

IN BRIEF

ISSUE 7 ■ WINTER ■ 2008

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From the Executive Director

Like every law firm, the Legal Aid Society of San Mateo County strives to provide excellent legal services that meet the needs of its clients. Our clients are low-income children, families, teens, women and seniors in San Mateo County, who have few resources. Through periodic surveys of our client population and other community agencies, we have learned that our clients most need legal services in areas of basic need. As a result, the Legal Aid Society of San Mateo County provides core programs in housing and healthcare, access to subsistence benefits, special education and disability rights, and domestic violence/family law. It is our mission to improve the lives of disadvantaged people through equal access to justice.

You may not be surprised that housing is an urgent area of need for our clients. According to the National Low Income Housing Coalition, approximately 39% of San Mateo County's households are renters. Using total housing costs of 30% of gross income as an index of affordability, almost half of renter households cannot afford the fair market rent for a two bedroom apartment in the county. Renters who fall into the Extremely Low Income category as defined by HUD (less than 30% of area median income) cannot afford even the fair market rent for a zero-bedroom unit. As a result, most low income renters are paying more than they can afford for housing, meaning their ability to pay the rent every month depends on not missing work due to illness and not having the car break down.

When something does happen that disrupts the stability of a housing situation, legal services can often make the difference between maintaining an affordable housing situation and homelessness. As the longest-established legal services program in San Mateo County, Legal Aid had to respond to this critical community need. With partial support from San Mateo County and several of the larger cities in the county, Legal Aid has expanded its housing legal services to fill some of the gap left by the withdrawal of other legal service providers. Every week our housing attorney Shirley Gibson and pro bono attorneys from the private bar offer housing legal assistance here in San Mateo, in Daly City, and in Redwood City. Each clinic is full.

As you read the news items below you may note that our programs provide services to our clients using differing models of delivery ranging from direct delivery of services to pro bono representation. The Legal Aid Society of San Mateo County has a history of designing creative programs that incorporate pro bono attorneys and other agencies, in order to leverage resources to meet needs. Most recently, we created a program that offers services to children with disabilities that incorporates pro bono attorneys from Baker & McKenzie and from Intel. You can hear more about this innovative new approach at the 11th Annual Awards Luncheon on Friday, May 2, 2008 at the Four Seasons Hotel Silicon Valley in East Palo Alto. Keynote speaker Jeff Hyman, Group Counsel at Intel, will speak about "Perfect Partners: How A Corporation, A Law Firm & The Legal Aid Society of San Mateo County Make the Community A Better Place".

At the luncheon we will also be presenting awards to Cooley, Godward & Kronish LLP, Joe Galligan, C.P.A and Margaret Laughlin Martin, Esq. for their tremendous volunteer service.

You needn't wait until May to see Legal Aid in action. My door is always open. Please do come on by.

Sincerely,

M. Stacey Hawver
Executive Director



SAVE THE DATE!



And Justice For All

Legal Aid Society
of San Mateo County's

11th Annual Awards Luncheon

Friday May 2, 2008

Four Seasons Hotel Silicon Valley at East Palo Alto
Luncheon Program 12:00 noon -1:30 p.m.

Tickets Available Online March 14 at
<http://luncheon08.eventbrite.com/>



Keynote Speaker

Jeffrey N. Hyman,
Group Counsel,
Intel Corporation.

*"Perfect Partners: How A
Corporation, A Law Firm
& The Legal Aid Society of
San Mateo County Make the
Community A Better Place"*

We also look forward to honoring the law firm of Cooley
Godward Kronish LLP, Joseph Galligan C.P.A., and
attorney Margaret Laughlin Martin for their commitment
to justice in our community.

Legal Aid Golf Classic Coming June 16th

EVERY JUNE LEGAL AID SUPPORTERS AND GOLF LOVERS GRAB THEIR CLUBS AND TAKE TO THE GREEN. IN AN ANNUAL, SEVENTEEN-YEAR OLD TRADITION, LEGAL AID HOSTS THE "GOLF CLASSIC", A HALF DAY TOURNAMENT AT THE PRESTIGIOUS STANFORD UNIVERSITY GOLF COURSE.

