

## HOW TO BECOME A FELLOW

**NOMINATION** In order to become a Fellow, a lawyer or judge must be nominated by a colleague who is an existing Fellow. Nominations are accepted on a rolling basis.

**ELECTION** The Board of Trustees reviews each nomination and votes to invite individuals to join the Society of Fellows.

**COMMITMENT** Fellows pledge to contribute a minimum of \$1,500 to the Foundation (\$250/year for 6 years). In return, Fellows can opt to participate in events, governance, fundraising, and the annual grantmaking process.

**RECOGNITION** After the completion of this pledge, the individual is designated a Life Fellow of the Massachusetts Bar Foundation.

## PLEDGE LEVELS

Life Fellow	\$1,500
Louis D. Brandeis Fellow	\$2,500*
Oliver Wendell Holmes Fellow	\$5,000*

\*All prior Fellows' contributions are automatically applied toward Brandeis & Holmes pledges.

## WELCOME, NEW MBF FELLOWS

The Foundation is pleased to announce the addition of 38 new Fellows to its ranks. The following lawyers and judges are thanked for their generosity and willingness to assist the Foundation in its mission:

Michael P. Angelini, Hon. Susan S. Beck, David C. Bloomberg, David A. Conlon, Michael L. Cornell, Colleen C. Currie, Hon. Raya S. Dreben, Hon. Elizabeth M. Fahey, Veronica J. Fenton, John H. Fitz-Gibbon, Ronald E. Gluck, James D. Gotz, Hon. Scott Kafker, David R. Kaplan, Joyce Kauffmann, Nancy King, Peter C. Knight, Mark Twombly Lee, Amy Cashore Mariani, Dennis E. McHugh, Denise I. Murphy, Wendy J. Murphy, Peter L. O'Keefe, Terrence L. Parker, Stuart W. Rapp, Gerald F. Rath, Lloyd C. Rosenberg, David R. Roulston, Robert Sable, Hugh W. Samson, Abigail A. Shaine, J. Michael Shanley, Hon. Mitchell J. Sikora, Jr., Hon. John C. Stevens III, David E. Sullivan, Jennifer J. Valianti, John P. Walsh, Michael C. Wilcox

There are more than 1,400 Fellows and Life Fellows across the Commonwealth.

## GRANTEE HIGHLIGHT

### Facing the Challenge of Equal Justice for All

By Jennifer Valianti, Esq.  
Legal Assistance Corporation of Central Massachusetts

Our clients come to us facing legal problems involving some of our most basic needs — food, shelter and safety. Every day, children go hungry because they have been wrongfully denied food stamps. Every night, homeless families who have nowhere to sleep are unlawfully turned away from shelters. And tragically often, battered women cannot leave their abusive partners because they fear losing their children and any means of support. These are the cases in which we provide legal representation to clients who would otherwise have to navigate the justice system on their own.

As the Reverend Dr. Martin Luther King said, "Injustice anywhere is a threat to justice everywhere." Poor people are seeking the same access to justice that all persons of this commonwealth seek — that they will be given an opportunity to have their story heard by an impartial judge, and that a fair and just result will issue. But we know that when unrepresented people enter a courtroom, often with limited education and sometimes with limited English, they are most likely not going to have equal access to justice.

So what is the magnitude of the challenge of trying to ensure equal access to all? According to the Dean of the North Carolina School of Law Gene Nichol, there is one lawyer in the United States for every 390 people, but only one legal services lawyer for every 4,300 persons living in poverty. Currently, over half the people who are eligible for legal services are being turned away, because we simply do not have the resources to serve all of the people who need

representation — and the need is becoming greater, particularly in these times of tight budget constraints.

Who exactly is eligible for legal services? In order to be eligible, one must be at or below 125 percent of the federal poverty level — which is approximately a \$22,000 annual income for a family of four. Between 1989 and 1999, the number of people eligible for legal services statewide increased by 56,000. Given the fact that the economy has gotten considerably worse since 1999, the number of poor people eligible for legal services keeps going up.

