



# 2007 SUBSTANTIVE LAW CONFERENCE

JULY 18 to 21, 2007  
SAN JOSE, CALIFORNIA

## AGENDA

### Wednesday, July 18

3:00 pm – 6:00 pm Conference Registration  
6:00 pm – 8:00 pm Opening Reception

### Thursday, July 19

7:00 am – 8:30 am Conference Registration  
8:00 am – 8:30 am Breakfast  
8:30 am – 10:00 am Welcome and Keynote Speaker  
10:30 am – 12:00 noon The History (and Future) of Legal Aid  
12:00 noon – 1:30 pm Lunch on your own  
1:30 pm – 3:00 pm Sessions  
3:30 pm – 5:00 pm Sessions

### Friday, July 20

8:00 am – 8:30 am Breakfast  
8:30 am – 10:00 am Sessions  
10:30 am – 12:00 noon Sessions  
12:00 noon – 1:30 pm Luncheon Plenary  
1:30 pm – 3:00 pm Sessions  
3:30 pm – 5:00 pm Sessions

### Saturday, July 21

8:00 am – 8:30 am Breakfast  
8:30 am – 10:00 am Sessions  
10:30 am – 12:00 noon Sessions

## General Conference Information

We are glad you decided to take part in the 2007 NLADA Substantive Law Conference and look forward to working with you. If you have questions or need assistance during the conference, please see the staff at the registration desk.

### Badges

Badges, obtained when you register, must be worn to gain entrance to all workshops and functions.

### Continuing Legal Education (CLE)

NLADA has applied for accreditation in most states with mandatory CLE. A blue CLE instruction sheet and three-part Certificate of Attendance/Application can be found in your registration packet. Individual state forms are available at the conference registration desk. Please be familiar with the CLE requirements in your state. If you are an attorney from Delaware, Oklahoma or California, please remember to stop by the registration desk to sign the mandatory sign-in sheets. Please complete the NLADA CLE form and return it to the registration desk or mail it to NLADA by **August 3, 2007**, so that we may maintain a record of your attendance.

### Evaluations

Your evaluation of this conference, including suggestions and comments, is important to NLADA, and will help us plan future events. An *Overall Evaluation Form* is included in your registration materials. In addition, a *Workshop Evaluation Form* will be provided at each workshop session, and used to evaluate specific faculty and session topics. This information will be used to design both the content of future conferences, as well as the recruitment of faculty. Please complete all evaluation forms and turn them in at NLADA's registration desk at your earliest convenience (extra forms are available at the registration desk). We appreciate your assistance!

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**Wednesday, July 18**

**6:00 pm – 8:00 pm**

**OPENING RECEPTION AND NETWORKING EVENT**

*Regency Ballroom #1*

**Thursday, July 19**  
**8:30 am – 10:00 am**

## **WELCOME AND KEYNOTE SPEAKER**

### ***Imperial Ballroom***



**Eva Jefferson Paterson** is our keynote speaker for this year's Substantive Law Conference. Paterson has campaigned for civil rights with passion, courage and tenacity for more than three decades. She is the President and a founder of the Equal Justice Society, a national organization dedicated to changing the law through progressive legal theory, public policy and practice.

Prior to taking the helm of the Equal Justice Society in 2003, Paterson worked at the Lawyers' Committee for Civil Rights for twenty-six years, thirteen of them as Executive Director.

Paterson led the organization's work providing free legal services to low-income individuals, litigating class action civil rights cases, and advocating for social justice. At the Lawyers' Committee, she was part of a broad coalition that filed the groundbreaking anti-discrimination suit against race and gender discrimination by the San Francisco Fire Department. That lawsuit successfully desegregated the department, winning new opportunities for women and minority firefighters.

Paterson co-founded the California Coalition for Civil Rights, serving as chair for 18 years. She was also a leading spokesperson in the campaigns against Proposition 187 (anti-immigrant) and Proposition 209 (anti-affirmative action) and numerous other statewide campaigns against the death penalty, juvenile incarceration and discrimination against lesbians and gay men.

Paterson began her career as a legal aid attorney. Following her graduation from U.C. Berkeley's Boalt Hall School of Law, she worked for the Legal Aid Society of Alameda County. She later co-founded A Safe Place, a shelter for battered women in Oakland, California.

She served as Vice President of the ACLU National Board for eight years, and chaired the boards of Equal Rights Advocates and the San Francisco Bar Association. Paterson has received more than 50 awards, including the Fay Stender Award from the California Women Lawyers, Woman of the Year from the Black Leadership Forum, the Earl Warren Civil Liberties Award from the ACLU of Northern California, and the Alumni Award of Merit from Northwestern University where she received her B.A. in political science.

**Thursday, July 19**  
**10:30 am – 12:00 noon**

## **The History (and Future) of Legal Aid**

### ***Imperial Ballroom***

This plenary session will explore the background and history of the legal aid movement and race-based advocacy in this country with an eye toward engendering today's front line advocates with both a sense of the history of our community and our record of successful advocacy initiatives. This intergenerational dialogue provides an opportunity to have an impact on the living history of the legal aid community. Young advocacy leaders will convene a conversation among participants about how they can engage in strategic, impact advocacy in a variety of forums in today's political and legal environments.

**Thursday, July 19**  
**1:30 pm – 3:00 pm**

### **Advocacy for Homeless Veterans**

#### ***Glen Ellen***

Homeless veterans make up a third of the male homeless population in the United States. The Veterans Administration estimates that nearly 200,000 veterans are homeless on any given night, and nearly 400,000 experience homelessness over the course of a year. In addition to the complex set of factors affecting all homeless people, a large number of displaced and at-risk veterans live with lingering effects of Post Traumatic Stress Disorder and substance abuse, compounded by a lack of family and social support networks. Learn about the problems facing homeless veterans and how to provide a full range of services to this population.

*Presenter: Rick Little, Bill Smith Homeless Veterans Project, Legal Aid Foundation of Los Angeles*

### **An Effective Intervention with Domestic Violence Survivors on TANF**

#### ***Garden***

Participants in this workshop will learn how domestic violence can affect a TANF recipient's ability to participate in the TANF program, about the importance of TANF in helping domestic violence survivors in escaping violence and becoming self-sufficient, what a model TANF and Domestic Violence Policy includes and how to represent domestic violence survivors with TANF problems.

*Presenter: Minoushe Kandel, Bay Area Legal Aid*

### **Basics of SSI Financial Eligibility**

#### ***Crystal***

This workshop will cover the basic concepts of income and resources for purposes of the Supplemental Security Income (SSI) program and will include a brief discussion of the penalty for transfer of resources. It is designed for two audiences: 1) Advocates new to SSI representation who still need to familiarize themselves with basic concepts; 2) Advocates practicing in other areas of the law (e.g. Housing, Consumer, Family) whose clients include SSI recipients and who need to know how their work impacts the SSI benefits of their clients. It will include suggestions on how to structure settlements so as to cause the least disruption to benefits.

