



40<sup>th</sup>  
ANNIVERSARY

WILMERHALE LEGAL SERVICES CENTER  
OF HARVARD LAW SCHOOL

1979-2019

*“Reaching out to, and on behalf of, others is the way that you find out who you really are. It is the way that you express and realize the possibilities of your own humanity. It is the way you keep faith with those who went before you and those who will follow.”*

Gary Bellow

Dear Friends,

I am honored to share this report to mark the 40th anniversary of the founding of the WilmerHale Legal Services Center of Harvard Law School (LSC). When Gary Bellow and Jeanne Charn first envisioned the program that would become LSC, they drew on numerous sources: their incredible array of advocacy and teaching experiences, their desire to improve legal services and legal education, and the successes they saw in programs such as the Community Legal Assistance Office in Cambridge. So they set their sights on creating a community-based program in Boston that would pursue justice for vulnerable community members while providing students with a truly immersive training ground for law practice as it exists in the real world. That bold idea took hold and has propelled us ever since we opened our doors in 1979. Today, we carry forward Gary and Jeanne's vision of passionate advocacy, a fierce commitment to the fullest measure of justice, and innovation in legal education.

LSC staff and law students have helped change the lives of our clients in Jamaica Plain, Roxbury, and other neighborhoods, and have won landmark cases whose impact can often be felt far beyond Greater Boston and in some cases across the country. Over the years, LSC has adapted to the changing needs of the community in which we work, building partnerships and creating new programs to address emergent issues related to housing, domestic violence, and predatory lending, to name just a few examples. Throughout our four decades, we have maintained our deep commitment to teaching students by giving them singular opportunities for hands-on lawyering in the fight against injustice and oppression. As Gary once put it, "One of the great advantages of the method I'm using—clinical method—is I am not talking to my students about 'what would you do if.' I am talking about 'what did you do when?'"

I encourage you to look through the following pages, read about our current clinics and past projects, and hear from our clients, partners, staff, students, and alumni. The people who've passed through our doors—whether it be to work or learn here or to seek our help in a time of crisis—are the soul of LSC. As we reflect on the last 40 years, we celebrate victories won, hard lessons learned, and the many connections we've made in our community. And as we grapple with new challenges faced by vulnerable communities and look toward the future, we know that LSC's original mission is both unfinished and as vital as ever.

Thank you for your support.



**Daniel Nagin**  
Clinical Professor of Law  
Faculty Director, WilmerHale Legal Services Center and Veterans Legal Clinic  
Vice Dean for Experiential and Clinical Education  
Harvard Law School



## Our History

Many people have contributed to the life and work of Legal Services Center, but no two people are more important than Gary Bellow and Jeanne Charn. When he joined the Harvard Law School (HLS) faculty in 1971, Gary was widely known as a trailblazing public interest lawyer whose work included collaborations with the United Farm Workers and Cesar Chavez, representing members of the Black Panther Party, and founding the University of Southern California's clinical law program. Given the opportunity to develop at HLS an entirely new model for clinical education, Gary and his wife Jeanne Charn, then assistant dean for clinical programs and an experienced legal services attorney in her own right, had a bold vision. They proposed a practical, real-world legal services training center for students—"a teaching law office" similar to the teaching hospital model used in medical schools across the country.

In 1978, they submitted a proposal to the Legal Services Corporation for funding in collaboration with Greater Boston Legal Services and Northeastern University School of Law and submitted a curricular proposal to the HLS faculty. These proposals outlined an innovative method of clinical teaching that would immerse students in a community-based legal services setting and prepare them to become legal services attorneys practicing at the highest levels. The Institute would be located in Jamaica Plain, acting as a neighborhood legal services office and integrating year-long clinical placements for students. The Institute was a place to learn, build relationships, and meet the legal needs of the diverse low-income community in which it was situated. From the very beginning, the Institute would be a site for invention and re-invention.

*"At Harvard the classroom and the clinic are inextricably tied. Doctrine and experience enrich each other."*

Gary Bellow



Jeanne Charn '70 and Gary Bellow '60  
LSC co-founders

*"[The Institute] will provide an unusual and promising opportunity to study law in a concrete setting, to relate the understanding of legal norms to the understanding of social problems, and to assess the possibilities for social change which might better vindicate the legal rights of the poor."*

The Legal Services Institute: A Proposal to the Legal Services Corporation  
March 16, 1978

## Our Teaching Mission

The Institute—which would be renamed as the Legal Services Center (LSC) in 1982—faced numerous challenges in its early years. Just three years after approving the original grant, the federal Legal Services Corporation eliminated LSC’s funding. That decision may have been substantially motivated by President Reagan’s continued resentment of Gary Bellow’s work at California Rural Legal Assistance, where he was a fearless advocate for farmworker rights when Reagan was California’s governor. LSC demonstrated early on the resilience and adaptability that have allowed it to survive and thrive for four decades. “Even when it wasn’t clear we would survive, the students helped us keep going,” said Jeanne Charn.

