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Good Counsel is published seasonally by the AIDS Law Project for our friends, volunteers and colleagues committed to protecting the rights of people with HIV and AIDS. The AIDS Law Project provides free legal services to nearly 1,800 people with HIV/AIDS each year, many of whom have nowhere else to turn for help. We help people navigate the legal system, the welfare system, the housing system and the worlds of public and private insurance. We provide education and training to thousands of professionals who work with people with AIDS.

AIDS LAW PROJECT SETTLES DISCRIMINATION CASE

When José DeMarco-Andaluz began his annual pilgrimage to the grave of his deceased partner in Akron, Ohio, he could not know the painful odyssey that lay ahead.

José, who is living with AIDS, purchased a disability access ticket in Philadelphia for himself and a traveling companion, entitling them to priority seating. José, who needs to sit near the restroom because of the side effects of his medications, and his friend had no problems pre-boarding in Philadelphia or at their first transfer in Pittsburgh. But when they tried to board early in Cleveland, the driver refused to let them board unless José explained his disability.

José knew that he didn't have to disclose the nature of his disability. Although he is open about his diagnosis in Philadelphia, he was fearful of saying that he had AIDS on a crowded platform of strangers, far from home. An argument ensued and the driver refused to let the men board. When José tried to retrieve his luggage, which contained his HIV medications, an armed security guard, yelling obscenities, escorted the two men off the platform.



Cooperating attorneys David Webber and Ama Durbin (at left) join AIDS Law Project Executive Director Ronda Goldfein and client José DeMarco-Andaluz to mark the settlement of an AIDS discrimination case.

"It was humiliating," recalls José. "I've been involved in activism since I was diagnosed over 10 years ago but I couldn't believe this was happening to me. I was like 'discrimination is still happening!'"

After waiting two hours in the terminal, José and his friend grew anxious and hired a cab to Akron, where friends had been waiting. José spent \$60 on cab fare, money he had planned to use to buy flowers for his partner's grave.

(continued on last page)

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*This newsletter is lovingly dedicated
to the memory of AIDS Law Project
Board Members Michael Greenberg and
Jonathan Lax, Intake Advocate
Arnold Jackson and VISTA Volunteers
Gary Bailey and David Bertugli.*

*If you know someone who would like to
receive a copy or need to let us know of
an address change, please call Martha
McDonald, editor, at 215.587.9377.*

MESSAGE FROM THE EXECUTIVE DIRECTOR

The Philadelphia man in our cover story is open about his HIV status—that is, until he finds himself in a distant city among strangers.

Why? Because of stigma—our inclination to distance ourselves from those we fear—and its ugly offspring, discrimination.

In 1994, stigma and discrimination led a Philadelphia dentist to refuse routine dental care to an HIV-positive woman. In 1995, stigma and discrimination provoked a Philadelphia health club to boot out a member who was open about his HIV status. Three years later, stigma and discrimination led a national company to fire a Delaware County man simply because his bosses believed he had HIV. All three cases were pursued, and successfully resolved, by the AIDS Law Project.

Fear of AIDS is understandable; after all, the disease is still fatal. But AIDS is also preventable, and the first step is education.

Too many people are still running from what they fear, instead of taking time to get the information to feel safe and be safe. A new study by the Kaiser Family Foundation suggests that one in three Americans still think kissing can cause AIDS; almost a quarter of Americans think HIV can be spread by sharing a drinking glass; and one in six think they can get HIV from a toilet seat.

Stigma, fear and lack of accurate information put everyone at risk. Stigma will prevent people living with HIV from coming forward to seek testing and care. Stigma will lull people into thinking that to be safe they need only avoid a certain person or group, rather than take appropriate precautions with everyone they encounter.

Because you are reading *Good Counsel*, you probably already understand this. So, as the new school year begins, let's all do our part to be educated and to educate others. Let's see to it that a person with HIV can be open about his or her status, while sitting at the next desk, or serving your lunch, or sitting in your waiting room or signing your paycheck.