*Presenters: Rachael Henderson, Georgia Legal Services Program; Gerald McIntyre, National Senior Citizens Law Center*

### **Consumer Debt Collection Defense (Part 1)**

#### ***California***

This seminar will consist of a review of legal theories and litigation strategies in defending consumers in debt collection matters, exclusive of mortgage foreclosures. In addition to a survey of federal and state law restraints on consumer debt collection (including the Fair Debt Collection Practices Act and the Fair Credit Reporting Act), we will provide hypothetical case analysis of typical credit card defense and automobile deficiency matters.

*Presenter: Bob Murphy, Law Office of Robert W. Murphy*

### **Doing Impact Advocacy as a Direct Service Provider: Using Partnerships to Become More Involved in System Reform (Part 1)**

#### ***Piedmont***

Ever had the same issue arise time and again for your clients? Frustrated by your limited ability to be involved in broader reform that will impact dozens or hundreds of clients at a time? Often program restrictions and the daily realities of direct legal service practice make it difficult for legal service attorneys to easily engage in impact reform work. This workshop will review some examples of how direct service providers can use *partnerships* to become involved in larger system reform. The presenters will walk through pivotal points in the progression of a typical case and talk about how small changes to case approach can generate opportunities for impact advocacy. We will focus on how partnering with other organizations can help you achieve this goal. While substantively focused on children's law, many of the issues addressed will be relevant to attorneys interested in system reform in other areas.

*Presenters: Patricia Arthur, National Center for Youth Law; Steve Fredrickson, Northwest Justice Project; Bryn Martyna, National Center for Youth Law; Casey Trupin, Columbia Legal Services*

## **Forced From the Neighborhood: Using Relocation Laws to Protect Low Income Residents Living in Revitalizing Communities**

### ***Sacramento***

This workshop will discuss our clients' protections under the different federal relocation and replacement housing laws. In addition to reviewing planning obligations, the workshop will break down the precise benefits our clients are entitled to and delve into emerging issues that specifically confront the low income community. Participants will learn how to protect undocumented people, mobile home owners, the "hard to house" and residents living in residential SROs and motels, and deal with problems raised by temporary relocation, evictions and code enforcement. These issues will be examined in the context of the new regulations and case law as well as recently-issued HUD guidance. In addition, a HUD representative will explain the role of the HUD Relocation Specialist and provide an overview of the HUD relocation review and appeal process.

*Presenters: Deborah Collins, Public Interest Law Project; Lynn Martinez, Western Center on Law & Poverty; W. Jay Smith, US Dept of Housing and Urban Development*

## **Immigration Reform Legislation Overview**

### ***Fairfield***

Now that the Senate bill has failed, what can we expect? This workshop will provide a summary of S. 1639 (the amended and renumbered version of S. 1348, the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007) that failed to pass in the Senate, and what we can anticipate moving forward including: the introduction of positive legislative proposals such as AgJOBS and the DREAM Act, as well as negative proposals such as increased enforcement measures; what to expect outside of Congress, such as administrative proposals including the Department of Homeland Security's rule for employers on how to respond to SSA no-match letters and increased immigration enforcement; and what to expect from state and local anti-immigrant legislation.

*Presenter: Monica Guizar, National Immigration Law Center*

## **Interstate Jurisdiction and Child Custody**

### ***Hillsborough***

This workshop will examine and compare the Uniform Child Custody Jurisdiction Act (UCCJA), the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA), Parental Kidnapping Prevention Act (PKPA) and other relevant statutes and case law, and explore real case examples for analysis and application of the laws discussed. We will also review the Hague Convention concerning international child custody disputes and recent case law development relevant to battered women and their children.

*Presenter: Valenda Applegarth, Greater Boston Legal Services*

## **Medicaid Basics**

### ***Empire***

We will explain the basics of how the Medicaid program is structured, how the federal-state partnership works, and what beneficiary protections exist under the Medicaid Act. Participants will gain an understanding of how the program is structured, tools for effective advocacy, as well as up-to-date information on recent changes to Medicaid.

*Presenters: Randy Boyle, National Health Law Program; Manju Kulkarni, National Health Law Program; Jane Perkins, National Health Law Program*

## **Structural Racism: When Racism Doesn't Have a Face**

### ***Gold***

Understanding racism when it has no visible face requires a new way of thinking. Current law suggests that there must be a perpetrator responsible for the injustices our clients suffer but this is only one way in which racial inequity is manifested. For our clients, the search for a perpetrator may only lead to frustration. This session will help us to rethink race from an institutional and structural perspective and look to new tools to address the ongoing struggle to eliminate racism.

*Presenter: John A. Powell, Kirwan Institute*

**Thursday, July 19**  
**3:30 pm – 5:00 pm**

**Consumer Debt Collection Defense (Part 2)**

***California***

This seminar will continue our review of legal theories and litigation strategies in defending consumers in debt collection matters, exclusive of mortgage foreclosures. In addition to a survey of federal and state law restraints on consumer debt collection (including the Fair Debt Collection Practices Act and the Fair Credit Reporting Act), we will provide hypothetical case analysis of typical credit card defense and automobile deficiency matters.

*Presenter: Bob Murphy, Law Office of Robert W. Murphy*

**Doing Impact Advocacy as a Direct Service Provider: Using Partnerships to Become More Involved in System Reform (Part 2)**

***Piedmont***

Ever had the same issue arise time and again for your clients? Frustrated by your limited ability to be involved in broader reform that will impact dozens or hundreds of clients at a time? Often program restrictions and the daily realities of direct legal service practice make it difficult for legal service attorneys to easily engage in impact reform work. The presenters will continue their review of pivotal points in the progression of a typical case and talk about how small changes to case approach can generate opportunities for impact advocacy. Then, using case examples from successful partnership efforts, we will explore various techniques that direct service providers can use in conjunction with others to affect system change. We will focus on how partnering with other organizations can help you achieve this goal. While substantively focused on children's law, many of the issues addressed will be relevant to attorneys interested in system reform in other areas.

*Presenters: Patricia Arbur, National Center for Youth Law; Steve Fredrickson, Northwest Justice Project; Bryn Martyna, National Center for Youth Law; Casey Trupin, Columbia Legal Services*

**Ensuring Justice for Veterans**

***Glen Ellen***

Recent events have highlighted how challenging it is for many of the nation's active and inactive service men and women to receive appropriate medical care and access to benefits. In addition, those who have so honorably served our country often find themselves dealing with consumer, insurance and other issues for which they need representation. This discussion will examine the underlying laws and rights affecting active and inactive service men and women, review the current status of how the system is functioning, explore the interplay between military and civilian advocates and strategize around how the equal justice community can participate effectively in ensuring that veterans have access to legal representation when navigating the system.

