

2006-2007

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Dear Friends:

It is with great pleasure that we offer this report with highlights from our work in the past fiscal year. We think you will agree that again we made significant strides toward our mission of building a more just society.

The Public Justice Center continues to be a leader among Maryland legal services organizations. As an organization focused on having an impact on laws and policies that apply to Maryland's poor, we fill an important niche. Our toolbox includes litigation, education, legislation, administrative advocacy and filmmaking. Often we combine strategies for the best results. We also **work closely with private law firms as co-counsel**—this year drawing more than 7,500 hours and \$2.3 million of private attorney involvement in 8 significant matters.

The PJC is well-known for our commitment to **building powerful coalitions** in order to address deeply ingrained injustice. This year we highlight the first major success of the **Rental Housing Coalition**, which spearheaded a Baltimore City Council bill that gives tenants a 14-day notice of the eviction date, and requires landlords to dispose of property abandoned at eviction at the public dump rather than in the street. This groundbreaking campaign involved mobilizing tenants, forging alliances with community organizations, engaging in public education and media work, and ultimately persuading the City Council to pass the bill.

In fiscal year 2007, the PJC had **110 active impact cases**, including 14 at the trial level, **28 appellate cases**, **28 policy initiatives and legislative lobbying on 42 bills**. The PJC provided legal services to **408 clients**, primarily detainees who are not receiving proper medical care and tenants who are facing eviction. Other client constituencies included homeless and foster children, Medicaid applicants, low-income workers and immigrants. Our appellate and legislative advocacy expanded our attention beyond these "focus" areas to include a wide range of civil rights and poverty law issues.

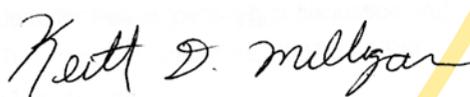
One of this year's most heartbreaking client stories is also the one that garnered significant international media attention and launched a massive effort to reform a complicated problem. **Deamonte Driver** was a homeless child from Prince George's County whose family had worked with one of our attorneys to enroll in school. Shortly thereafter, we became aware of his family's serious struggles to obtain important dental care. Deamonte's untreated abscessed tooth led to a fatal brain infection. His unnecessary death created a firestorm of attention and the PJC accelerated our efforts to bring about significant reform to the delivery of dental care to Maryland's poor children.

The members of the PJC's **staff are recognized as experts** in their fields and readily share that knowledge. This year, we made **presentations at 47 events** to provide outreach, education, and training to clients, legal services providers, community organizations and service providers. Rarely does winning a judgment or passing a law actually cause the social change we are seeking. After a win, we begin the hard work of implementing and enforcing the laws. For example, we have developed and presented several training seminars highlighting foster children's educational rights. Our programs "ABC's of School Advocacy," and "How to Help A Student Who Wants to Re-Enroll in School After Having Been Withdrawn" have been presented to Department of Social Service caseworkers, CASA volunteers, foster parents, foster care placement agencies and CINA attorneys.

The following report highlights these and other examples of the PJC's work over the past year. We encourage you to learn more with frequent visits to the News section on our website: www.publicjustice.org.

We are reminded each day how much your support matters. It is because of **your unwavering generosity** and contributions of money, time and talent that we can be flexible, strategic, and creative. It means **we can meet injustice wherever it rears its ugly head**.

From the bottom of our hearts, thank you.



Keith Milligan
President, Board of Directors 2007-08



John Nethercut
Executive Director

FOCUS ON IMPACT: HEALTH RIGHTS

“We have a health care crisis on our hands—a dental care crisis—and we have had for quite some time. Somehow, it has been all right for us to ignore it. I hope it is not all right for us to ignore it any longer. Let us not fail to heed the warning Deamonte’s death provides. Let us not, by our indifference or incompetence, have to bear on our consciences the burden of more dead children.”

— Laurie Norris, PJC staff attorney in testimony given to Subcommittee on Domestic Policy Committee on Oversight and Government Reform, U.S. House Of Representatives, May 2007

The PJC Health Rights project seeks to protect and expand poor people’s eligibility for adequate health care coverage and access to appropriate, affordable, effective and culturally competent health care.

This year, we were concerned about the **local impact of the federal Deficit Reduction Act of 2006**. Though we submitted comments to the federal Center on Medicaid and Medicare Services opposing the proposal to implement new citizenship and identity documentation requirements for all U.S.-born Medicaid enrollees and applicants, the new requirements went into effect in September 2006. They have interfered with thousands of eligible low-income adults and children establishing or maintaining eligibility for Medical Assistance and MCHP. We have worked closely with allies to successfully blunt the impact of these new requirements for two groups of Maryland’s poor and medically vulnerable—foster children and babies born to undocumented mothers. In December, the PJC organized a workshop, co-sponsored by Medicaid Matters!Maryland and the Health Action Forum of Prince George’s County, about Maryland’s implementation of the new documentation requirements. More than 70 people from local government agencies, non-profit community service organizations, provider entities, and advocacy groups attended.

We are committed to dedicated, long-term advocacy and creative problem-solving that goes beyond the legal disposition of a case. We collaborate with organizations of community members, poor people and advocates. The PJC’s projects often involve multi-year campaigns that combine complex litigation, organizing and coalition-building with our clients and other advocates. We also aim to bring injustice to the attention of the media, the public, and legislators.

