

## Fighting Discrimination ...

### ... In the kitchen behind prison walls

The young man from central Pennsylvania was being held at the George Hill Correctional Facility in Delaware County on a probation violation. He wanted to work in the prison kitchen, but was denied because he is living with HIV.

"John" filed grievances with the privately managed prison, alleging that the staff had discriminated against him because of HIV and had told other inmates about his status. The prison responded that it was simply following policy. He escalated his complaints through the prison's grievance system all the way to the warden, but at every level his concerns were dismissed.

In the spring of 2020, John contacted the AIDS Law Project of Pennsylvania.

Throughout his incarceration, John sent us the denials he received from the facility. He was released in July 2020.

This April, a lawsuit was filed on John's behalf under the Americans with Disabilities Act in the United States District Court for the Eastern District of Pennsylvania by the AIDS Law Project, Lambda Legal, and Scott Schoettes, Esq. against Delaware County, and GEO Group (the organization that runs the prison), and several individuals.

The complaint alleges violations

**Continued on Page 5**

### ... In the office of a senior's therapist

To fully address the HIV epidemic, the AIDS Law Project of Pennsylvania has expanded its attention to LGBT seniors and other populations at great risk of acquiring HIV.

And so, in January 2022, the AIDS Law Project filed a discrimination complaint with the Philadelphia Commission on Human Relations (PCHR) on behalf of a disabled gay senior against a large nonprofit health-care center in Philadelphia.

The center had assigned a therapist to our client, who had sought mental health care for depression and acute anxiety. In discussing his life, he told his therapist

that he was gay and had been raised by his late father, who also was gay. In response, he alleges, the therapist pulled up Bible verses on his office computer and began to read passages aloud that condemned him for being gay.

Our client left the appointment without the care he needed and with increased anxiety and feeling hurt by the therapist's disrespect. The complaint asserts that the health-care center treated our client differently because he's gay and that a heterosexual patient would not have been subjected to condemnation based on sexual orientation. PCHR is investigating the matter.



Photo by Juan Baez

### Managing accolades

**Yolanda French Lollis**, managing attorney of the AIDS Law Project of Pennsylvania, has been honored with two significant awards this year.

In March, she received the Gail Robinson Award from her alma mater, the University of Louisville Brandeis School of Law.

Two months later in New Orleans, she was the recipient of the Alexander D. Forger Award of the American Bar Association for sustained excellence in HIV legal services and advocacy.

## INSIDE

### AFTER DECLINE, CASELOAD RISES

As moratoriums on eviction expire, our caseload is on the rise again after a pandemic decline.

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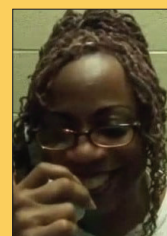
### NAVIGATING THE SYSTEM

Cutting off disability benefits to a legally blind man with HIV? That's a case for the AIDS Law Project.

**Page 3**

### LIFE SENTENCE, LIFE OF SERVICE

Cecilia Ransome, 65, has mentored hundreds of trans women since she was incarcerated in 1984. **Page 7**



### WILL-O-RAMA

A client can execute estate planning documents with a lawyer, a witness, and a notary, while meeting COVID protocols. **Page 6**



## FROM THE EXECUTIVE DIRECTOR

### The voice from the back of the room

Friends,

Lawyers are notorious for not yielding the floor once they have it. But at last month's American Bar Association HIV/AIDS Impact Committee biennial law and practice conference in New Orleans, I witnessed a rare exception.

During a session on HIV and civil rights, someone asked the panel about a U.S. Supreme Court case, and the panelists eagerly deferred to a woman sitting in the back of the room. Forty other lawyers then turned their heads toward her, as she explained the impact of a high court decision issued days earlier.

That's what happens when **Allison Nichol** is in the room.

Allison is a superstar in disability rights law. She spent more than 20 years with the Department of Justice, rising to chief of the Disability Rights Section of the Civil Rights Division. In 1993, she tried the first case in the nation brought to jury verdict under Title I of the Americans with Disabilities Act (ADA).

