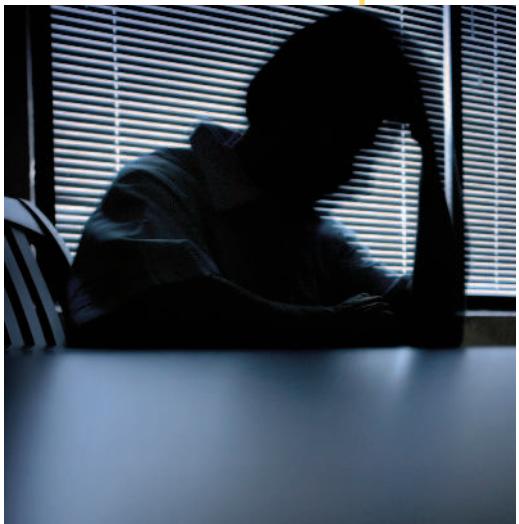




MFY Sets the Standard for Services to People with Mental Illness

Twenty-five years ago, New York City's Department of Health & Mental Hygiene (DOH) recognized that despite its investments in community-based outpatient clinics, rehabilitation programs, and psycho-social clubs, people with mental illness living in New York City needed legal help to remain housed. DOH wanted lawyers available to defend in eviction proceedings, handle administrative hearings to get government benefits, protect civil rights, and ensure decent housing conditions. Since 1983, DOH has supported MFY's Mental Health Law Project, which has helped thousands of New Yorkers—including those profiled in this article—to avoid homelessness, hospitalization or institutionalization.

When Grace contacted MFY, she was \$17,000 in arrears on her \$1,000-a-month apartment and jobless. Although she had suffered from depression for decades, Grace managed to hold down jobs as a nurse for 35 years. Now in her mid-50s, the disease had worsened, making it impossible for her to work. She began using her savings for day-to-day expenses, but could not keep up with rent and was about to lose the apartment she had lived in her entire adult life. Grace decided to check into a hospital for treatment but needed help to make sure she had a home to return to when she was discharged.



MFY Mental Health Law Project attorney Dinah Luck went to work immediately on Grace's behalf. She helped Grace file an initial application for Social Security Disability Income (SSD) and for Public Assistance. Because SSD applications are often initially denied, Luck tracked down the claim processor and put him in touch with the hospital social worker so he could fully understand Grace's condition. This intervention speeded the process and Grace's application was approved in record time, giving her a stable income. Without a secure home, Grace's recovery would be extremely difficult. Meanwhile, Luck worked to buy more time for Grace in her housing court case. When the Court refused her request for referral of Grace's case to Adult Protective Services, she requested a Guardian ad Litem be appointed, and called on Kelly Pilla, a volunteer attorney from Paul, Weiss, Rifkind, Wharton & Garrison LLP, to assist. Grace had missed an appointment at the welfare office while she was hospitalized, so Pilla spent an entire day there advocating for Grace to get a "one-shot" rent arrears grant. Knowing that Public Assistance would not cover all the rent arrears (which had now grown to \$20,000), Pilla worked hard to get additional funds, eventually securing almost \$9,000 from Public Assistance and \$4,000 from several charities. A retroactive SSD payment made up the balance.

All told, Ms. Luck, with pro bono help from Ms. Pilla, kept the housing case alive for over a year while working to cover rent arrears and ensure an income for Grace. Grace is now back home and receiving outpatient treatment. She faces another hurdle, however. While on Public Assistance she received Medicaid, which paid for her hospitalization and ongoing treatment and medications. Because her SSD income is over the limit to receive Medicaid, she will have to wait two years before she is eligible for Medicare. Orier Okumapakpeyi, MHLP's staff attorney specializing in Medicare and Medicaid problems, has taken over the case to help Grace negotiate the complex health care system to get the continued treatment she needs.

Over the course of 18 months, MFY represented Felix and his wife in three housing court non-payment cases, secured four one-shot grants for rent arrears, and handled a Fair Hearing on financial management. Like many people with mental illness, Felix and his wife, both SSI recipients, needed help to manage their finances so they can remain in community housing. When the couple came to MFY, they were facing eviction and were unable to pay bills and budget their money for daily expenses. Felix liked to buy lottery tickets and take friends out to lunch. They often ran out of money and had to borrow from neighbors. Felix

**Thank God for
MFY. When you
have no money or
power, you really
need a place to go
for justice.**

—MHLP client

MFY Sets the Standard

(Continued from page 1)

needed a representative payee who would pay his bills for him and help him budget the rest for day-to-day expenses. Getting Adult Protective Services (APS) to serve as the representative payee was an uphill battle as the agency dragged its feet on Felix' application. While pursuing APS, MFY handled Felix' housing cases, moving mountains to get several grants for rent arrears. It took a Fair Hearing on Felix' application for APS services to secure a representative payee, but MFY's persistence finally paid off. Felix and his wife now have financial management help and a secure home.

