

Securing a Permanent Home for Justice



Above, from left, are Martin S. Needelman, Robert MacCrate, William Josephson, and Harold R. Tyler, Jr.

by Maryline Damour

“The Shriver Tyler MacCrate Center for Justice is a living monument to our nation’s ability to produce outstanding public servants who give the highest expression to our laws.”

The rain that began early morning on June 4 could not dampen the enthusiasm and energy at 260 Broadway. Last minute speeches were being prepared, policemen were cordoning off the street, and phones were constantly ringing with people asking for directions.

At Noon, the tent on Broadway was filled. The event began with Project Director Marty Needelman who recognized the Brooklyn A staff, community activists, longtime donors and the three honorees who came to share this special day.

Marty reminded everyone that consultants had told Brooklyn A that it could not successfully conduct a capital campaign. Not only were there few examples of capital campaigns in legal services, but the economy was going from bad to worse.

However with the help of a dedicated Capital Campaign committee, and the perseverance of many others, Brooklyn A not only surpassed its own goals, but the goals of any capital campaign in legal services nationally to date.

The newly named Shriver Tyler MacCrate

Center for Justice had been renovated prior to the event. Framed by tall columns of balloons, Brooklyn A’s headquarters stood out as an impressive testament to the imagination and determination of all those involved, particularly the honorees.

As Marty pointed out, Sargent Shriver founded the national program of lawyers for the poor in the late 1960’s; Harold Tyler led the struggle to preserve the legal services program in the 1970’s; and Bob MacCrate is our greatest legal native son and former president of the American and New York State Bar Associations.

Bob MacCrate made a moving and personal speech about what this dedication meant to him.

“For me, the MacCrate in this center for justice will always be my father and mentor, who a century ago, from his storefront law office on Greenpoint Avenue, provided legal services to the people of this community in the best traditions of the law – just as Brooklyn A does today.”

Many who could not attend the event sent personal letters to offer their congratulations. Among them, Dick Parsons, Chairman and CEO of AOL Time Warner, wrote,

“The Shriver Tyler MacCrate Center for Justice is a living monument to our nation’s ability to produce outstanding public servants who give the highest expression to our laws.”

After the honorees and major donors were recognized, the rain stopped long enough for the unveiling of a 42” x 36” bronze plaque that featured the top donors to the capital campaign and a special recognition to J.P. Morgan Chase for its major role in the building’s acquisition. As Sargent Shriver wrote,

“The commitment of such a major American banking institution to legal services demonstrates the breath and depth of support for legal services programs in the United States.”

After the dedication ceremony, guests mingled under the tent, toured the building, and met old friends and new.

Case Profile: Disability Advocacy Unit

by Maryline Damour and Victor Torres

When Shirley Charlesman came to Brooklyn A in March 2000, she was mentally and physically in very poor shape. Having been diagnosed with a rare pituitary gland disorder, Shirley came to Brooklyn A after both her application for SSI (Supplemental Security Income disability benefits) and her request for reconsideration had been denied.

At the age of 20, Shirley was diagnosed with Multiple Endocrine Neoplasia. At that time, she was working at a finance company. Over the years, this disorder would debilitate Shirley to the point where she became practically homebound. Shirley suffers from premature osteoporosis, has had breast cancer, and a brain tumor that causes severe headaches, blackouts and depression. Shirley typically has up to three appointments a week with various specialists. Throughout this, she has derived emotional support from her 3 children, as well as her mother and brother who live nearby.


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Shirley at the Brooklyn Piers, one of her favorite spots to relax.


IN THE NEWS

Jacob Medinger & Finnegan



has made a \$100,000 grant to Brooklyn A to implement a new networked computer system, wide area network and replace outdated computers and office equipment.

In two recent predatory lending cases,




Brooklyn A was the first to name as co-defendants, not only the principals of the fraudulent scheme (i.e. sellers and lenders), but also those who aided and abetted the fraud, including the appraisers and HUD inspectors. Federal Judge I. Leo Glasser rejected the defendants motion to dismiss and held that the complaints contained sufficiently specific allegations of fraud. This decision now paves the way for these complaints to be used as a model for other similar actions.

To date, Richard Wagner, Brooklyn A Director of Litigation, and co-counsel Peter Cross of Jacob Medinger & Finnegan have recovered over \$1 million in judgments, settlements and debt relief for plaintiffs in three separate actions.

Brooklyn A Board Chair, Rev. Peter Mahoney

gave the invocation at the annual induction of officers of the Brooklyn Bar Association at Brooklyn Borough Hall on June 3.

Project Director, Marty Needelman



recently commented on National Public Radio on the erosion of the Uniform Land Use Procedure (ULURP) by the courts and the recent Porter Ave. shelter decision denying Brooklyn A's challenge to the City's failure to follow ULURP in its plan to build a "megashelter/warehouse" for the homeless in Brooklyn.

The Brooklyn A News

has been redesigned and streamlined to bring you more news in an easier-to-read format. We hope you enjoy it!