This year the Legal Aid Golf Classic is taking place Monday June 16th at noon. You, your friends, your clients and your summer associates are cordially invited to join us



for a relaxing afternoon at Stanford, starting with barbecue lunch on the course followed by 18 holes of scramble format

golf, ending with an awards banquet featuring dinner and live and silent auctions.

Will you be the winner of the first place Silver Bowl this year? Or perhaps you will be one of three men's and women's prizes for longest drive, closest to the pin and straightest drive. But even if you don't place first, you can bid on rounds of golf, golf lessons and other prizes at our post-game auction.

Event chairs Yar Chaikovsky of Sonnenschein Nath & Rosenthal LLP, Ron Garrity of Simpson Garrity & Innes PC and Chair Emeritus Rich Berra of Berra Stross & Wallacker are

"honored to help organize an event where everyone loves both the golf and mission of Legal Aid."

Last year's Legal Aid Golf Classic raised over \$130,000 for justice. "It's a wonderful to spend a day on the course with friends and raise money to ensure equal access to justice for low-income children, families and seniors in our community", notes Committee member Debbie Landstrass a paralegal at Carr McClellan.

You can join us this year by registering at <http://legalgolf08.eventbrite.com> starting April 28th.

Looking forward to seeing you on the course June 16.

Client's Rights Advocate Program: They Know Their Rights and Are Willing To Fight

THE CLIENT'S RIGHTS ADVOCATE PROGRAM IS TASKED TO FIGHT FOR THE RIGHTS OF ADULTS WITH DISABILITIES. TWO RECENT CASES INVOLVING THE OVERPAYMENT OF BENEFITS ARE ESPECIALLY NOTABLE EXAMPLES OF LEGAL AID'S ADVOCACY FOR THOSE WHO HAVE LITTLE VOICE IN THE SYSTEM.

Mr. Kae is 55 year-old blind homeless monolingual Tongan speaker. He has been receiving Social Security benefits for over 10 years. Several years ago, the Social Security Administration assessed an overpayment to Mr. Kae of over \$20,000. He tried his best to advocate for himself, but was very frustrated by the Social Security appeal process. When Mr. Kae came to Legal Aid, he met with Clients Rights Advocate attorney Chris Douglas. Mr. Kae informed Chris that his Social Security benefit was being reduced to

recoup the very large overpayment. Because of his reduced benefit, Mr. Kae could not afford the subsidized housing that he lived in and became homeless. Chris appealed his case to the Social Security Administrative Law Judge and represented Mr. Kae at his hearing. The Judge delivered a fully favorable decision and ordered Social Security to pay Mr. Kae back for the amount that was incorrectly withheld. As a result, Mr. Kae can now afford a small apartment and will no longer be out on the street.

In the second matter, the client James, had been receiving Social Security benefits since the 1972. James is 51 years old and has Schizophrenia. He began working part-time a couple of years ago, but due to his disability, it was difficult for him to follow Social Security's complicated rules that a beneficiary must follow when he or she returns to work. Social Security did not attempt to explain the

rules to James in any way. As a result, he ended up being overpaid by Social Security by \$35,000.00.

James was referred to the Client's Rights Advocate program by a community advocate who received trainings from Legal Aid at a staff meeting presentation for his organization. James met with Chris Douglas who appealed this case to a Social Security Administrative Law Judge. Chris represented James at his hearing and argued to the Judge that it was not James's fault that he was overpaid, rather that the local Social Security office failed to do its duty to ensure that individuals with disabilities had the assistance that they needed to understand the complicated Social Security rules. After the hearing, the Judge thanked Chris and Legal Aid for representing clients in cases such as these. Specifically, he said that he has ruled negatively in many similar cases, simply because

the petitioners lacked the assistance of an advocate who understood the complicated Social Security rules. In the end, the Judge delivered a fully favorable decision ordering that James did not have to pay back the \$35,000.00 finding that James was not at fault in causing the overpayment.

