

Mass Dissent

Massachusetts Chapter

National Lawyers Guild

14 Beacon St., Boston, MA 02108

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ANNUAL MEETING

March 19, 5:30 pm

14 Beacon St., 1st Fl.
Boston

March 8th - International Women's Day

To celebrate International Women's Day - March 8th - every year the March issue of *Mass Dissent* is devoted to women. Slowly but surely, there is some progress in the position of women in the U.S. The last elections have brought more women than ever to the 113th U.S. Congress - 77 to the House of Representatives and 20 to the Senate, with the first Asian-American woman Senator - Mazie Hirono (D-Hawaii). For the first time, Massachusetts voted for a female Senator - Elizabeth Warren is already stirring the workings of the Senate Banking Committee and asking federal regulators questions they are not used to hear, such as "When was the last time you took a big Wall Street bank all the way to trial?" While the number of women in the U.S. Congress is still far lower than in other industrial nations, considering that in the history of Congress, among nearly 2,000 senators, only 44 have been women, the current number of 20 could be viewed as victory. On another front, the Pentagon has lifted the ban

on women in combat, which might lead to more equality for women in military.

This year, instead of analyzing legal and political progress or regress of women, we decided to profile NLG women and show the diversity of issues they work on and the diversity in their approaches to lawyering.

We start with **Lauren Marcous**, who graduated in May 2012 from Western New England School of Law and who just opened her solo practice in Easthampton. **Beverly Chorgajian** has been a criminal defense attorney in Worcester and a member of the NLG Mass Defense Committee. **Bonnie Tenneriello** for almost a decade has worked for Prisoner Legal Services assisting and representing Mass. prisoners. **Susan Akram** has been a law scholar for over 20 years and an advocate for refugees for all her professional life. And **Cookie Arvin** and **Estelle Regolsky** have been law partners since the 70s. We also have an analysis of women in combat by **Jerry Lambcke**.

- Editors -

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Join a Guild Committee

Street Law Clinic Project: The Street Law Clinic project provides workshops for Massachusetts organizations that address legal needs of various communities. Legal education workshops on 4th Amendment Rights (Stop & Search), Landlord/Tenant Disputes, Workers' Rights, Civil Disobedience Defense, Bankruptcy Law, Foreclosure Prevention Law, and Immigration Law are held at community organizations, youth centers, labor unions, shelters, and pre-release centers. If you are a Guild attorney, law student, or legal worker interested in leading a workshop, please contact the project at 617-723-4330 or nlgmass-slc@igc.org.

Lawyer Referral Service Panel (LRS): Members of the panel provide legal services at reasonable rates. Referral Service Administrative/Oversight Committee members: Neil Berman, Neil Burns, Joshua Goldstein, Jeremy Robin, and Azizah Yasin. For more information, contact the Referral Service Coordinator at 617-227-7008 or nlgmass@igc.org.

Foreclosure Prevention Task Force: Created in June 2008, the Task Force's goal is threefold: (1) advocate for policies that address issues that homeowners and tenants of foreclosed houses face, (2) to provide legal assistance to these homeowners and tenants, *and* (3) to conduct legal clinics for them. If you are interested in working with the Task Force, please call the office at 617-227-7335.

Mass Defense Committee: Consists of two sub-committees: (1) "Legal Observers" (students, lawyers, activists) who are trained to serve as legal observers at political demonstrations *and* (2) "Mass Defense Team" (criminal defense attorneys) who represent activists arrested for political activism. To get involved, please contact the office at 617-227-7335.

Litigation Committee: Established in 2010, the Committee brings civil lawsuits against large institutions (such as government agencies, law enforcement, banks, financial institutions, and/or large corporations) that engage in repressive or predatory actions that affect large numbers of people and that serve to perpetuate social, racial and/or economic injustice or inequality. To get involved, please contact the Guild office.

NLG National Immigration Project: Works to defend and extend the human and civil rights of all immigrants, both documented and undocumented. The Committee works in coalitions with community groups to organize support for immigrant rights in the face of right-wing political attacks. For more information contact the NLG National Immigration Project at 617-227-9727.

NLG Military Law Task Force: Provides legal advice and assistance to those in the military and to others, especially members of the GIRights Hotline, who are counseling military personnel on their rights. It also provides legal support and helps to find local legal referrals when needed. For advice and information, GI's can call 877-447-4487. To get involved, please contact Neil Berman (njberman2@juno.com) or Marguerite Helen (mugsm@mindspring.com).