We also worked to further expedite the Medicaid eligibility process for babies born to undocumented mothers—babies who are U.S. citizens by law, but are being treated like “second class” citizens in Maryland. All other financially eligible babies are enrolled automatically in Medicaid at birth, so there is no disruption in their access to medical care, for example for the two-week pediatrician visit and for the first vaccinations. Not so for babies born to undocumented mothers. Maryland makes undocumented mothers fill out an application for their babies and wait weeks, sometimes months, for the coverage to start. The PJC developed a strategy and brought together key players to work toward statewide reform. We are now partnering with Baltimore Health Care Access to persuade DHMH to change the rules so that babies born to financially eligible undocumented mothers will be automatically enrolled in Medicaid at birth, just like all the other babies.

Our staff served on Governor-elect O’Malley’s **DHMH Transition Workgroup** and submitted three recommended policy changes to the workgroup staff: (1) to improve outreach efforts and simplify the application process to maximize enrollment and retention of eligible uninsured residents; (2) to re-orient long-term care coverage to prioritize home and community-based care options; and (3) to support legislation to establish an increased revenue stream through a \$1 increase in the tobacco tax to fund health care expansion.

The PJC co-founded the statewide coalition **Medicaid Matters!Maryland (MM!MD)** in 2004 and today we continue to provide a “home” for its administration and key legal support. MM!MD seeks to ensure that policy makers hear and understand the importance of Medicaid to low-income or medically vulnerable Marylanders, and that Medicaid beneficiaries have a strong voice in Annapolis where critical issues affecting the future of the Medicaid program are being decided. This state-wide, consumer-directed coalition has grown to include a powerful cross-section of more than 70 consumer and advocacy groups representing the disabled community, children’s advocates, seniors, and the low-income community. The PJC’s legislative agenda on health issues is largely accomplished through our work with the coalition. This year, we laid significant groundwork towards **increasing eligibility limits for adults applying for Medicaid** from 40% of poverty level to up to 200% of poverty level for parents and 116% for all other adults. We proposed funding this expanded coverage with a \$1 tax on tobacco products. We successfully advocated for a DHMH study to determine if there is truth to the popular misconception that Medicaid enrollees “overuse” the Emergency Room. In fact, the study, released in December 2006, found that **only 6% of enrollees use the ER for non-emergent care**. The successful passage of **HB 1057 expands health insurance access to domestic partners and their dependant children** and includes a **study of the health insurance needs of individuals ages 19 to 24**. Lack of health insurance for persons in that age group is a particular problem for youth transitioning out of foster care. On the heels of the tragic death of our client Deamonte Driver (see inset box) **two successful bills expanded dental services**. SB181/HB30 provides grants for low-income, disabled and uninsured people in underserved areas of the state, but the bill was passed without the recommended funding. SB568/HB751 changes state law to **permit dental hygienists to apply fluoride varnishes** to children in public health settings. ○



In Context: Dental Care for Poor Children In Maryland

We can be absolutely certain that the experience of the Driver family is not in any way unique to them. Researchers have determined that **poor children are at much higher risk of contracting dental disease than are non-poor children**. Consider these statistics:

- The poorest 20% of children have about 80% of the dental disease
- more than 50% of low-income preschool aged children in Maryland have dental decay
- and 98% of that dental decay is untreated, each child having an average of 3 untreated cavities
- experts recommend that every child see a dentist by her first birthday and at least annually thereafter, but in 2006 only 8% of children ages 1-3 on Maryland Medicaid saw a dentist.

It couldn't be clearer that the typical low-income child in Maryland has dental disease and untreated dental decay. In addition, while Medicaid-enrolled children have dental coverage, **only 11% of Maryland’s active dentists accept as patients children on Medicaid**. It is more than safe to assume that Maryland’s low-income children are having a tough time getting access to all the dental care they need. It is time to change that.

Visit www.publicjustice.org to learn more.

Tragedy Leads to Massive Reform Movement

On February 25, 2007, Maryland's **Deamonte Driver, age 12**, died as a result of an untreated infected tooth which led to a massive brain infection. We first met Deamonte and his family through our work protecting the education rights of homeless students. Our attorneys helped Deamonte and his brothers get enrolled and situated in school in August 2006 when their mother encountered some barriers due to the family's homelessness. Soon thereafter, we learned that Deamonte's brother, 10-year-old DaShawn, needed to see a dentist and that his mother had been unable to find one willing to accept their Medicaid insurance. PJC Attorney Laurie Norris decided to accept this as an individual case in an effort to understand whether this one parent's experience might be evidence of a more systemic dental access issue for children on Medicaid. To our dismay, it took several weeks, dozens of phone calls, and the help of a state agency and the local health department, as well as DaShawn's health plan, to finally locate a willing dentist and secure an appointment. Clearly, there was a **systemic issue**. Even with our help, it ultimately took more than six months and four dentists to eventually get DaShawn's oral health restored. In the meantime, Deamonte experienced a dental crisis resulting from years of inability to see a dentist. He complained of a severe headache and was taken to the emergency room, where he was treated for a sinus infection and released. Two days later, he was transported urgently to Children's Hospital where he underwent the first of two brain surgeries to remove a massive infection stemming from a rotten tooth. After six weeks of treatment and rehabilitation, he suddenly and unexpectedly succumbed to the disease.