George was one of many MHLB clients who relied on a pet for comfort, stability, and a reason to leave his apartment. When his dog died, George's landlord refused his request to have a new dog. George panicked, unable to imagine life without a pet. He complained to the Division of Human Rights, and when new management took over his building, he again requested permission to get a dog.

After months of inaction, George called

MHLB desperate for help. MFY contacted the management company, insisting that allowing George to have a dog was a reasonable accommodation under the Americans with Disabilities Act and threatening a discrimination suit if they withheld permission. George grew sadder and more anxious as weeks turned into months, and he called his MFY attorney each day to see if there was news. Finally, bowing to pressure from MFY, the management company agreed to allow George to have a small dog, who he named Zoë.

With Zoë, George is a changed man, calm and happy for the first time in many months. Walking Zoë gives him an occasion to talk to neighbors and interact with children, who stop him daily to ask about Zoë.

Today, MFY runs the largest civil law practice for mental health consumers in the country, with eight attorneys and one paralegal providing advice, counsel and representation to over 1,000 mentally disabled New Yorkers each year and specialized training to scores of mental health practitioners.

MHLB has a unique arrangement with the psychiatric departments of New York City Health & Hospitals Corporation hospitals to make sure that staff notifies MFY immediately if a patient is in danger of losing his or

Thank You!

MFY acknowledges generous recent support from:

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her housing or benefits while temporarily hospitalized. MHLB prevents some 200 hospitalized psychiatric patients from being evicted each year. And in 1995, MFY's work expanded to include representation of mentally ill residents of adult homes with the formal launch of the Adult Home Advocacy Project.

When necessary, MHLB initiates class action lawsuits to protect and expand the rights of thousands of mentally disabled New Yorkers. A 2003 settlement in *Fountain House et al v. MTA et al*, extended eligibility for half-fare MetroCards to mental health consumers who receive Supplemental Security Income. MHLB attorneys also provide expert testimony at public hearings on issues affecting mental health consumers.

MFY remains committed to ensuring equal access to justice and due process for mental health consumers and defending their right to remain in the community.

MFY's New Social Work Unit Works Meets Diverse Client Needs

To help clients resolve problems that contribute to a legal emergency, MFY has initiated a social work unit, led by Sarah Heller, LCSW. In September, four graduate social work students began one-year internships with MFY. They conduct psycho-social assessments, make home visits, and connect clients to essential social services. They also provide counseling to home-bound clients and help access benefits for clients who cannot handle the process themselves.

"We want to resolve the underlying problems that may cause a legal emergency," said MFY Deputy Director Jeanette Zelhof, who spearheaded the new program. "Our clients will get the services they need and our attorneys will have more time to address clients' legal needs."

MFY Expands Services and Welcomes New Staff

In an effort to meet increasing demand for legal services, MFY has expanded its Workplace Justice, Senior, and Kinship Caregiver units. Anne Marie O'Donovan is assisting low-wage workers, and Jason Blumberg, Monica Cheng, and Joan Heckerling are working to ensure that Manhattan seniors are able to age in place with dignity. Kevin Cremin joined the Adult Home Advocacy Project, Anamaria Segura is working in the Consumer Rights Project, and Amy Roehl is the Kinship Caregiver Project's first full-time

staff attorney. Sarah Heller, LCSW, joined the staff in July as the social work coordinator and will supervise four graduate interns from three area schools of social work: Claire Dwyer (Fordham), Lisa DiTomasso and Jennifer Brannon (NYU), and Heather Schmidt (Columbia). "This is a fabulous group and we're excited about expanding our work in many critical areas," said Executive Director Lynn Kelly.



Back row, l to r: Jason Blumberg, Anamaria Segura, Monica Cheng, Claire Dwyer, Lisa DiTomasso, Sarah Heller, Joan Heckerling. Front row, l to r: Amy Roehl, Kevin Cremin, Jennifer Brannon and Heather Schmidt.

in brief

MFY Delivers a Big Win for Seven Delivery Workers

MFY brought suit under the Federal Fair Labor Standards Act on behalf of seven delivery workers, who had been underpaid for years, often earning only \$20 for an entire eight-hour shift. MFY spent months reviewing documentation and participating in depositions and eventually negotiated a significant monetary settlement with the employer. Pictured above are six of the seven workers with Deborah Axt, an attorney from Make the Road by Walking (center) and MFY Staff Attorney Carolyn Coffey. Providing legal muscle for grassroots organizations that serve low-wage workers is a critical component of MFY's Workplace Justice Project.