GUILD NEWS

NLG HAPPY HOUR

You are invited to the NLG Happy Hour - an event held on the **2nd Wednesday of each month** - we rotate Mentorship with "NLG Presents..." happy hours. See below information about this month's event and read a report from the last one on page 4. If you have ideas for a presentation, please call the NLG office at 617-227-7335.

ANNUAL MEETING

On **Tuesday, March 19**, the Massachusetts Chapter will hold its **Annual Meeting (14 Beacon St., Conference Rm, 1st Fl., Boston)**. We will start at **5:30pm** with a cheese and wine (and desserts!) reception, and continue with the Chapter elections of Board members and Officers; after the elections, Josh Raisler Cohn and Makis Antzoulatos will lead a conversation on the Chapters work against racism. All members invited!

FOR NLG MASS DEFENSE

The NLG Mass Defense Committee is working with Occupy

Boston activists, arrested in October and December of 2011, and looking into legal options that might address violations that occurred during the arrests. We need to raise money for the Committee to enable it to provide proper assistance to the activists. Please come to a **Fundraising event for NLG Mass Defense Fund on Friday, March 15, 6:00pm, at Jillian's (145 Ipswich St., Boston.)** Please consider sponsoring the event! Only \$99, but the benefits will be enormous!

THE CENTRAL PARK 5

The NLG student chapters at BU, Harvard, Northeastern, and Suffolk sponsor a showing of "**The Central Park 5**" movie and a panel afterward. The event will be in March (date TBA), 7 pm, at Somerville Movie Theater in Davis Square.

NLG 2013 GALA

Save the Date! This year's NLG Gala will be held on **Friday, May 3, at Villa Victoria**. We will honor **Emily Novick, Noam Chomsky, Rita Sebastian** (legal worker), and students **Sharyn Grace**, and **Lipou Laliemthavisay**!

Street Law Clinic Report

The following clinics and trainings were conducted for members of Boston area community organizations and agencies:

January 28: *Stop & Search* and Civil Disobedience clinics for Students for Sensible Drug Policy, by **Makis Antzoulatos**, and **Carl Williams**.

February 14: *Legal Observing* for Boycott Divestment & Sanctions Campaign, by **Drake Jones**, **Urszula Masny-Latos**, **Ariel Oshinsky**, and **Rahel Sommer-Hays**.

March 3: *Civil Disobedience* workshop for student groups and community members organizing against the Keystone XL pipeline, by **Carl Williams**.

March 5: *Stop & Search* training for law students at Suffolk Law School, by **Ben Falkner**.

"NLG Presents..." Happy Hour

SOLITARY CONFINEMENT IN MASSACHUSETTS PRISONS: Legal and Legislative Challenges

an evening with

Bonnie Teneriello & Stephanie Young

Wednesday, March 13, 2013

6:00 - 8:00 pm

Red Hat Cafe (9 Bowdoin St., Boston)

Bonnie Tenneriello and Stephanie Young Marzouk, attorneys with Prisoners Legal Services, will talk about the use of isolation in Massachusetts prisons and efforts to restrict it through the courts and the state legislature.

ARTICLES FOR MASS DISSENT

The April issue of *Mass Dissent* will focus on international topics.

If you are interested in submitting an article, essay, analysis, or art work (cartoons, pictures) related to the topic, please e-mail your work to nlgmass-director@igc.org.

The deadline for articles is March 15.

NLG Mentorship Happy Hour

In February, the NLG Mentorship Happy Hour hosted Hayne Barnwell who until recently worked as an attorney with Carney & Bassil. While there, Hayne was involved in legal representation of highly profiled cases, among them the defense of Tarek Mehanna, charged and convicted of material support to terrorism, and James “Whitey” Bulger, on trial now on murder charges.

This month, please join us for “*NLG Presents...*” Happy Hour with Bonnie Tenneriello and Stephanie Young from Prisoner Legal Services (*see page 3*).

(below) Hayne Barnwell explains difficulties attorneys have to consider when their clients’ cases become public sensation.

(Photos by Urszula Masny-Latos)



NLG Series on War in Gaza

Last month, the NLG Chapter hosted James Marc Leas, an NLG attorney from Vermont and co-chair of the NLG Free Palestine Subcommittee, who, over a period of two days, gave four presentations at local law schools on a fact-finding delegation to Gaza he was part of. The delegation of NLG members and U.K. attorneys went to Gaza at the end of November 2012 to investigate the results of Israeli “Operation Pillar of Cloud,” an intensive 8-day bombing of hundreds of sites in Gaza.