*Presenters: Rick Little, Bill Smith Homeless Veterans Project, Legal Aid Foundation of Los Angeles; Charles Wynder, National Legal Aid & Defender Association*

**Eviction Prevention and Defense in Supportive Housing Settings**

***Hillsborough***

This workshop will focus on the challenges of eviction defense in the supportive housing context. Clients who are transitioning from homelessness have unique challenges in maintaining housing. Behavior related "nuisance" evictions present a significant risk to their ability to maintain housing. We will present practical strategies for providing service for clients with mental health and/or substance abuse issues. As we discuss the challenges of this type of work and identify some of the underlying policy issues, we will present some of the policy work with supportive housing providers we have done to address these issues.

*Presenters: Katie Danielson, VLSP Homeless Advocacy Project; Ted Janowsky, VLSP Homeless Advocacy Project*

## **How to Use and Influence Public Housing and Your Local Consolidated Plan Planning Process**

### ***Sacramento***

Advocates working on local housing and community development issues should become familiar with two significant planning documents and processes: the Public Housing Authority (PHA) annual plan process and the state and local Consolidated Plan (Con Plan) process. Those attending this seminar will learn about the features of the planning processes and how these plans and the policies they address impact their clients and the local housing practice, and how and why it is important to influence these plans.

*Presenters: Catherine Bishop, National Housing Law Project; Lynn Martinez, Western Center on Law & Poverty*

## **Immigrant Families' Eligibility for Public Benefits**

### ***Fairfield***

This workshop will explore the effects and implications of the several overlapping statutes determining whether members of immigrant families may receive Medicaid, food stamps, cash assistance and other important public benefits. It also will review some of the potential adverse immigration consequences of such receipt, including public charge status, and strategies for maximizing eligibility while minimizing risk for clients.

*Presenter: Tanya Broder, National Immigration Law Center; David Super, University of Maryland School of Law*

## **Improving Children's Health through EPSDT & SCHIP**

### ***Empire***

This seminar will teach participants how to access healthcare services for low-income children through the Medicaid EPSDT program and the SCHIP program. Participants will learn about the services covered under these programs, beneficiaries' rights, states' obligations, and ways to effectively advocate for better children's healthcare access.

*Presenters: Steve Hitov, National Health Law Program; Manju Kulkarni, National Health Law Program; Jane Perkins, National Health Law Program*

## **SSDI/SSI Disability Determinations: Standards and Processes**

### ***Crystal***

This seminar will provide newer advocates with a substantial foundation in the disability determination process and disability standards used by the Social Security Disability Insurance and Supplemental Security Income programs. The regulations implementing these programs are both voluminous and complex. This seminar will provide the needed guidance to this vast array of regulations covering all aspects of both disability programs. How does the Social Security Administration determine if a claimant is disabled? What steps can an advocate take to help insure a successful outcome? The most up to date information will be used to guide new advocates through the benefits maze.

*Presenters: Ray Cebula, Cornell University; Linda Landry, Disability Law Center*

## **Technology in Abusive Relationships**

### ***Garden***

This session will incorporate training materials developed by the Safety Net Project of the National Network to End Domestic Violence (NNEDV) to explore how recent developments in technology can be used by perpetrators to stalk their victims. In addition, we will examine how technology can assist the legal aid case handler in privacy assessment and safety planning.

*Presenter: Valenda Applegarth, Greater Boston Legal Services*

## **The Science of Racism: Moving Beyond the Intent Doctrine**

### ***Gold***

New developments in medical and social science and psychology undermine the assumptions upon which current civil rights cases are based. Can psychology and social science help us redefine the intent doctrine in *Washington v. Davis*? What lessons can we learn from how our brains categorize information and how we make decisions? What can we learn about bias in our own lives? Can this research be used to facilitate racial healing in the communities we serve?

*Presenter: Jerry Kang, UCLA School of Law*

**Friday, July 20**  
**8:30 am – 10:00 am**

**Breaking Down Barriers to Access with Food Stamp Procedural Rules**

**Glen Ellen**

At a time when clients' rights in other programs are under attack, understanding the opportunities presented in the one major public benefits program that maintains copious statutory and regulatory protections is more important than ever. This workshop will highlight the many underappreciated advocacy opportunities buried in the Food Stamp Act and its implementing regulations and how they can advance clients' claims not only for food assistance but also sometimes for other public benefits as well.

*Presenter: David Super, University of Maryland School of Law*

**Enforcing Federal Rights: Section 1983 Litigation**

**California**

The purpose of the seminar is to familiarize legal services lawyers with the use of Section 1983 to vindicate the federal constitutional and statutory rights of their clients. While the remedy is best known in the legal services community as a vehicle for systemic challenges to particular policies which violate federal statutes, constitutional tort litigation can play a similar role. This seminar will show that in an appropriate situation, it really isn't all that difficult to "make it a federal case."

*Presenter: Bob Capistrano, Bay Area Legal Aid*

**Evictions and Terminations from Federally Assisted Housing**

**Sacramento**

Residents of federally assisted housing (including public housing, Section 8 voucher, project-based Section 8 and Low Income Housing Tax Credit (LIHTC) housing) have certain rights regarding evictions and terminations of their housing benefits. This session will review and discuss these rights and will focus on recent changes and improvements to those rights. In particular, we will review changes mandated by the reauthorization of the Violence Against Women Act and IRS Revenue Rulings with respect to the LIHTC program. We will also discuss other innovative strategies used and available to advocates who are representing tenants in eviction actions and/or terminations of their Section 8 subsidy.

*Presenter: Larry McDonough, Mid Minnesota Legal Assistance*

**Language Access Advocacy Part 1: Overview of Legal Requirements**

**Garden**

The session will examine federal and state civil rights laws that require meaningful access for limited-English proficient (LEP) individuals seeking services from public programs. Presenters will explain the basics of federal obligations (Title VI, HHS and DOJ Guidances, etc.), and provide examples of state requirements that require the provision of language assistance services, including interpreter and translation services. Resources and best practices will also be shared with participants, i.e., proper signage and notices, language identifications cards such as "I Speak" cards, etc.

*Presenters: Jodie Berger, Legal Services of Northern California; Eli Palomares, Neighborhood Legal Services of Los Angeles County; Doreena Wong, National Health Law Program*

**Overview of Asylum Cases**

**Fairfield**

This workshop offers an introduction to asylum law and procedure. Topics include the legal grounds for asylum, elements of a successful asylum claim, potential bars to asylum, alternatives to asylum, and the asylum process.

*Presenter: Philip Hwang, Lawyers' Committee for Civil Rights*

## **Overview of Predatory Lending**

### ***Empire***

This workshop will offer a general overview of predatory lending that includes payday loans, tax refund anticipation loans, car title loans, and the basics of abusive mortgage loans. We will discuss model state laws to address these problems.

*Presenter: Michele Magar; Kevin Stein, California Reinvestment Coalition*

## **Providing SSA Advocacy in the Early Stages of Appeal: Facing the Challenges that Arise in Providing Legal Services to the Homeless Population**

### ***Piedmont***

Obtaining a steady source of income and the medical insurance associated with Federal disability benefits can have a profoundly stabilizing effect on the life of a homeless individual; often providing access to housing and health care that is life changing. In this workshop we will present an overview of the disability standard for Social Security Disability benefits, specific case handling practices, advocacy tips, strategies about partnering with City agencies as a way to gather medical evidence, and approaches for documenting disability in this population.