Deamonte's tragic and unnecessary death left us stunned and brought a **firestorm of reaction and an opportunity for reform**. Beginning with a full feature article in the *Washington Post*, Deamonte's story gained national and even international attention. There were literally hundreds of news stories, ranging from television (NBC Nightly News, CNN, ABC's Good Morning America, Tokyo Broadcasting System), to radio (WYPR's Maryland Morning, the Diane Rehm Show, NPR News, the BBC London, XM Radio), to the internet (slate.com and innumerable blogs), and, of course, print (*New York Times*, *Baltimore Sun*, *USA Today*, the Associated Press, NAACP's *The Crisis Magazine*, Readers Digest.)

PJC Attorney Laurie Norris has been repeatedly sought as the expert on the human drama and as the policy expert on how the Medicaid system failed the Drivers. She was invited to testify before a Congressional committee investigating how the federal government's failure to meet its oversight responsibilities might have contributed to the tragedy, and to make suggestions as to what Congress could do to ensure better access to oral health care for poor children nationally. A copy of her testimony can be found on the News & Events section of our website: www.publicjustice.org. Congress has continued to focus attention on this issue, and there are at least 5 bills currently pending that seek to address different aspects of the problem. Ms. Driver herself also spoke out during a national advocacy event hosted by the Children's Defense Fund, highlighting the need for universal health coverage and access to health care for all children.

Maryland has a particularly troubled history concerning access to dental care in Medicaid. In 1997, our State ranked dead last in access to oral health care services for poor children. Today, we do not fare much better—**two out of every three poor children do not see a dentist in any given year**.

The PJC has succeeded in shining the strong light of shame on this issue. Governor O'Malley has called for reform. Dentists, dental hygienists, educators, and public health experts have begun to answer the call. In June 2007, Department of Health and Mental Hygiene Secretary John Colmers convened a broad-based statewide Dental Action Committee to recommend systemic reforms. Laurie Norris has been asked to serve on this body. Its recommendations are due on September 11, 2007. ○



FOCUS ON IMPACT: Tenants' Rights

The Tenant Advocacy Project is one of the PJC's oldest. This statewide project seeks to protect and expand tenant's rights to safe, habitable, affordable and non-discriminatory housing, and to fair and equal treatment of tenants by Maryland's laws, courts and agencies. The PJC provides tenants' rights education to tenants and their advocates, represents tenant organizations and groups of tenants who have common problems with their landlord, and advocates with the courts, judicial administration, legislature, and government agencies to ensure that tenants' rights to due process and other legal protections are honored. The PJC also directly provides individual legal services to tenants at Baltimore City's "rent court," including *pro se* training and representation in court. This year, we supported **336 people** in this practice. Through this work, the PJC has and continues to identify impact issues and recruit tenant leadership for the **Rental Housing Coalition**. The Coalition presses for fundamental restructuring of Maryland's landlord-tenant laws through various impact strategies, including legislation and public education.

This year, the Tenants' Rights project was busy and productive. In conjunction with the Coalition to End Childhood Lead Poisoning, the PJC conducted a survey to determine whether the state's **new lead paint laws** (HB1245) were being effectively enforced by the judicial system. HB 1245 requires the courts to dismiss any eviction complaint when the landlord is not in compliance with lead paint registration and inspection laws. Our survey found that 25.42% of landlords filing eviction cases were in full compliance with HB1245. On the other hand, the vast majority—74.58%—were not in compliance, yet they were allowed to process eviction complaints anyway. Through representing individual tenants in rent court, CECLP and the PJC were aware that more than 370 cases were dismissed on these grounds. The final study recommends that District Courts be instructed to uniformly review and enforce requirements.

The PJC focused on several interesting housing issues through our appellate advocacy work. We represented a woman who lost her home through a **tax sale foreclosure** when the amount necessary to redeem the foreclosure was not properly disclosed. We submitted an amicus brief in a case that sought to allow **homeowners with FHA-insured mortgage loans** the right to bring contract claims against lenders who violate federal laws by prematurely foreclosing on properties. We signed on to an amicus brief in a case that deals with a challenge to Montgomery County's Human Rights Act's **prohibition against discrimination based on "source of income."** The brief describes the current critical lack of affordable housing in the nation, state, and county and the importance that federal housing vouchers play in addressing that lack of affordable housing and addresses particularly vulnerable populations impacted by the ruling, including the disabled, low-income workers, the elderly, and veterans receiving VA benefits.



**Tenant loses,
taxpayer pays**



Photo by Fred Gorman

The biggest news of the year comes from the work of the **Rental Housing Coalition**, which the PJC continues to spearhead with the generous support of the Abell Foundation. This year, the Coalition focused on the initiative in the Baltimore City Council to pass a "**Clean Streets**" bill. While the end game strategy was legislative, a tremendous effort went into educating and mobilizing tenants, community members, and supporters. The PJC produced and distributed flyers to tenants at rent court, followed the Sheriff's eviction trucks to leaflet tenants and communities where evictions were taking place, and engaged in an active phone and postcard campaign to educate and rally tenants. The Clean Streets bill was introduced on May 7th following a rally and media event outside City Hall. Four large poster boards depicting evictions and chattel on the street were prominently displayed behind the speaker's podium, bearing such messages as "Why?" and "Whose Idea Was This?" and "Misfortune = Blight." The Baltimore Sun ran a supportive editorial and follow up coverage. Mayor Sheila Dixon appointed City Solicitor George Nilson to lead a work group that, through a series of meetings and compromises, by all parties, led to a compromise bill. The work group consisted of RHC members—both community and tenant organizations—and landlord representatives. The bill passed and will go into effect October 1, 2007.