At the core of LSC’s mission is a deep and abiding commitment to the student experience. Students assume meaningful responsibilities in their cases from day one. They engage in—indeed, take the lead in—all aspects of representation. From initial client intake and case strategy development to negotiation, trials, and appeals and everything in between, students undertake this work with the guidance, support, and mentoring of seasoned attorneys fully dedicated to the craft of clinical teaching. More than that, the entire LSC community—attorneys, paralegals, administrators, interpreters—is focused on enhancing opportunities for student learning and student ownership over the most critical steps in the lawyering process.

*“Clinicals give students an opportunity to have an effect on the real world, and to use our talents to serve people in need.”*

**Terri Gerstein ‘95**

Bellow and Charn’s initial vision for a dynamic center for learning, innovation, and service lives on today. LSC is currently HLS’s largest clinical teaching site in terms of number of enrolled students during an academic year. In any given year, LSC brings close to 100 HLS students (and another 30 summer interns from other institutions) to its office at the crossroads of Jamaica Plain and Roxbury, where staff and students provide civil legal assistance to over 1,500 low-income clients.



## Responding to the Community’s Legal Needs

Over its 40-year history, LSC has been home to many innovative projects created in response to shifting community needs: the Mattapan Initiative, a strategic effort to create a foreclosure and post-foreclosure eviction-free zone in one of Boston’s most vulnerable neighborhoods; the Passageway Health-Law Collaborative, a partnership with Brigham and Women’s Hospital to address the legal needs of survivors of abuse; the People’s Law School, a series of community-based legal workshops to address critical information gaps; and Developing Justice, which brings technological innovations to bear on access to justice issues, to name just a few recent examples.

LSC’s ability to adapt to change has always been its strength, and in recent years, it has been taking on cases beyond the borders of Massachusetts to create systemic change. Whether in predatory student lending, veterans law, or the rights of low-income taxpayers, LSC has sought to take on national issues that have local impact here in Greater Boston, but also bring positive change to low-income communities across the country. In doing so, LSC returns to its roots, working toward what was described in the original Legal Services Institute proposal as an “experiment with a model of practice that both responds to individual clients and attempts to link cases in ways that address the larger problems that most disadvantage the community the office serves.”

*“Only through direct contact with clients can I test my legal knowledge and skills and learn what it’s like to be a lawyer...People really depend on you. You have to be there when they need you.”*

**Roslyn Jones ‘87**

## LSC at a Glance

### OUR CLINICS

Family Law & Domestic Violence

Federal Tax

Housing Law

Predatory Lending & Consumer Protection

Veterans Law & Disability Benefits

### OUR STAFF

24  
ATTORNEYS

5  
PARALEGALS/  
PROJECT COORDINATORS

9  
ADMINISTRATIVE STAFF

Advocate. Educate. Innovate.



## Selected Highlights from LSC's History

1978

Gary Bellow and Jeanne Charn develop a proposal for the Legal Services Institute—a legal services office and training center for aspiring public-interest law students. The proposal is approved unanimously by HLS faculty and is submitted to the Legal Services Corporation.

1979

The Institute is awarded a four-year, \$2 million grant and opens its doors at 470 Centre Street, Jamaica Plain. [1]

1980

The Legal Services Institute accepts its first class of third-year law students.

1981

The Institute moves to 3529 Washington Street, Jamaica Plain, a rented space that will be its home for next 12 years. [2]

Ronald Reagan takes office and immediately proposes eliminating federal funding for civil legal services. After pushback from the American Bar Association, members of Congress, and others, the effort fails. However, funding is still cut sharply,

and the Legal Services Institute loses all its federal funding.

1982

The Institute changes its name to the Legal Services Center and redefines itself from a full-year legal services curriculum and practice program for the training of legal services attorneys to a semester-long clinical program based in its Jamaica Plain office.

1989

The Center opens an HIV/AIDS law clinic, one of the first of its kind in the country. It becomes the largest legal services provider for individuals living with HIV/AIDS in Massachusetts and includes what is now LSC's Estate Planning Project. From the original HIV/AIDS law work later emerges the Center for Health Law and Policy Innovation, which is now a standalone program at HLS.

1992

Prominent Boston firm Hale and Dorr, and its Harvard alumni partners donate \$2 million to purchase and renovate a permanent home for the Center in Jamaica Plain at the site of the former Merriman Brothers factory. [3]

1993

The Center is renamed and dedicated as the Hale and Dorr Legal Services Center of Harvard Law School [4] and opens its doors at 122 Boylston Street. [5]

1994

In collaboration with attorneys from Hale and Dorr, LSC creates the Community Enterprise project (CEP), a transactional practice that fosters community development by helping local nonprofits, small businesses, and first-time home buyers, among others, with civil legal issues.

2000

LSC co-founder Gary Bellow passes away.

2004

The Passageway Health-Law Collaborative (PHLC) is launched in order to provide comprehensive direct legal services to victims and survivors of domestic violence. The PHLC, founded by Sarah Boonin '04 as her Skadden Fellowship at LSC, is an innovative medical-legal partnership with Brigham and Women's Hospital and its community healthcare centers.

2012

Under the leadership of Toby Merrill '11 via a Skadden Fellowship, the Project on Predatory Student Lending is launched to represent students and litigate landmark cases on behalf of borrowers defrauded by for-profit colleges and lenders.