Most of these people are finding themselves and their families in a desperate situation, even though they did what had been expected of them: They got off welfare. They got a job, although a low-paying job. Now, many of these same people have lost that job.

Some of these people are eligible for unemployment, some are not, and for others unemployment has run out. There are few economic supports remaining for the very poor.

A single mother of two who has exhausted her limited welfare benefits might be eligible for food stamps and she may be eligible to apply for a \$8 housing voucher (which would allow her to pay an affordable rent based on her income). However, in most localities across this state, there is at least a three-year waiting list to get a \$8 voucher.

We are also seeing a new phenomenon in legal services — an increase of clients who are sometimes referred to as the "newly poor." These are people who previously had never been eligible for legal services, but due to the current economic climate, they are now poor and seeking our help.

How does this all relate to the MBF? The Legal Assistance Corporation of Central Massachusetts received three grants from the MBF this year, which include:

**PRO SE LITIGANTS IN COURT**, which has two components:

- *Uncontested Divorce Project* — in which we handle approximately 200 simple divorces per year, with most of the work done by one paralegal. The First Justice of the Worcester Probate And Family Court, the Honorable Judge Joseph Lian (who was an MBF Trustee and has been extremely supportive of this project), has set aside block time once per month to do 10-20 uncontested divorce hearings, which are completed in about one hour. This project benefits both the clients and the administration of the courts, since there are fewer pro se litigants.
- *Lawyer for the Day* at the Worcester Probate and Family Court — this is a joint project with the WCBA, where private attorneys give advice to indigent persons four mornings a week at the courthouse.

**WORCESTER FAIR HOUSING PARTNERSHIP** — this is a partnership with the Housing Discrimination Project, in which our advocates handle cases involving housing discrimination, including racial discrimination and discrimination based on family status.

**THE HONORABLE HARRY T. ZARROW HOMELESS ADVOCACY PROJECT** — this is a joint project with the WCBA's Committee on the Poor and Homeless, in which we provide on-site emergency legal advice to homeless-shelter residents, coordinate regular visits to shelters by private attorneys, and refer cases for full representation to LACCM.

Our office has also benefited from the MBF Legal Intern Fellowship Program, which has funded two summer interns.

The funding to legal services from the MBF is more important than ever. I have discussed the overwhelming need for legal services, but I have not addressed what is simultaneously happening with our other funding sources. The Massachusetts Legal Assistance Corporation receives a significant portion of IOLTA monies, which it then distributes to legal services programs statewide based on the percentage of

the poverty population in each area. The legal assault on the IOLTA system could have huge ramifications for legal aid and bar foundations throughout the country.

The commonwealth is also facing a huge budget deficit this year, and the upcoming year looks no better. We are seeking level funding from the legislature in the next fiscal year, however we expect that, like last year, our programs will be cut. These funding cuts will have a devastating impact on our clients not only because there will be fewer resources to provide legal services, but because the already overtaxed programs which they rely on for support, will likewise see budget cuts. In the last fiscal year, many state programs and services were cut. Welfare offices were closed in some of the poorest parts of the state, money was cut from shelters and rent programs, and health services were cut, all of which have a dire impact on the very poorest members of our communities.

What are legal services programs doing in light of these funding realities? We have been creative and resourceful in fashioning different solutions to try to meet the needs of as many people as possible.

Our office, in partnership with the Massachusetts Law Reform Institute and Neighborhood Legal Services, has launched a new interactive Web site called Live Justice, which is funded through a grant from the Department of Commerce. The Web site will allow clients to access an advocate live via the Internet to get legal advice and materials relating to housing matters. The Web site will be available at various hours during the week, including evening hours.

This program is at the forefront of technology and has been showcased throughout the country as one means of trying to reach a large number of clients with limited resources. Other programs are similarly responding to the great legal needs of their clients in innovative and flexible ways, including collaborations with community groups and setting up hotline programs throughout the state.