While the Client's Rights Advocate assisted over 150 clients and gave community presentations to over 800 San Mateo County residents in 2007, there is still much work to be done. The legal obstacles faced by adults with disabilities are only increasing. Problems due to lack of affordable housing, access to public benefits, and access to affordable health care are becoming more pervasive. You can help those in your community that cannot help themselves by calling the Client's Rights Advocate program, referring people who need help or making a donation to the program.

Volunteer Celebrates 5 Years At Legal Aid



AFTER A THIRTY-THREE YEAR CAREER AS A COMMERCIAL AIRLINE PILOT AND AVIATION ATTORNEY, JAY WHITE CAME TO VOLUNTEER AT LEGAL AID.

He started doing intakes for low-income seniors who were having consumer law issues. Intakes soon turned into case work, and now Jay spends about 20 hours each week, helping resolve issues for more than 100 seniors each year.

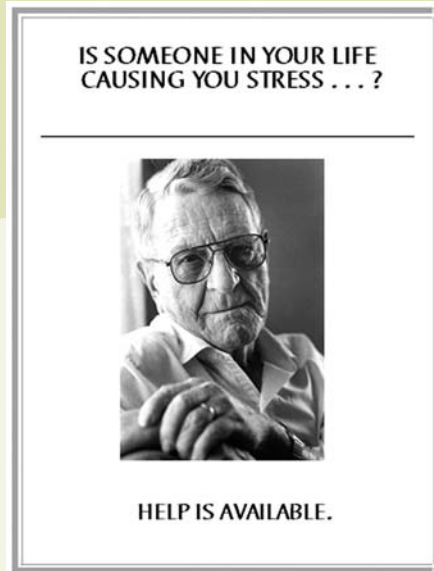
Jay is able to resolve many issues with a few phone calls and a letter or two, and his efforts bring great relief for his clients. Jay has become skilled at a range of matters that include contractor scams, unconscionable contracts, insurance companies refusing to pay for an auto accident, credit card debts and elder financial abuse. He consults with clients about how to use the small claims court. Also, he assists them in preparing responsive pleadings when they are sued in Superior Court, and advises them what to do if they have a judgment against them which they cannot pay.

Jay was recognized for his volunteer work by the Legal Aid Association of California in 2006. He has become an integral part of Legal Aid and we thank him sincerely for all the work he does.

Educating Seniors About Elder Abuse

THE ELDER ABUSE PREVENTION PROJECT IS A PARTNERSHIP BETWEEN LEGAL AID AND KAISER PERMANENTE THAT TRAINS KAISER HEALTH PROVIDERS ABOUT ELDER ABUSE AND THE SERVICES LEGAL AID PROVIDES SO PATIENTS WHO ARE VICTIMS OF THE ABUSE CAN GET LEGAL ASSISTANCE.

Legal Aid has conducted three trainings at Kaiser facilities in South San Francisco and Redwood City.



Another goal of the project is to educate seniors who may themselves be victims of elder abuse that there is help available. Most seniors make visits to their doctors regularly, making their doctor's office an ideal place for outreach, especially to isolated seniors who do not often venture out of their homes.

Recently, Legal Aid prepared small, "take-away" brochures with information on elder

abuse that have been distributed to Kaiser Permanente offices. Funded by Kaiser, the brochures were printed in Spanish and English and directed at seniors who might be silently suffering from elder abuse. The brochure lays out the many forms that elder abuse can take; constant demands for money, threatening behavior, and intimidation, and refers the seniors to Legal Aid for assistance.

Welcome To Our New Board of Directors

LEGAL AID IS PROUD TO ANNOUNCE THE ELECTION OF ITS 2008-2009 BOARD OF DIRECTORS. THREE NEW OFFICERS AND TWO AT-LARGE MEMBERS WERE ELECTED AT THE BOARD'S NOVEMBER MEETING.

Lynne Esselstein, an attorney specializing in public law, was elected to the office of President. Joining Esselstein is David C.