The Veterans Legal Clinic, which is dedicated to advancing the rights of low-income disabled veterans denied access to benefits and supports, is launched by Daniel Nagin, who joins LSC as director of community lawyering.

2013

In response to the foreclosure crisis, LSC creates the Mattapan Initiative. Through community outreach and litigation, the Initiative represents tenants and homeowners facing eviction and foreclosure in Mattapan.

2015

The Federal Tax Clinic is founded by Keith Fogg.

## Important Victories

In addition to representing individual clients, LSC, often working in collaboration with partner organizations, is committed to strategies that produce important precedents for our wider client communities. Here are a few examples from LSC's recent history:

*U.S. Bank Nat'l Assoc. v. Ibañez*, 458 Mass. 637 (2011)(rights of homeowners facing foreclosure)

*Ausmer v. Shinseki*, 26 Vet.App. 392 (2013)(rights of deployed veterans with disability claim appeals)

*Froio v. McDonald*, 27 Vet.App. 352 (2015) (disabled veterans access to pro bono counsel from law school clinics)

*Taft v. Commissioner of Revenue*, 2017 WL 1382242 (U.S. Tax Court 2017)(right to innocent spouse relief)(amicus participation)

*Pearson et al. v. Hodgson et al.*, 2018 WL 6697682 (D. Mass)(family members access to affordable phone rates for communications with incarcerated relatives)

*Calvillo Manriquez v. DeVos*, 345 F.Supp. 1077 (N.D. Calif. 2018)(rights of student loan borrowers who attended for-profit colleges)

*Bauer et al. v. DeVos*, 325 F.Supp.3d 74 (D.D.C. 2018) (rights of student loan borrowers who attended for-profit colleges)

## LSC & WilmerHale: An Enduring Partnership

LSC has enjoyed a unique partnership with WilmerHale, whose longstanding commitment to pro bono work made the firm a natural supporter of LSC's mission. The formal partnership began in 1992, when Harvard Law School alumni at what was then Hale and Dorr donated funds to establish a permanent home for LSC in Jamaica Plain. Previously, LSC only had use of inadequate and cramped rented space in the neighborhood.

WilmerHale's positive impact on LSC transcends financial support; the firm's attorneys have contributed thousands upon thousands of hours of pro bono service to LSC clients by accepting individual client referrals and co-counseling larger cases. WilmerHale attorneys have taken on cases across our practice areas, from transactional work to HIV/AIDS advocacy, eviction defense, and veterans' rights. Moreover, at various times WilmerHale attorneys have committed to extended placements at LSC, where they have worked side by side with LSC staff to serve our client community. Our partnership with WilmerHale continues to be a model for collaboration among legal educators, legal services attorneys, and the private bar; we are deeply grateful for their support.



The Legal Services Center at 470



### One Client's Story

"Ina" came to LSC through our medical-legal partnership with the Passageway Program of Brigham & Women's Hospital. Her husband had assaulted her while he was drunk. She had already obtained an abuse prevention order for herself and her six-year-old daughter, but she needed much more than that to stay safe and gain her independence. The students and attorneys of LSC's Family Law and Domestic Violence Clinic dedicated themselves to Ina's well-being. They represented Ina in court to secure a meaningful child support order, to limit the husband's access to their child until her safety could be assured, to initiate a divorce, and to prevent their home from going into foreclosure. Through the Clinic's passionate advocacy, the family home was transferred to Ina's name solely so she could obtain a mortgage modification and save the home for herself and her daughter. Ina and her daughter are no longer at risk of homelessness. Next, LSC's Tax Clinic successfully represented Ina before the IRS to obtain innocent spouse relief and free her of the tax debts incurred during the marriage based on her husband's abusive behavior and financial mismanagement. Ina's divorce is now final. She has substantial financial independence, has completed graduate school, and is pursuing the career she dreamed of throughout her marriage.

*"Reaching out to, and on behalf of, others is the way that you find out who you really are. It is the way that you express and realize the possibilities of your own humanity. It is the way you keep faith with those who went before you and those who will follow."*

Gary Bellow

**4,500+**  
law students  
trained

**40,000+**  
low-income  
clients served

**\$600+**  
million  
in assets protected  
for clients

1979 - 2019



*"I was beginning to feel less like a student and more like a lawyer... My clients were relying on me for legal advice and to develop their case. Plus, I felt a much deeper satisfaction from working at the Center than I ever had reading cases."*

Rebecca Lobenherz '09

*"Clinical work was an invaluable complement to the classroom curriculum of my law school career: the complexities of direct legal representation are so much more nuanced and fluid than can be described in a classroom, and the rewards of working with clients and sharing in their success, are so very great."*

Zoe Brennan-Krohn '15

### A Medical-Legal Partnership to Help Survivors of Abuse

LSC and Brigham & Women’s Hospital formed the Passageway Health-Law Collaborative in 2004. The brainchild of Sarah Boonin ’04, who developed the idea while a clinic student at LSC, the Collaborative is based on the medical-legal partnership model, one of the most important and impactful innovations in how disadvantaged communities can access legal services and how negative social determinants of health can be combated. Through the Collaborative, the attorneys and law students in LSC’s Family Law and Domestic Violence Clinic work side-by-side with the Passageway program’s team of advocates and case managers and with healthcare providers within Brigham & Women’s Hospital and its affiliated community healthcare centers. LSC’s team works in close partnership with Passageway to provide direct client representation in family law matters to Passageway patients affected by domestic violence. This partnership includes on-site client intakes and meetings, case and clinical consultations with the Passageway team, and regular cross-trainings to enhance coordination and collective expertise.