*Presenter: Katie Danielson, VLSP Homeless Advocacy Project*

## **Relocation Counseling for Victims of Domestic Violence, Sexual Assault and Stalking: Identity Change, Friend or Foe?**

### ***Hillsborough***

This seminar will showcase a one of its kind technical assistance project offered to civil legal service providers for our clients nationwide who need to physically relocate for their safety and their children's safety. Special attention will be devoted to the issue of identity change. Employing actual case examples, we will explore in detail the many considerations that must be made and the complications that can arise. In addition, we will explore how being in the public domain is the reason many victims of domestic violence and sexual assault are so easily stalked and how to work with our clients to get private and remain private after relocation.

*Presenter: Valenda Applegarth, Greater Boston Legal Services*

## **The Assault on Diversity**

### ***Gold***

This session will examine the well-organized movement to remove discussions of race from public discourse. We will look at how this lack of discourse has affected our clients' ability to articulate disparate impact as a result of their race. The seminar will explain how the colorblind approach and the philosophy of personal responsibility have become the "blame frames" silencing any discussion of racial inequity. We will examine the evolution of civil rights cases that have emasculated the promise of civil rights movement and propose approaches to reinvigorate these laws. This session aims to examine how we, as advocates, can discuss race in a time when the colorblind paradigm is the prevailing view and how we can use the overlap between race and poverty to advocate for our clients.

*Presenter: Lee Cokorinos, Institute for Democracy Studies*

## **The Year's Developments in Social Security and SSI, and Immigrant Issues**

### ***Crystal***

This session will cover the first year's experience with the new disability determination and appeals process in New England, anticipated changes to the disability determination and appeals process at the national level, staffing changes at the Social Security Administration (SSA), and the impact of SSA's budgetary woes on claimants. It will also include a brief overview of pending litigation and a discussion of common issues in the representation of immigrant claimants.

*Presenters: Gerald McIntyre, National Senior Citizens Law Center; Ethel Zelenskie, National Organization of Social Security Claimants Representatives*

**Friday, July 20**  
**9:00 am – 8:00 pm**

**GIS Mapping Drop-in Center**  
***Regency Ballroom***

Learn how to map inequity for any area in the country in under a half hour!

Community mapping is a powerful tool both in its ability to capture and convey massive amounts of data and in its ability to facilitate a deeper understanding of place, community, and opportunity. In the context of race-based advocacy, mapping allows advocates to document complex race and equity issues in a medium that is easily understandable and highly persuasive.

In recent years, Internet mapping applications have emerged that allow any advocate, regardless of technical skill level, to use community mapping to better achieve client and community goals. This hands-on community mapping training is designed to show advocates how to use Internet mapping applications to better serve their clients. Participants will be taken step-by-step through how to create community maps using DataPlace, an Internet mapping application that allows advocates to map myriad demographic attributes for any area within the United States. DataPlace staff will be present to provide individual assistance, to explain how mapping can support advocacy efforts and to answer any other questions.

**Friday, July 20**  
**10:30 am – 12 noon**

**Debt Collection of Public Benefits**  
***Glen Ellen***

Often acting under pressure from federal agencies or their own inspectors general, states are placing an increasing priority on collecting alleged overpayments from current and former recipients of public benefits. Techniques can include recoupment from current benefits in the same program, interception of federal or state tax refunds, or recovery from other public benefits due to the household. This workshop will explore advocacy options for allegedly overpaid clients.

*Presenter: David Super, University of Maryland School of Law*

**“Fugitive Felon” and Incarceration-Related Issues**  
***Crystal***

This workshop will focus on strategies for representation on “fugitive felon” issues in public benefits cases with an emphasis on Social Security and SSI. Both administrative representation and litigation strategies will be discussed. This will be followed by a brief discussion of the impact of incarceration on Social Security and SSI benefits.

*Presenters: Rachael Henderson, Georgia Legal Services Program; Gerald McIntyre, National Senior Citizens Law Center*

**Immigration Barriers for Domestic Violence Survivors**  
***Hillsborough***

This seminar will provide advocates with the practical skills necessary to assist domestic violence survivors who face barriers due to their immigration status. Non-legal barriers and legal immigration relief including VAWA and U visas will be addressed. The seminar will also integrate models for cultural competency in order to better address the needs of immigrant domestic violence survivors. The importance of evaluating immigration status as an integral part of safety planning for domestic violence survivors will be addressed and real-world client examples will be used to demonstrate the potential and the limits of the law and the ways in which all attorneys can assist their clients.

*Presenter: Kavitha Sreeharsha, Legal Momentum*

## **Introduction to the Preservation of HUD and RD-Assisted Housing**

### ***Sacramento***

Due to expiring restrictions and federal policy changes, thousands of privately owned subsidized properties are at risk of conversion to market-rate use. This session will cover the basic legal framework governing these conversions, applicable tenant protections and common problems, and what legal advocates can do to preserve affordable housing and avoid tenant displacement.

*Presenters: Gideon Anders, National Housing Law Project; James Grow, National Housing Law Project*

## **Language Access Advocacy Part 2: Overview of Advocacy Efforts and Available Remedies**

### ***Garden***

Looking at the federal civil rights laws (Title VI, DOJ and HHS Guidances, etc.) discussed in Part 1 of the Language Access Advocacy seminar, presenters will discuss successful (and unsuccessful) advocacy efforts. We will give a general overview of compliance review and enforcement of the laws, as well as the remedies available for civil rights violations. We will also examine state constitutions and laws to enforce meaningful access for limited English proficient (LEP) clients. We will explore advocacy strategies that have resulted in increased access for LEP clients in the area of health care, government benefits and other areas of law.

*Presenters: Zenobia Lai, Greater Boston Legal Services; Amy Lee, Bay Area Legal Aid; Kate Meiss, Neighborhood Legal Services of Los Angeles County*

## **Latest Developments in the Enforcement of Federal Rights: Strategies to Gain Court Access**

### ***Fairfield***

While low-income people have many rights under federal laws such as the Medicaid Act and the US Housing Act, courts have become increasingly hostile to private enforcement of those rights in the courts. The traditional route to get into federal court – jurisdiction under 42 U.S.C. § 1983 – has been under heavy attack. This seminar will discuss the latest cases on federal court jurisdiction, exploring strategies to secure court access. One very promising new approach is federal preemption under the Supremacy Clause, and the seminar will provide guidance for using this strategy. The seminar will also address avenues of enforcing federal rights under state law, including recent cases in which the Medicaid statute has been enforced under third-party beneficiary contract law.