That was the year the AIDS Law Project of Pennsylvania met Allison. We filed an ADA complaint with the Justice Department alleging that Philadelphia EMTs refused emergency care to a man living with HIV.

With Allison's assistance, the AIDS Law Project and the City of Philadelphia reached a settlement to ensure that EMTs would not refuse to render aid to people living with HIV, and would institute training for all personnel, provide financial compensation for the plaintiff, and issue an apology. It was the first settlement of a discrimination case under the ADA.

Now director of legal advocacy at the Epilepsy Foundation of America, Allison has continued to help the AIDS Law Project throughout these three decades when we've turned to her for guidance.

Her voice is authoritative – even from the back of the room.

*Ronda*

## THE AIDS LAW PROJECT AT WORK

### As moratoriums on evictions expire, new challenge looms

#### After decline during pandemic, caseload is increasing again

In March 2020, as COVID posed a new threat more than three decades after the AIDS Law Project of Pennsylvania opened its doors, we built a remote intake process to continue providing legal services to people living with HIV. And we didn't miss a single day of intake.

Although fewer clients contacted us for assistance in 2020 and 2021 than in pre-COVID years, the reduction in requests was related to federal, state, and local moratoriums that prevented evictions and termination of public benefits.

The moratoriums protected most renters from eviction during the height of the pandemic. As of April 2022, limited funds remained for renters in need.

The federal Coronavirus Aid, Relief, and Economic Security Act – the CARES Act – contained an eviction moratorium that was in effect from March 27 to July 24, 2020. On the heels of the expiring CARES eviction protection, the federal Centers for Disease Control and Prevention issued an eviction moratorium that took effect in September 2020 and ended Aug. 26, 2021, after several extensions.

The last eviction moratorium expired at the end of August 2021, although many renters were still able to avoid eviction thanks to federal Emergency

Rental Assistance.

In Pennsylvania, the state Supreme Court issued an eviction moratorium order that was in effect from March to May 2020, and Gov. Wolf continued the protection with an executive order May 7, 2020, banning most evictions until Aug. 31, 2020.

Under the Families First Coronavirus Response Act, effective March 18, 2020, the declaration of a federal Public Health Emergency prohibits termination of Medical Assistance benefits for most people. The Public Health Emergency has been renewed every 90 days since the start of the pandemic and is expected to expire July 15, 2022.

With the end of the eviction moratoriums and the anticipated conclusion of the Public Health Emergency, we are preparing for increased client need. We routinely track the number of issues we work on and clients represented. This chart shows that our 2022 workload may be approaching pre-pandemic numbers.

Year	Issues	Clients
2019	2,396	1,528
2020	1,832	1,004
2021	1,640	923
2022*	1,984	1,464
*projection based on first-quarter 2022 data		



## Benefit Cutoff Causes a Cascade of Problems

After the Social Security Administration cut off disability benefits to a legally blind York County man, the AIDS Law Project of Pennsylvania shined some light on the matter.

The man, now 55, who has been legally blind all his life and also is living with HIV, came to us last October, two months after his benefits were terminated because he allegedly earned too much money in his job at an organization that serves the blind.

When his disability benefits were terminated, his son lost dependent benefits, and because his Medicare premiums which were automatically deducted from his disability check were no longer paid, the man lost health care coverage. To add final insult to injury, after the cutoff he began receiving bills for a \$40,000 overpayment – a debt that should have been resolved in a 2018 bankruptcy.

As staff attorney **Jacob Eden** understood, you don't need 20/20 vision to know that a blind person is subject to a higher income threshold for Social Security Disability benefits than a disabled person who is not blind.

SSA argued that the man had limited vision and was

not blind, but Jacob submitted a letter from the man's eye doctor confirming his blindness. And SSA contacted Jacob to advise him that a review of SSA records found evidence of the client's blindness.

SSA then sent a letter that partially addressed some of the issues, but still didn't restore the Social Security Disability benefits or confirm that the blind income rules applied. Jacob followed up again.

