

PRO BONO
IMPACT

BREAKING DOWN BARRIERS: HEALTH CARE OBSTACLES FOR WOMEN WITH DISABILITIES



Loreen Loonie and Marilyn E. Saviola of Independence Care System and Kelly McAnnany and Katherine Terenzi of NYLPI speak at the City Council hearing

Barriers to health care disproportionately affect women with disabilities, leading to particularly grave consequences, including delayed or missed diagnoses of breast or cervical cancer. NYLPI published a report with Independence Care System entitled “Breaking Down Barriers, Breaking the Silence: Making Health Care Accessible for Women with Disabilities,” which details the pervasive inaccessibility of health care for women with disabilities. In contravention of laws that mandate equal access for people with disabilities, barriers exist in facilities of all sizes. People can face barriers such as stairs blocking clinic entrances, nonadjustable examination tables, and refusals to provide interpreters.

The report called on medical providers and policymakers to ensure accessibility to medical services. Spurred by our advocacy, Speaker of the City Council Christine Quinn; Chair of the Health Committee, Council Member Maria del Carmen Arroyo; Chair of the Women’s Issues Committee, Council Member Julissa Ferreras; and Chair of the Mental Health, Mental Retardation, Alcoholism, Drug Abuse and Disability Services Committee, Council Member G. Oliver Koppell jointly convened an oversight hearing last fall. NYLPI spoke at the hearing, as did community members with disabilities who shared their stories of traumatic attempts to obtain potentially life-saving breast and cervical cancer screenings and other health services. The report and the hearing have already resulted in commitments to working toward accessibility from the City Council, the City’s public hospital system and the State Department of Health, important progress for New Yorkers with disabilities.

NYLPI IN THE NEWS

The New York Times

*Tenants and
Community Group
Save Dilapidated
Bronx Complex*

A very special thank you to **Simpson Thacher & Bartlett LLP** for their generous donation of computer monitors!

Bronx Tenants Win Fight Against Notorious Slumlord

On January 24, tenants gathered in the foyer of 1265 College Avenue in the Southwest Bronx to celebrate the end of a long struggle against New York City's worst slumlord, Eli Abbott. After years of battling aggressive rats, black mold, lead paint, and inadequate heat, tenants now had a new landlord committed to rehabilitating their buildings. Public Advocate Bill de Blasio, whose "Landlord Watchlist" listed Mr. Abbott as the worst in all five boroughs, took the opportunity to personally congratulate the tenants.



Stephanie Rudolph (left) of NYLPI with tenants and Public Advocate Bill de Blasio (rear)

In the spring of 2012, with the assistance of NYLPI, Legal Services NYC and Obi Ihekweazu of **O'Melveny & Myers LLP**, the residents acted on a statute that allows tenants to remove a landlord when housing conditions present a threat to the health, life and safety of residents.

The tenants battled Mr. Abbott in court for months, testifying about the horrific conditions. With the help of Community Action for Safe Apartments (CASA), an organizing group in the Southwest Bronx, tenants pressured the bank holding the mortgage to foreclose, and organized against the many predatory landlords interested in purchasing the property.

After extensive negotiations, Mr. Abbott sold the buildings to Banana Kelly, a nonprofit community development corporation dedicated to preserving affordable housing, which secured several million dollars in funding to support renovations.

Although the major renovations have yet to commence, tenants are overjoyed. The very first act of the new landlord? They fired up the boiler by sending 1,500 gallons of oil to the buildings on a 20-degree day.

Victory in New York Court of Appeals

New York Lawyers for the Public Interest and co-counsel **Weil, Gotshal & Manges LLP** have continued to fight on behalf of the Bronx Committee for Toxic Free Schools, a coalition of parents and community organizations, and have had their victory in the lower courts affirmed by the New York Court of Appeals.

