

Community Fights to Keep Hospitals Open

NYLPI's Access to Health Care team has been hard at work on a new campaign fighting the closure of hospitals in Central Brooklyn, which is a federally-designated medically underserved area. Central Brooklyn has high rates of AIDS, diabetes, infant mortality, and other health problems exacerbated by previous hospital closures, and new closures would further degrade the area's limited healthcare access. "The percentage of hospitals Central Brooklyn has lost is huge," said NYLPI Senior Staff Attorney Amanda Masters.

In late May, the board of directors of St. Vincent Catholic Medical Centers directed St. Mary's, which it owns, to submit closure plans to the state Health Department. According to recent reports, St. Mary's recorded more than 29,000 outpatient visits and almost 9,300 inpatient visits in the last year (Shelby, Joyce. "Plan to Shut Hosp Ripped." *New York Daily News*: 7 June 2005).

NYLPI Community Organizer Anthony Feliciano helped facilitate a coalition, the Committee to Save Our Hospitals, to work on

these issues. The group met with the CEOs of Kingsbrook Jewish, St. Mary's, and

DID YOU KNOW?

- In 1936, there were 27 hospitals in Central Brooklyn.
- In 2000, there were only eight.

Interfaith hospitals and has been advocating for strategies to keep healthcare available in the neighborhood.

A New York State commission will convene this year to discuss hospital closures across the state, and the Committee is hoping to have a representative on that commission.

NYLPI has brought suit against the Dept. of Health to stop the state from approving St. Mary's closure. Hospital officials have agreed to consult with community groups about closure decisions, and the Committee is pushing for a discussion of options. The Committee's successful advocacy has led to an high level of community involvement, but the prognosis remains uncertain for the neighborhood's access to quality health care.

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PAUL WEISS TEAM MEMBERS (L to R) JOSH GROBAN, AMELIA COTTRELL AND JEH JOHNSON



Team Continues Work on Adult Homes Case

This summer discovery will wrap up in a case that challenges the use of adult homes as residences for people with mental illness. Two years ago, in the summer of 2003, a group of disability rights groups including NYLPI, Disability Advocates, Inc., The Bazelon

Center, MFY Legal Services, and the Urban Justice Center, along with co-counsel **Paul, Weiss, Rifkind, Wharton & Garrison** filed suit against Governor Pataki and other New York State officials on behalf of approximately 4,000 people with mental illness residing in large adult homes in New York.

The legal team, including Paul Weiss partner Jeh Johnson and associates Andrew Gordon, Josh Groban, Amelia Cottrell, Beth Frank, Tania Brief, Carrie Gombos, and Francine Murray, has been hard at work since then.

The lawsuit, filed under the Americans with Disabilities Act (ADA) and other statutes, alleges that people with mental illness are being unlawfully segregated in adult homes. The lawsuit contends that these adult homes are large, institutional settings that isolate residents from the rest of the community. Further, the adult homes provide residents

(CONTINUED ON PAGE 2)

("ADULT HOMES CASE..." CONTINUED FROM PAGE 1)

with little or no opportunity to hold jobs, maintain their own finances, or cook their own meals. In addition, there have been repeated instances of abuse of residents by adult home employees. The squalor and chaos of the homes was captured in a Pulitzer Prize-winning exposé written by Clifford Levy in *The New York Times* in 2002, calling public attention to this systemic problem.

The courts have interpreted the ADA to say that the state is obligated to place people in

the least restrictive setting that meets their needs. This lawsuit asserts that many residents of adult homes would be better suited to integrated, community-based housing, which is already available in New York.

Josh Groban of Paul Weiss comments, "This case represents the best kind of collaboration between a law firm and nonprofit organizations in an effort to give a voice to those who, without us, would have no one else to turn to." Stay tuned for updates on this important work!

Yolanda Garcia
Bronx Community Advocate
(1952-2005)

Yolanda Garcia, founder and executive director of the We Stay/Nos Quedamos Committee, died of a heart attack on February 17, 2005, at the age of 53. Yolanda was a visionary community planner-developer, and a pioneer in New York City's environmental justice movement. She led the internationally-recognized fight to rebuild the 60+ blocks of vacant lots in the Melrose area of the South Bronx from 1993 until her death.

Yolanda helped form the Nos Quedamos Committee in 1993 to resist large scale urban renewal plans that would have displaced thousands of residents in the Melrose section of the South Bronx. For several years, led by Yolanda, Nos Quedamos embarked on an intense, weekly series of open community meetings with city officials and politicians to successfully force wholesale revisions to the original plan.

Since then, Yolanda turned the organization into a major force for advocacy and communi-

ty revitalization in Melrose and the Bronx as a whole. Nos Quedamos and its partners have created hundreds of units of housing for seniors, families, and new homeowners, rebuilding entire blocks of abandoned, city-owned land with new, owner-occupied townhouses and multi-family apartments — a total of well over a million square feet.

Yolanda was also a leader in the South Bronx environmental justice movement, losing a son to asthma and struggling mightily to spare other families such tragedies. Yolanda helped co-found the Organization of Waterfront Neighborhoods (OWN) and Communities United for Responsible Energy (CURE). Yolanda is missed, but her legacy and warrior spirit, which inspired a generation of environmental justice activists, lives on.