This historic bill provides that, for the first time, **tenants will be notified of the date on which the sheriff is scheduled to execute the eviction**. The bill requires that specific information be conveyed in the notice and that the notice be sent by the landlord to the tenant by first class mail and certified mail at least 14 days in advance of the eviction and then posted on the property at least 7 days in advance of the eviction. The intention of this strong notice provision is to make sure the tenant has knowledge and time to remove any belongings before the actual eviction. Finally, and most importantly for the community and City, the ordinance provides that **the practice of dumping property that has been abandoned by the tenant in the public right of way is illegal**. The landlord is required to give the goods to charity or may properly take them to a dump, but is prohibited from dumping them in the public right of way, as has been the practice.

Over the next year the PJC will be active in working with the Sheriff, District Court, city agencies, and landlords to craft forms and instructions to ensure that the bill is implemented properly. The PJC will also undertake a tenant education campaign to make sure tenants understand their new rights and responsibilities.

In addition to our work with the Rental Housing Coalition, the PJC served on the **Affordable/Low-Income Housing subgroup for Governor-Elect O'Malley's transition team** and a task force led by the Health Department of Baltimore City to develop a ten-year plan to end homelessness. We attended regular meetings of Rent Court Workgroup at the Baltimore City District Court and supported the Maryland Alliance of the Poor in pursuing two budgetary initiatives to assist low-income tenants in maintaining their housing and avoiding homelessness. ○

FOCUS ON IMPACT: Prisoners' Rights

The purpose of the PJC's Prisoners' Rights project is to effect long-term systemic improvements to prisoner health care and conditions of confinement in Maryland. This year, the team continued to focus on the class action lawsuit, **Duvall v. Ehrlich**, which seeks to address systemic failures of the Baltimore City Detention Center. The PJC co-counsels with the ACLU's National Prison Project on this case, which seeks to revive a 1993 consent decree and require the State to provide constitutionally acceptable health care and safe and sanitary physical conditions of confinement at the BCDC. The parties are engaged in settlement discussions.

As part of its plan to improve prison oversight, the PJC successfully lobbied in the 2006 General Assembly for an **independent audit of the medical contracts** entered into by the State with various for-profit health care providers. The final audit was released in March 2007 and found "several significant areas of noncompliance" that affected inmate medical services at facilities across the state, including Baltimore's Central Booking and Intake Center and the city jail. The report concluded that **inadequate state monitoring led to lapses in required medical coverage and required medical treatments**. Auditors found that providers of medical care, dental care and mental health care were not providing required levels of staff, and noted problems with medical screenings, chronic care checkups, medication dispensation, and timely treatment. Plans for a methadone detoxification program (to help treat thousands of inmates dealing with drug addiction) and for an electronic health records computer system remain in early stages, the audit said.

In furtherance of the PJC's plans to **improve oversight of Maryland's prison and jails**, the PJC raised awareness of the need for effective and independent oversight to the incoming Governor and his administration. The PJC has also begun to explore collaborations with national advocates to begin to create robust oversight of the correctional system in Maryland.

The project continued work in the **Public Information Act lawsuits** filed in June 2006 against four Maryland Counties—Allegany, Charles, Prince George's and Talbot Counties—for failing to respond to Public Information Act requests for information about health care and conditions of confinement in the county detention centers. The Talbot and Charles County cases settled when the counties produced the requested information and paid the PJC's fees and costs. The Circuit Court held that Allegany County violated the PIA, but did not award the PJC's requested fees and costs, and that issue was appealed to the Maryland Court of Special Appeals. Before briefing, Allegany County agreed to reimburse the PJC for its fees and costs. Prince George's County has still failed to produce all of the requested information and the case is still pending in the Baltimore City Circuit Court.

A busy legislative session found PJC working on numerous successful bills including the **automatic record expungement for arrests without charge**, the formation of a **task force on prison violence** and a bill that allows the Department of Corrections to **permit pregnant women and women with newborns to serve their prison sentences in facilities that will allow them to bond with newborns** and to receive treatment and services that will help them reunite with their children after release from prison. ○

"We found a number of areas in which inadequate [state] monitoring appeared to lead to potential lapses in required medical coverage and certain required medical treatments."

— excerpt from an Office of Legislative Audits report concerning inmate medical services at facilities across the state including BCDC.

"We certainly don't fault the state for spending too much money on its health care contracts, we just think there should be better oversight to make sure that it's well spent."

— Sally Dworak-Fisher, PJC attorney (quote lifted from "State Audit Finds Staffing Shortages, Stalled Drug Treatment Programs." Baltimore Sun, March 1, 2007).