*(Adapted from remarks at the MBF Annual Meeting on Jan. 23, 2003.)*

## MBF IN THE COMMUNITY

### MBF Honors Citizens Bank

Citizens Bank was recognized as a Great Friend of Justice at the annual Access to Justice Awards Luncheon, co-sponsored by the Massachusetts Bar Association and the Foundation, on January 24, 2003 at the Sheraton Boston Hotel.

MBF President Steven L. Wollman thanked Citizens Bank for its work on behalf of the most vulnerable citizens of the commonwealth.

"Citizens has been a leader in setting competitive interest rates on accounts that benefit legal programs for low-income people," Wollman said. "These IOLTA accounts pool interest on funds held by lawyers on behalf of their clients. Citizens' continued support will help the Massachusetts Bar Foundation provide grants that help the elderly, children in need, victims of domestic violence and others with severe legal problems."

In accepting the award, Citizens Bank President and CEO Thomas J. Hollister said, "I am honored to be among this dedicated group of awardees. Hearing about these attorneys and the work they do on behalf of needy people makes me proud of Citizens' contribution to equal justice."

The Great Friend of Justice Award was established in 2000 to recognize members of the community that have helped the Foundation advance its mission to increase access to justice. Previous recipients include Perkins Smith & Cohen, Capital Crossing Bank, Eastern Bank and former MBA Executive Director Susan Waters.

### Worcester County Bar Foundation and MBF launch County Funds for Justice

The MBF and the Worcester County Bar Foundation have partnered in a new project, County Funds for Justice. This MBF statewide initiative is intended to generate a funding base for law-related projects within participating counties in the state. Proceeds from the fund will be targeted to local non-profit organizations that facilitate the administration of justice, provide civil legal services to the indigent or educate the public about their rights and the American system of justice.

While Worcester County is the first active partner in the program, other county bar associations are considering participation.

The Worcester venture combines MBF development resources with the WCBF's familiarity with local interests and needs for service. Accordingly, the MBF will administer fund-raising activities, manage investments and provide expertise in grant making and oversight, while local attorneys will volunteer their efforts as planners, solicitors and grant advisors in the overall effort.

Kenneth J. Vacovec, Esq., former MBF president and County Funds for Justice task-force director, said, "State budget cuts and perennial threats to traditional grant sources for these essential yet chronically underfunded services make this a particularly opportune time for the alliance."

Contributions to the Worcester County Justice Fund can be sent to: MBF, 20 West Street, Boston, MA 02111-1218.



Annual Meeting attendees (from left): Fellows Lesa M. Stramondo and Salvatore F. Stramondo; MBF Grantee Jennifer J. Valianti of LACCM; Citizens Bank President Thomas J. Hollister receiving the Great Friend of Justice Award from MBF President Steven L. Wollman; MBF Secretary Anthony K. Stankiewicz; MBF Treasurer Margaret S. Travers and new Trustee Donald K. Stern; Fellow Robert J. Brink and Trustee Robert V. Ward, Jr.; Class of 2003, New Life Fellows.

**Passionate  
Foundation Trustee  
and MBA Member**



**IN MEMORIAM**

David P. Barry, a Cambridge attorney, MBF Trustee and Life Fellow, and MBA member, who was described by friends and colleagues as a man of dignity and compassion, died Feb. 20. He was 48.

Mr. Barry, a Trustee since 2001, was passionate about his work with the Foundation in the areas of grant making and the Legal Intern Fellowship Program. He also served the MBA as a judge in the annual statewide Mock Trial program for high school students.

Mr. Barry was a Middlesex Regional Delegate to the MBA's House of Delegates for three years and was a member of the Executive Management Board. He was the former chairman of the MBA Lawyer Referral Service and served on the Family Law Section Council.

Steven L. Wollman, MBF president, expressed the Foundation's sadness at its loss: "David's expertise, hard work and sense of humor will be greatly missed on our Board."

Donations in memory of Mr. Barry may be made to the Massachusetts Bar Foundation, David P. Barry Memorial Fund, 20 West Street, Boston, MA 02111-1218.