Now in its second decade, the Collaborative continues to thrive. It represents the best features of the medical-legal partnership model: embedded legal services within a healthcare setting; recognition that health challenges, legal problems, and community environments are often deeply intertwined; intense collaboration and case coordination; and a shared dedication to jointly addressing the forces that produce negative health and legal outcomes for our most vulnerable community members.

*“The Family Law and Domestic Violence Clinic was an invaluable experience. It exposed me to new ways of thinking about the connection between the law and individual women’s experiences, and I will always be grateful for the way my clients opened their lives to me.”*

**Kathryn Boulton ‘15**



Staff and students from LSC’s Family Law and Domestic Violence Clinic

### Uncovering Poverty Law Within the Tax System

One of LSC’s main goals is to provide law students with the real-world experience of practicing law. For Amy Feinberg ’18, a student in the Center’s Federal Tax Clinic, that meant arguing an appeal before the U.S. Court of Appeals for the Fourth Circuit in Richmond, Virginia, just a few months before her graduation. Some litigators spend an entire career without presenting oral argument in a federal appellate court. For Feinberg, her argument before the court was the first time she had ever been in a courtroom.

According to Keith Fogg, director of the Federal Tax Clinic, helping students learn the art and science of lawyering also opens the doors of the Tax Court to taxpayers. In addition to providing representation for low-income clients who would otherwise have abandoned their attempt for a hearing before the Tax Court, the Tax Clinic provides opportunities for students to write appellate briefs and to present oral arguments before the federal circuit courts of appeal. All students work directly with clients and carry a docket of cases, and almost all have the opportunity to negotiate directly with the IRS and state tax authorities—experiences that many lawyers seldom get.

The case that Feinberg argued—*Cunningham v. Commissioner*—is one of many the Tax Clinic has taken on in recent years in an effort to assist low-income taxpayers who have missed a deadline to file a petition with the U.S. Tax Court because of misleading information sent by the IRS. “Our goal is to use litigation and other forms of advocacy to enable taxpayers to get past procedural missteps and on to the substance of their tax arguments,” Fogg says. “To me, that will be a big win—for both our clients and our students.”

The National Taxpayer Advocate Nina Olson, who serves as the voice of the taxpayer within the IRS and before Congress, has already taken notice, indicating that she will include this issue in her annual report to Congress recommending legislative changes. The work of the Tax Clinic comes at a crucial time. Ever since the welfare reform efforts of the 1990s, ever-increasing portions of the federal social safety net—the earned income tax credit program serves as the most prominent example—have become embedded in the tax code. LSC launched the Tax Clinic because tax law is now an essential tool in helping low-income communities and a powerful training ground for preparing students for engaging the modern administrative state and the practice of law.

The **Federal Tax Clinic** works to represents low-income taxpayers in cases involving the Internal Revenue Service, both before the IRS and in federal court. Clinic students handle cases at all stages, from first notice from the IRS to litigation in court. Typical cases include those involving identity theft, injured or innocent spouse claims, and disallowed dependents. The Clinic’s mission is to maximize the financial well-being of clients and protect taxpayer rights, and it accomplishes this by securing refunds and credits to which taxpayers are entitled, providing relief for innocent spouses, and reducing tax liabilities through resolution or compromise. In addition to representing local clients, the Clinic looks to comment on proposed rules and regulations that impact low-income taxpayers and to file amicus briefs on issues of importance. The Clinic maintains numerous partnerships and is continually reaching out to veterans’ groups, domestic violence programs, and other community programs that serve specific populations.

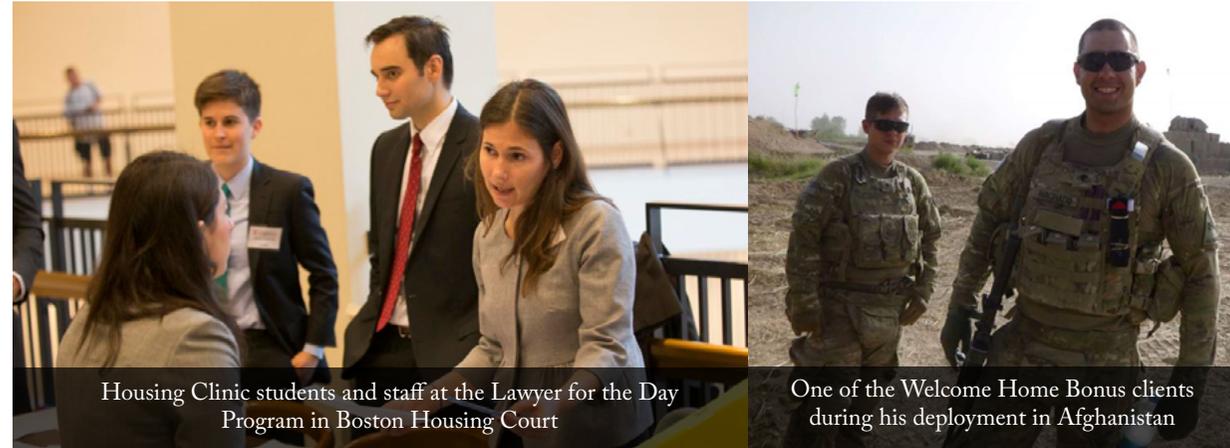
## Fighting Eviction and Displacement in Low-Income Communities