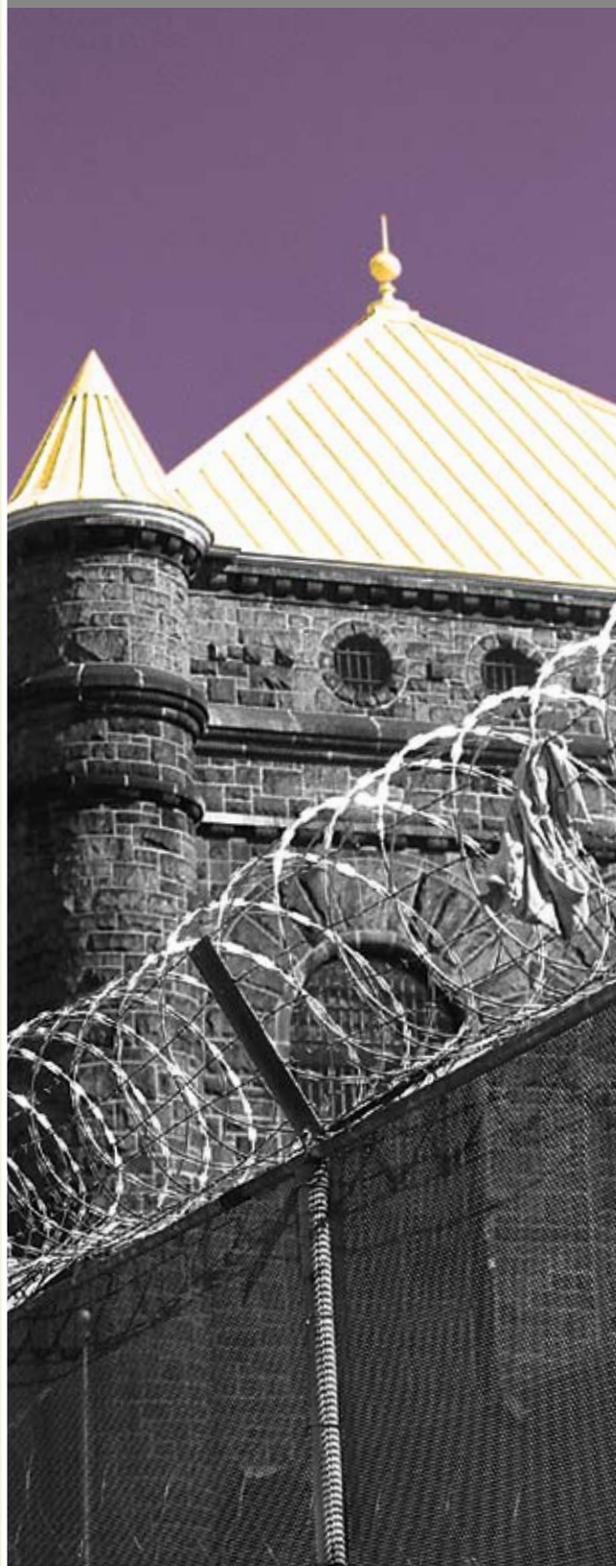


Photo by Marshall Clarke

FOCUS ON IMPACT: Low-Wage Workers' and Immigrants' Rights

This year, the PJC continued to fight for low-wage workers and immigrants through litigation, appellate and legislative advocacy. With a long-awaited decision by an Alabama court in the 8-year old collective action seeking to represent all processing plant workers employed by Tyson Foods (**Fox v. Tyson Foods**), the PJC and our co-counsels ramped up our efforts on behalf of the plaintiffs. The case alleges that Tyson failed to pay workers for time spent obtaining safety and sanitary equipment, and putting on, sanitizing, taking off, and storing such equipment at the beginning and end of shifts and breaks. This case could have significant impact on low-wage workers' access to courts.

Appellate advocacy in this focus area included **BCI Coca Cola Bottling Co. v. EEOC**, a 10th Circuit case in which the PJC joined a stellar group of civil rights advocates to determine under what circumstances an employer may be held liable under federal anti-discrimination laws. Our work in **Dukes v. Wal-Mart** continued. This historic 9th Circuit case is the largest class action ever certified against a private employer and seeks to protect the rights of 1.6 million female employees. Wal-Mart appealed the class certification, lost the appeal and has filed for rehearing *en banc*. In **Haas v. Lockheed Martin**, the Maryland Court of Appeals sided with the PJC to determine that the date of actual termination, rather than notification of termination, starts the two-year clock in which a worker has the right to file a lawsuit for disability discrimination. This decision about a seemingly technical issue favorably impacts the ability of low-wage workers to file discrimination claims. Other appellate work supported an employee who had been discharged in retaliation for reporting a hostile work environment and challenged (under state law) Wal-Mart's uniform and corporate-wide pay practices which cause employees to work "off the clock" and short changed employees on rest and meal breaks.

Since 2004, the PJC has been working to **improve access to health care for Maryland's immigrant population**, especially undocumented immigrants and their citizen children. Between August and December 2006, the PJC helped design and implement a community education and outreach program to the immigrant community to improve the level of knowledge about available programs among immigrants and the providers who serve them. This project continued in the spring in 2007, with students assisting to distribute flyers designed by the PJC. The topics were "Can I Get My Emergency Medical Bills Paid?" and "Can I Get My Childbirth Bills Paid?" and "Can My US Born Child Get Medical Coverage?"

In partnership with the National Immigration Law Center and the American Civil Liberties Union of Maryland, we submitted comments in **opposition to the Maryland Motor Vehicle Administration's proposed rules** regarding the documents an individual may use as proof of identity, age and residence when applying for a driver's permit, license, or identification card. These regulations are being proposed in part of a long-running campaign to make it more difficult for eligible immigrants to obtain MVA documents. ○

We look for cases that are likely to change the legal and social systems that cause injustice, or permit injustice to persist. We seek cases that will produce just and enduring results not only for the individuals who bring the case, but also for the class of people affected by the problem. **We aim to change the legal and cultural environment by enforcing rights that already exist but are being ignored or improperly implemented, by expanding the rights of poor people, and by supporting efforts that create an organized voice for poor people.**