With a little work, we can assure that no traveler with HIV will ever again feel quite so far from home.

—Ronda B. Goldfein



NEW PUBLICATIONS

“¿Quién cuidará de mis niños si yo no puedo?”

Due to the high demand for the brochure “What will happen to my kids if I get sick?,” designed to help parents with HIV/AIDS start planning for their children’s future care, the AIDS Law Project is producing a Spanish-language version.

The new brochure provides information on Standby Guardianship and other permanency planning options for families affected by AIDS in culturally sensitive and literacy-appropriate language. Available in Fall 2001.

HIV Housing Advocacy Manual

Almost nothing jeopardizes the health of a person with HIV/AIDS faster than living on the street or in a homeless shelter. The AIDS Law Project’s HIV Housing Advocacy Project is publishing a Housing Advocacy Manual for people with HIV/AIDS and their advocates about the legal rights of tenants, including an overview of the eviction process, housing-related resources available for medically fragile people such as utility and rent assistance, tips on how to advocate for repairs to a rental property, and procedures for getting a security deposit back. Available in Spring 2002.

Back-to-Work Handbook

As new drug treatments help more people with AIDS feel healthy enough to go back to work, they need information about how to enter the workforce without losing critical health coverage. Part of the AIDS Law Project’s new Back-to-Work Initiative, the Back-to-Work Handbook for people with AIDS and their advocates will be similar to the popular AIDS and the Law Handbook, featuring commonly-asked questions about returning to work. It will provide clear, concise information on how to avoid disruption in benefits, anti-discrimination law, and an employer’s obligation to provide reasonable accommodation. Available January 2002.

For more information on these publications, call 215.587.9377.

FAMILY LAW UNIT PRESENTS AT NATIONAL CONFERENCES

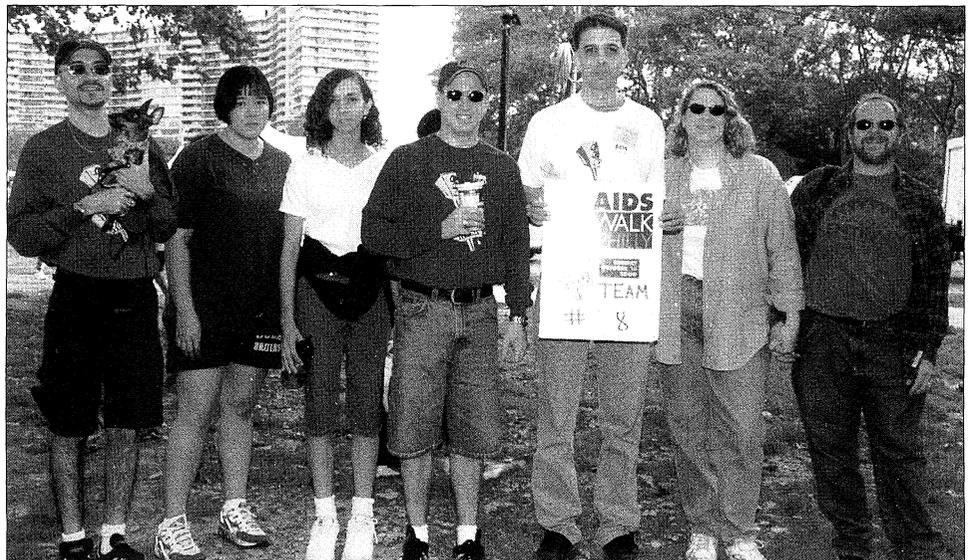
Rodney Cunningham, supervising attorney of the AIDS Law Project’s family law unit, is speaking nationally about the Standby Guardianship Initiative, which helps parents with HIV/AIDS make legally secure plans for their children’s future care.

Rodney travelled to Berkeley, California in March 2001 as a member of the National Abandoned Infants Assistance (AIA) Resource Center’s Technical Expert Group. He shared strategies to draft, promote and implement Standby Guardianship laws around the country and advised colleagues from other states on how to develop programs that help parents negotiate the legal process.