**MBF Fellows and Grantees**

*cont'd from page 1*

A. Kelly, Charles P. Kindregan, Peter C. Knight, Faith A. LaSalle, Thomas A. Latanzi, Neal M. Lerer, Sheila S. Lewinger, Michael J. Livingstone, Hon. Susan A. Maze-Rothstein, Harold B. Morris, Elizabeth W. Morse, Robert J. Muldoon, Jr., Hon. Kenneth P. Neiman, Hon. James J. Nixon, Ellen Marie O'Connor, Joyce G. Perocchi, Michael A. Podolski, Leslie H. Powers, Jeannine Privitera, Barbara M. Senecal, Wendy Sibbison, Jennifer C. Snyder, Eileen Z. Sorrentino, Sean Teehan, Alan D. Tuttmann, Stephen G. Viegas, Gayle Flanders Weiss, Hon. Lawrence B. Wernick, Hon. H. Gregory Williams, B. Grant Willis and David Albin Wojcik.

**DEPARTING TRUSTEES THANKED FOR THEIR CONTRIBUTIONS, SERVICE**

Special thanks were given to three outgoing Trustees for their dedication and enthusiasm at a farewell dinner in December 2002. Katherine A. Hesse, Janet Kenton-Walker and Hon. Joseph Lian, Jr., whose terms officially expired in January 2003, retired from the board after five years of service.

"It has been a privilege and an honor to work with these individuals, who symbolize the Foundation at its best," said then-President Paul G. Farrell, who made special note of the three Trustees' efforts as chairs of Grant Advisory Committees and in helping with development initiatives.



Former President Paul G. Farrell honors outgoing Trustees Janet Kenton-Walker (above) and the Hon. Joseph Lian, Jr. (below).



**MASSACHUSETTS  
BAR FOUNDATION  
2003**

**OFFICERS**

Steven L. Wollman  
*President*

Margaret S. Travers  
*Treasurer*

Anthony K. Stankiewicz  
*Secretary*

Paul G. Farrell  
*Past President*

**TRUSTEES**

Mark I. Berson  
Hon. Cynthia J. Cohen  
Hon. Mary Ann Driscoll  
Hon. Patricia M. Dunbar  
Francis A. Ford  
Kay H. Hodge  
P. Keyburn Hollister  
Robert E. Longden, Jr.  
Hon. Bonnie H. MacLeod  
Hon. Mary-Lou Rup  
Francis J. Russell  
Donald K. Stern  
Francis T. Talty  
Kenneth J. Vacovec  
Robert V. Ward, Jr.  
Carol A. Witt

**STAFF**

Abigail A. Shaine  
*Acting Executive Director*  
617.338.0640  
shaine@massbar.org

Lydia Morris  
*Grants Administrator*  
617.338.0534  
morris@massbar.org

Melissa Nawrocki  
*Development Coordinator*  
617.338.0647  
nawrocki@massbar.org

**MASSACHUSETTS BAR  
FOUNDATION**



**ADVOCATE**

*Keeping  
the Promise  
of Justice*

Vol. 3 No. 1  
Spring 2003

*The Massachusetts Bar Foundation represents the commitment of the lawyers and judges of Massachusetts to improve the administration of justice, to promote an understanding of the law, and to ensure equal access to the legal system for all residents of the commonwealth, particularly those most vulnerable.*

Adopted  
September 28, 1999

**A Message from Steven L. Wollman, President**



Steven L. Wollman,  
MBF President

I am honored to serve the Massachusetts Bar Foundation as president for the year 2003. I thank my predecessors, especially Paul Farrell and Ken Vacovec, for all of their work, which will make my job much easier.

This year, a major focus of the Foundation will be to recruit more members of the judiciary as fellows. The officers and trustees will be reaching out to everyone who reads this article to help us urge all of the judges in the commonwealth to

become fellows. This year, we also will be contacting all members of the federal judiciary in the commonwealth and asking them to become fellows.

This year promises to be a very difficult year for our grantees, who serve the most needy in Massachusetts. The governor has proposed cutting the allocation for legal aid by 33 percent, from \$8.96 million to \$6 million. Such a cut would mean that 2,200 fewer cases would be handled each year. We must strive to prevent these cuts to legal aid.