YOLANDA GARCIA

NYLPI is excited to welcome three new staff members:

- Veronica Eady, Staff Attorney in the Environmental Justice Project
- Stephen Kang, Program Associate, Pro Bono Clearinghouse
- Daryl Samuel, Office Administrator

We are also lucky to have a very talented crew of summer interns:

- Dustin Brown, NYU Law School
- Eugene Brown, North Carolina Central University Law School
- Ariane Buglione, Harvard Law School
- Edward Jones, University of Iowa College of Law
- Lauren Popper, Harvard Law School
- Brian Wong, Yale Law School
- Carrie Zoubul, Brooklyn Law School

PRO BONO MATTERS

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NYLPI

NYLPI Associates Committee Explores Public Service in the Private Sector

Last fall, New York Lawyers for the Public Interest helped bring together a group of associates to promote and support the public service commitment of lawyers working at large law firms in New York. The Associates Committee recently held its second event, a panel discussion hosted by member firm **Simpson Thacher & Bartlett** to explore

ways associates can develop careers at law firms that include public service.

A distinguished panel made up of partners at firms and moderated by Simpson partner Victoria Bjorklund examined different trajectories the panelists had taken in building their practices. The panel included James Blank of **Latham & Watkins**, Hector Gonzalez of **Mayer Brown Rowe & Maw**, Jeh Johnson of **Paul, Weiss, Rifkind, Wharton & Garrison**, Steven Koppel of **Heller Ehrman**, and Jaime Levitt of **Morrison & Foerster**.

A panel of associates from the Committee will speak to summer associates about *pro bono* opportunities at law firms later this Summer at **Debevoise & Plimpton**.

If you are interested in learning more about the NYLPI Associates Committee, please call Marnie Berk at 212-244-4664.



ASSOCIATES COMMITTEE MEMBERS (L TO R) MICHAEL KUH, MARION RINGEL, LENOR MARQUIS AND MATT INGBER.



PANELISTS (L TO R) VICTORIA BJORKLUND, JAMES BLANK, HECTOR GONZALEZ AND JAMIE LEVITT DISCUSS THEIR PUBLIC SERVICE WORK.



NYLPI ASSOCIATES COMMITTEE MEMBERS AND PANELISTS

Weil, Gotshal & Manges Hosts Visiting Summer Associates

NYLPI would like to thank member firm **Weil, Gotshal & Manges** for generously hosting the second annual Welcome Reception for NYLPI's Visiting Summer Associates Program. The reception was held on June 14, 2005, and was a huge success!

ABA Conference Examines Pro Bono Partnerships

At this year's national ABA Equal Justice Conference, held in Austin Texas in May, the theme was Celebrating the Pro Bono and Legal Services Partnership. Our own Marnie Berk, Director of *Pro Bono* Programs at NYLPI, moderated a panel discussion with Ramonita Cordero (Director, Legal Program, **inMotion**) and *pro bono* coordinators from two of our member firms,

Teresa Schiller (**Clifford Chance**) and Ron Tabak (**Skadden Arps**). The panel discussed successful public interest and private law firm *pro bono* collaborations such as signature projects and some of their ingredients, including effective training and supervision, relationship building, and *pro bono* infrastructure.

Associate Matters

Lenor Marquis Heller Ehrman

Lenor Marquis, an associate at Heller Ehrman, has built a *pro bono* practice with both depth and breadth, while balancing her other responsibilities at the firm. With NYLPI, she has represented numerous children with disabilities in Special Education matters.

“Lenor is a dogged advocate. She works extremely hard for her clients,” commented NYLPI Associate General Counsel

Kim Sweet, who has worked with Lenor on several Special Education cases. “One of my favorite things about Lenor is that she understands the human side of these



cases and is sensitive to the emotional toll they can take on the parents.”

Lenor is also an active member of the NYLPI Associates Committee, and has assisted in planning the recent Associates Breakfasts. Her dedication has helped to make these events tremendously successful. Marnie Berk, NYLPI Director of *Pro Bono* Programs, remarked, “Lenor has been a huge asset to this fast-growing group of young lawyers committed to public service.”

In addition to her work with NYLPI, Lenor represents homeless clients in public benefits and housing matters. Heller Ehrman, under the auspices of the City Bar Fund, has adopted Icahn House East, a transitional shelter for homeless women with



HELLER EHRMAN ASSOCIATE
LENOR MARQUIS

children who are applying for permanent housing. Once a month, Heller Ehrman holds a legal clinic at Icahn House. Lenor has been involved in many parts of this program, from recruiting and training volunteers, to interviewing clients at intake clinics, to representing clients at hearings and in state court.

For the past two years, Lenor, along with fellow Heller Ehrman associate Aliya Haider, has run the Heller Ehrman chapter of the Explorers program. Every two weeks during the spring, students from a cross-section of New York City high schools visit the firm’s offices to meet with in-house and guest attorneys for discussions about the law and pursuing a legal career.

Finally, Lenor serves on the firm’s *Pro Bono* Committee. As Bruce Saber, Heller Ehrman’s *Pro Bono* Coordinator, observed, “Lenor’s work on behalf of children with special educational needs reflects a commitment to *pro bono* service that many of us aspire to and few of us attain.”