With housing scarce and rents rising across Boston, low-income individuals and families face increasing obstacles in finding affordable housing. In neighborhoods across the city, homes and apartment buildings are turning over at an alarming rate, with new owners—eager to make money in a hot housing market—raising rents by astronomical amounts and evicting low-income tenants en masse.

Housing Clinic attorneys and students, in collaboration with City Life/Vida Urbana, a tenant organizing group and longtime LSC partner, are working relentlessly to stop these no-fault evictions. With tenants from multiple apartment buildings, which are located near the recently expanded Fairmount Line in Mattapan and Hyde Park and owned by the same company, this collective bargaining effort seeks long-term affordable leases and other reasonable protections, including much-needed repairs to the properties.

The tenant group, many of whom have been living at the properties for more than 20 years, had been negotiating with the landlord in good faith. But then the property owner sought to include a provision that would allow for rent increases of 25 percent or more at the end of the five-year period covered by the agreement. The landlord refused to remove the offending provision. The tenants, understandably, refused to sign, deciding to take their collective power to the courts, where LSC's Housing Clinic now represents them in litigation to protect their right to stay in their homes at an affordable rent.

In a single day this spring semester, four Housing Clinic students argued four separate motions against the property owner and succeeded in an effort to compel the property owner to comply with discovery requests. The motion calendar was a testament to the power of tenants when they band together and the way that power is multiplied by the creative lawyering and energy of the students in the Housing Clinic. In the span of a few short months, the property owner has already capitulated to the demands of one tenant and more capitulations are expected. The battle for tenants' rights and against gentrification continues to unfold block by block and building by building across Boston. The attorneys and students of the Housing Clinic, in close collaboration with the tireless community organizers at City Life/Vida Urbana, are on the front lines of this important struggle.



Housing Clinic students and staff at the Lawyer for the Day Program in Boston Housing Court

The **Housing Law Clinic** represents tenants facing eviction from private market or subsidized housing. Within the Clinic, the Housing Justice for Survivors Project specifically represents tenants facing housing instability as a result of domestic or sexual violence. The bulk of the clinic's work consists of litigation in the Boston Housing Court, defending evictions and prosecuting counterclaims with the goal of improving housing conditions, enforcing consumer rights, supporting tenant organizing efforts, and preventing homelessness. This is accomplished in part through the Boston Bar Association Lawyer for the Day program, in which students go to Housing Court to offer "game day" advice to unrepresented litigants on the day of a hearing or trial.

## Helping Veterans and Family Members Access Vital Benefits

The Veterans Law and Disability Benefits Clinic was founded in 2012 to meet the legal needs of an expanding veterans population in Greater Boston and beyond. As servicemembers returned home from the conflicts in Iraq and Afghanistan with complex disabilities, they joined an aging population of veterans from earlier conflicts whose health was declining. The legal needs of veterans that are specific to their veteran status, including accessing disability benefits, healthcare services, and other resources, are not typically met by traditional legal services programs. LSC, with its long-standing practice of litigating disability benefits cases and expertise in estate planning, was well-positioned to fill this gap and ensure that disabled and vulnerable veterans had access to the benefits and care they deserve.

In a recent victory that received front-page *Boston Globe* coverage, the Massachusetts Superior Court found in favor of three combat veterans with disabilities represented by the Clinic in their challenge to the Commonwealth denying them the Massachusetts Welcome Home Bonus, which these veterans earned by serving overseas in Afghanistan and elsewhere. A team of students and supervisors in the Clinic filed the lawsuit in 2017 on behalf of the three named clients and a proposed class of an estimated 4,000 Massachusetts veterans who served in Iraq, Afghanistan, or elsewhere in support of the War on Terror but whom the State Treasurer and Veterans' Bonus Appeals Board deemed undeserving of the Bonus. The court granted the veterans' core claims and sent their cases back to the Massachusetts Veterans' Bonus Appeal Board to render a new decision. As a result of this decision, thousands of post-9/11 Massachusetts veterans may now be eligible to receive \$1,000 Bonus payments to honor their service and sacrifice.

Two Clinic students, Laurel Fresquez '19 and Josh Mathew '19, presented oral argument in the lawsuit during a hearing before the Superior Court. The lead plaintiffs are all former soldiers from Massachusetts who deployed to Afghanistan, honorably completed their first enlistment contracts, re-enlisted, and then later left the military with what is known as a bad-paper discharge assigned to their final enlistment periods. All are diagnosed with Post-Traumatic Stress Disorder related to their deployments and experienced family and health issues that contributed to the conduct that led to the bad-paper discharges.