FOCUS ON IMPACT: Children's Rights Project

The **PJC Children's Rights project** focuses on the public education of Maryland's most vulnerable children: those who are homeless children and those who are in foster care. This project aims to **reduce school mobility and improve access to education**. We are known nationally for our efforts to keep homeless children in school through enforcement of the federal McKinney-Vento Act. This year, we continued to work closely with homeless families and school officials in several counties including Prince George's and Montgomery. As part of monitoring the consent decree in the Prince George's County case, the PJC designed and administered a telephone survey of homeless parents in August 2006, focusing on school enrollment and fee waivers for homeless children. 22 children were represented in the survey, and 42 incidences of non-compliance were identified at 17 different schools. The PJC shared the detailed results with school officials and asked them to investigate each case, and where appropriate, design and implement corrective action. Also as a result of the settlement, **Prince George's County became the first school district in the nation to implement a comprehensive annual evaluation of its homeless education program**. The school district is developing the capacity to self-monitor its compliance with the law and to make any necessary changes as problems arise. The lawsuit we filed in 2006 against the **Board of Education of Baltimore County** continued to progress. In this class action case, the PJC represents two homeless mothers and their children as named plaintiffs who suffered as a result of the County's failure to identify them as homeless and to thereby provide essential educational services. Both parties are now engaged in intensive and comprehensive settlement talks. Litigation is not always required for reform to occur. The PJC is working closely with a fourth Maryland School District to collaboratively design and implement systemic reform throughout the school district.

This project benefits from strong policy and legislative advocacy efforts. In November 2006, the PJC wrote a letter to Dr. Nancy Grasmick, the Superintendent of the Maryland State Department of Education. We drew her attention to the failure of the State to implement the 2002 Congressional mandate to **afford McKinney-Vento protections to children "awaiting foster care placement."** We asked MSDE to implement these protections and have been working closely with state officials to make this happen. Other legislative efforts supported Maryland bills that would study the need for and provide supportive services after adoption, closed a loophole in current law regarding disclosure of suspected child abuse in non-public schools, and supported parents seeking assistance for their disabled children without having to relinquish their children to the custody of the state. On the national front, we worked with Congressman John P. Sarbanes (D-3rd, MD), Congresswoman Judy Biggert (R-13th, IL) and Congressman Raul Grijalva (D-7th, AZ) to introduce the **Homeless Education Improvement Act (HR 3205)** which seeks to include foster children in the protections for homeless children provided by the McKinney-Vento Act, seeks to increase school stability, enhance school supports and doubles the authorization towards the McKinney-Vento Act.

Our strategies rarely end with a successful court decision or legislative action. Instead, we are known for our determination to follow through on our reform efforts. This year focused our attention on new laws passed in previous sessions. For example, the **records transfer legislation**—which we successfully drafted, testified and lobbied for in 2005—requires that when children in state supervised care are moved between school systems, the receiving school must promptly enroll the child and the former school must promptly transfer the children's records. After the law was passed, PJC staff participated in the implementation of the regulations. We continued to monitor the process and when the MSDE failed to meet reporting requirements, notified the chairs of the budget committees of the deficiencies. We are working with Senator Delores Kelley to convene a meeting of relevant child welfare and education leaders this fall to address the issue.

"Significant improvements must be made to the foster care system both in Maryland and nationally to prevent yet another generation of foster youth spending their childhoods being moved from temporary placement to temporary placement with less than adequate health care and education and, as a result, entering adulthood woefully unprepared to be productive, healthy and happy citizens."

—from testimony written by Rhonda Lipkin (PJC), Mitchell Y. Mirviss, Venable LLP and Gary S. Posner, Whiteford, Taylor & Preston and submitted May 28, 2007 to the U.S. House Ways and Means Committee.

The PJC is working on many fronts to improve the care and education of Maryland's foster children. We are co-counsel with two private firms (Whiteford, Taylor & Preston and Venable) in **L.J. v. Massinga**. This class action suit seeks to enforce a decades-old consent decree regarding the care of the more than 6,500 Baltimore City foster children. Our advocacy has publicly decried the indecent care of foster children, called for the increase in payment rates for foster parents for the first time in 15 years, and encouraged legislation to extend free state college tuition to all youth in foster care when they graduate from high school or obtain their GED. Rhonda Lipkin, who joined the PJC on a special fellowship to litigate this case, served as an active member of the *Ready By 21* project of the Governor's Office for Children which will make recommendations to the Governor and others on improving the readiness of youth for college, life and work. In context of the *LJ* case, intensive mediated negotiations were underway in the last half of 2006 with top level state officials. Significant strides were made toward settlement until the process was interrupted by the change in gubernatorial administrations. The new Secretary of Department of Human Resources has invited us to participate in workgroups on health

and subsidized guardianship improvements but there is still grave concern that no real progress has been made. Therefore, we filed a **Petition for Contempt** for DHR's and Baltimore City Department of Social Services' 19 year failure to implement the provisions of the original consent decree. We also filed a motion to modify the consent decree to strengthen and update its requirements, including the appointment of a monitor. We anticipate the coming year to be spent preparing for trial and negotiating for a meaningful settlement on behalf of this generation of foster children.