Website Launched for Civil Rights Campaign

The National Campaign to Restore Civil Rights, housed at NYLPI, announces the launch of its website.

The Campaign is a nationwide collaboration of organizations and individuals working together to address the rollback of civil rights in the federal courts. The organization links individuals and groups working on a variety of issues, including women’s rights, racial justice, disability rights, environmental justice, language rights, and workers’ rights. The Campaign focuses on public education and outreach, finding ways to spread the word about the impact of recent court rulings on local communities, as well as the erosion of our civil rights nationally.

The site is divided into four main areas:

The **Issues Area** of the website houses fact sheets and information, as well as an active calendar section that links to events that are happening around the country. The news section links to relevant articles

in major national press, as well as local publications. A live feed from partner organizations, including the Leadership Council on Civil Rights, keeps this section up-to-date.

The **Speakers Bureau** is a list of people across the country available to speak about a range of civil rights issues.

The **Resources Area** contains a regularly updated and growing library of resources available to the public, including documents, toolkits, and other materials.

The **Video Area** has three clips from the “Save the Courts.” This video exposes the negative consequences of recent court decisions. Web users can request a free copy of the film, now available with Spanish subtitles.

Check it all out at www.rollbackcampaign.org!



NATIONAL CAMPAIGN TO RESTORE CIVIL RIGHTS

On the Record NYLPI in the News

Much of NYLPI's exceptional work is covered in the local and national media. We will bring the highlights to you from time to time in this new column.

Disability Rights

"Bad Situation Made Worse?"

NYLPI's work to improve police interactions with underrepresented communities, particularly people with disabilities, was highlighted by **Newsday** on March 28, 2005. Senior Staff Attorney Amanda Masters has worked for years on behalf of the mother of a man with schizophrenia who was shot and killed by police officers in a precinct house in Queens in 1998. The lawsuit, filed in 1999, aims to improve the NYPD's out dated policies with respect to encounters with people with mental illness. "This is a challenge to the city for their policies and training around this issue," Amanda is quoted as saying. "The city has been unwilling to change the patrol guide policy, which remains the same as in 1985."

"Racial Disproportion Seen In Applying Kendra's Law"

On April 7, 2005, **The New York Times** reported that John Gresham, Senior Litigation Counsel at NYLPI, testified before the City Council on findings of a recent examination of state data that shows that black New Yorkers are nearly five times as likely as whites to be the subject of court orders stemming from "Kendra's Law." The law gives judges the power to force people with mental illness to comply with treatment. John commented, "It's important to know if our mental health policy is disproportionately taking away the freedom of groups of people who have historically been oppressed."

Access to Health Care

"Plans To Shut Hosp Ripped"

Community members and employees of St. Mary's Hospital in Central Brooklyn protested plans to close the facility, said the June 7, 2005, **New York Daily News**. Various elected officials and members of the clergy were also in attendance at the rally, which was coordinated by NYLPI Community Organizer Anthony Feliciano. In

a letter to the State Health Commissioner quoted in the article, Senior Staff Attorney Amanda Masters wrote, "Patients will not be adequately served without this hospital. No closure plan should be approved." For more on NYLPI's work on this important issue, see page 1.

Environmental Justice

"New Fear At Bronx HS: Toxic Dust Spewed By Trucks"

The hard work of NYLPI Staff Attorney Janette Wipper and Community Organizer Larry Tilley was featured in the **New York Daily News** on May 24, 2005. The New Bronx Academy High School was built last year, over the objection of the community board and community groups organized by NYLPI, on a site of a former electronics factory that also served as a parking lot for the trucks that sprayed for West Nile virus. Tests have found pollutants in the soil and water that far exceed acceptable state standards. Janette described the city's testing of the soil as "more about liability than actual health risks."

Dechert Attorneys Fight to Save Home of Disabled Clients

Last summer, NYLPI searched for a *pro bono* attorney to help create a constructive trust for the home of two siblings, one of whom is mentally retarded. Both siblings are in their 70s and had lived in the house since 1959. When their mother died, she deeded the home to another sibling, with the understanding that her two children living in the house could stay there.



DECHERT PARTNER ROBERT SPARKS

Two attorneys at **Dechert** volunteered and have been tremendous advocates for their clients. Associate Itai Tsur, under the supervision of



DECHERT PARTNER ROBERT SPARKS

partner Robert Sparks, was able to secure a Temporary Restraining Order against the owner of the house, who was attempting to evict his brother and sister. Having survived a Motion to Dismiss, the legal team is very optimistic about their chances of success later this summer when the case goes before the judge.

"My experience has been very positive, the responsibility has been great, and it is nice

to see the tangible benefits others are deriving (thus far) from our efforts," commented Itai Tsur.

In addition to being their long-time home, the house is well-located for the siblings. One is able to walk to a senior citizens center, and the space is familiar and able to accommodate both of their needs. Hopefully, with the aid of their *pro bono* attorneys, they will be able to remain in their home.

"I've been practicing law for a long time, and I like *pro bono* cases," remarked Robert Sparks. "It is nice to give something back by representing people in need; I find it very, very rewarding."