(top) James Marc Leas presents the findings of the NLG and U.K. delegation to Gaza in November 2012.

(right) James speaking to a packed room at Harvard Law School. The audience included Harvard students and faculty, as well as members of the Cambridge community.

(Photos by Roxana Rahmani)

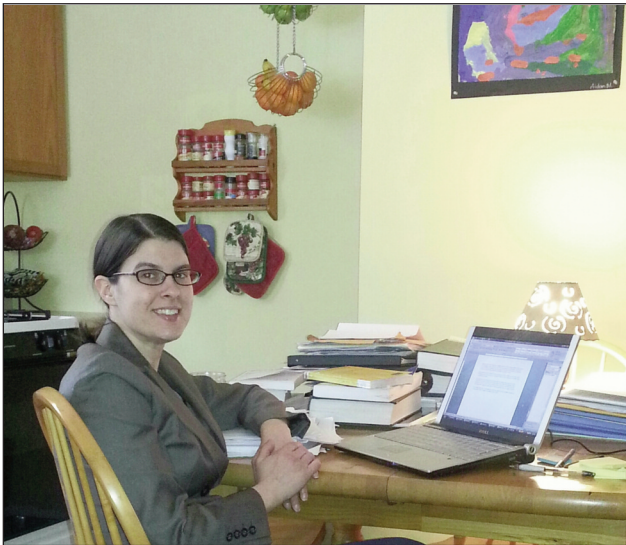
Just Graduated! And Going Solo

by *Lauren Marcous*

When I graduated law school in the spring of 2012, I was faced with the daunting task of finding space in the legal profession where I could be both a single-mother and a new lawyer. After considering the many challenging positions that would inevitably force me to shirk either my career or family responsibilities, I realized the most sensible way to forge ahead was to start my own practice. I began to develop a business plan that was based on the simple premise that I would provide legal services at no or low cost to people who are historically unrepresented while simultaneously earning enough income to meet my family's basic needs. To meet this goal, I took a careful inventory of the substantive areas of law that I was most familiar with and then narrowed that list down to the areas that would allow me to establish flat, sliding-scale rates and/or utilize fee-shifting statutes. Through this exercise I arrived at a short list of potential practice areas, which included consumer protection law, landlord/tenant law, special education law, and disability law.

Within just weeks of being sworn in, I opened the doors of my solo practice. My first several cases were of the landlord/tenant variety and were referred to me from the Massachusetts Justice Project. There were three sets of tenants, all of whom were living in a bank owned building with horrendous conditions and were now suddenly facing eviction because

the bank claimed there was a binding purchase and sale agreement on the property. Though these were not particularly complex cases, they raised particularly complex issues for me as a new attorney. Among many other things, I had endless burning questions about engaging in best procedural strategies, dealing with opposing counsel, complying with ethical obligations, and understanding judicial applica-



Lauren in her law office - yes, it is in her kitchen!

tions of law. I immediately realized that without the ongoing commitment and support from my predecessors, my dream of being a successful solo practitioner was going to fall quite short.

With this in mind, I set out to develop a wide support network of like-minded lawyers who could mentor and guide me through what was clearly going to be an arduously steep learning curve. As an active Guild member in law school, I was fortunate enough to have worked with many different attorneys from across the state in my chosen fields, including sev-

eral long-time Guild members. With this foundation, I have been able to build an arsenal of experienced attorneys who are ready, willing, and available to field my call when I need advice on an unusually complex case or an unprecedented legal issue. I know I can count on folks like Jeff Feuer, Lee Goldstein, and Bill Newman, to take time out of their busy schedules to talk me through whatever issues I'm having and arrive at a plan on how to best move forward.

Though flying solo straight out of law school as a single-mother certainly has its drawbacks, it pales in comparison to the possible alternatives, which include the likes of 60+ hour work weeks in someone else's office doing legal work that I may or may not morally support. It is only with the professional support and mentorship of Guild attor-

neys, as well as attorneys who are friends of the Guild that I have been one of the lucky ones who can give the solo practice of law a valiant effort in these dire economic times.

Lauren Marcous graduated in May 2012 from Western New England School of Law in Springfield. She has been in the NLG since her first year in law school.

Women in Combat: Can We Talk About This?

by Jerry Lembcke

I'm remembering the 1980s when work-place limitations on allowable weights for women to lift were being challenged. Men were allowed to lift heavier weights making it legal for employers to prefer men over women in hirings for certain jobs. Citing the discrimination in those practices, some feminists favored raising the weight limits for women; some labor activists, meanwhile, said the standard for women was actually safer for everyone so equality should be achieved by making it the standard for all, men and women.