If these cuts do become a reality, then it is up to us to work even harder to raise our philanthropic level of giving in these most difficult times. This could help to alleviate some of the losses to our prospective grantees and assist them in providing more legal services to those most in need in our state.

In the coming months you will receive, among other requests, a letter seeking your contribution to the Massachusetts Bar Foundation's Civil Justice Fund. Your donation of \$250 to this fund will satisfy the aspirational *pro bono* rule regarding legal services. Please consider making a donation to this fund, because monies received can be used for many different purposes, including items that may not fall within the IOLTA guidelines.

In order for the Foundation to successfully fulfill its mission, I will need the assistance of every one of our fellows. The trustees and I cannot do this alone. At this year's annual meeting, I called upon all who attended to be ambassadors for the Foundation, and I repeat that request at this time. Please, as often as you can, spread the word about the Foundation, its mission and the need for new fellows — whenever and wherever you can. Only with all of your help can the Foundation go forward with its mission to continue "keeping the promise of justice."

**SJC Justice Greaney Addresses MBF Fellows & Grantees at Annual Meeting**

Justice John M. Greaney of the Massachusetts Supreme Judicial Court received a standing ovation for remarks he delivered at the Foundation's Annual Meeting on January 23, 2003. In a packed room of MBF Fellows and Grantees, Judge Greaney called on those present to double and redouble their efforts in today's hard fiscal times to "aid our constituencies" and "make equal justice under law a reality."

In light of opposition to legal aid programs in the form of challenges to IOLTA and massive budget cuts on the state and federal level, Judge Greaney suggested taking the following steps to help rectify the problem: pressing legislators for level funding, recruiting more Foundation members, visiting corporate boards, reinvigorating pro bono, and interpreting and reinterpreting Constitutions.

"We must endeavor to make fundamental and systemic changes in constitutional interpretation," he said.

Judge Greaney, who also serves as Dean of the Flaschner Judicial Institute, has been an SJC Justice since 1989 and a Foundation Fellow since 1993.



Justice John M. Greaney of the SJC with MBF President Steven L. Wollman

Following his address, new MBF Officers/Trustees were elected, and new Foundation Life Fellows were recognized.

MBF President Steven L. Wollman thanked the new Life Fellows for their support and help in advancing the Foundation's mission.

New Life Fellows included the following Massachusetts lawyers and judges: John Achatz, Joseph A. Amoroso, Jr., Lloyd E. Belford, Hon. Patricia E. Bernstein, Mark W. Bloom, Mary Egan Boland, Carol Booth, Thomas J. Carey, Jr., J.W. Carney, Jr., Laura J. Cella-Donovan, Jenny C. Chou, Edward M. Condit, Jr., Sally A. Corwin, Beth A. Crawford, Thomas C. Demakis, James J. Dillon, James C. Donnelly, Jr., Mary Jane Drinkwater, Kathleen P. Dwyer, Jane Eden, Alfred S. Erlich, Matthew H. Feinberg, Francis J. Frisoli, Charles A. Gelinias, David

L. Gilpatric, Daniel E. Goldrick, Hon. John M. Greaney, Daniel J. Griffin, Jr., Hon. Robert J. Hallisey, Hon. Ernest S. Hayeck, Russell B. Higley, Frederic H. Hilton, Jr., Daniel Hovanesian, Robert L. Hoy, Jeffrey F. Jones, Hon. Sumner Z. Kaplan, Carol

*Continued on page 4*

CHECK OUT OUR WEBSITE  
[www.MassBarFoundation.org](http://www.MassBarFoundation.org)



**MASSACHUSETTS BAR FOUNDATION**  
KEEPING THE PROMISE OF JUSTICE  
20 West Street • Boston, Massachusetts 02111-1218

NON-PROFIT  
U.S. POSTAGE  
PAID  
BOSTON, MA  
PERMIT NO. 53884

The ADVOCATE is published twice annually to highlight successes in the field of legal services and philanthropy in the Commonwealth of Massachusetts.