Recently Placed Clearinghouse Matters

From 2/5/05 to 5/20/05

Alianza Dominicana

Watchell, Lipton, Rosen & Katz

Jonathan Moses, Marc Wolinsky

The firm is helping Alianza Dominicana, a nonprofit organization that works to revitalize economically distressed neighborhoods, with negotiations with their insurance company.

American Group (AG)

Simpson Thacher & Bartlett

Chris McRorie

The firm is helping AG, an immigrant empowerment group, to revise its bylaws.

Argentine Forensic Anthropology Team (AFAT)

Ropes & Gray

Marnie Metsch, James Brown

The firm is advising AFAT, a nonprofit organization based in Buenos Aires that conducts forensic investigations of human rights violations around the world, on matters related to operating as a foreign corporation in New York.



Armando Perez Community Center (APCC)

Weil, Gotshal & Manges

Matthew Bloch, Gabriel Ewing, Max Goodman

The firm is helping APCC, an organization dedicated to arts, cultural activities, and community services on the Lower East Side, to incorporate and obtain tax-exempt status.

Asthma/Emphysema Self-Help Group

Dechert

Donald Frey

The firm is helping the group, a community resource for adults with chronic pulmonary diseases and their caregivers, to incorporate and obtain tax-exempt status.

Board of Education v. Tom F. amicus brief

Morrison & Foerster

Carl Loewenson

The firm is assisting NYLPI and other amici to file a brief in *Board of Education v. Tom F.* The decision, handed down in January, has negative implications for many children with disabilities seeking appropriate educational services.

Board of Education v. Tom F. ex rel. Gilbert F.

Patterson, Belknap, Webb & Tyler

Alexis Gander, Paul Gardephe

The firm is working on a Second Circuit appeal in the matter of *Board of Education v. Tom F.* The

decision, handed down in January, has negative implications for many children with disabilities seeking appropriate educational services.

Bowne House Historical Society (BHHS)

Paul, Weiss, Rifkind, Wharton & Garrison

Nicholas Kujawa, David Speiser

The firm is helping BHHS, a nonprofit organization focused on preserving the Bowne House, to negotiate with City agencies in order to facilitate its restoration and reopening as a museum.

Bronx Charter School of Mathematics (Bronx Math)

Simpson Thacher & Bartlett

Robyn Young

The firm is helping Bronx Math, a college preparatory school in the Bronx focused on Math and Science, to incorporate a fundraising entity and apply for tax-exempt status.

Center for Employment Opportunities (CEO)

Winston & Strawn

Christine Cahill

The firm is serving as *pro bono* general counsel to CEO, a nonprofit devoted to meeting the employment needs of former inmates.

Center for War/Peace Studies

Holland & Knight

Laura Cosovanu, Jeffrey Levin

The firm is advising the Center, a small advocacy-oriented nonprofit that promotes global governance as a way to end the use of war, on maintaining its tax-exempt status.

Directions for Our Youth (DFOY)

Ropes & Gray

John Lane, Benjamin Singer, William Patton

The firm is helping DFOY, a youth development organization on the Upper West Side, in a litigation matter.

Fair Housing Justice Center (FHJC)

Latham & Watkins

Courtney Oliva

The firm provided research assistance to FHJC, a new nonprofit working to combat housing discrimination in New York City.

Foundations Academy

Skadden, Arps, Slate, Meagher & Flom

Richard Ross

The firm is helping the Foundations Academy, a new charter school that will be located in East New York, to incorporate and obtain tax-exempt status.

Friends of Camp Thoreau-in-Vermont

Weil, Gotshal & Manges

Matthew Bloch, Andrew Chizzik

The firm is helping the organization, a group hoping

to reopen a socially-aware summer camp, to incorporate and obtain tax-exempt status.

Friends of the Birth Center (FBC)

Stroock & Stroock & Lavan

Heather Heft

The firm is helping FBC, a nonprofit organization working towards establishing a natural childbirth center, by drafting a release for women to sign when they contribute their stories to a book the organization is compiling.

Haitian-American Sports and Education Network (HASENET)

Debevoise & Plimpton

Amina El-Sayad

The firm is helping HASENET, an organization that promotes sports, educational, cultural, and recreational activities in Haitian-American communities, to obtain tax-exempt status.

Half-Moon Foundation (HMF)

Winston & Strawn

Barry Salkin

Foundation Seeks to Dissolve

The firm is helping HMF, a small charity dedicated to promoting international peace, education, and protection of civil rights, to dissolve.

High Meadow School (HMS)

Shearman & Sterling

Sean Skiffington, Martin Toulouse, Alberto Luzarraga

The firm is helping HMS, a pre-K through eighth grade learning community located in Stone Ridge, New York, to obtain tax-exempt status.

Holistic Health Center (HHC)

Dickstein Shapiro Morin & Oshinsky

Kelly Newsome

The firm is helping HHC, a resource for health, science and spirit, to incorporate and seek tax-exempt status.

India Center (IC)

Kramer Levin Naftalis & Frankel

Mital Gondha, Michael Seaton

The firm is helping IC, an organization that works to promote and preserve Vedic culture and philosophy through cultural activities, to obtain tax-exempt status.