Mindful of that history, the recent debate over allowing women in combat has caught my ear. In late January the Pentagon announced that it would lift the ban on women serving in combat units. The outgoing Secretary of Defense, Leon Panetta will formally receive the proposal in May and move it on to Congress which has the authority to finalize the change within 30 days. Implementation of the changes is expected to take up to three years.

Unlike the disagreements over workplace safety issues 30 or so years ago, the opening of combat roles to women is being widely applauded. Polls show men and women equally supportive of the change by as high as 76%. Particularly interesting to me is the absence of an anti-war voice comparable to that of labor on the workplace issue: where is the American pacifist voice contending that the standard for women should be the standard for all - no one should be in combat?

The no-combat position would be politically impractical, of course, unwise even in the current geopo-

litical environment. But a strategic use of the issue, just as some union members used concerns about weight limits in the 1980s, could leverage more serious thinking about the militarization of our culture and economy, the consequences of which we see manifested in the national gun fetish and the federal budget crisis.

It would be easy enough, for example, to argue that all soldiers under the age of 21 should, like women, be exempt from combat. Whereas the combat exception for women is based on physical qualifications, evidence that the still-developing minds and emotions of young adults, men and women, make them especially vulnerable to the stresses and traumas of war provides a basis upon which to keep them away from combat. Such a policy would not only not deprive young recruits of the income, job-training opportunities, and post-service benefits like education—that, for some advocates, justify military service—it would likely channel them into military occupational specialties that transfer more readily to future civilian employment.

The age limitations on combat experience would protect teenagers from military recruiters who prey particularly on young men's machismo and fantasies of war-front valor. Those youthful expectations of prideful martial accomplishment are fed by film and veteran folklore, but they are seldom met with satisfaction by real-world military experience—a fact that is a likely contributor to the despondency of returnees from the new wars that is sometimes lumped in with other ailments for PTSD diagnoses. The average age of American war-dead in Iraq and Afghanistan is about 26, far higher than the mythical image of “our kids” dying

in war, but it is still sickening that anyone under the legal age for drinking in most states is lost in battle. The demand for a wider combat-exemption policy, leveraged by the non-combat standing of women, should be a priority for progressive reform movements.

Setting an age standard for combat eligibility may be disputatious but a standard of parental-status should be a no-brainer. Mothers and fathers with dependent-aged children should, of course, be welcomed into the military for whatever occupational, career, and economic benefits they may anticipate. But the interests of their children, and ultimately the society, should be protected by legislation keeping parents out of harm's way.

Legislation to that effect could easily be extended to cover all family members with dependents, be they young, old, or disabled. Exemptions like that for the “sole surviving son” that enabled farm families to keep a young breadwinner at home during World War I might provide a model for new legislation.

The lack of imagination coming from the liberal anti-war community on this issue is concerning. The clamor for equal opportunity to kill and be killed or even to be in closer proximity to battleground mayhem—in the name of women's rights or gender equality—misappropriates those progressive traditions, redirecting their promise to elevate humankind onto another path, one leveling us all at a lower level. But there is still time to rethink where the demand for women in combat takes us. Let's talk about this.

Jerry Lembcke is Associate Professor of Sociology at College of the Holy Cross in Worcester, MA. He is a Vietnam Veteran.

A Confession of a Criminal Defense Solo Practitioner

by Beverly Chorbajian

It can be a liability to have too much compassion in this business. I made a decision a few years ago, that if I couldn't save the world, maybe I could save one person.

We stopped at a red light and a crowd of city high school kids in graduation gowns rushed across in front of us. The auditorium was emptying out, gushing new, laughing graduates and their parents, friends and relatives out onto the sidewalk. It hit me like a brick between the eyes: my client, the young man in the front seat next to me, was not "allowed" to graduate from high school. He had not lived at home with a family since he was ten years old. At age ten, exhibiting signs of mental illness, and the first of dozens of suicide attempts, he was sent to go live in a "therapeutic" setting; a boarding school for children who have "special needs". And although he went to school all year, with no summers off, the funding bureaucracy prevented him from being granted a diploma. He was simply cut loose at age 17 to fend for himself.

He started in Fitchburg, a dumpy city full of empty mills that missed the gentrification bus. As we drove by the library there one day, he showed me "right there behind the library" was where an older man first introduced him to heroin. He would always point out to me places he had shot up or nearly over-dosed, or where friends of his had died, and places he can sleep when he is homeless and places he can get free food. His world contained landmarks of mundane places marked by trauma.