The case is emblematic of the Clinic's effort to protect the rights of disabled and vulnerable veterans, to ensure that they have access to critical supports and care, and to secure for them the honor and recognition they earned through their service. Fresquez, reflecting on her experience being part of this important case, said, "Preparing and delivering this oral argument has been the highlight of my law school career."



One of the Welcome Home Bonus clients during his deployment in Afghanistan

The **Veterans Law and Disability Benefits Clinic** advocates for low-income veterans and their families across a number of practice areas of critical importance. Within the Veterans Law and Disability Benefits Clinic exist three collaborative projects—the Veterans Justice Project, the Estate Planning Project, and the Safety Net Project. Through these projects, students represent veterans and their family members in a variety of case types. In all case work, students and attorneys strive to help veterans and their families attain the maximum degree of stability, dignity, and financial well-being possible. The Clinic employs creative legal strategies not just to uphold the rights of individual veterans, but to pursue reforms within the institutions and programs that are designed to support the veteran community. Clients are represented in appeals at all levels including access to state and federal veterans' benefits, Social Security disability benefits, SNAP/food stamps, in discharge upgrade and correction of military records matters, and in estate planning matters.

## Using Innovative Legal Approaches to Protect Consumers

Massachusetts law prohibits sheriffs from charging prisoners fees to subsidize the cost of their incarceration unless such fees are authorized by the legislature. In an effort to skirt this requirement, the Bristol County Sheriff's Office contracts with a private phone service vendor, which collects fees—unrelated to the cost of providing the phone service—from family members, friends and attorneys of individuals incarcerated at the county jail when they call inmates. The fees mount quickly and are a burden to families of people awaiting trial or serving sentences; a simple 10-minute call can cost nearly \$5. These fees, called “commissions,” are redirected to the sheriff's office, thus circumventing state law.

In 2018, LSC's Predatory Lending and Consumer Protection Clinic joined Prisoners' Legal Services, the National Consumer Law Center, and the law firm Bailey and Glasser in filing a class-action lawsuit against the Bristol County Sheriff and Securus, the Texas-based vendor that provides phone services for the county and numerous jails across the country. Brought by four named plaintiffs, two of whom are inmates, the case alleges that the contract between the sheriff's office and Securus represents an illegal kickback scheme that nearly doubles the cost of calls made from the county jail. The lawsuit seeks to halt the payment scheme and return the money extracted from class members. The ability to take Securus to court only arose when the company was re-classified as an internet service provider rather than a phone utility. “As a traditional phone utility, it could not be sued on these claims, but as an internet company providing phone calls over the internet it could be,” said Clinic Director Roger Bertling.

The plaintiffs' claims have already survived a motion to dismiss, and the litigation now enters the crucial discovery phase. Overall, the case reflects the type of creative lawyering coalitions necessary to take on predatory actors in the private market and abusive government offices. Two LSC students, Kelly Ganon '19, Dylan Herts '19, had the opportunity to help frame both the legal and media strategies for the high-profile case. Said Ganon, “It was fascinating to work with seasoned attorneys to strategize about how to put the best foot forward...We focused a lot of time on the narrative that sets the stage for the legal arguments in the filing.”

The **Predatory Lending and Consumer Protection Clinic** assists clients in cases related to predatory lending as well as in matters including bankruptcy and debt collection defense. The Project on Predatory Student Lending, which is part of the Clinic, represents people with debt from for-profit colleges that used unfair and misleading practices to prey on students. Students gain experience interviewing clients, analyzing loan documents, drafting legal demands, building a factual record, preparing and presenting arguments, and engaging in long-term case strategizing. In addition to direct representation of borrowers in court proceedings, students and instructors have the opportunity to engage in other forms of advocacy, including organizational representation, public education, and state and federal testimony on issues important to clients.



Kelly Ganon '19, Dylan Herts '19, and Predatory Lending and Consumer Protection Clinic Director Roger Bertling

## Project on Predatory Student Lending Takes on For-Profit College Industry

The Project on Predatory Student Lending was formed in 2012 to combat the massive fraud that has been perpetrated against students and taxpayers by the for-profit college industry. This industry draws nearly all its revenue from taxpayer dollars, and relies on deceptive and relentless sales tactics to recruit students, leaving them worse off than they started and exploiting the promise of higher education and students' desire to build a better life. The Project represents thousands of former students across the country and litigates landmark cases against the predatory for-profit college industry. Its cases show students' effort to counter the industry's immense political power. Many of the Project's clients are people of color, veterans, immigrants, and the first in their family to attend college. The Project's work supports broader goals of economic justice and racial equality, and the Project focuses on cases where it can make the biggest difference, directly or indirectly, to challenge this corrupt and corrupted system.