Wilson, a partner at the Palo Alto offices of Morrison & Foerster LLP, who was elected Vice President.

Robert Koenig, a partner at the Silicon Valley offices of Latham & Watkins LLP, was elected Secretary and Marisa Bracoloni, Senior Director at salesforce.com, continues to serve as Board Treasurer.

New at-large board members are Laurence A. Weiss, partner at Heller Ehrman LLP's Silicon Valley office, and Ricardo Ortiz, Vice President and Manager of City National Bank in Burlingame.

Outgoing President Dan K. Siegel, partner at the Menlo Park offices of Jorgenson, Siegel, McClure & Flure LLP, continues to serve on the Board and was recognized at the meeting for his exemplary leadership of the past two years.

Lynne Esselstein has served on the Board of Directors since 1997, twice holding the post of Vice President. Esselstein lives in Hillsborough with her husband Jon and her twin daughters.

"I am extremely honored to assume the presidency of the Legal Aid Society of San Mateo County. Legal Aid is a key organization in San Mateo County. I hope to expand community support and awareness of the work done on behalf of people in need in our community." Esselstein said.

David C. Wilson, practices corporate and securities law at Morrison & Foerster. Wilson is the former Secretary of Legal Aid's Board. Prior to joining the Board, Wilson was an active member of Legal Aid's lunch and golf committees.

NEW BOARD MEMBERS

Laurence A. Weiss is a member of Heller Ehrman's Securities Litigation Practice Group, focusing on litigation of complex securities fraud and corporate governance matters.

Ricardo Ortiz, a commercial banker with nineteen years of experience, has served on the boards of numerous community organizations and volunteers his time as a soccer coach in Burlingame where he lives with his wife and three children.

Legal Aid Newbies

LEGAL AID RECENTLY WELCOMED NEW EMPLOYEES. THREE ATTORNEYS JOINED THE FIGHT FOR SOCIAL JUSTICE, AND ONE HEALTH CONSUMER CENTER COORDINATOR AND RECEPTIONIST EAGERLY BEGAN.

Shirley Gibson, the new housing attorney at Legal Aid, eagerly work in late September and has not slowed down since. She is a graduate of New College of California, School of Public Interest Law and Reed College. Before coming to Legal Aid Shirley worked at the Eviction and Defense Collaborative and with her husband Tim doing civil rights casework. While doing landlord-tenant work at a private practice, Shirley found it difficult to charge tenants money and mostly worked pro bono. "Although housing should be a fundamental right for all people, we are forced to deal with it as a commodity. Tenants who are caught in the unlawful detainer process have very little power in the courts, and are always at a tremendous disadvantage. I like to think that my work with Legal Aid does a little to tip the balance for tenants and allows some people to participate in the a process that is otherwise inaccessible to them. Most importantly, I believe that the help we provide is a factor in preventing homelessness and stabilizing the lives of families, elders, and other vulnerable people. Empowering people to stand up for themselves and giving them the tools to do it is the best part of my job." Shirley says. Staying after hours at the three housing clinics throughout San Mateo County, Shirley doesn't go home until everyone waiting for her counsel has been seen. She genuinely cares about her clients and is devoted to the fight for justice.

She also loves to spend time with her daughters and husband Tim.

Tricia Vinson is thrilled to have returned to Legal Aid as Supervising Attorney for the Health Consumer Center to fill in for Melissa Rodgers while she is on maternity leave. After attending Stanford University for both her undergraduate and Law School education Tricia began working at Legal Aid. She stayed for 10 and a half years, working in the East Palo Alto office, as Directing Attorney for Senior Advocates, and as the Supervising Attorney for the Administrative Law Unit. Upon the birth of her third child, Tricia took a break from practicing law. During this time she taught at the Paralegal Institute at the University of Santa Clara, worked as an elementary school teacher, and played an active role in several local non-profits including co-founding and serving on the board of East Palo Alto Kids Foundation. A year and a half ago, with an empty nest in sight, Tricia decided it was time to return to her first passion—legal services for the poor, so she filled in for several months at Bay Area Legal Aid in Santa Clara County. When the opportunity to return to the Legal Aid Society of San Mateo County presented itself last fall, Tricia accepted eagerly. Although much has changed in health and welfare law, and not always for the better, she is finding that it has been surprisingly easy to jump back into the fray, and she still feels the same excitement when successfully representing her

clients' rights. When not working, Tricia enjoys hiking, skiing, reading and spending time with friends and family, which now includes four (almost) grown children who have turned into adults who are interesting and a lot of fun to be with.