*Presenters: Rochelle Bobroff, National Senior Citizens Law Center; Jane Perkins, National Health Law Program*

## **Legal Aid's Unserved Clients: Access to Justice for Rape Victims**

### **Part 1: The Failure of Our Current Legal Response to Sexual Assault**

#### ***Empire***

Although legal services programs have been in the forefront of meeting the civil legal needs of domestic violence victims, these same programs have limited (if any) training, capacity or commitment to meeting sexual violence survivors' civil legal needs. Legal services programs are well-positioned to meet the civil legal needs of sexual assault survivors. This practical, skill and knowledge-based interactive workshop will include an overview of intimate and non-intimate partner sexual assault, a discussion of survivors' civil legal needs, and how legal services programs can (and should!) help address them. The discussion will also identify some of the individual and systemic barriers to serving these clients and strategies to overcome them.

*Presenters: Christina Dirks, Legal Aid Services of Oregon; Erin Ellis, Sexual Assault Resource Center of Washington County, Oregon; Jessica Mindlin, Victim Rights Law Center; Ilene Seidman, Suffolk University School of Law*

## **Mapping, Data & Race: The Importance of Fact Based Advocacy**

### ***Gold***

Data analysis and mapping allows advocates and community members to confront decision-makers with the actual consequences of their actions. Other disciplines within the non-profit service sector have already embraced empirical analysis and the use of Geographic Information Systems (GIS) as indispensable tools to enable decision making, need assessment, and impact analysis. As legal services advocates striving to address race inequity, these data and mapping presents us an opportunity to analyze and present the issues in a format that decision makers find reliable and unbiased, namely, in the form of data and maps.

*Presenters: Dick Bauer, Greater Boston Legal Services; Ann Moss Joyner, Cedar Grove Institute; Allen Parnell, Cedar Grove Institute; Sarah Treubhaft, PolicyLink; Mona Tavatao, Legal Services of Northern California, moderator*

## **Media Advocacy: Using the Press to Affect Significant Reform for your Clients**

### ***Piedmont***

Presenters will discuss their 2006 media campaign to reform foster care in California. A series of more than 30 editorials and articles – in combination with other advocacy tools – led to the passage of eight foster care reform bills, increased foster care funding of \$100 million, and the unprecedented commitment of the courts, legislators, and governor to improve the foster care system in California. Through this case study, attendees will learn how to use the press as a tool to focus needed public attention on an issue or problem and affect significant reform.

*Presenters: Bill Grimm, National Center for Youth Law; Tracy Schroth, National Center for Youth Law; John Simerman, Contra Costa Times*

## **New Proof of Citizenship Requirements in Medicaid**

### ***California***

This seminar will discuss the new requirements for citizens to present proof of U.S. citizenship and identity for Medicaid under the Deficit Reduction Act of 2005 (DRA). We will discuss what the law requires as well as what it does not require. We will also look at state best practices and strategies for advocates to assist their clients with difficult cases.

*Presenters: Randy Boyle, National Health Law Program; Steve Hitov, National Health Law Program; Doreena Wong, National Health Law Program*

**Friday, July 20**

**12 noon – 1:30 pm**

### **Luncheon Plenary**

## **The Legal Services Movement: Passing the Torch and Keeping the Flame Burning**

### ***Imperial Ballroom***

The development of new and emerging leadership in legal services is critical to keeping the legal services movement dynamic, engaged and relevant to the people and communities we serve. Do you face the challenges of remaining engaged and energized in the high energy demanding day-to-day work of legal services advocacy? What would happen if we shared success strategies for staying excited about legal services, managing your debt load, engaging in cutting edge advocacy, handling caseloads and negotiating “staff friendly” policies to make the work environment more supportive and satisfying? Many of you are doing it. Together we can make the difference.

We want to hear from you! This session is a facilitated discussion among Sub Law participants about how we pass the torch and keep the flame burning in the legal services movement. Come and participate in a dialogue that will inform the national conversation about retaining and developing the next generation of leaders.

**Friday, July 20**  
**1:30 pm – 3:00 pm**

**Accommodating People with Disabilities in Your Law Practice**

**California**

This session will outline the legal obligations of lawyers to accommodate clients with disabilities and provide practical solutions and approaches to providing accommodations for a variety of clients, including those with hearing impairments, vision impairments, physical disabilities, mental health conditions and developmental disabilities.

*Presenters: Maronel Barajas, Disability Rights Legal Center; Shawna Parks, Disability Rights Legal Center*

**Don't Let that Green Card Slip Away: Understanding Criminal Convictions' Effect on Access to and Loss of Permanent Resident Status**

**Fairfield**

This workshop will review criminal grounds of deportability and inadmissibility for noncitizens, as well as waivers available in removal proceeding before an immigration judge. We will discuss the definition of “conviction” for immigration purposes and how it differs from the criminal definition of that term. We will also look at strategies for minimizing the risk of deportation when entering a plea in a criminal proceeding, as well as an overview of which post-conviction relief is effective for immigration purposes.

*Presenter: Joren Lyons, Asian Law Caucus*

**Ensuring Adequate Utility Allowances in Federally Assisted Housing**

**Sacramento**

Recent spikes in energy costs have had a dramatic impact on housing cost burdens for many low-income tenants. Federally assisted tenants are supposedly protected by federal requirements for adequate utility allowances, but those requirements often go unnoticed or unenforced. This session will cover the basics of the problem under the various programs, applicable legal requirements, and compliance and enforcement strategies.

*Presenter: James Grom, National Housing Law Project*

**Everything You Always Wanted (or Needed) to Know About Foster Care to Better Serve All Your Clients**

**Piedmont**

Although many legal services offices do not represent clients in dependency court, a considerable number of their clients either have been or are involved in the child welfare system. Knowing how that system operates, the demands it makes of clients, and the services that those clients are often required to obtain to retain custody of their children or to be reunited with their children in foster care will help legal service providers better serve those clients. Legal service attorneys, unlike many of the attorneys who represent clients in dependency proceedings, have the expertise to assist these clients in obtaining housing, public benefits, health care and other services that may mean the difference between reunification with their children or termination of parental rights. In this seminar, we will provide a primer on the child welfare system, describe how involvement with CPS or the dependency system should be considered in serving clients, and discuss opportunities and strategies for consulting with dependency attorneys and programs.

*Presenters: Bill Grimm, National Center for Youth Law*

**Foreclosure Basics: Workouts, Predatory Lending, and Servicing Abuses**

**Glen Ellen**

Today, foreclosures are increasing dramatically for both low-income and middle-income families, and there is no sign that the upward trend has reached its peak. This session is designed to provide a general overview of how to deal with foreclosures. In some cases, a workout might be an appropriate solution for the homeowner. In other cases, a more vigorous defense of the homeowner is necessary. A procedural defense will likely buy the homeowner additional time, but a substantive defense may reduce the homeowner's liability on the mortgage debt. This session will discuss the numerous strategies available to help homeowners facing foreclosure.