### Key Cases

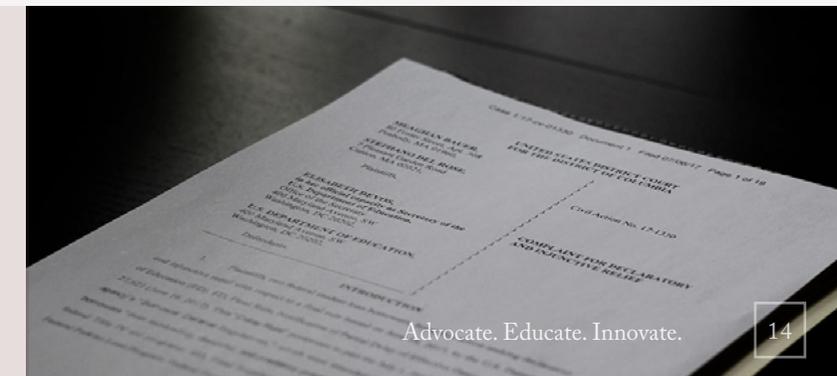
*Villalba et al. v. ITT* – The Project recently won an important settlement against the estate of ITT Tech, which was one of the largest for-profit educational companies in the country before it filed for bankruptcy in 2016. The Project represents a class 750,000 former students who attended ITT Tech in its final ten years of operation, and were cheated by ITT's predatory practices, including deceptive marketing, high-pressure recruiting, and widespread misrepresentations and financial fraud. In late 2018, a federal judge approved a settlement that cancelled nearly \$600 million of debt held by ITT's estate and gave the student class a \$1.5 billion allowed claim in the bankruptcy. Jenner & Block joined the Project as co-counsel.

*Williams et al. v. DeVos*: The Project represented students who challenged the government's unlawful forced collections of fraudulently incurred debt from Corinthian Colleges. On October 25, 2018, a federal judge ruled that the Department of Education had illegally taken the tax refunds of two former Corinthian College students to pay their student loans. As a result of this ruling, all student loan borrowers are protected from having their income tax credit seized to pay their federal student loans while their borrower defense applications are pending. The Massachusetts Attorney General has sought to intervene to enforce the judgment on behalf of all students in Massachusetts.

*Calvillo Manriquez v. DeVos*: The Project represents a nation-wide class action on behalf of Corinthian borrowers who had been issued less than full loan cancellation under the Department of Education's illegal “partial denial” rule. In May 2018, a judge granted the Project's injunction to stop the Department of Education's illegal partial denial rule, stopping the Department from collecting on these fraudulent Corinthian debts. The Project continues to fight for the full loan cancellation to which these Corinthian students are entitled.

*“What has really inspired me about the Project on Predatory Student Lending is its simultaneous commitment to high-quality direct legal services and pursuit of policy change on our clients' behalf. I came to law school to find a way to combat structural inequality—and I see the clinic's combination of legal services and client-driven policy advocacy as a model for how to achieve that.”*

- Jessica Ranucci '16



Advocate. Educate. Innovate.

## Sharing Legal Information and Resources

LSC launched the People's Law School in 2013 with the belief that pernicious information gaps, the legal system's unnecessary complexity, and the community's hunger for practical knowledge about legal rights—all supported the idea that legal education workshops could provide a powerful tool for community members either to avoid legal problems in the first instance or to respond effectively to legal problems when they arise. Through the People's Law School, we regularly offer community workshops to educate and empower the public on a variety of legal topics, including SNAP/food stamps, Social Security Disability Benefits, family law, domestic violence, veterans' benefits, military discharge upgrades, debt collection, bankruptcy, tenants rights, and estate planning.

We host People's Law School workshops at our offices in Jamaica Plain, but we also take People's Law School on the road, presenting accessible and vital information to audiences at public library community rooms, social service organizations, VA healthcare facilities, and other locations. Moreover, we have conducted People's Law School workshops in collaboration with other organizations. We have helped convene workshops on expunging criminal records, on police-community interactions, and, in partnership with the Community Enterprise Project (CEP) of the Transactional Law Clinics, which has long had a deep connection to LSC, our Safety Net Project has presented workshops on how community members with disabilities can maintain their eligibility for safety net benefits while pursuing employment and entrepreneurship opportunities.

## Developing Justice

Among Gary Bellow's many passions was an intense interest in how technology could improve the delivery of legal services and the clinical education of law students. It is only appropriate that today—in an era of breathtaking technological change—LSC is a critical part of Developing Justice. Launched at HLS in 2016, Developing Justice is a project intended to transform the clinics into laboratories for technological innovation. Bill Palin, HLS's inaugural Access to Justice/Technology Fellow, a lawyer and an expert in software coding and access to justice, has worked closely with LSC to design and introduce cutting-edge technologies that improve the delivery of legal services and that enhance the public's access to legal information and legal tools.

Numerous innovations have emerged from Developing Justice or are soon to be launched, including the following projects in connection with LSC clinics: a social media-based technology tool that facilitates the ability of student borrowers who attended predatory for-profit school to contact legislators with pertinent information about the impact of proposed legislation; an online tool that enables low-income veterans and their dependents to self-assess for safety net benefit eligibility; and a research platform that allows pro bono lawyers to more effectively find legal authorities to help veterans seeking discharge upgrades. Technology is a vital tool in addressing the civil justice crisis, and LSC continues play a leading role in this effort.