In 2007, the Department of Education (DOE) and the School Construction Authority (SCA) approved the construction of schools in the South Bronx on a former industrial site, which was known to have



Gavin Kearney of NYLPI and Christopher D. Barraza of **Weil, Gotshal & Manges LLP**

contaminated soil and ground water. The SCA had left toxins in place without detailing methods for ensuring that children would not be exposed to them over the life of the school. The Court of Appeals agreed with the courts below, holding that the environmental concerns raised by the absence of maintenance and monitoring measures were too important to be excluded from public review and comment under the State Environmental Quality Review Act.

This decision will enable parents, school personnel, and community members across New York State to evaluate school siting plans and to advocate for needed improvements to protect children's health. Many thanks to David R. Berz and Christopher D. Barraza of Weil for their tireless efforts.

Welcoming McGregor Smyth



NYLPI is excited to welcome McGregor Smyth as its new executive director. McGregor joined NYLPI from The Bronx Defenders, where he was the managing attorney of the Civil Action Practice and director of Reentry Net. McGregor's visionary leadership, deep experience, and commitment to social justice will enormously benefit our organization. Our mission of protecting the civil rights of the underserved will be significantly advanced by his talent and dedication.

This year has been a time of great challenges, and it is with deep gratitude that we acknowledge the outpouring of support we have received from NYLPI's extended family. We are especially thankful to our Board of Directors, and in particular to our former and

current Board Chairs, Shelley J. Dropkin and Hector Gonzalez, who led our search for a new executive director and provided invaluable assistance to NYLPI's staff.

REMEMBERING A LIFE, CONTINUING A LEGACY

NYLPI is proud to announce that Veronica S. Jung has been selected as the inaugural Michael Rothenberg Fellow. Thanks to the generous support of the Board of Directors and Emeritus Board of NYLPI, as well as the larger NYLPI community, we have established this fellowship in honor of our exceptional former executive director who passed away unexpectedly last year. We sincerely appreciate the efforts of Emeritus Board Member John S. Siffert and Board Member Lawrence T. Gresser for leading the charge and garnering so much support from their colleagues. The fellowship serves to honor Michael's memory and to create a long-lasting tribute to his dedication to civil rights. A tireless advocate, Michael dedicated his life to ensuring that all New Yorkers, regardless of economic status, race, national origin or disability, had access to justice. As the Michael Rothenberg Fellow, Veronica will be working in the area of disability justice, a branch of civil rights advocacy especially important to Michael.



Dear Friends of NYLPI,

I am thrilled to have joined NYLPI, and I look forward to meeting you as our work continues. We are eager to build on Michael's incredible legacy and take our work together to new heights.

NYLPI has a culture of innovation that has changed the conversation about how to represent communities and to serve them better. In the next year, we want to continue to make sure that we are a loud and positive voice on policy and legal issues that are important to our clients and their communities. We want to continue to test the boundaries of our effectiveness and how well we meet the needs of all of our clients. In these pages, you will read about how, with your help, we build power for positive change in underserved communities throughout New York City.

You are our critical partners - we need your time, your expertise and your support to tackle the challenges our clients face. Thank you for making this work possible.

Sincerely,

McGregor Smyth

"I simply hope that this ongoing work, especially the individual advocacy, contributes to honoring Michael's memory. "

—Veronica Jung

Highlights from Pro Bono Matters

Doctors That Care is committed to bringing quality medical care and resources to people in areas where it is lacking. **Skadden, Arps, Slate, Meagher & Flom LLP** is assisting the organization in incorporating and obtaining tax-exempt status.

Power Rockaway Resilience Project formed in response to Hurricane Sandy to provide alternate energy sources to hurricane-prone neighborhoods in the Rockaways. **Weil, Gotshal & Manges LLP** provided assistance in drafting an MOU with another community organization to provide solar panels.

Red Hot is a nonprofit production company that has worked with prominent musicians to produce over twenty albums to donate over \$10 million to HIV/AIDS awareness groups and projects all over the world. **Hogan Lovells US LLP** is working with Red Hot to resolve a dispute with a distribution label.