In September, Rodney travelled to a National AIA conference in New Orleans to share the successes and lessons learned in the first year of the AIDS Law Project’s Standby Guardianship Initiative. Rodney’s presentation focused on the importance of collaboration between legal and social work professionals in helping families overcome the immense emotional obstacles to choosing a future caretaker for their children and completing the permanency planning process.

Such collaboration is a major focus of the AIDS Law Project’s Standby Guardianship Initiative. Rodney will work closely with directors of social service and health care organizations in Philadelphia to ensure that Standby Guardianship becomes an integral part of their work with all families affected by AIDS. In addition, the AIDS Law Project and the Health Federation of Philadelphia will co-teach a skills-building workshop for social service and health care workers in Spring 2002, presenting strategies for engaging and supporting parents with HIV/AIDS in the planning process.

WALK TILL IT’S OVER



Join the AIDS Law Project’s AIDS Walk Team ((#8) on Sunday, October 21! Last year, the AIDS Law Project was among more than 40 organizations in the Philadelphia region that received money from the Walk to provide direct services to people with HIV/AIDS and critical education and prevention services. Come walk with AIDS Law Project staff and friends for AIDS Walk 2001. For information/registration, call Team Captain Larry Felzer at

AIDS Law Project Challenge Grant Donors

We did it! Thanks to the generous support of donors like you, the AIDS Law Project raised \$25,000 in new and increased donations to meet the second Independence Challenge Grant. And, as promised, Independence Foundation matched those gifts dollar for dollar, raising a total of \$50,000 in new money to help fight for the rights of people with HIV and AIDS.

Once again, thanks to the Independence Foundation for this unique fund-raising opportunity. And thanks to all recent Challenge Grant Donors.

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*Contributions received March 9
through August 31, 2001.*

SPECIAL EVENTS ROUNDUP



Thanks to David Acosta (standing) for hosting a house party to benefit the AIDS Law Project at his South Philadelphia home in April 2001. Among the guests who enjoyed traditional Colombian food and learned about the unique work of the AIDS Law Project were Evelyn Torres (left) and Erme Maula.

The AIDS Law Project hosted its second annual Film at the Prince movie benefit in July 2001. Party guests chowed down at a kitsch picnic of jug wine and Cheez Doodles in the Prince lobby before the premiere of Trailer Trash, a Secret Cinema collection of rare preview "trailers" of vintage biker, horror, rock musical and beach movies. Hamming it up are (from left, front row) Jane Shull and Ronda Goldfein, (back row) Carolyn Silver, Roger Margulies, Bob McManus, Larry Kohnat and Gino Forrest.



Special thanks to Gretjen Clausing, Film at the Prince program director for helping us organize the fund-raiser. She is pictured with party guests Philippe Staff (center) and Alex Baker.

Thanks to (from left) Avi and Judith Eden for hosting a cocktail party at their Center City home to benefit the AIDS Law Project in September 2001. The party featured mezzo-soprano Martha McDonald singing Baroque love songs, seen here with AIDS Law Project Executive Director Ronda Goldfein.



Our board of directors gathered in March 2001 for an intensive orientation retreat to clarify board responsibilities, introduce new board members to current members and to the work of the AIDS Law Project, and establish working committees and set goals. Pictured here are (from left, back row) David Acosta, Sandra Thompson, Kevin Pleasant, Cathryn Miller-Wilson, Bill Freshwater, Aretha Delight Davis, Bruce Flannery and Dan Anders. (Front row) Gillies McKenna, Alan Howell, Jim Dean and Frank McClellan. Not pictured: Tracey Jones, Pat Stewart and Alan Morrison.

BOARD PROFILE



David Acosta, president of the AIDS Law Project board, is adept at making smooth transitions. Maybe it's the poet in him.

In David's eight years on the AIDS Law Project board,

he has helped the agency through some major changes. Most recently, he guided the board through a seamless transition when Ronda Goldfein took the helm as executive director last summer.