A Word from the Project Director

The recent extension of the state rent stabilization law, and virtually simultaneous announcement of city plans to re-zone the Williamsburg-Greenpoint waterfront for housing and parks, have dramatically increased the heat on low-income tenants in North Brooklyn.

Although rent stabilization theoretically is meant to keep rents "affordable," the exemption when apartments become vacant and their "legal" rents rise to \$2,000, creates a large hole in the protection and a gigantic incentive to force out current occupants. Many landlords in the area have embarked on campaigns of harassment and neglect to force low-income tenants out. Then, by making paper investments in "major capital improvements" which justify increases in the legal rents by 1/40th of their cost, the \$2,000 rent threshold is easily and quickly met, and maximum market rents averaging \$800-\$1,500/month/bedroom become immediately available.

More than ever we need lawyers to meet the challenge, at the very same time that government and other forms of support for legal services is at a low ebb.

Unrepresented tenants are totally lost and threatened by the incredibly confusing and intimidating atmosphere of landlord-tenant court, where over 95% of the landlords have lawyers. Every additional lawyer we have doing this work can protect another 20 tenants associations, saving another 800 or so families from the destructive impact on them and on their communities, of having to vacate their long-term homes.

All of us who care about low-income people and their neighborhoods must not accept the "realities" but must insist that "legal services" gets adequately funded to do its job, one of the most important in our society, i.e. enforcing the law and sustaining vibrant communities.



Brooklyn A's Partnership Awards Benefit November 6, 2003

HONOREE PROFILES

Jeffrey E. Dunston Northeast Brooklyn Housing Development Corporation

As a long time resident of Brownsville, Brooklyn, Jeff Dunston's interest in community issues and housing was encouraged by his mother. She was involved in tenant/landlord issues to raise attention to deteriorating housing conditions in her building.

Jeff began his career in community development in 1990 after working in the banking industry for 10 years. As Associate Director for Housing and Community Development for the Northeast Brooklyn Housing Development Corporation (NBHDC), he was responsible for identifying real estate, financing and overseeing construction work in collaboration with governmental agencies, public/private intermediaries and investors.

Jeff was also responsible for the creation of a major community planning initiative, known as Project Next, which focused on community organizing efforts related to the environmental impact of garbage filled vacant lots, community safety and green space in an area of Bedford-Stuyvesant. This effort resulted in the creation of the Kosciusko Street Community Park, which is held as a model for green thumb projects today.

In 2000, Jeff was named CEO of NBHDC. Since then, he has added 400 units of affordable



housing to the organization's portfolio totaling \$90 million dollars, expanded its homeownership programs and community development and organizing efforts.

Most recently, Jeff was selected by the

New York City Department of Housing Preservation and Development and the U.S. Department of Housing and Urban Development to help address the redevelopment of 203k properties. To date, Jeff has been responsible for the creation of 1,100 units of affordable housing and the management of more than \$200,000,000 in real estate development budgets.

Jeff is a graduate of Parsons School of Design and completed his education and training through Pratt Institute's Center for Community and Environmental Development Internship and Columbia University's Institute for Nonprofit Management. He and his wife Fran live in Brooklyn with their children; Christopher 20, Andrew 17, Naomi 14, Anthony 12, and Cynthia 10. In those rare moments of life outside of work, Jeff and his family enjoy fishing and camping.

Brooklyn A's Partnership Awards Benefit November 6, 2003

HONOREE PROFILES

James F. Gill

Bryan Cave LLP

Jim Gill is a senior member of the firm of Bryan Cave LLP. Most recently, after giving back to the City of New York through an incredible legal and public career, he decided it was time to leave a lasting record in his own words. Dedicated to his grandchildren, *For James and Gillian: Jim Gill's New York* is the story of his life as a lawyer.

Jim's 38 years of private practice have included significant pro bono work, such as for Cesar Chavez and his migrant farm workers in connection with their boycott campaign in New York, and his efforts in the Soviet Union to gain the release of Josef Begun, who was persecuted for wanting to emigrate to Israel.

Among his civic involvements, Jim is general counsel to the board of trustees of St. Patrick's Cathedral; chairman of the board of Group Health Incorporated; chairman of the board of the Doris Duke Charitable Foundation; and chairman of the board of trustees of the Battery



Park City Authority.

When asked about his Brooklyn connections, Jim replies, "Although born and raised in Waterbury, Connecticut, I was a rabid Brooklyn Dodger fan. We came

down to see a game at Ebbet's Field once a year and it was as big an event as Christmas! One year I got hit on the arm with a foul ball. I was taken to the Brooklyn Dodger dugout, put on the training table and Whitlaw Wyatt, a 20 game winner, rubbed my arm – what a thrill!!!

Last year I toured Brooklyn with representatives of Brooklyn A and saw for myself the extraordinary job that the organization does for those in need. As a result, when I was asked to be an honoree, I had to say "yes" – and I'm glad I did."