Interfaith Adopt-A-Building (IAB)

Dechert

David Hoffner, William Lippman

The firm is helping IAB, an organization dedicated to creating and preserving affordable housing on the Lower East Side, to negotiate the transfer of some housing units to another nonprofit housing organization.

International Leadership Charter School
Hughes Hubbard & Reed

Peter Moyers, Eduardo Vidal

The firm is helping a new school focused on enhancing students' knowledge of international studies and participation in global events to incorporate and obtain tax-exempt status.

Jamaica Athletic and Learning Center (JALC)
Shearman & Sterling

Itai Ran

The firm is helping JALC, an organization working to motivate and strengthen the community through youth services, to obtain tax-exempt status.

Justifying Action Strengthening Our Nation

Stroock & Stroock & Lavan

Sahra Dalfen, Omeca Nedd

The firm is helping JASON a nonprofit organization that provides positive outlets for young people, including peer counseling, tutoring, drop-out prevention and scholarships, to obtain tax-exempt status.

Ken's Science Store (KSS)

Davis Polk & Wardwell

Zhan Chen, John Butler

The firm is helping KSS, a nonprofit educational organization, to dissolve.

Kids Unique

Milbank, Tweed, Hadley & McCloy

Ingrid Loren

The firm is helping Kids Unique, an after-school program that focuses on identifying and developing children's unique strengths, with various transactional projects.

Kosovo Enterprise Program (KEP)

Holland & Knight

George Parnell, Savitha Reddy

The firm is helping the Kosovo Enterprise Program, a microfinance institution in Kosovo, to establish a U.S. entity.

La Fondation Memoire de New York (FMNY)

Skadden, Arps, Slate, Meagher & Flom

Edgardo Cavalie

The firm is helping FMNY, an organization dedicated to protecting and celebrating Haitian culture in the United States, to incorporate and obtain tax-exempt status.

Leadership Prep Charter School (LPCS)

Hughes Hubbard & Reed

Eugenie Cesar-Fabian, Sara Crisfalli, Damon

Rowe, Joseph Sena

The firm is helping LPCS, a new school that will serve children in Bedford-Stuyvesant, to establish two nonprofits, one of which will be the charter

school and the other of which will be a fundraising organization.

Mano a Mano

Cadwalader, Wickersham & Taft

Aseel Rabie, David Miller

The firm is helping Mano a Mano, an organization working to promote cultural exchange between New York Mexican and Mexican-American communities, to incorporate and obtain tax-exempt status.

Medicare Wheelchair Coverage Appeal

Hughes Hubbard & Reed

James Schoenecker, Deirdre Sheridan, James Kobak

The firm is helping a group of Medicare recipients to challenge a policy that would limit Medicare coverage of wheelchairs.

National Association for the Visually

Handicapped (NAVH)

King & Spalding

Monique Ribando

The firm is helping NAVH, a nonprofit agency dedicated to providing assistance to people who are partially visually impaired, with intellectual property questions.

National Association of Protection and
Advocacy Systems (NAPAS)

Kaye Scholer

Saul Morgenstern, Estelle Sohne

The firm is helping NAPAS, the membership association of protection and advocacy agencies, by drafting an *amicus brief* to the Second Circuit in *Office of Protection & Advocacy v. Hartford Board of Ed.*, et al, a case concerning access to school records.

National Association of Protection and
Advocacy Systems (NAPAS)

Stroock & Stroock & Lavan

Marisa Brahms, Kenneth Pasquale

The firm is helping NAPAS to draft an *amicus brief* to the Second Circuit in *Office of Protection & Advocacy v. Kirk*, a case regarding access to records at a state mental health facility.

No Child Is Somebody Else's Child

Schulte Roth & Zabel

Daniel Angel, Scott Kareff

The firm is helping No Child, nonprofit that produces creative projects and programs for inner city children, by reviewing a contract.

Npower NY

Paul, Weiss, Rifkind, Wharton & Garrison

Benjamin Ross

The firm is helping NPower NY, a nonprofit that provides technology assistance to nonprofits in New York City, to draft a contract for a new volunteer program.

NYLPI Nursing Home Case

Schiff Hardin

Lori Greendorfer, Beth Jacob

The firm is working with NYLPI to develop litigation on behalf of people with mental illness in nursing homes.

NYLPI Nursing Home Research

Weil, Gotshal & Manges

John Owen

The firm is helping NYLPI with research on a project regarding the inappropriate placement of people (particularly children) with disabilities in nursing homes.

NYLPI Disability Rights Research

Dewey Ballantine

David Blabey, Fiona Brett, Andrew Klein,

Grant McCrea

The firm is helping NYLPI with research on an issue that may affect the ability of disability rights groups to go to court to challenge violations of the Americans with Disabilities Act.

Open Arms Through Art (OATA)

Debevoise & Plimpton

Dagmar Myslinska

The firm is helping OATA, an organization that hopes to effect social change through art, to incorporate and obtain tax-exempt status.

Orca School General Counsel

Heller Ehrman

Angela Martucci, Steven Weise

The firm is serving as *pro bono* general counsel to The Orca School, a private school in California dedicated to integrated learning.

Prospect Heights Housing Development Fund
Corporation (PHHDFC)

Kaye Scholer

Brett Dockwell, Andrew Stillufsen

The firm is helping PHHDFC in a litigation.