Like all of our project areas, our work on behalf of foster children often finds us in partnership with others. We are currently working in coalition with the Baltimore City Juvenile Court to improve foster children's educational access through identification of problem areas, data collection methods, and solutions to educational challenges. We are active members of a national coalition of advocates that shares information and strategies on improving educational access and stability for children in foster care. We participated in an Education Stability conference in Chicago in October. Further national advocacy drew Rhonda Lipkin, working with *L.J.* co-counsel Mitchell Y. Mirviss (Venable) and Gary S. Posner (Whiteford, Taylor & Preston) to submit valuable testimony in May 2007 to the U.S. House Ways and Means Committee entitled "The Status of the Child Welfare System in Baltimore, Maryland and Recommendations for Reform." Their testimony concentrated on several key areas in need of reform, including health care, placement, permanency planning, personnel and case management, education and prevention. ○

FYI:

Foster Youth Incorporated (FYI) continues to grow with the support of the PJC. This youth-led advocacy group is based at Baltimore Freedom Academy, a Baltimore City "innovation" high school. Members include current and former foster youth. The group presents workshops for students in other area public schools, and meets with lawyers, social workers and judges to provide their perspectives on the foster care system and recommendations for change. Over the summer, three FYI youth worked at PJC, forwarding the activities of FYI—including establishing a "My Space" page to share their message, creating an on-line survey about the problems of siblings in foster care and planning for the production of a short film with the Megaphone Project. Expect to hear great things from this group!

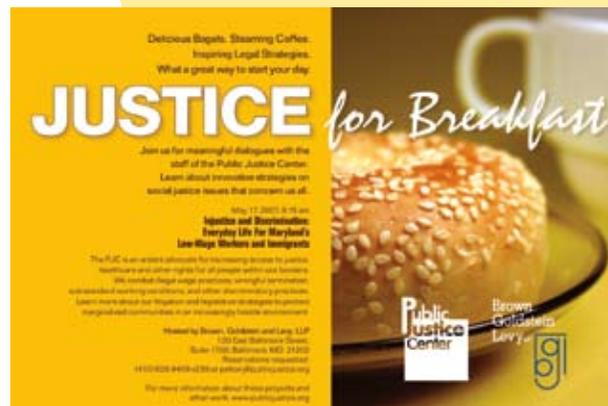
Visit www.publicjustice.org to learn more.

MAKING AN IMPACT: friend raising

On March 10, 2007, internationally-acclaimed gospel and blues singer **Lea Gilmore** performed to a sold-out house at the Creative Alliance. During this benefit concert, the PJC presented the inaugural **John P. Sarbanes Courage Awards** to three groups noted for their courage in the face of adversity. Award recipients included the founders of **Foster Youth Incorporated**, a youth-led advocacy group focused on raising the voices of foster youth, **Eileen Manning and Frizzell Green** for their advocacy efforts on behalf of tenants and **Collette and James Roberts** for their work as advocates for gay and lesbian couples in Maryland. The event was generously sponsored by Mercy Hospital and a host of individual donors. The concert and dessert reception raised more than \$2,300 for the PJC.

Bruce Dorsey and Antoine Pettway, the owner and chef of the **Metropolitan Coffeehouse and Wine Bar in Federal Hill** found their way into our hearts this spring when they laid out a scrumptious feast to raise money for the PJC. The sold-out event on April 18, 2007 was organized by PJC staff and supported by generous sponsorship gifts from Wilmer Cutler Pickering Hale and Dorr, LLP and Goldman & Minton PC. Proceeds from the benefit dinner and silent auction exceeded \$13,000. We all had so much fun that we plan to repeat this event in the spring of 2008.

We extend a heartfelt "thank you" to **Brown, Goldstein & Levy** for hosting a new community series "Justice for Breakfast." Four times this year, we arrived in the early morning at the firm's Baltimore offices to find their conference room full to the brim with people, steaming coffee and a delicious breakfast. The ensuing conversations, led by PJC project staff, concentrated on the unique issues facing children, prisoners, Medicaid consumers, low-wage workers and immigrants and the PJC's strategies to address these issues. Stay tuned for new breakfast conversations.



We are pursuing systemic change to build a more just society.

**The PJC
Culture of
Caring**

Thank you very much for your continued dedication to doing the important work on behalf of our clients. This work benefits all of our community by assisting those who otherwise would not be represented for lack of funds and unpopular causes, to obtain the most basic and fundamental rights. I am very moved by the sense of responsibility each of you feels to devote yourself to this very vital work. On behalf of our clients and our community, I thank you.

—Joy Sakamoto-Wengel, Esq., Member,
PJC Board of Directors in a letter to the staff.

As an attorney in training, it is remarkably helpful to have the examples of advocates that enjoy and are committed to their work.