*Presenters: Heidi Li, Housing and Economic Rights Advocates; Tara Twomey, National Consumer Law Center*

## **Legal Aid's Unserved Clients: Access to Justice for Rape Victims** **Part 2: Shifting the Paradigm and Meeting Victims' Needs**

### ***Empire***

Although legal services programs have been in the forefront of meeting the civil legal needs of domestic violence victims, these same programs have limited (if any) training, capacity or commitment to meeting sexual violence survivors' civil legal needs. Legal services programs are well-positioned to meet the civil legal needs of sexual assault survivors. This practical, skill and knowledge-based interactive workshop will include an overview of intimate and non-intimate partner sexual assault, a discussion of survivors' civil legal needs, and how legal services programs can (and should!) help address them. The discussion will also identify some of the individual and systemic barriers to serving these clients and strategies to overcome them.

*Presenters: Christina Dirks, Legal Aid Services of Oregon; Erin Ellis, Sexual Assault Resource Center of Washington County, Oregon; Jessica Mindlin, Victim Rights Law Center; Ilene Seidman, Suffolk University School of Law*

## **Promoting Race Equity in Land Use, Infrastructure and Government Services**

### ***Gold***

Do current growth patterns and land use policies effectively disproportionately shut out African-Americans, Asian/Pacific Islander and Latinos of most neighborhoods of opportunity? Is it an accident that communities of color disproportionately lack infrastructure such as transportation, schools, sanitation systems and sidewalks? Find out how legal services advocates and their clients are seeking to address these inequities within jurisdictions and regions.

*Presenters: Reed Colfax, Relman & Dane; Ilene Jacobs, California Rural Legal Assistance; Demetria McCain, Inclusive Communities Project; Mike Rawson, Public Interest Law Project; Mona Tawatao, Legal Services of Northern California, moderator*

## **Substantive and Ethical Issues in the Representation of Social Security Claimants with Cognitive and Psychiatric Disabilities**

### ***Crystal***

This workshop will review some of the major substantive and procedural issues in representing clients seeking Social Security or SSI Disability benefits on the basis of a cognitive or psychiatric impairment. It will also cover ethical issues frequently encountered in the representation of this group of clients.

*Presenters: Linda Landry, Disability Law Center; Ethel Zelenske, National Organization of Social Security Claimants Representatives*

## **What's New on Health in Washington, D.C.**

### ***Hillsborough***

Health advocates will learn about recent or pending changes in federal law that will affect their low-income clients. NHeLP will share its expertise and insights into the national healthcare agenda. Learn now about proposed changes to better prepare your clients and activate your client communities to support or oppose these proposed changes.

*Presenters: Randy Boyle, National Health Law Program; Steve Hitov, National Health Law Program*

## **Working with Interpreters**

### ***Garden***

Legal services programs have a duty to provide meaningful, culturally sensitive, and linguistically appropriate services to limited English proficient clients. In order to provide effective, non-discriminatory services to changing client communities, advocates must learn to communicate well with limited English proficient clients and witnesses through interpreters. This workshop will teach advocates the basics of how to conduct effective interviews with interpreters and show how this helps to preserve the voice of the client or witness.

*Presenters: Joann Lee, Legal Aid Foundation of Los Angeles; Jee Suthamwanthanee, Asian Women's Shelter; Hedian Utarti, Asian Women's Shelter*

**Friday, July 20**  
**3:30 pm – 5:00 pm**

### **Addressing Immigration Issues in Family Law Cases**

#### ***Garden***

This seminar will cover the importance of addressing the immigration status of a domestic violence victim in the context of a family law case. It will highlight the effect of a client's immigration status on jurisdiction issues, restraining orders, custody, and child and spousal support issues.

*Presenters: Tulin Acikalin, Bay Area Legal Aid; Marilia Zellner, Bay Area Legal Aid*

### **Education Disparities in K-12 Public Schools**

#### ***Gold***

In the time of No Child Left Behind and school accountability, advocates have a new way to do local advocacy to make school districts accountable to low income students, students of color and Limited English Proficient students and parents. Even though the law does not provide for a private right of action, there are many community lawyering opportunities for advocates to work with clients to be active participants in the education process. Presenters will discuss traditional legal approaches using California law that address the disparate impact of district policies on students or parents of color. Presenters will also share other advocacy strategies such as parent involvement and community building using structural racism analysis. The workshop will encourage legal services attorneys to look beyond litigation as a means for effecting change.

*Presenters: Deborah Escobedo, Youth Law Center; Cynthia Rice, California Rural Legal Assistance; Tammi Wong, Legal Services of Northern California*

### **Ethics in Civil Legal Aid Practice: The Basics**

#### ***Fairfield***

This session will present an overview of ethical issues commonly confronted by newer civil legal aid lawyers, including the formation of lawyer-client relationships; legal and ethical obligations of competence, diligence, honesty and candor, loyalty and client communication; confidentiality; conflict of interest issues; and the ethical duties of supervisory and subordinate lawyers. We will emphasize the ethical decision-making process, utilizing role-play exercises and discussion in the context of real-life factual situations. **Repeated Saturday, July 21, 8:30 am to 10:00 am**

*Presenter: Art Lachman*

### **Fair Housing Litigation**

#### ***California***

This session will present an overview of fair housing advocacy and a consideration of how advocates can identify issues of discrimination, based on race and disability, and pursue appropriate remedies.

*Presenter: Christopher Brancart, Brancart & Brancart*

### **Fighting Foreclosure Rescue Scams**

#### ***Glen Ellen***

The rise in mortgage defaults coupled with significant real estate appreciation across the country has brought on a wave of schemes designed to deprive homeowners of the equity in their homes. Many desperate homeowners facing foreclosure are willing to trust scammers promising to help save their homes. However, instead of being rescued, they often end up losing everything. This session will examine the problem of foreclosure rescue scams. We will cover the basic types of foreclosure rescue scams, how to gather information necessary to defend against these scams, and the most useful claims to raise against scammers and other third parties.

*Presenter: Tara Twomey, National Consumer Law Center*

## **From Soup to Nuts, or How to Handle a Social Security Disability Case From Start to Finish**

### ***Crystal***

This workshop will take the participants through a “typical” Social Security Disability case from establishing the theory of the case through the Administrative Law Judge (ALJ) hearing and will include the review of a list of useful practice tips.

*Presenters: Ray Cebula, Cornell University; Rachael Henderson, Georgia Legal Services Program; Linda Landry, Disability Law Center; Ethel Zelenske, National Organization of Social Security Claimants Representatives*

## **Integrating Economic Development through the Earned Income Tax Credit**

### ***Empire***

Learn how your organization can become involved in economic development by helping return dollars to low-income workers through the Earned Income Tax Credit (EITC). The EITC is the largest anti-poverty program in the United States, yet 15 to 25% of those eligible fail to claim it each year. This workshop will cover eligibility requirements and reveal how your organization can help promote this credit to your clients. The Legal Aid Society of Orange County (LASOC) has partnered with Maria Shriver, the First Lady of California, to help promote the EITC statewide and will share best practices of its EITC partners nationwide. LASOC will also introduce free resources to assist low-income workers in filing for the EITC.