Reciprocity Foundation

Chadbourne & Parke

Sue Shin, Thomas Meriam

The firm is helping the Reciprocity Foundation, a newly-incorporated nonprofit organization that plans to work with homeless youth, with questions regarding corporate structure.

Red Hook Boat Club (RHBC)

Kaye Scholer

Melanie Montenegro

The firm is helping RHBC, a nonprofit organization that promotes the sport of boating, to obtain tax-exempt status.

Right Rides

Ropes & Gray

Angela Krueger, Sasha Rao

The firm is helping Right Rides, a free transportation alternative for women coming home late at night from several busy neighborhoods in New York, with some intellectual property matters.

RIP Parks

Skadden, Arps, Slate, Meagher & Flom

Peter Olasky

The firm is helping RIP Parks, an organization dedicated to the restoration, repair and maintenance of the many abandoned cemeteries in New York City, to obtain tax-exempt status.

South Asian American Small Business Advisory Group (SAASBAG)

LeBoeuf, Lamb, Greene & McRae

Paul Chen

The firm is helping SAASBAG, a nonprofit dedicated to educating, advising, and assisting small business owners, to obtain tax-exempt status.

Small Companies United for Global Disaster Relief

Bingham McCutchen

Margaret Campbell, Sean Ryan

The firm is helping the organization, a group of small business owners who would like to pool their resources to raise funds to be used for disaster relief, to incorporate and obtain tax-exempt status.

Talking Drum Theatre Arts Program (TDTAP)

Richards, Spears, Kibbe & Orbe

Patricia Northrop, Paul Haskel

The firm is helping TDTAP, a program designed to provide arts enrichment and conflict-resolution to children in public and private schools, to obtain tax-exempt status.

Tribeca Hebrew

Shearman & Sterling

Lisa Jacobs, Jarett Schultz

The firm is serving as *pro bono* general counsel to Tribeca Hebrew, a new grassroots and community-based organization serving the lower Manhattan community.

Truth Project

New York Lawyers for the Public Interest

Sarah Alvarez

NYLPI Staff Attorney Sarah Alvarez is helping a group of investigative journalists who offer an alternative to the mainstream media to incorporate and obtain tax-exempt status.

Williamsburg Charter School (WCS)

Orrick, Herrington & Sutcliffe

Adam Gehrie, Neil Wolk

The firm is serving as *pro bono* general counsel to the first stand-alone charter high school in New York City. The goal of WCS is to unite youth, families, staff, teachers and the community at large in providing young people with the tools necessary to become skilled workers in the world community.

Special Education Matters

Matter of Abraham T.

Stroock & Stroock & Lavan

Kevin Curnin, Stephen Marseille

The firm is representing Abraham T., a child with special education needs, in obtaining appropriate services.

Matter of Alexander J.

Kasowitz, Benson, Torres & Friedman

Albert Mishaan

The firm is representing Alexander J., a 19-year-old young man with significant learning disabilities, in an administrative hearing.

Matter of Amena E.

Kirkland & Ellis

Atif Khawaja, Scott Samjaj

The firm is representing Amena E., an 11-year-old girl diagnosed with learning disabilities, in an impartial hearing to seek compensatory education.

Matter of Joshua S.

Stroock & Stroock & Lavan

Kevin Curnin, Terisa Lee, Sarah Rosenberg, Jaime Wasserstrom

The firm is representing Joshua S., a nine-year-old boy with dyslexia and other learning disabilities, in an impartial hearing to seek funding for private school tuition.

Matter of Lurasja T.

Davis Polk & Wardwell

Benjamin Allee, Amy Rossabi

The firm is representing Lurasja T, an 11-year-old girl with a learning disability, in an impartial hearing to seek funding for private schooling or private tutoring.

Housing Access Project

Matter of Mary C.

Clifford Chance US

Grant Buerstetta, Angelique Shingler, Joel Cohen

The firm is representing Mary C., a woman with a physical disability, in a case involving reasonable accommodation for an accessible parking space.

Attorneys from several member firms have recently helped with some NYLPI corporate housekeeping. We would like to thank **Proskauer Rose** attorney Jessica Cohen for her help in reviewing NYLPI's personnel manual. Steve Gorell and Paul Koppel of **Paul, Weiss, Rifkind, Wharton & Garrison** helped NYLPI evaluate its retirement plan. Jennifer Franklin, an associate at **Simpson Thacher & Bartlett**, advised on the revision of our bylaws and some other corporate questions. Recent special event contracts have been graciously reviewed by Alison King at **Kaye Scholer**.

Willkie, Farr & Gallagher attorney Lara Parker recently had a big victory in a case that is part of the Federal Benefits Protection Project, a partnership between the firm, NYLPI and Legal Services for New York City. Lara's client had been overpaid her Social Security benefits and the government was aggressively attempting to recoup funds. As a result of Lara's diligent advocacy, the judge granted a complete waiver. Congratulations, Lara!

NYLPI applauds three member firms on the recent creation and filling of new *pro bono* positions.