—Paul DiBlasi, Law Clerk, Summer 2007



FOCUS ON FINANCIAL REPORT FY07

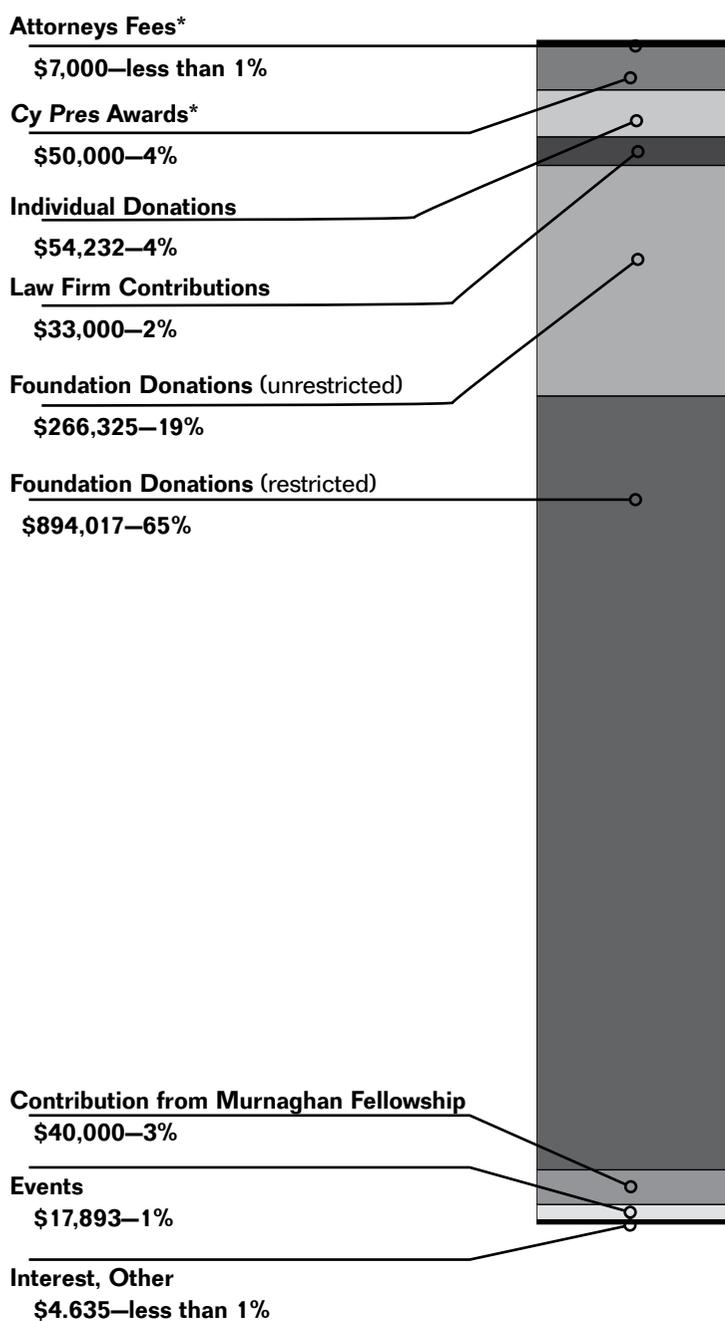


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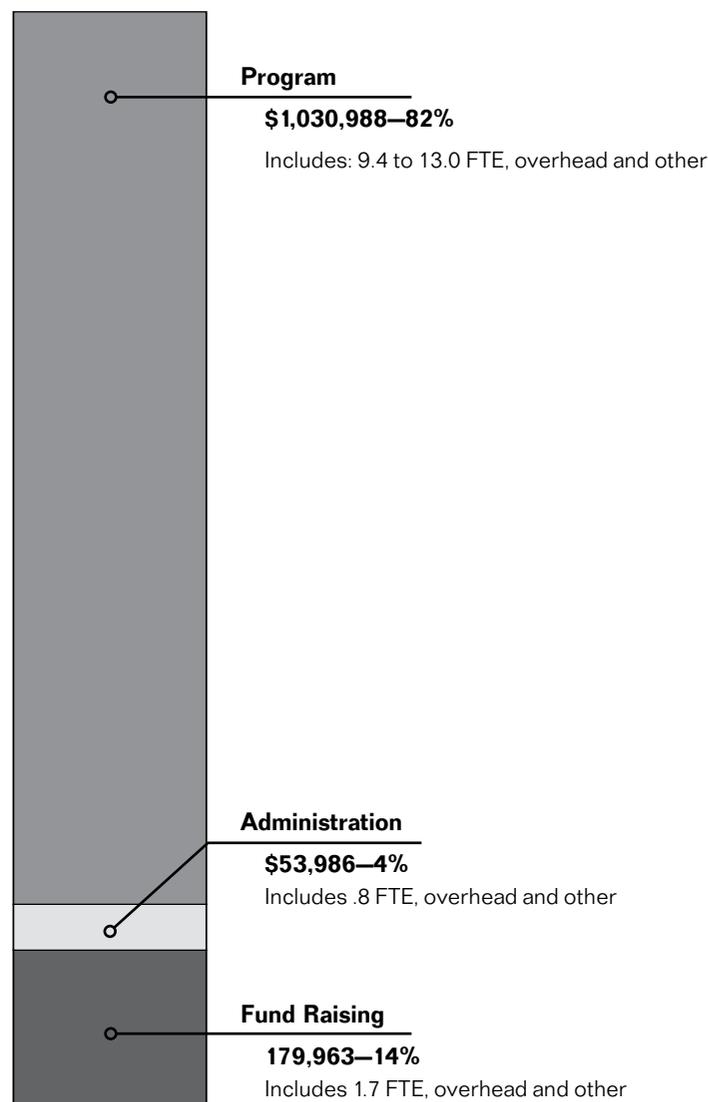
July 1, 2006 – June 30, 2007 (FY07)

The following information was prepared from end-of-year statements prior to the annual independent audit.

INCOME TOTAL \$1,367,203



EXPENSES TOTAL \$1,263,937



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FOCUS ON SUPPORT YEAR 22

We are truly grateful for the generosity of our donors. As a Public Justice Center donor, each one of you chooses to invest in real solutions. While many capable non-profit organizations address the results of poverty, the PJC seeks to correct the underlying causes of injustice and suffering. Because of you, the PJC is making an impact in Maryland, the mid-Atlantic, and increasingly, the nation. Your financial support makes it possible for the PJC to continue to provide essential representation on important civil rights and anti-poverty issues. **Together, we are building a more just society. Thank you.**

Thank You.

The support of these donors has helped us focus on justice.

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