He ended up in jail at age 19 for setting a fire in a vacant building to keep warm. Indicted for

arson, assigned a court-appointed attorney, he was encouraged to plead guilty rather than defend. I thought I would have done things differently for him. At twenty years old, he ended up losing his temper with a guard. The government indicted him again and at twenty-one years old, he pled guilty and served seven years in Walpole, a maximum security prison. His mother had long abandoned him and moved to parts unknown. His father, too, was in prison. He had no visitors for those seven years.

With no treatment for his mental health issues, he was "disciplined" by isolation for his behavior in prison. He was one of the inmates who tried to "eat his television" I had heard about. He would smash up the pieces and eat them to get sent to the infirmary or for a trip to the hospital. After seven years he was released to the streets which meant living in a tenement with no hot water in the winter and ice in the bathtub. Incredibly, he was expected to follow the rules of probation.

When I met him, I was assigned by the court to represent him on a violation of probation after he and his then-girlfriend attempted a joint suicide by overdose. I learned about the "twenty yard stare". I was struck to the core by a person the same age as my own children who could not smile or exhibit any emotion. The first thing I did was hire a psychologist to evaluate him and write a report for the judge. He was released from jail, but now the hard part was finding him a place to live and to keep him alive.

I decided to be a person who would care about his well-being. I brought him a coat, then gloves. Gradually, he would drop by my office and I would give him coffee

and we would talk. I then decided to bring him home to meet my family. We shared dinners together and worked in the yard. I could see him getting "better" in the sense that he could now laugh and smile.

We applied for disability. I waited in long lines with him to get a caseworker for emergency assistance. I harassed the social service agencies for housing when they claimed he didn't qualify because of his arson conviction. I took him to get a driver's license. I praised him when he passed. I took him to vote. I helped him buy an old pickup truck which he ended up living in when he got kicked out of his group home for mouthing off at one of the staff. When I bugged the homeless shelter people to find him housing they told me they had a worker who would drive around at night verifying that he was sleeping in his truck. This went on for weeks. We finally let him sleep on our couch on the coldest nights.

Eventually he met a woman and they have been together for a year and a half and he has a daughter who is four months old. They are living in an apartment on welfare. He still collects disability. He sends me pictures of the baby on the phone and we keep in touch. He tells me the state might try to take the baby. It's a constant drama. But so far, he hasn't been arrested. And he hasn't talked about killing himself for almost four years.

So, maybe everything will be okay.

Beverly Chorbajian is a criminal defense attorney in the Worcester area. She has been a member of the NLG for almost 10 years and is not serving on the NLG Board and Mass Defense Committee.

Representing and Assisting Prisoners

by Bonnie Tenneriello

I have been working with Prisoners Legal Services for almost 10 years. Prisons are an isolated, sometimes horrifying, and unpredictable world. My clients have received me in the long-term segregation unit, with their legs shackled to the floor and their hands cuffed to waist-chains, after having spent months and years in solitary confinement. Many of these guys have told me about the panic and anxiety that comes from spending years in a box, but they usually pull themselves together to see me.

I've visited with women in prison and heard about the indignities of strip searches and male officers checking in shower rooms. I've toured many prisons, getting beyond the visiting room to see the yard, "chow hall," cell blocks, and the "mental health watch" cells where people are often kept with only a "security smock" and no property until they're willing to say they won't hurt themselves. I recently met a 17 year old boy in an adult jail so overcrowded that people sleep on plastic "boats" on the floor. (His crime: drinking, taking his mom's car, and getting pulled over at 2 am.) My clients have told me some of the informal rules that govern prison life, how you make home-brew, etcetera. And they've shared a laugh sometimes, even in solitary.

It is not surprising that prisoners are, on the whole, appreciative and courteous clients. They live in a system that humiliates them in ways large and small, from strip searches to hostile corrections officers (though not all are). So a little respect goes a long way. And after all, our legal

help is free. What has surprised me is, first, how good some of them can be as partners in litigation. Having a sharp mind doesn't disqualify one from prison, and those with long sentences have often had time to get to know case law in certain areas very well. Many people with mental illness and cognitive limitations are swept into prisons, and learning about the particular suffering of these folks has been revealing; while some are seriously disabled, on the whole these clients are also good partners in advocacy.

