple decker house in Dorchester. The siblings' landlord had lost the property to foreclosure and the bank that took ownership wanted to evict everyone, including six children

and a day care center that two of the sisters operated in the second floor unit. Rather than be evicted, the siblings decided to come together and repurchase the property. They were pre-approved for a loan and offered the bank the full appraised value. The bank, however, refused to put the property on the market until it was emptied of tenants. After several months of struggle in Dorchester District Court and the Boston Housing Court, the bank finally decided that it would be easier to sell the property to the family for the appraised value. The family signed a purchase and sale agreement in September 2008 and plans to close in mid October.

IN MEMORY

John R. Kramer, Bureau Class of 1962, died March 7, 2006 from complications of diabetes. He was a former associate dean and professor at the Georgetown University Law Center and a pioneer in the establishment of legal clinics both at Georgetown and at Tulane University. He is survived by his wife of 38 years. Dean Kramer clerked at the NAACP Legal Defense Fund for Thurgood Marshall and worked on Capital Hill before joining the Georgetown University law school in 1976. He believed strongly in the value of giving law students practical experience while providing legal representation to under represented individuals and organizations. In the words of his colleague at Georgetown, "His students loved him and his colleagues admired him."

DONATIONS

Supporting the Harvard Legal Aid Bureau gives you the opportunity to contribute to a dedicated and dynamic community of student attorneys committed to providing legal services to those who would otherwise not have access to quality legal representation.

Although we receive funding from Harvard Law School, we depend on contributions from alumni, law firms and the general public to assist with our operation costs, training expense and litigation needs.

If you wish to contribute, please make a check out to HLS and indicate "Harvard Legal Aid Bureau" in the memo line. Send any checks to the Alumni Office at the address below. It is very important to send us a separate message notifying us of your gift.

ALUMNI OFFICE

HLS Alumni Center
125 Mt. Auburn Street
Cambridge, MA 02138
Telephone: 617-495-3051

LEGAL AID BUREAU

23 Everett Street
Cambridge, MA 02138
Telephone: 617-495-4408
Fax: 617-496-2687
Email: hlab@law.harvard.edu
Contact: David Haller