*Presenter: Jeanette Valencia, Legal Aid Society of Orange County*

## **Introduction to the Law and Science of Environmental Justice**

### ***Piedmont***

This workshop will introduce participants to key federal laws used by environmental justice lawyers, and some basic science concepts frequently encountered in environmental justice controversies. Laws discussed include Title VI of the Civil Rights Act of 1964, Executive Order 12898, the National Environmental Policy Act and the Lead Disclosure Act. Scientific principles covered include exposure pathways, risk assessment and the precautionary principle. Also discussed is the special vulnerability of children of color to toxic exposures, and how problems caused by those exposures may present themselves in routine legal services intake.

*Presenters: Luke Cole, Center for Race, Poverty and the Environment; Veronica Eady, New York Lawyers for the Public Interest; Steve Fischbach, Rhode Island Legal Services, moderator; Gina Solomon, Natural Resources Defense Council*

## **Rural Development Single Family Home Loan Programs: Foreclosure Avoidance Basics**

### ***Sacramento***

Single family homeowners whose loans were made or guaranteed by the Rural Housing Service/Rural Development (formerly the Farmers Home Administration) frequently go unrepresented when they default on their loans and are threatened with foreclosure. This seminar will familiarize advocates with the RHS/RD single family direct and guaranteed loan programs and the mechanisms that are available to the borrowers for avoiding foreclosure, including interest subsidies and moratorium relief. It will also review the administrative appeals process that is available to borrowers and the foreclosure process.

*Presenter: Gideon Anders, National Housing Law Project*

## **TANF Reauthorization: Hot Issues**

### ***Hillsborough***

We will consider recent changes to the Temporary Assistance for Needy Families (TANF) program, including the impact new definitions will have on recipients’ activities, how to use DV waivers to help clients, strategies to maximize caseload reduction credits without cutting off clients, sanction reduction approaches, verification issues and ADA issues.

*Presenters: Jodie Berger, Legal Services of Northern California; David Super, University of Maryland School of Law*

**Friday, July 20**  
**5:00 pm – 6:30 pm**

**National Language Access Advocates Network (N-LAAN) Affinity Group Meeting**  
*Empire*

Anyone interested in language access advocacy and promoting language accessible legal services and defender offices is cordially invited to participate in this meeting. We will debrief the conference's language access sessions and discuss how to increase expertise and share information. We will also strategize next steps for future conferences and formalizing our organization.

**Friday, July 20**  
**5:30 pm – 6:00 pm**

**Predatory Lending Brainstorming**  
*Garden*

More than 2 million homeowners are facing or will soon face foreclosure due to predatory lending. Join the predatory lending faculty for a brainstorming session on systemic ways to provide legal assistance to help families save their homes. Participants will gather at 5:30 and walk together to a nearby restaurant for dinner and great conversation. If you're late, please go to the meeting room -- we will leave a sign on the door indicating where we'll be dining so you can join us. Legal services programs nationwide are adding foreclosure defense and other predatory lending practices to their programs -- come find out more!

**Saturday, July 21**  
**8:30 am – 10:00 am**

**Alphabet Soup and Students with Disabilities: IDEA, 504, ADA, NCLB (Part I)**

**California**

Participants will gain a basic understanding of laws and terminology related to students with disabilities, including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, Americans with Disabilities Act, and applicable parts of No Child Left Behind, Free Appropriate Public Education (FAPE), Child-Find, Least Restricted Environment (LRE), testing, transition services. The focus will be on K-12, and post-secondary education students, their rights under existing law, schools' obligations towards these students including specialized instruction, related services, accommodations, modifications and accessible programs and facilities across educational settings (schools, colleges and universities, juvenile halls, jails and prisons, home-hospital, residential placement). Discussion will highlight common legal issues and pitfalls, available resources, real world effective advocacy, administrative agency and litigation strategies.

*Presenters: Maronel Barajas, Disability Rights Legal Center; Shavna Parks, Disability Rights Legal Center*

**Basic Bankruptcy Training for Legal Services Attorneys (Part I)**

**Hillsborough**

These sessions will cover bankruptcy basics for legal services attorneys, with particular focus those issues that arise most frequently when representing low-income clients. For example, we will cover topics such as advising the judgment proof debtor, filing for fee waivers, and saving cars. While we will include some discussion of chapter 13 bankruptcy, the emphasis will be on chapter 7. This session is designed as an introductory course. However, the material provided will also include updated case law based on the 2005 amendments to the code that experienced bankruptcy practitioners might also find useful.

*Presenter: Tara Twomey, National Consumer Law Center*

**Community Based Lawyering: Returning to Legal Services' Roots**

**Gold**

There are many models for delivery of legal services. Some programs stress direct services, some impact projects, others claim a law reform agenda. In many programs these models exist side by side. The original vision for legal services in the Office of Economic Opportunity was community-based lawyering. In a time when issues of racial inequity are moving to the forefront of advocacy, this panel will examine this model of advocacy that places clients at the center of decision making, creating institutions of power that rest upon their shoulders alone. It will examine projects that create capacity and leadership in communities that have been marginalized by poverty. It is a philosophy that focuses on our clients' assets rather than the communities' deficits.

*Presenters: Steve Fischbach, Rhode Island Legal Services; Zenobia Lai, Greater Boston Legal Services; Tammi Wong, Legal Services of Northern California*

**Ethics in Civil Legal Aid Practice: The Basics**

**Empire**

This session will present an overview of ethical issues commonly confronted by newer civil legal aid lawyers, including the formation of lawyer-client relationships; legal and ethical obligations of competence, diligence, honesty and candor, loyalty and client communication; confidentiality; conflict of interest issues; and the ethical duties of supervisory and subordinate lawyers. We will emphasize the ethical decision-making process, utilizing role-play exercises and discussion in the context of real-life factual situations.

*Presenter: Art Lachman*

## **New State Options under DRA and Waivers**

### ***Sacramento***

The Deficit Reduction Act of 2005 authorized states to make sweeping changes in several key parts of Medicaid. These allowed states to make radical changes in the Medicaid benefits package and to impose new requirements on eligible households without waivers. This workshop will identify these changes, look at what some states have begun to do with this new flexibility, and consider strategies for advocates to respond.

*Presenter: David Super, University of Maryland School of Law*

## **Using Civil Rights and Civil Liberties Law to Protect Clients' Access to Public Benefits**

### ***Piedmont***

This session will focus on clients the civil rights and civil liberties that can help ensure equal and appropriate access to public benefits. We will cover the basic legal protections, as well as advocacy techniques and strategies for enforcing the rights to due process, disability accommodations and language access, for both individuals and systemic problems.