The other thing that has surprised me is my clients' gratitude for very small acts of assistance, and their understanding when PLS cannot help them with a problem that, to the prisoner, is quite serious. I am surprised how, after I apologize for being unable to represent a prisoner at a disciplinary hearing or help him get lost property returned, he will tell me he understands and thank me for the pro-se materials we send out.

PLS has a limited staff and cannot address all of the problems faced by prisoners, so we choose litigation priorities, including prison conditions, staff assaults, denial of medical and mental health care and improper segregation. Right now I'm working to address horrifying overcrowding on one jail, to stop lengthy and indefinite solitary confinement, and to get the Department of Telecommunications and Cable to regulate rapacious telephone rates that stop prisoners from talking with their loved ones, who often live far away. We also try to achieve change through legislation — we're working with State Rep. Liz Malia and State Senator Jamie

Eldridge on legislation to limit solitary confinement — and through public advocacy, teaming with other groups and individuals who share our goals.

Nowadays female and male lawyers all struggle with work-life balance, and it matters greatly that my workplace is both supportive and family-friendly. People have chosen to work here because of their commitment to serving prisoners. They last here because we support each other. Whether it's giving a hand with work on a deadline, venting frustration over a client's difficulties, or sharing an irreverent sense of humor, the staff really works together. Our director is a woman who encourages us by example to show compassion to each and every client -- but also to balance our lives with family, friends and outside fun. We've got a litigation director — a man — who works hard to guide the lawyers and make us look good. Secretaries, paralegals and lawyers are all invested equally in the work. Leadership qualities that we think of as traditionally female -- nurturing staff, encouraging collaboration, and sharing credit — are not just shown by women, and I've learned from my experience at PLS how effective such leadership can be.

Bonnie Tenneriello has been a staff attorney at Prisoners Legal Services for over 10 years. In 2000, she was elected to the NLG Board of Directors and served until last year.

Teaching Law & Fighting for Human Rights

by Susan Akram

I have been practicing public interest immigration law for 30 years, and teaching in the fields of immigration and refugee law at Boston University Law School for 20. Over the course of my career, there have been many changes in policy and practice in the field, affecting the way we practice and advocate for our clients. At the beginning of my career, in the mid-1980's, the Refugee Act was newly-passed, and few lawyers had developed an expertise in it. I was recruited from a private law firm to take on an asylum case pro bono by the San Francisco Bar Association, and my first case was a Guatemalan teenage boy, one of about 600,000 Central American refugees who had fled the brutal civil wars in El Salvador and Guatemala to the U.S. Ironically, in light of the passage of the Refugee Act, the grant rates for Central American refugees was between .5 and 3%. The learning curve for that first case was steep, but I realized while working on it that I had found my calling, and shortly afterwards left private practice to do public interest refugee law. I never looked back.

When I moved to Boston, I joined Iris Gomez and Nancy Kelly in the immigration unit at Greater Boston Legal Services. About a year later, one of the largest immigration workplaces raids in New England took place at Suffolk Downs racetrack, and the community scrambled to provide representation for the almost 100 individuals arrested in the raid. The effort to recruit pro bono counsel helped establish the PAIR Project, and I became its first director. After a year away working in Saudi

Arabia as interim director of the joint voluntary agency in charge of resettling thousands of Iraqi refugees from the first Gulf War, I returned to begin teaching at Boston University law school and to start up immigration clinical work at the school.

Through the immigration clinical work, I joined a nationwide network of lawyers to challenge ideological exclusion and the use of secret evidence to detain and deport Arab and Muslim non-citizens. The first 'test' case was the LA-Eight, which began in 1986 and finally concluded successfully for the respondents 20 years later. Each of the dozen Arab/Muslim secret evidence cases was a mini-litigation history in itself, involving immigrants from Iraq, Palestine, Jordan and Egypt.

Along came 9-11, and we were faced with a new era of mass immigration roundups, FBI surveillance, wiretapping, administrative detentions, NSEERS, 'Special Interest' designees, and no-fly lists. Although I participated in the effort to publicize, challenge and organize to defend against these policies, our efforts were very limited in the face of the massive roundups taking place across the country. Guantanamo was our next challenge, and I worked with many of the Guantanamo defense lawyers on strategies to seek resettlement for those detainees who could be released. The Guantanamo litigation continues.