Amanda Barden is a compassionate attorney and part of the Senior Advocates Program at Legal Aid. Previously she spent time working in a morgue, working for Google, and even had a brief stint as a private investigator. Amanda attended UC Davis, completed graduate work at USC, where she received a Masters in Gerontology, and went to law school at the University of San

Francisco. When she started law school

Amanda

dreamed of finding work at a non-profit providing legal services to seniors- which is why she's so passionate about the Senior Advocates Program at Legal Aid.

Her favorite thing about Legal Aid is the great people she works with. "I have been incredibly lucky to meet and learn from this team of talented and dedicated attorneys." Amanda said. In her free time she likes to write and is very easily persuaded to drop what she's doing and go to the movies.

Jasmine Guillory, an attorney working with Kids in Crisis, is passionate about children's rights. Born and raised in the Bay Area, Jasmine graduated Wellesley College and Stanford Law School. While at Stanford she was involved with the Youth Education Law Project

and was a board member of the East Palo Alto Community Law Project. After graduation she clerked for U.S. District Judge Susan Illston and was an associate at Morrison & Foerster before she came to Legal Aid early last year.

Natashia Gomez, our new Health Consumer Center Coordinator, has always been committed to justice. In her previous job as Health Advocate at the San Mateo Medical Center she enrolled residents in the state and county health programs and referred clients to Legal Aid if they had legal problems. Her activist roots and passion for justice come from her mother. "I am passionate about the service Legal Aid provides because I understand first hand the importance of serving the community and the less fortunate. I am a first generation Chicana and I was raised by a single mother who brought us up on an income that fell below the federal poverty line." she said, "My mother taught me the importance of standing up for your rights and the rights of others". A graduate of Berkeley and Harvard, Natashia is also teaching Latin American Studies at Notre Dame de Namur University part time.

Cecilia Munguia, Legal Aid's new receptionist and Palo Alto native, takes great care of everyone in our waiting room, whether they need a drink of water, need to be reassured, or need to a compassionate ear. Fielding dozens of calls a day, Cecilia is the smiling face you see when you come through our door, on the front lines of justice.

Another new addition to the Legal Aid family is Zola Ortiz de Montellano, born November 29th to Directing Attorney Melissa Rodgers and her husband Congratulations Melissa and family!



YOU CAN HELP.

Your gift helps Legal Aid provide equal access to justice for thousands of low-income children, families and seniors in San Mateo County who need legal services. Together we can ensure equal access to justice for some of the community's most vulnerable groups. To make a gift or for more information please visit legalaidsmc.org/support.

**Would you like to
receive our next
newsletter by email?**

Sign up on our website
www.legalaidsmc.org

The Legal Aid Society is a private non-profit law firm providing civil legal services since 1959 to low-income families, seniors, persons with disabilities, and domestic violence survivors in San Mateo County. Our office offers individual assistance, community education, and resolution of systemic problems to vulnerable San Mateo County residents in the areas of Health; Housing and Homelessness; Family Law and Domestic Violence; Government Benefits; and Disability Rights. Last year, Legal Aid's staff of 12 attorneys served 1,360 families, representing 3,737 individuals. The average family income for our clients was \$17,211 and median income was \$12,000. We specialize in combining individual and policy-level advocacy to reduce disparities for the populations we serve.

LEGAL AID SOCIETY
OF SAN MATEO COUNTY

THE NATALIE LANAM JUSTICE CENTER
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