As David's tenure as board president comes to a close, he reflected on his years with the AIDS Law Project: "It's been rewarding for me to be part of an organization that makes a real difference in the lives of people," he says. "I've always had a soft spot for the Davids of the world going up against the Goliaths. The AIDS Law Project has fought some tough battles. When the Standby Guardianship law was finally passed, I felt invigorated that I had some small part in such a big victory."

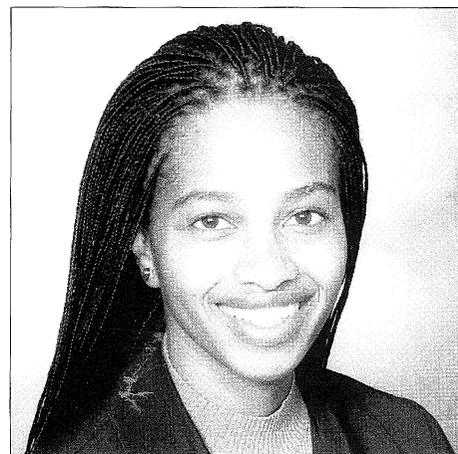
David is deeply committed to AIDS education and prevention. In the mid-eighties, he founded the GALAEI Project, a prevention program that targets the Latino LGBT community. An early member of ACT UP Philadelphia, David has won many awards for his AIDS activism, his work around civil liberties for sexual minorities, including the Human Rights Commission's Humanitarian of the Year Award.

His activism infuses his poetry with an urgency that has garnered him a national reputation. His work has been featured in many literary journals and anthologies, most recently in *Floating Borderlands: Twenty-Five Years of Latin American Poetry in the United States*, published by University of Washington Press.

David now steps down as president, and we extend heartfelt thanks for his years of dedicated service.

Welcome New Board Members

Aretha Delight Davis, Esquire, (right) is an associate in the litigation practice group in the Philadelphia office of Morgan Lewis & Bockius, LLP, where she specializes in corporate criminal defense matters. Prior to joining Morgan Lewis, Aretha was a staff attorney with the Pennsylvania Health Law Project for two years as a Philadelphia Bar Foundation Fellow. At the Health Law Project, she advocated for low-income individuals who were denied pharmaceutical benefits by their Medical Assistance HMO. Aretha got to know the AIDS Law Project when she participated in the Health Choices Working Group on HIV and is excited to bring her unique perspective to the board.



Tracey Jones, MD, is a psychiatrist in private practice in Old City Philadelphia, specializing in adult and child/adolescent psychiatry. A native Philadelphian, Tracey graduated from Thomas Jefferson University Medical School in June 2001. In addition to her medical practice, Tracey serves on the advisory board of Dust to Dawn Fashions, Inc., a local fashion design company. Tracey enjoys "flexing her creative muscles" developing ad campaigns and coordinating fashion shows for Dust to Dawn. As chair of the AIDS Law Project's board fund-raising committee, Tracey looks forward to "thinking outside the box and dreaming up new fund raising ideas."



DISCRIMINATION CASE

continued from front page

As soon as José returned to Philadelphia, he called the AIDS Law Project. With the assistance of cooperating attorneys David Webber and Anna Durbin, the AIDS Law Project filed a lawsuit against the transportation company. The company, which required a confidentiality clause as part of the settlement, agreed to pay José and his traveling companion a handsome pre-trial settlement for their harm. The company will continue its Americans with Disabilities Act (ADA) compliance training and maintain an anti-discrimination policy.

"This case is important because it reaffirms that people with 'hidden disabilities' are protected by the ADA," explains Executive Director Ronda Goldfein. "Under the ADA you are entitled to your privacy. Here, someone was discriminated against because he didn't *look* disabled. This case reinforces that people with AIDS, whose symptoms are not always apparent, don't have to endure curbside medical assessments in order to use public transportation."

José wants people to learn from his case: "To people who are newly diagnosed and scared, I say do not hesitate to seek help. Call the AIDS Law Project and learn your rights!"