



## VOLUME 1, ISSUE 5—DEC 1, 2015

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### Safe Harbor Project Client meets Pope Francis

Three intrepid Safe Harbor students, Alex Hu, '15, Paola Uriarte, '14, and Saya Austin, '15, worked beyond the call of duty when they represented a West African asylum-seeker who is both partially blind and deaf. After months of hard work and many trips to the Bronx, they secured asylum in 2015 for this former journalist who had championed disability rights. After about a year, his family was able to join him. Now they all live in the Bronx. He distributes free papers every morning but, with the assistance of Catholic Charities, has had an operation to restore his hearing. Because he was referred to SHP by Catholic Charities, and because they provided him with post-asylum assistance, he was selected to [meet the Pope](#) during the pontiff's visit to NYC.

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### Urban Economic Development Clinic Testifies at City Council Hearing in Support of Anti-Commercial Tenant Harassment Bill

On September 25, 2015, David Craft '16, an advanced student in the Urban Economic Clinic, and clinic director Ted De Barbieri '08, presented testimony before the New York City Council Committee on Small Business. The Committee, chaired by Brooklyn Council Member Robert Cornegy, was considering Int. 851, a bill to add a cause of action for commercial tenants who are being harassed by their landlords. The clinic testimony was supportive of the bill as it would positively impact Urban Economic Development Clinic small business clients. The testimony made suggestions for improving the bill, including defining the term "small business" and adding specificity to language about what constitutes harassment.

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## Clinic Students Assist Family of Brittany McGrath '14 Form Charity in Her Honor

Following the tragic passing of Brittany McGrath '14, students in the Urban Economic Development Clinic assisted her family form a charity in her honor. The Brittany Dance, Film & Theatre Foundation, Inc., is a community driven nonprofit that teaches youth in Vieques, Puerto Rico, dance and other arts activities. Brittany and her partner, Juan Reinoso, enjoyed visiting Vieques together. The organization is dedicated to Brittany's life, her creativity and vitality.

Clinic students Chris Mikesh '16, Zarah Naqvi '16, and Jared Smith '16, assisted the organization in forming a not-for-profit corporation and drafting bylaws for governance. Clinic students T.A. Nguyen '17, Stephanie Nicholas '16, Yuan Zhou '17 advised the organization on applying for income tax exemption and related issues.



For more information, or to make a donation, visit [The Brittany Dance, Film & Theatre Foundation, Inc. website](#).

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## Latest News from the AAIDD Legal Clinic

The AAIDD Legal Clinic successfully represented a father in an Article 81 guardianship proceeding to obtain guardianship over his adult son and prevent an eviction from public housing. The New York City Housing Authority sought to evict a 24 year old man with autism from the only home he had ever lived in after the death of his mother. The reason for the eviction was that the son could not understand the terms of the lease because of his disability. The mother was his primary care taker and, upon her death, the father assumed this responsibility and moved into the apartment to care for his son. The public housing authority threatened to evict the son because he could not execute the lease. The father faced a significant barrier to guardianship in that he had been convicted of a felony in the past. A felony ordinarily serves as a bar to serving as a guardian, but the Clinic convinced the court to exercise discretion and engage in an individualized review of the father's criminal history. Student Justin Ruffini prepared the father for his testimony in court and conducted a direct examination which resulted in a grant of guardianship to the father and the power to resolve the public housing eviction.

The AAIDD Legal Clinic piloted a medical legal partnership with Heartshare Wellness Ltd. Heartshare is a community-based health care center that provides high quality, patient-friendly health care services to children and adults with intellectual and developmental disabilities who live in New York City and surrounding communities. The AAIDD Legal Clinic will continue working together with Heartshare to strengthen the medical-legal partnership to provide patients with advice and counsel, referral, and evaluation for extended representation on civil matters.

Students Sarah Esmi and Michael Pecorini submitted written public comments to a Department of Finance proposed rule arguing that it violated the Americans with Disabilities Act, and disproportionately impacted persons with developmental and intellectual disabilities from accessing a government program. The proposed rules limited the reasons why seniors and persons with disabilities may receive extensions of time to file renewal Disability Rent Increase Exemption ("DRIE") applications. DRIE is a critical program that protects low-income New York City residents who reside in rent-regulated apartments from rent increases. Following submission of the written comments, Michael testified before the DOF at the public hearing.

The AAIDD Legal Clinic joined several legal organizations to submit a letter to the NYC Administration for Children's Services on behalf of parents who have children in foster care as a result of their intellectual disabilities demanding reasonable accommodations under the Americans with Disabilities Act. In the letter, and at a subsequent meeting with top ACS leaders, we discussed the entrenched service gaps for these families; the failure of foster care agency case workers to address the particularized needs of these parents; the lack of technical expertise to assist case workers; and the lack of training on reasonable accommodations. ACS has been very responsive to all of our concerns and our request that ACS's office on developmental disabilities be expanded to provide services to parents as well as children. ACS has also promised to convene a meeting with experts to better inform their service provision. The AAIDD Legal Clinic is collaborating on this project with Brooklyn Defender Services, Bronx Defenders, Center for Family Representation and Neighborhood Defenders.

## BLS Community Prosecution Clinic

The BLS Community Prosecution Clinic has spent the first two months of the academic year getting to know Sunset Park, the community in which they will primarily work as Student Assistant District Attorneys. The students have had the opportunity to meet with Southwest Brooklyn Industrial Development Corporation, Director of Workforce Development (SWBDIC), Justin Collins (who turned out to be a BLS alum) and discussed the industrial and waterfront development in Sunset Park. The Clinic attended the 72nd Precinct Council and Community Board 7 meetings and spent a morning learning about the role of a Community Board from the Executive Director of CB7. The students also met with Executive Director, Paul Mac, of the Brooklyn Chinese American Association and heard about the myriad services supplied by his organization to the very substantial Sunset Park Asian community.



Representatives from social services agencies, Turning Point, Neighbors Helping Neighbors, Center for Family life, Opportunities for a Better Tomorrow, and NYU Lutheran Family Health Services will attend a Clinic seminar to speak about services available to members of the community, both victims and defendants. These services include mental health counseling, employment, mediation, substance abuse referrals, housing and immigration assistance.

Professor Smith spoke about the Community Prosecution Clinic at the annual meeting of Association for Canadian Clinical Legal Education ([ACCLE](#)) in October.

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## Brooklyn Law School Veterans Advocacy Project

Students in the BLS Prosecutors Clinic have handled the prosecution of misdemeanor cases in the Brooklyn Criminal Court for many years. Well known in that system, the Court reached out to the Law School to partner on an innovative project, the Brooklyn Veterans Court presided over by Judge Craig Walker. The Court identifies veterans immediately after arrest and directs them for evaluation to the new Brooklyn Veterans Court. Substance abuse, mental health counseling, employment assistance, benefits coordination, and medical evaluations are all provided by the Veterans Court Intake Team. Brooklyn Law School Veterans Advocacy Project has partnered with the KCDA, LAS, and the Veterans Administration to assist the new Court. The Ceremonial opening of the Court will take place on November 18.

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## HELP Clinic Students Co-author Article

Clinic students, Cate Russell and Hina Quresi co-authored an article with Adjunct Professor Deirdre Lok in the New York State Bar Association, Elder and Special Needs Law Journal, summer 2015. Entitled "Aging Outside the Traditional Family," the article argues for a more expansive definition of caregivers and family for elders who have no relatives or other formal members to care for them as their needs grow greater. Current laws tend to define who can qualify to make decisions too narrowly leaving many people without this kind of vital assistance.