Debevoise & Plimpton:
Laren Spirer

Schulte Roth & Zabel:
Danny Greenberg

Weil, Gotshal & Manges:
Miriam Buhl

NYSBA Honors Member Firms and Attorneys

Each year, the New York State Bar Association (NYSBA) honors attorneys and law firms that have done extraordinary *pro bono* work. NYLPI, along with the Lawyers Alliance for New York and the Legal Aid Society, nominated several of this year's winners, including Ron Tabak of member firm **Skadden, Arps, Slate, Meagher & Flom** and member firm **Proskauer Rose**. In addition, several attorneys from member firms were honored in other categories.

Large Law Firm Proskauer Rose

The firm was recognized for its longstanding commitment to and encouragement of *pro bono* services and the depth and diversity of its successful program. In 2004, the firm's legal staff devoted close to 30,000 hours to

pro bono work. Cases ranged from immigration cases, to bankruptcy and discrimination work, to projects in the arts. Proskauer Rose requires all new associates to complete at least one *pro bono* matter during their first year at the firm.

1st Judicial District: Manhattan Jeffrey Simes, Goodwin Procter

Jeff was honored for his extraordinary work on behalf of homeless children. A tireless advocate for homeless children's right to receive an education, he was lead counsel in a class action lawsuit brought by the National Law Center on Homelessness and Poverty on behalf of families in Suffolk County. In addition to his leadership in that case and the thousand hours he spent working on it, Jeff simultaneously worked on and supervised seven additional *pro bono* matters. He was also instrumental in the filing of an *amicus* brief with the U.S. Supreme Court in a First Amendment case questioning the constitutionality of a monument of the Ten Commandments outside the Texas State Capitol.

1st Judicial District: Manhattan Ron Tabak, Skadden, Arps, Slate, Meagher & Flom

Ron has worked for more than 20 years against capital punishment and for prisoners' rights. Ron is also in charge of the firm's impressive *pro bono* program, helping the firm to be a national leader on *pro bono*. His dedication to providing free legal assistance to underserved people and communities is outstanding.

2nd Judicial District: Brooklyn and Richmond counties Jeffrey Trachtman, Kramer Levin Naftalis & Frankel

Jeff has been the firm's *Pro Bono* Chair for 10 years, and he has been instrumental in expanding its *pro bono* practice, creating a summer associate *pro bono* program, and advocating the importance of the work. In 2004, he devoted 25% of his time to *pro bono* legal work.



KENNETH G. STANDARD AND MATTHEW KELLY, CO-CHAIRS, PRESIDENT'S COMMITTEE OF NYSBA, FLANK PROSKAUER ROSE ATTORNEYS STEVEN KRANE AND JEREMY FEINBERG



KENNETH G. STANDARD, JEFFERY SIMES OF GOODWIN PROCTER, AND MATTHEW KELLY



MATTHEW KELLY, RON TABAK OF SKADDEN ARPS, AND KENNETH G. STANDARD



KENNETH G. STANDARD, JEFFREY TRACHTMAN OF KRAMER LEVIN AND MATTHEW KELLY

In-House Update

The Disability Law Center

The De-Institutionalization of People with Developmental Disabilities: NYLPI continues to work with Coler/Goldwater Specialty Hospital and Nursing Facility and other nursing homes to ensure that residents with developmental disabilities have access to appropriate care, programs and services, and fresh air. We are working on both systemic and individual levels and our advocacy and negotiations are ongoing. For example, on a systemic level, in response to NYLPI's efforts, Coler staff have now implemented a monitoring system to track how often residents go outside to access fresh air. On an individual level, NYLPI was able to obtain a new high-tech wheelchair for a 16-year-old resident.

The Placement of Children in Foster Care in Nursing Homes: In response to NYLPI's advocacy efforts on behalf of foster children with disabilities, the Administration for Children's Services (ACS) has agreed to severely restrict placement of foster children in nursing homes and to issue a policy prohibiting placement in nursing homes unless they are the least restrictive and appropriate placement. Currently, NYLPI is working to get foster children moved from nursing homes such as the Bayview Nursing and Rehab Center in Long Island into more appropriate and less restrictive placements.

Interagency Coordination on Behalf of Foster Children with Developmental Disabilities: NYLPI is negotiating to participate in pending litigation brought by the City Administration for Children's Services against the State Office of Mental Retardation and Developmental Disabilities that relates to placements and services for children with developmental disabilities. In order to ensure that the interests of children are adequately represented in the suit, NYLPI staff is planning to intervene, with the goals of ensuring greater inter-agency coordination and the provision of appropriate services.

Tom F. v. Board of Education: This case involves the right of parents of children with disabilities to place their children in private schools at public expense if the public school system fails to provide a program that can meet their needs. Because of wide-spread deficiencies in the public special education system, numerous

parents, some with quite limited means, invoke this right as the only opportunity for their children to learn. In January, Judge Daniels of the United States District Court for the Southern District of New York issued a decision restricting this right to parents whose children had previously received special education services in public schools. The decision was appealed to the Second Circuit. NYLPI staff arranged for Patterson, Belknap, Webb & Tyler to represent the parent on appeal and also worked closely with Morrison & Foerster to submit an *amicus curiae* brief on behalf of thirteen organizations serving low-income children with disabilities.