Two weeks later, the client received \$15,000 in retro-active benefits, his son received \$7,000, and his Medicare was reinstated. The client also received one month of benefits dating back to an overpayment in January 2006, which SSA had impermissibly withheld.

To confirm that the 15-year-old overpayment had been resolved, Jacob contacted the client's bankruptcy attorney, who advised that the SSA debt was identified on the bankruptcy order and should have been discharged.

Jacob once again reached out to SSA to ask why the client was still being billed for a discharged debt. SSA ultimately confirmed that the overpayment is now properly discharged.

## Eviction Staved Off for Widow on Social Security

The AIDS Law Project was contacted by a 56-year-old widow living in a rented house in North Philadelphia. Her landlord sued her for eviction based upon non-payment of rent and an unauthorized occupant. The landlord claimed she never paid for rent or water and owed over \$17,000.

The court hearing was three weeks away and the client's only income was from Social Security. Housing Attorney **Shamus Brennan** attempted to contact the landlord to negotiate a resolution to the case, but our calls were ignored.

The client told him she made several complaints about both the conditions in the house and the lack of smoke detectors. She withheld rent because of these deficiencies, but had receipts for rent payments made before she started to with-

hold rent. These receipts were for some of the months that the landlord's complaint claimed were still due. Shamus filed a counterclaim claiming an unfair trade practice.

On the day of the hearing, the landlord refused to negotiate and instead wanted to go before the judge. During a one-hour and 20-minute hearing, the judge meticulously reviewed the landlord/tenant law, including city regulations on licensing, housing conditions, and lead safety.

The judge ultimately dismissed the landlord's complaint based on failure to provide a valid Certificate of Rental Suitability and awarded our client \$500 in damages on the counterclaim plus costs and \$250 in attorney fees.

The client remains in possession of the home, though she is considering a move.

## Nursing Career Rescued from Grip of the Past

A nursing student from Burlington County was on the path to changing his life, but his past was still grabbing a hold of him.

The 36-year-old man is studying to be a registered nurse and long ago learned to control his youthful behavior.

Regrettably, remnants of that behavior still remained. A criminal background check is required for apply

for a New Jersey nursing license. The check revealed three criminal cases from California, all of which had been dismissed but remained on his record. He also had two cases in New Jersey, in which he pleaded guilty to misdemeanors.

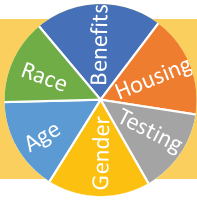
Senior Staff Attorney **Charlotte Holander** knew that all of the charges would need to be expunged if he hoped to become a nurse.

She researched New Jersey law to learn the requirements of an expungement petition. She also investigated the California docket to confirm that the charges were dismissed.

Secure with her understanding of the law and the facts, she filed the petition.

In April, the petition was granted and the student is finally on his way to a brighter future.