MFY Welcomes New Board Members

MFY welcomed four new members to its Board of Directors: James Kaplan, General Counsel at **Brown Brothers Harriman**, the largest partnership bank in the U.S.; Maeve O'Connor, Partner at **Debevoise & Plimpton LLP**, who specializes in securities and complex commercial litigation; Amelia T.R. Starr, Partner at **Davis Polk & Wardwell**, who focuses on state and federal commercial litigation; and Nancy Chang, Program Office of the U.S. Justice Fund of the **Open Society Institute**, who oversees grantmaking for the Fund's Gideon Project and Civil Liberties Portfolio.

Equal Justice Works Fellow Joins Kincare Project

Equal Justice Works has awarded a two-year fellowship sponsored by Greenberg Traurig LLP to Amy Roehl, MFY's Pro Bono Kinship Caregiver Law Project's first Staff Attorney. Ms. Roehl will recruit, train and mentor volunteer attorneys who represent families in adoption, guardianship and custody proceedings, and she will provide direct representation to families. The project is also supported by the **Ira W. DeCamp Foundation**, the **Hite Foundation**, and **Greenberg Traurig LLP**.

SRO Project Foils Landlord's Trickery

In an attempt to get information on MFY's legal strategy, a SRO landlord sent his sister to MFY, pretending to be a resident needing help. Staff Attorney Jonathan Burke discovered the ruse, and Supervising Attorney Chris Schwartz confronted the "client," who quickly left the scene. At issue was the case of a SRO resident who had complained about conditions and was then harassed by the landlord, who had arbitrarily raised rents and claimed that his SRO units were not rent-regulated. At a hearing on the tenant's complaint, Mr. Burke persuaded DHCR to offer the landlord a simple deal: concede that the subject unit is rent stabilized, reduce the tenant's rent, grant a 100% abatement of rent paid to date or face treble damages and criminal charges. The landlord had no choice but to agree, and the hearing officer quickly added that in his experience MFY consistently provides the best quality representation for tenants at DHCR.

pro bono news

Volunteer Attorneys Save the Day for Disabled Clients

MFY's Mental Health Law Project depends heavily on the services of volunteer attorneys who represent clients or serve as Guardians ad Litem. Among this hard-working group are several attorneys whose work for MFY clients has risen "above and beyond the call of duty."

Alycia Green from **Willkie Farr & Gallagher LLP** is batting 1000 when it comes to winning cases for Supplemental Security Income (SSI) for mentally disabled clients. Over the past three years, she handled 13 difficult cases, winning them all. Without SSI, these clients would have lost their housing in the community and wound up homeless. "Since I have begun practicing law, nothing has given me more professional satisfaction than successfully representing indigent individuals in their appeals for SSI benefits that they had wrongly been denied. The work that MFY does is extremely important and I am honored to play a small role in [it]," said Green about her pro bono work.

Kathleen McCabe of **Paul Weiss Rifkind Wharton & Gallagher LLP** has gone to great lengths to get benefits and justice for her clients. In an effort to save the public housing apartment of a client who was temporarily sent to an adult home, Kathleen had to fend off police, who were called by the home in an effort to prevent her from visiting the client. Kathleen stood her ground and visited the client, proving to the client that although she is disabled, she is entitled like everyone else to attorney/client privilege.

Elise Brown of **Patterson Belknap Webb & Tyler LLP** has served as a Guardian ad litem on several cases over the past few years. In addition to the regular Guardian ad Litem duties of meeting with the clients and assisting them in court, Elise has advocated for her clients with a variety of agencies to obtain or restore needed benefits, including Section 8 housing subsidies and public assistance benefits. Thanks to Elise's work, not only have the court cases been successful, but the clients have been able to afford their housing long after the court case ended.



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FALL 2007

Focus on Mental Health



MFY's 2007 Theatre Benefit a Big Hit

Over 400 guests packed the Millennium Broadway Hotel for a delicious dinner, then headed for The Palace Theater to enjoy the smash hit, *Legally Blonde*. This year's annual benefit was the most successful ever, thanks to the efforts of the evening's co-chairs, Mark E. Segall of JPMorgan Chase, and Jennifer H. Shurdut, formerly of Primedia Inc. Special thanks also go to the event's sponsoring law firms and corporations and Bobbie Kraus, MFY's special events consultant. Pictured above: Lynn Kelly, MFY Executive Director; Una Perkins, MFY Paralegal; Jennifer Shurdut and Mark Segall, Benefit Co-Chairs.

MFY Legal Services, Inc.

Celebrating 44 years of free civil legal services to low-income New Yorkers.

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Jeanette Zelhof, *Deputy Director*

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