*Chance for Children works to enable and empower impoverished children and young adults in Central Brooklyn. **Sidley Austin LLP** is helping the organization file for tax-exempt status.*

The National Center for Law and Economic Justice seeks to advance the cause of economic justice for low-income families, individuals and communities across the country. **Kaye Scholer LLP** is assisting the organization with a FOIL appeal.

MFY provides free legal assistance to residents of New York City on a wide range of civil legal issues, while simultaneously working to end the root causes of inequities through impact litigation, law reform and policy advocacy. **Manatt, Phelps & Phillips, LLP** is counseling the organization on licensing music to produce monthly educational podcasts.

Model Partnerships

“This is a huge victory for taxi drivers. We extend a heartfelt thank you to our legal champions Dan Brown and his colleagues at Sheppard Mullin for helping drive justice into the taxi industry.”

—**Bhairavi Desai, New York Taxi Workers Alliance**

The New York Taxi Workers Alliance (NYTWA) is the largest taxi driver union in the country and was founded to improve working conditions and achieve economic protections for the drivers of New York’s 13,000 yellow taxicabs. The New York City Taxi & Limousine Commission (TLC) enacted new rules to ensure taxi drivers can earn livable incomes, including a fare raise and a cap on the amount that taxi garages can charge drivers. The Metropolitan Taxicab Board of Trade (MTBOT), which is an association of garages, brought a lawsuit against the TLC challenging its new rules. NYTWA sought to intervene in the suit, and NYLPI connected them with counsel at **Sheppard Mullin Richter & Hampton LLP**, led by Daniel L. Brown, to defend the regulations and protect the drivers whose livelihoods were at stake. The MTBOT withdrew their case with prejudice, and thousands of hard-working taxi drivers are now free from predatory leasing practices and arbitrary overcharges.

A very special thank you to the following attorneys who have volunteered their time and efforts through the NYLPI Pro Bono Clearinghouse in the last six months. We appreciate your hard work on behalf of nonprofits.

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This spring, NYLPI hosted its annual Law & Society Award Luncheon, honoring Steven A. Reiss, Partner at **Weil, Gotshal & Manges LLP** and Jane C. Sherburne, General Counsel and Corporate Secretary of **BNY Mellon**. The award recognizes extraordinary dedication to public service and legal excellence. The event, held at the Waldorf-Astoria, was attended by over 900 guests.

Mr. Reiss is co-chair of Weil's worldwide Pro Bono Committee and the visionary architect of its award-winning pro bono program. He has guided the firm to the very top of the profession's pro bono arena. His unwavering commitment to increasing access to justice and protecting civil rights is further reflected by his service on the boards of nonprofit organizations working to achieve these objectives, including Volunteers of Legal Services, the Innocence Project and Oxfam America.

He is also a founding board member of the Brennan Center for Justice, a nonpartisan law and policy institute that seeks to improve democracy and justice.

Ms. Sherburne has been instrumental in formalizing BNY Mellon's pro bono efforts and oversaw the launch of the company's global pro bono program, which supports a variety of projects including providing legal services to micro-entrepreneurs, assisting foreign domestic workers in Hong Kong, working with US veterans, helping individuals with disabilities and participating in national election monitoring programs. Ms. Sherburne also serves on the boards of the National Women's Law Center, Legal Aid Society and New York Lawyers for the Public Interest.

Young Lawyers Gather to Support NYLPI



NYLPI staff member Heidi Kim and PBAC member Egya Apipiah of **The Sesame Workshop** holding his raffle item, Big Bird

Last fall, NYLPI's Pro Bono Advisory Council gathered at the Howard Greenberg Gallery to support NYLPI and to celebrate social justice. Nearly 100 young lawyers and their peers surveyed the work of distinguished photographer Gordon Parks while connecting with other public interest-minded young professionals from around the city. All proceeds from the hugely successful event support NYLPI's Disability Justice program. The event would not have been possible without the generous support of the Howard Greenberg Gallery and City Winery.



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If you work for a nonprofit or community-based group working with underserved people and your organization needs legal assistance, please contact

Heidi Kim
at 212-244-4664.

PRO BONO MATTERS Summer 2013

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