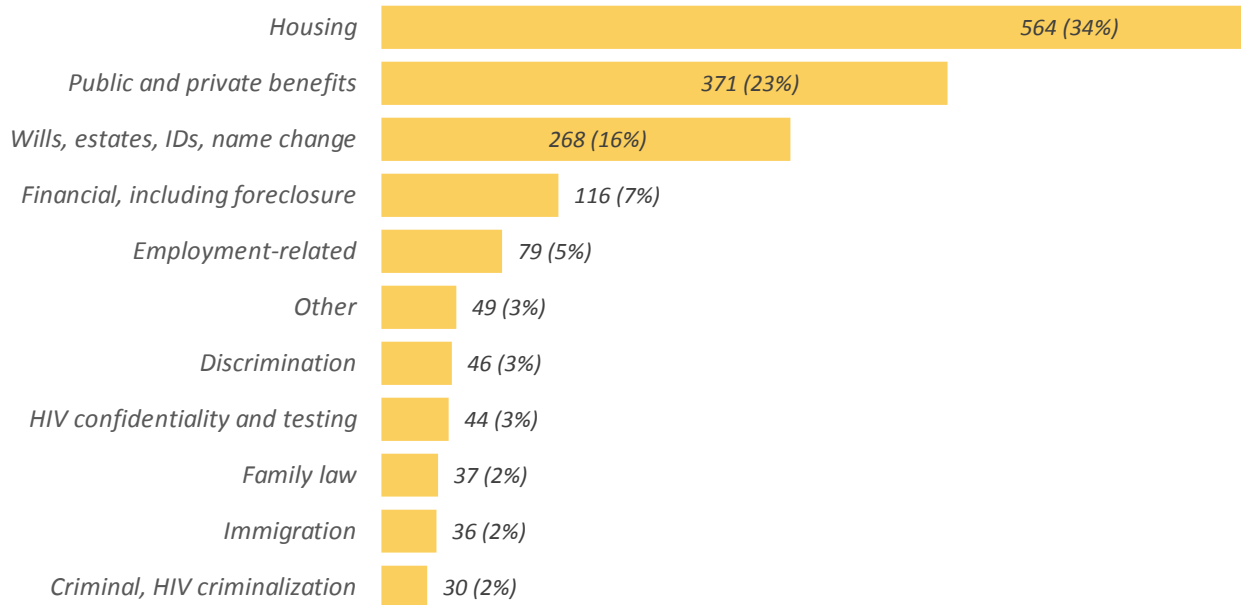




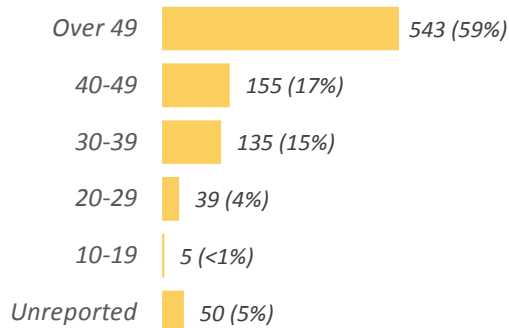
# LEGAL SERVICES IN 2021

We worked on 1,640 cases for 927 clients in 2021. Fewer clients called us because COVID paused many of the legal issues our clients historically face. Our busiest practice areas are public benefits and housing. Federal, state, and local moratoriums were imposed to maintain the status quo in both areas.

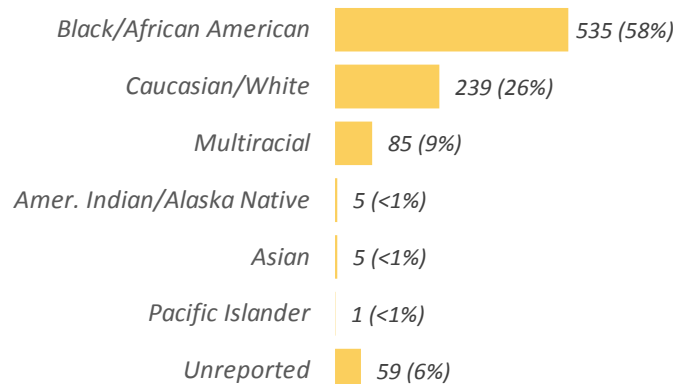
## LEGAL ISSUES WORKED ON BY TYPE



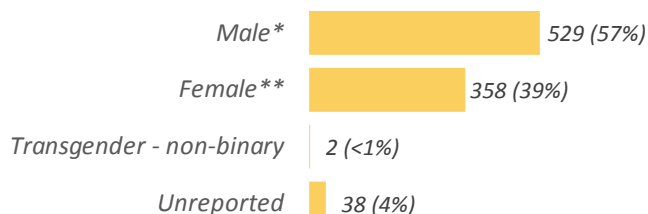
## CLIENTS BY AGE



## CLIENTS BY RACE

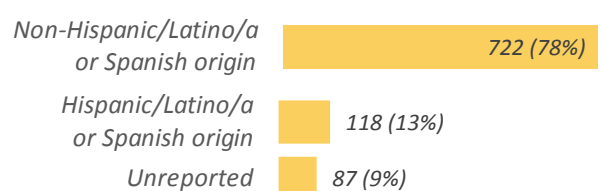


## CLIENTS BY GENDER



\*Includes 9 who identify as transgender  
 \*\*Includes 49 who identify as transgender

## CLIENTS BY ETHNICITY



# THE AIDS LAW PROJECT AT WORK

## It's Will-o-Rama!

When COVID forced us to re-think how we can best serve our clients, much of our attention turned to estate planning.