*Presenters: Jodie Berger, Legal Services of Northern California; Sujatha Jagadeesh Branch, Protection & Advocacy, Inc.*

## **Using Protections in VAWA 2005, Fair Housing Laws and State Laws to Secure Housing for Victims of Domestic Violence**

### ***Garden***

Securing safe housing is one of the greatest challenges for victims of domestic violence. Victims often face eviction based on the criminal acts of their abusers or because they call the police or seek a protective order. Housing attorneys may need assistance in screening effectively for domestic violence and helping their clients use legal protections. Attorneys representing victims of domestic violence in protective order or family law proceedings may be unfamiliar with legal protections that can help their clients maintain housing. Drawing on specific case examples, this workshop will introduce legal claims that can be used to challenge discriminatory practices or evictions, including important new protections passed in the Violence Against Women Act of 2005; laws that can provide the right to get out of a lease a change a lock; and strategies for working with public housing authorities to implement effective domestic violence policies. Participants will be invited to share specific factual scenarios and we will discuss how various laws could apply. Participants will receive detailed resources with additional state-specific information.

*Presenter: Maya Raghu, Legal Momentum*

## **Work and Benefits**

### ***Crystal***

This session will review the various work incentives and disincentives of the Social Security Disability Insurance and SSI Disability programs.

*Presenters: Ray Cebula, Cornell University; Linda Landry, Disability Law Center*

**Saturday, July 21**  
**10:30 am – 12 noon**

**Alphabet Soup and Students with Disabilities: IDEA, 504, ADA, NCLB (Part II)**

**California**

Participants will gain a basic understanding of laws and terminology related to students with disabilities, including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, Americans with Disabilities Act, and applicable parts of No Child Left Behind, Free Appropriate Public Education (FAPE), Child-Find, Least Restricted Environment (LRE), testing, transition services. Discussion will highlight common legal issues and pitfalls, available resources, real world effective advocacy, administrative agency and litigation strategies.

*Presenters: Maronel Barajas, Disability Rights Legal Center; Shawna Parks, Disability Rights Legal Center*

**Basic Bankruptcy Training for Legal Services Attorneys (Part II)**

**Hillsborough**

These sessions will cover bankruptcy basics for legal services attorneys, with particular focus those issues that arise most frequently when representing low-income clients. For example, we will cover topics such as advising the judgment proof debtor, filing for fee waivers, and saving cars. While we will include some discussion of chapter 13 bankruptcy, the emphasis will be on chapter 7. This session is designed as an introductory course. However, the material provided will also include updated case law based on the 2005 amendments to the code that experienced bankruptcy practitioners might also find useful.

*Presenter: Tara Twomey, National Consumer Law Center*

**Defending Clients against Accusations of Fraud**

**Piedmont**

We will examine the relationship between administrative hearings and fraud prosecutions, explore when there must be an administrative hearing and what advocates can accomplish in a hearing, and consider what issues should be taken up with administrative agencies separate from individual fraud investigation. Various benefit programs will be covered, including TANF, food stamps and child care.

*Presenter: Jodie Berger, Legal Services of Northern California; David Super, University of Maryland School of Law*

**Ethics of Witness Interviewing and Witness Preparation**

**Empire**

This session will present an in-depth treatment of ethical issues associated with interviewing witnesses and preparing them to testify in depositions and at trial. Topics to be discussed include the ethical rules regarding contact with represented and unrepresented persons, when questioning techniques cross the ethical line and privilege and work product issues in the witness preparation process.

*Presenter: Art Lachman*

**Medicare Part D**

**Gold**

This session will provide a basic overview of and latest developments in Medicare Part D, the prescription drug benefit, with a particular emphasis on how the program affects low income people. The presentation will cover the rights of Medicaid beneficiaries within the program, auto-enrollment, the low income subsidy, enrollment and disenrollment, language access and exceptions and appeals. Strategies for dealing with common problems will be shared. Time will be reserved for questions and discussion of potential strategies for policy change and litigation.

*Presenters: Georgia Burke, National Senior Citizens Law Center; Kevin Prindiville, National Senior Citizens Law Center*

## **Overpayments and Offsets**

### ***Crystal***

This session will cover overpayments in the Social Security and SSI programs, including a discussion of the various means by which overpayments arise in both programs and how they may be collected, a review of the procedural protections available when SSA tries to recover an overpayment, and a discussion of whether to appeal the overpayment and/or seek waiver of recovery. There will also be a review of the ever expanding use of offsets by which the government may offset Social Security or SSI benefits to recover unrelated debts.

*Presenters: Rachael Henderson, Georgia Legal Services Program; Gerald McIntyre, National Senior Citizens Law Center*

## **Promoting Economic Security of Victims of Domestic Violence by Helping Them Keep Their Jobs or Obtain Unemployment Insurance Benefits**

### ***Garden***

This workshop will introduce workplace safety-planning techniques and recently-enacted state laws specifically addressing victims' employment rights (providing time off from work; access to unemployment insurance benefits; protection from employment discrimination; and reasonable accommodations) as well as generally-applicable federal laws, such as Title VII, the Family and Medical Leave Act and the Americans with Disabilities Act. By understanding their legal rights and educating their employers, many individuals are able to secure their jobs without ever filing a lawsuit. Participants will be invited to share specific factual scenarios and we will discuss how various laws could apply and what advocacy strategies, other than filing a lawsuit, can be used. Participants will receive detailed resources with additional state-specific information and model letters to employers that can be used to claim time off or other workplace accommodations or challenge a firing.

*Presenter: Maya Raghu, Legal Momentum*

## **Relief for Victims of Human Trafficking**

### ***Glen Ellen***

This workshop will provide an overview to the issue of human trafficking. Participants will learn how to identify victims of trafficking and learn about relief available to trafficking victims, specifically "continued presence" and the T visa. The workshop will address the complex dynamics of obtaining relief for trafficking victims as it relates to law enforcement prosecutions of traffickers and strategies for working on behalf of a victim in a federal criminal prosecution.

*Presenter: Kavitha Sreeharsha, Legal Momentum*

## **Using Legal Strategies to Create Healthy Homes, Schools and Communities**

### ***Sacramento***

This workshop will profile three examples of successful legal advocacy efforts to promote healthier living environments in homes, schools and communities. These advocacy efforts have been undertaken by legal aid and public interest attorneys to improve health outcomes for low income and minority residents. Panelists will discuss the roles that scientists played in each of these efforts, and the challenges lawyers face when using scientists as "experts" in advocacy efforts.

*Presenters: Veronica Eady, New York Lawyers for the Public Interest, moderator; Steve Fischbach, Rhode Island Legal Services; Marcheta Gillam, Legal Aid Society of Cincinnati; Al Huang, Natural Resources Defense Council; Zenobia Lai, Greater Boston Legal Services*



# NLADA THANKS

THE FOLLOWING ORGANIZATIONS AND INDIVIDUALS  
FOR THEIR GENEROUS SUPPORT OF THE

## 2007 SUBSTANTIVE LAW

## CONFERENCE

## RACE EQUITY TRACK

Poverty & Race

Research Action Council

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Equal Justice Society

Dan Stormer, Hadsell & Stormer

Bay Area Legal Aid

California Rural Legal Assistance

Central California Legal Services

Legal Aid Foundation of Los Angeles

Legal Aid Society of Orange County

Legal Aid Society of San Diego

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