## A Launch Pad for Public Interest Lawyers

LSC serves as a home for budding public interest lawyers to learn, practice, and incubate ideas to create positive community change and chart paths for their professional future. LSC has a particularly strong track record as a host for public interest fellows pursuing innovative, multi-year projects, some of which they developed as clinical law students at LSC.

Past and current fellows include Skadden Fellows Tara Twomey, who is now executive director of the National Consumer Bankruptcy Rights Center; Sarah Boonin '04, who launched LSC's medical-legal partnership with Brigham & Women's Hospital; Sophie Bryan '00, now Executive Director of pro bono legal services organization Philadelphia VIP; Toby Merrill '12, who founded and directs LSC's Project on Predatory Student Lending; Karen Tseng '05, a population health expert and former Assistant Attorney General for Massachusetts; and Emily Wilkinson '17, who represents low-income clients facing debt collection lawsuits and is working to create a network to combat debt buyers' abuses in small claims court. Dana Montalto, now an attorney and clinical instructor in the Veterans Legal Clinic, joined LSC in 2014 as an Arthur Liman Public Interest Fellow to launch a project focused on advocacy for veterans with bad paper.

## Recognizing Excellence

LSC's community impact is only possible because of the amazing team of staff members and students who fearlessly pursue justice every day. No one engages in this kind of work in order to receive public recognition. Nevertheless, we are gratified when our hard work and dedication receive wider notice because it affirms the value of using the law to fight poverty—and doing so through a clinical education model. The following are just a few examples of the recent awards our staff and students have earned through their efforts.

- 2013 Nnena Odim - *Massachusetts Lawyers' Weekly Top Women of Law*  
Isabel Lima - *Harvard Law School Suzanne Richardson Staff Appreciation Award*  
Julie McCormack - *Harvard Law School Dean's Award for Excellence*
- 2014 Julia Devanthery - *Massachusetts Lawyers' Weekly Up & Coming Lawyer*
- 2015 Zoe Brennan-Krohn '15 - *Association of Corporate Counsel Student Ethics Award*  
Chris Melendez '15 - *Clinical Legal Education Association Outstanding Clinical Student Award*  
Maureen McDonagh - *Massachusetts Lawyers' Weekly Top Women of Law*  
Daniel Nagin - *Boston Bar Association John G. Brooks Legal Services Award*
- 2016 Toby Merrill '11 - *Compass Working Capital Aspire Award*
- 2017 Eileen Connor - *National Consumer Law Center Rising Star Award*
- 2018 Dale Kensinger - *American Bar Association Tax Section Janet Spragens Pro Bono Award*



## Building New Partnerships To Serve Veterans

LSC is extremely proud of its longstanding partnership with the Disabled American Veterans Charitable Service Trust, which supports organizations and programs that provide direct services to ill, injured, or wounded veterans. The Charitable Service Trust is the philanthropic arm of the larger Disabled American Veterans, which provides services to veterans nationwide, focusing on employment opportunities for veterans, meeting their transportation needs, and increasing access to benefits.

With legal services consistently ranking high on the list of veterans' needs, the DAV Charitable Service Trust has made a generous commitment to LSC's Veterans Legal Clinic, providing critical support for the Clinic's work since 2013. Our partnership with DAV also includes the DAV Distinguished Speaker Series, which brings national leaders in the field to HLS to raise awareness about the issues and policies that directly affect the community of disabled veterans. Our relationship with DAV also facilitates our Veterans Court practice with co-counsel Chisholm Chisholm & Kilpatrick.



*"[I] have honed my negotiation, advocacy, and legal writing skills. But the most gratifying aspect has been the interactions I have had with my clients. Being able to learn about their lives, to hear some of their stories, and to fight for successful outcomes in their legal cases was one of the highlights of my time at Harvard Law School."*

Vetan Kapoor '17



## Current Funders

While HLS provides support to LSC, over half of our funding comes from public and private grants, and organizational and individual donations. We thank the following funders for their especially generous support:

ARNOLD VENTURES

BRIGHAM & WOMEN'S HOSPITAL  
CENTER FOR COMMUNITY  
HEALTH AND HEALTH EQUITY

DISABLED AMERICAN VETERANS  
CHARITABLE SERVICE TRUST

INTERNAL REVENUE SERVICE

KLARMAN FAMILY FOUNDATION

MASSACHUSETTS  
ATTORNEY GENERAL'S OFFICE

MASSACHUSETTS  
DEPARTMENT OF REVENUE

BOB WOODRUFF FOUNDATION

WILMERHALE



*"Like any great master, Gary had a way of making lawyering look easy, and when I and others tried to emulate his amazing skill, and would fall short, he would say in his Gary way, looking at you with genuine intensity, 'Liz, this is hard work, let's talk about how we can do this differently and better next time.' And so on to the next client."*

Liz Solar

LSC Clinical Instructor, speaking at Gary Bellow's memorial service in 2000



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# Advocate. Educate. Innovate.

LSC



40<sup>th</sup>  
ANNIVERSARY

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