Fact is, the drafting of powers of attorney and last will and testaments has been part of our practice for 34 years. But working remotely, we were unable to complete these crucial documents. Without staffers in the office, we couldn't provide the required two witnesses and a notary.

But necessity is the mother of invention, as they say. (Actually, nobody says that anymore.)

And so we created Will-o-Rama. We schedule several cli-

ents for the same day – at least an hour apart, to accommodate COVID protocols – to meet with a lawyer, a witness, and a notary.

Since May 2021, we've conducted five Will-o-Ramas, executing 61 documents for 20 men and four women, ranging in age from 32 to 78.

For more on the importance of estate planning documents, check out our manual, "Your Life, Your Decisions" at <https://2txzlt1d3d2142rsem1ey-xb1-wpengine.netdna-ssl.com/wp-content/uploads/2020/10/Your-Life-Your-Decisions-April-2017.pdf>.

## Prison

Continued from Page 1

of multiple laws, including the Americans with Disabilities Act of 1990, the Rehabilitation Act of 1973, and Pennsylvania's Confidentiality of HIV-Related Information Act.

It's not the first time that the AIDS Law Project has filed a lawsuit on behalf of a person living with HIV who was denied a job in food services:

- As reported in the Fall 2011 issue of *Good Counsel*, we settled a lawsuit on behalf of a single mother of four living with HIV who was fired from her job at a snack-food factory in Lancaster after her supervisors learned of her status. [https://www.aidslawpa.org/wp-content/uploads/2020/08/gc\\_fall2011.pdf](https://www.aidslawpa.org/wp-content/uploads/2020/08/gc_fall2011.pdf)

- The Spring 2017 issue reported that we reached a settlement on behalf of a chef living with HIV after he and his fiancé were both fired from their jobs at a small-town country club because of HIV. The chef's fiancé didn't have HIV, but was fired

due to fear of HIV. [https://www.aidslawpa.org/wp-content/uploads/2020/08/gc\\_spring2017.pdf](https://www.aidslawpa.org/wp-content/uploads/2020/08/gc_spring2017.pdf)

The law on HIV and food handlers is clear. Since 1991, the Centers for Disease Control and Prevention (CDC) has been required to annually publish a list of infectious and communicable diseases that prohibit an individual from working in food services. HIV has never been on the list.

"We believe that this sort of discrimination and carelessness with private information happens all the time in prisons, and largely goes unaddressed," said Senior Staff Attorney **Adrian M. Lowe**. "In this case, because of our client's careful documentation and dogged pursuit of resolution, we had a pile of evidence backing up his allegations."

The lawsuit demands that the prison develop an anti-discrimination policy and conduct training for all staff regarding HIV, transmission, and universal precautions. The lawsuit also seeks compensatory damages, costs, and attorney fees.

## ABOUT US

### WHAT WE DO

The AIDS Law Project of Pennsylvania is a nonprofit, public-interest law firm. We publish *Good Counsel* semiannually for our friends, volunteers and colleagues committed to protecting the rights of people with HIV and those at risk of HIV. Last year, we worked on 1,640 legal issues, nearly all from people with HIV. 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 professionals who work with people living with HIV.

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### HOW TO HELP

Remember us at workplace giving time. When you donor-designate in your workplace giving campaign, remember your neighbors served by the AIDS Law Project of Pennsylvania.

**United Way of SEPA:** Specific Care Option #09067  
**Combined Federal Campaign:** Donor Option #36027

# INSIDE THE AIDS LAW PROJECT



Welcome to our 2022 summer interns from the Class of 2024 at five law schools. Clockwise from top left: **Elizabeth Lilly**, Temple University Beasley School of Law; **Ellie Schwab**, University of Pennsylvania Carey Law School; **Jake Soria**, Harvard Law School; **Jess Stoltz**, Drexel University Thomas R. Kline School of Law; and **Eric Richwine**, Rutgers Law School.