Meanwhile, our students doing immigration representation in the clinic at BU have handled well over a hundred cases over the years, involving every issue from trafficking cases, to severely traumatized and abused individuals, to children through special immigrant juvenile or asylum

claims, to habeas claims for release from detention. We have challenged denial of access to counsel, wrongful denials/delays of work authorization, exceptional circumstances to the one-year bar, lack of full and fair interpretation, and sought suppression of documents violating due process. We have sought recusals of an immigration judge who has shown extreme bias and prejudice against our clients; represented incompetent clients (winning a case without respondent's testimony under Matter of M-A-M); litigated issues of statelessness; and the application of international law standards in asylum cases.

More recently, I have incorporated international refugee advocacy into our asylum and refugee work, and our students now juggle individual cases with larger projects involving human rights and refugee advocacy. Our projects have taken us to Cambodia and Haiti to work on child exploitation and trafficking; to Geneva for UN advocacy on behalf of Western Saharans, Palestinians, and, most recently, Tibetans. Over the years, experience has taught that domestic immigration and asylum law and policy is integrally connected with international migration and refugee law. Although as a community of advocates we are learning these valuable lessons, we are a long way from accomplishing the goals of fair humanitarian policies for forced migrants in this country.

NLG Member Susan Akram is clinical professor at Boston University School of Law, where she supervises in the Asylum and Human Rights clinical program, teaches refugee law, international human rights law and immigration law.

Partnering with a Friend in Practicing Law

Cookie Avrin & Estelle Regolsky

Having become friends years earlier when both were practicing immigration law and living in Roslindale, Estelle Regolsky and Cookie Avrin decided to establish their own firm, Avrin & Regolsky, in December 1990 in Jamaica Plain. Prior to their partnership Estelle was with Fron, Ross and Berkower (now known as Ross, Silverman LLP) and Cookie was in a solo practice after working for a few years in Harvey Kaplan's office. As with many small practices Cookie and Estelle especially value the fact that each can practice law her own way and run their business however they choose. Although their practices are quite different, Cookie and Estelle have enjoyed the mutual support and the opportunity of always having someone to talk to about a difficult case, a problematic client, or a thorny legal issue. Although not active

participants, Estelle and Cookie are long-time supporters of the Guild and the phenomenal work the organization does. Estelle concentrates in the practice of immigration law. She represents individuals seeking temporary or permanent status through employment, family relationship, political asylum or other means and businesses seeking visas for potential employees as well as permanent residents seeking citizenship. Clients are represented before U.S. Citizenship and Immigration Services at local District Offices and at the various regional Service Centers. Clients are also represented in removal or deportation proceedings before the

Executive Office for Immigration Review and before the Board of Immigration Appeals for appeals.

Cookie concentrates in residential real estate law. She represents buyers and sellers in all aspects of their purchases and sales including negotiating purchase and sale agreements, representation at closing, assisting sellers in resolving title issues and preparing co-ownership agreements. She represents lenders



(l.-r.) Estelle Regolsky and Cookie Avrin in their law office in Jamaica Plain.

and performs real estate closings. Cookie also handles condominium conversions and represents condominium associations for review and revisions of condominium documents. Additionally, she offers simple planning for small estates preparing wills, revocable trusts, health care proxies and powers of attorney.

When residential real estate cases first made their way to her, Cookie was surprised at how much she liked that area of practice. Its intensity, brevity and inevitable dynamics were a good fit for her. Plus her client base has always been heavily left-leaning which has given her many opportunities to stay current in "what is happening out

there". She is happy to count many Guild members as real estate clients.

Estelle has been a member of the American Immigration Lawyers Association (AILA) since 1985. She served on the Executive Board of the New England Chapter of AILA for six years and was Chapter Chair in 2002-2003. She served as AILA N.E. liaison to Immigration & Customs Enforcement (ICE) from 2003 to 2007. Estelle is a regular volunteer attorney for immigration clinics at the Irish International Immigrant Center in Boston. She has been a frequent panelist at continuing education seminars involving immigration and naturalization for MCLE and other organizations. For many years she has been an AILA mentor to fellow attorneys in the family immigration area. She

speaks French and Spanish. Estelle is a 1983 graduate of Northeastern University School of Law. She lives in Roslindale.

Cookie is a member of the Massachusetts Bar Association, the Real Estate Bar Association for Massachusetts and is a title agent for national title insurance companies. She is a 1982 graduate of Northeastern University School of Law. She lives in Brookline.

Cookie Avrin and Estelle Regolsky are law partners with Avrin & Regolsky in Jamaica Plain since 1990. They practice immigration and real estate laws.