Direct Services and The Matter of M.: NYLPI represents M., a 50-year-old man who is deaf and has mental illness, who was living on his own in an apartment that was being paid for by his 97-year-old aunt. M.'s family called NYLPI with the concern that he could not live in his own apartment because he had never learned the skills to live independently. M.'s family came to realize that he needed a supportive living arrangement that would provide him with a safe, healthy, and socially stimulating environment, but needed assistance finding an appropriate placement. NYLPI's advocates met with M. and his family members and worked with them to find a placement in an independent living arrangement called The Tanya Towers Treatment Apartment program, licensed by the Office of Mental Health. M. moved into his own apartment in April, 2005, and, so far, is doing well. He is doing his own laundry, showering every day, and spending time with his peers.

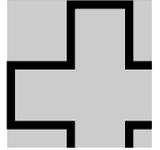
Access to Health Care

Committee to Save Our Hospitals: NYLPI staff has been working intensely with the Committee to prevent the loss of needed medical services in Central Brooklyn. See pages 1 and 5 for more information.

The Immigrant Health Access and Advocacy Collaborative of the New York Immigration Coalition: Building on its relationship with the New York Immigration Coalition (NYIC), NYLPI began participating in NYIC's Immigrant Health Access and Advocacy Collaborative, providing technical assistance on language access issues to community groups, including: Haitian-Americans United for Progress, Korean Community Services of Metropolitan New York, the Latin American Integration Center, Make the Road by Walking, and others.

MediSys: NYLPI, co-counsel from the Legal Aid Society, and community groups from the New York Immigration Coalition filed what may be the first civil rights complaint against a hospital network for failure to provide language

assistance services. The complaint, filed with the New York Attorney General, alleged that the MediSys network — including Brookdale Hospital Medical Center, Flushing Hospital Medical Center and Jamaica Hospital — fails to provide people who are limited English proficient with adequate translation and interpretation services. The Attorney General has accepted the complaint and is investigating.

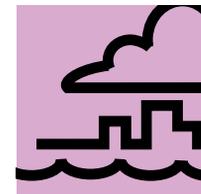


New York Presbyterian Hospital: NYLPI is also negotiating with New York-Presbyterian about its language assistance policy on behalf of a broad coalition of community groups led by Alianza Dominicana, Make the Road by Walking, Mirabal Sisters Community & Cultural Center, the New York Civic Participation Project, and local community leaders.

Brooklyn Hospital: NYLPI is monitoring compliance with the language assistance agreement that was negotiated last year with Brooklyn Hospital.

Environmental Justice and Community Development

Solid Waste: NYLPI has been advocating for an equitable solid waste management system for many years. Approximately eighty percent of the City's garbage is currently handled in three neighborhoods in sub-standard transfer stations that import and export by truck over 30,000 tons of garbage every day. These neighborhoods also bear the burden of the heavy truck traffic and diesel emissions associated with these land-based transfer stations. As part of its work on behalf of these overburdened communities, NYLPI continues to work to secure an economic, environmentally sound, and equitable solid waste management plan equally protective of all New Yorkers. Announced by the Mayor at the end of 2004, a new plan is being finalized by the City. NYLPI has been actively working with local executive agencies, legislative officials, and others to ensure this new plan provides environmental justice for communities of color overburdened by land-based transfer stations.



"Toxic High" in Soundview: NYLPI has been working with the Concerned Residents Committee in Soundview, raising questions about contamination on the former site of Loral Electronics Systems, where the Soundview Educational Campus, a public high school, is

Patrons of the Public Interest

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(CONTINUED FROM PAGE 10)

now located. NYLPI's staff helped to organize a community forum on May 19, 2005, in which community leaders, federal, state and local elected officials, and representatives of the School Construction Authority (SCA) all participated. At the forum, SCA was presented with the findings and recommendations of an independent engineer working with the community. NYLPI's efforts have included investigation of legal strategies, organizing, media work, factual investigation, and negotiations. On May 24, 2005, the New York City Department of Buildings declared Loral's abandoned manufacturing building located 200 yards away from the school an "immediate emergency" and ordered that the building be demolished. On May 31, 2005, the New York City Department of Environmental Protection ordered the current owners of the site to remove all the municipal solid waste tractor-trailers parked next to the school from the site.

About NYLPI

OUR MISSION

New York Lawyers for the Public Interest is a nonprofit, civil rights law firm that strives for social justice. In partnership with member law firms, corporate law departments and other organizations, NYLPI helps underrepresented people develop legal strategies to serve their vision for themselves and their communities.

OUR WORK

Created in 1976 to address unmet legal needs, NYLPI combines a *pro bono* clearinghouse with an in-house practice which blends innovative lawyering, community organizing and advocacy.

The Pro Bono Clearinghouse provides community groups and nonprofit organizations with free legal assistance by

drawing on hundreds of volunteer lawyers from New York's most prestigious law firms and corporate law departments.

The Disability Law Center protects and promotes the civil rights of people with disabilities.

The Environmental Justice and Community Development Project provides organizing and legal assistance to low-income neighborhoods and communities of color that bear an unfair burden of environmental threats.

The Access to Health Care Program works to ensure access to quality health care for people in medically underserved communities or facing barriers due to limited English proficiency, racial and ethnic discrimination, and disability.

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