Frederick W. Hill

J.P. Morgan Chase & Co.

When Fred Hill first came to New York City to begin working with The Chase Manhattan Bank in 1997, he asked John Imperiale, the long-serving Chair of Brooklyn A's Advisory Committee and a Senior Vice President at Chase, to put him in touch with some local, neighborhood-based organizations.

Within days, Brooklyn A was taking Fred on a three-hour tour of various community and economic development projects including low-income and special needs housing developments, a large child care center, and a senior citizens program. At each stop, Fred engaged community leaders and organizers in discussions about their goals and objectives, and the history of their good works.

It wasn't until the end of the tour that day that Fred shared with us that he too was a lawyer and that he understood from experience the importance of community-based legal services. Fred expressed his admiration for the dedication and hard work of the Brooklyn A staff, and as he left said, "You are doing God's work!"

From that day on, there has been no greater friend and supporter of Brooklyn A's mission than



Fred Hill. His friendship remains a constant in Brooklyn A's life.

Fred is executive vice president of J.P. Morgan Chase & Co. with worldwide responsibility for marketing and communications.

Prior to joining Chase, Fred worked at McDonnell Douglas Corporation where he served as senior vice president for communications and community relations. There, he led the development of an award winning marketing campaign and served as a member of the transition team after McDonnell Douglas announced a merger agreement with Boeing.

In addition to his business career, Fred taught at the University of Pittsburgh as an adjunct professor for eleven years, during which time he was repeatedly recognized with awards for "Teaching Excellence." Fred currently serves on the Board of Directors of the Ad Council and is a Trustee of the Museum of the City of New York.

SAVE THE DATE FOR
BROOKLYN LEGAL SERVICES CORPORATION A

ANNUAL AWARDS BENEFIT

Thursday, November 6, 2003

at the New York **Marriott** Brooklyn 333 Adams Street

To benefit the Partnership for Community and Economic Development

For information please call Maryline Damour at 718/487-2327

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Brooklyn A News

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Design: Judith Rew

CASE PROFILE

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Shirley's case was taken by Victor Torres, Director of Brooklyn A's Disability Advocacy Unit. Victor's first step was to appeal an unfavorable Administrative Hearing Decision to the Appeals Council. The appeal was successful and Shirley was given another opportunity for a hearing. Because of the initial hearing, the subsequent appeal and the later hearing that followed, this case lasted 3 years.

During this time, Shirley struggled to continue her education at Long Island University, but the severe headaches made it impossible for her to continue. Finally, in October 2002, Shirley was awarded SSI benefits, as well as a retroactive award totaling \$30,851.00.

When I spoke to Victor, he explained to me how such a seriously disabled person could be denied benefits.

"Sadly, this case is not atypical and there were many factors that resulted in Shirley's application being denied. The primary one is that SSI has a list of impairments for which it will award benefits. Since Shirley's condition was not on the list, she would automati-

cally be denied. Also, there are many social and economic prejudices that sway the judges in these cases. Shirley was young when she applied, with a high school education and some college. All of these factors were a strike against her."

Another issue at hand is that typically when SSI benefits are denied, the medical information that is used to make that determination is based on a consultative examination by a Social Security doctor who sees the client once for a brief period of time. In contrast, Victor and his Unit win at least 95% of its disability cases by working in close collaboration with the treating doctors to obtain medical records and expert opinions on a variety of work-related issues that SSI uses to make its determination.

Today Shirley is 38 years old. Her days are mostly spent at home with her children, getting them ready for school and playing games. When asked to share with us her future goals, she replies, "My children are my life. Right now, my goal is to be healthy enough so I can take them to Seaworld in Florida."

Victor and his Unit win at least 95% of its disability cases by working in close collaboration with the treating doctors.

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ENCLOSED IS MY GIFT.

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- \$50 \$250
 \$100 Other \$ _____

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BROOKLYN A ATTORNEY HILLARY EXTER WINS LEGAL SERVICES AWARD

The Association of the Bar of the City of New York honored 5 lawyers, with this year's Legal Services Award, for their dedication to providing civil legal assistance to New York's poor. Pictured from left to right are: President of the Association, E. Leo Milonas; recipients, Kim Sweet, New York Lawyers for the Public Interest; Hillary Exter, Brooklyn Legal Services Corporation A; Catherine Ruckelshaus, National Employment Law Project; Sandy Russo, Legal Services for New York City-Legal Support Unit; and Ed Simon, Legal Services for New York City-Manhattan; and Joseph Bellacosa, Dean of St. John's Law School, who presented this year's Awards.

Photo: Alex Sun, Association of the Bar of the City of New York

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Brooklyn Legal Services Corporation A provides high quality neighborhood-based civil legal services to low-income individuals and groups in the communities of Williamsburg, Greenpoint, Bushwick, Oceanhill-Brownsville, East New York, Bedford-Stuyvesant, Cypress Hills, Starrett City, City Line, East Flatbush, Flatlands, and Canarsie.