NLG Massachusetts Chapter Sustainers

In the spring of 2003, the Massachusetts Chapter of the NLG initiated the Chapter Sustainer Program. Since its inception, the Program has been very successful and has been enthusiastically joined by the following Guild members:

2 Anonymous • Michael Avery • Howard Cooper • Barb Dougan • Robert Doyle • Melinda Drew & Jeff Feuer • Carolyn Federoff • Roger Geller & Marjorie Suisman • Lisa Gordon • Lee Goldstein & Shelley Kroll • Benjie Hiller • Andrei Joseph & Sharryn Ross • Myong Joun • Martin Kantrovitz • Nancy Kelly & John Willshire-Carrera • David Kelston • Eleanor Newhoff & Mark Stern • Jonathan Messinger • Petrucelly, Nadler & Norris • Hank Phillippi Ryan & Jonathan Shapiro • Allan Rodgers • Martin Rosenthal • Anne Sills & Howard Silverman • Judy Somberg • Stern, Shapiro, Weissberg & Garin

The Sustainer Program is one of the most important Chapter initiatives to secure its future existence. Please consider joining the Program.

YES, INCLUDE MY NAME AMONG NLG MASSACHUSETTS CHAPTER SUSTAINERS!

I, _____, am making a commitment to support the Massachusetts Chapter of the Guild with an annual contribution of:
_____ \$500 (not including my membership dues)
\$ _____ (other above \$500)

As a sustainer I will receive:

- special listing in the Dinner Program;
- 1/8 page ad in the Dinner Program;
- acknowledgement in every issue of *Mass Dissent*;
- two (2) free raffle tickets for a Holiday Party raffle;
- invitation to special events.

Three ways to become a sustainer:

- contribute \$500 or more a year (in addition to dues)
- pair up with another person and pay \$250 each, or
- join the "Guild Circle" and pay \$50/month minimum.

Please mail to: NLG, Massachusetts Chapter
14 Beacon St., Suite 407, Boston, MA 02108

BU Students Report

On January 30, 2013, the Boston University student chapter of the National Lawyers Guild hosted a panel which discussed "fusion centers," particularly Boston Regional Intelligence Center (BRIC), police surveillance, and the history of government spying on political

activists and organizations. The panelists included Jeff Thorn and Urszula Masny-Latos from the NLG Litigation Committee, and Patrick Keaney, one of the plaintiffs in a lawsuit filed in 2011 against BRIC and Boston Police Department.



(below, l.-r.) Panelists Jeff Thorn, Patrick Keaney, and Urszula Masny-Latos. (Photos by Alexandra Conlon)



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The National Lawyers Guild is...



" ... an association dedicated to the need for basic change in the structure of our political and economic system. We seek to unite the lawyers, law students, legal workers and jailhouse lawyers of America in an organization which shall function as an effective political and social force in the service of people, to the end that human rights shall be regarded as more sacred than property interests."

Preamble to the Constitution of the National Lawyers Guild

Donate to Support the Guild!

The Massachusetts Chapter of the National Lawyers Guild's **Mass Defense Committee** provides legal representation and assistance to the **Occupy Boston** movement.

We need your support.

Please help by donating to the Mass Chapter by mailing this form and a check to **14 Beacon St., Suite 407, Boston, MA 02108** or visiting **www.nlgmass.org/donate**.

I, _____ (name), am donating \$ _____ to the NLG Mass Chapter to help support the Mass Defense Committee and their work,

Fill out and send to:

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Dues (from schedule): _____

I am interested in working on the following projects:

- ☐ Lawyer Referral Service
- ☐ Street Law Clinic
- ☐ Mass Defense Committee
- ☐ Litigation Committee
- ☐ *Mass Dissent* (monthly publication)
- ☐ National Immigration Project

Please Join Us!

Dues are calculated on a calendar year basis (Jan.1-Dec.31) according to your income*:

Jailhouse Lawyers	Free
Law Students	\$25
up to \$15,000	\$40
over \$15,000 to \$20,000	\$50
over \$20,000 to \$25,000	\$75
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over \$30,000 to \$40,000	\$150
over \$40,000 to \$50,000	\$200
over \$50,000 to \$60,000	\$250
over \$60,000 to \$70,000	\$300
over \$70,000 to \$80,000	\$350
over \$80,000 to \$90,000	\$400
over \$100,000	\$500

* Any **new** member who joins after September 1 will be carried over to the following year. Dues may be paid in full or in quarterly installments. Dues of \$80 cover the basic membership costs, which include publication and mailing of *Mass Dissent* (the Chapter's monthly newsletter), national and regional dues, and the office and staff.