## BRIEFLY NOTED

### In Memoriam



We extend our condolences upon two recent deaths in the AIDS Law Project of Pennsylvania family:

**Carol Scarazzini**, left, was our finance director from 2013 through 2016. We are grateful for her service to us and our clients. Carol died May 26.

**Salwa Shabazz**, beloved daughter of longtime board member **Waheedah Shabazz-El**, died May 21.

### Farewell

We say goodbye to **Steven R. Bryson**, our first Sero Fellow, and **Emilia Martinez**, our data entry clerk and Spanish translator. We thank them for their dedication and wish them well.

### Congratulations



Congratulations to **SayBria Nelson** on her graduation from Peirce College's ABA-accredited paralegal program. SayBria joined the AIDS Law Project of Pennsylvania in 2018 as an intake volunteer, interviewing callers to assess how we can help them. She did such a good job that she was hired over other applicants as a full-time paralegal and primary intake advocate.



# THE AIDS LAW PROJECT AT WORK

## A new collaboration with health-care experts

The AIDS Law Project of Pennsylvania has begun a partnership with the American Academy of HIV Medicine to spread the word on issues of importance to people living with HIV and their health-care providers.

Based in Washington, D.C., the academy is an independent organization of health-care professionals dedicated to providing excellence in HIV care and prevention.

"We know that clinically we have all of the tools to end the HIV epidemic," said the academy's chair-elect, **Dr. William Short**. "But we need to work in collaboration with organizations like the AIDS Law Project of Pennsylvania in order

to address the social determinants and legal obstacles that persons living with HIV continue to face in this country."

On March 8, AIDS Law Project Executive Director **Ronda Goldfein** and Senior Staff Attorney **Adrian Lowe** led an academy webinar on protections against discrimination in employment, housing, and health care.

On May 25, **Steven Bryson**, the AIDS Law Project's Sero Project Legal Fellow, participated in a webinar on HIV decriminalization.

Both webinars can be found on the AAHIVM's website: <https://aahivm.org/about-us/>

## She's been a mentor to many

**Cecilia Ransome** is 65 years old and has been incarcerated since 1984. To the hundreds of trans women she has mentored and mothered during the four decades she has been locked up on a life sentence, she is Miss Ceci.

Senior Staff Attorney **Adrian M. Lowe** is a longtime organizer with Hearts on a Wire, a grassroots inside/outside prison advocacy organization working to address the needs of transgender people in Pennsylvania's prisons. In this role, he was invited to speak at the City of Philadelphia's flag-raising event for the Transgender Day of Visibility on March 31. Adrian passed along the invitation to Miss Ceci, a black trans woman and one of Hearts on a Wire's inside leaders.

Miss Ceci prepared a statement, which Adrian read at the event. In introducing Miss Ceci's remarks, Adrian said: "It is a robbery that the whole community doesn't have access to her wisdom or get to benefit from her lead-



Photo by Adrian M. Lowe

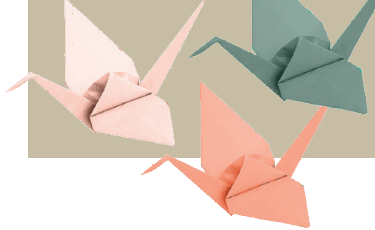
ership."

In her statement, Miss Ceci shared her perspective on recent legislative and media attacks on trans people, and how that abstract fight has very real consequences for the safety and survival of the trans people who are most marginalized.

She spoke of how much she has learned from the younger trans people with whom she is incarcerated, and called on those listening to work toward "a world where, when a young person is curious about herself, she can ask questions and have safety and space to explore the answers."

### GOOD COUNSEL BY E-MAIL

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## Gifts were made in honor of:

Judith Porter  
Margaret Rosewitski  
Aaron Skrypski

## Gifts were made in memory of:

Michael Greenberg  
Stephen Hampton  
Robert Hanrahan  
Christopher Huhn  
Ruth McBride Jordan  
Tony Lombardo  
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