Homeless get legal help close to their ‘home’

NIU law students provide pro bono assist in Aurora shelter; efforts combined with on-site health clinic

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A n idea that caught law professor Anita Maddali’s attention six years ago has grown into an on-site legal clinic at one of Illinois’ largest homeless shelters, where law students are helping people out of the shelter and into their own homes.

In 2014, Northern Illinois University College of Law opened a legal clinic inside the Hesed House, the state’s second-largest homeless shelter in Aurora. In the more than two years since launching the medical-legal partnership, the NIU College of Law Health Advocacy Clinic has helped Hesed House guests and others that visit the health clinic at the shelter to secure more than $160,000 in Social Security benefits.

And under the leadership of the clinic’s director Colleen M. Boraca, all of the people the clinic’s students have helped have gone on to their ‘home’.

It all started when in 2010, when Maddali was teaching a course in which she had assigned a book, “The Working Poor: Invisible in America” by David K. Shipler, which contained a chapter about the beginning of a medical-legal partnership.

The story detailed how a Boston pediatrician couldn’t find a cure for an asthma condition that one of his patient’s suffered from. The doctor enlisted the help of a lawyer, who found that the apartment the boy lived in contained mold.

The lawyer became involved, the mold was removed and the child’s health improved.

The doctor went on to have the lawyer join his hospital’s staff.

The idea of how critical a lawyer’s help can be in the medical process again struck Maddali when her late husband was being treated for a chronic illness.

When he was going through dialysis treatments, she thought about how challenging it was to go through such a process.

“I would always go with him to those appointments and I often thought about just the challenges of trying to balance just your everyday life with any kind of chronic illness, and then I would think about well, what would it be like if we didn’t have the resources that we have and how stressful would that be?”

In 2011, Maddali joined the staff at NIU as the director of clinics, when she and the law school’s then-Dean Jennifer L. Rosato Perea together worked to expand the school’s clinical offerings.

Maddali began meeting with different groups in search of a good partnership for a new clinic. One of those meetings was with Ryan Dowd, executive director of Hesed House and an NIU College of Law alumnus.

Dowd told Maddali that the shelter was opening a health clinic, Aunt Martha’s, across the street in its community resource center.

He offered space to NIU to open a legal clinic in the same building, rent-free and that’s when Maddali knew this was the place for the school’s new clinic.

“I thought, what an amazing opportunity, this would be great for our medical-legal partnership. The other attractive thing about it was that our students could then be on-site. With most law school clinics, they’re based at the law school and then they might go off-site occasionally,” she said.

“In this situation they’re on the premises, they’re seeing how things operate, they’re completely immersed in it and then also the benefit of a medical-legal partnership is that you’re working with others who may not necessarily be lawyers, you’re working in an interdisciplinary setting, so it seemed to all come together.”

In 2014, the school hired Boraca, who alongside Maddali helped to launch the clinic, which they believe is one of the first of its kind. While there are other medical-legal partnerships across the country in law schools and within homeless shelters, Boraca said NIU’s Health Advocacy Clinic is the only law school clinic she’s aware of that’s physically located on a shelter site.

Through the clinic, about six to eight students each semester, mostly 3Ls, serve as legal counsel to individuals who are referred to them by the medical staff at Aunt Martha’s, which can be both guests at Hesed House or others from the community.

Under Boraca’s guidance, the students help patients referred to them to access disability benefits, which she said they found to be one of the largest unmet legal needs impacting the health of individuals at Hesed House. Boraca has worked with the medical staff at Aunt Martha’s to recognize ways that a person might be helped by their services, such as if they indicate that they haven’t been able to work because of their medical condition.

At that point, the doctor can refer the patients to the legal clinic, which is located across the hall.

“It’s an interesting thing because lawyers and doctors aren’t friends. The professions don’t like each other,” Boraca said. “The professions aren’t typically historically good pals, but certainly what happens, it’s kind of cool, once they send a case to us, they’re not off the hook, because what happens is once we start working with a client, we need documentation from them to prove disability...to put the case together legally, certainly we need their help.”

In addition to working alongside medical professionals, there are a host of others working in the community resource center at Hesed House, including housing experts, addiction specialists and mental health providers.

“It’s interdisciplinary collaboration at its finest in this building,” she said. “It’s so fantastic that our students not only are part of that at any level, but they’re actually on-site to see it.”

In addition to exposing students to a number of other disciplines, Boraca noted that working on-site at the clinic helps them actually get to know their clientele.

“It’s a phenomenal experience for them, because many of them haven’t been exposed firsthand to poverty,” she said.

In the more than two years since the clinic launched, they’ve opened about 130 cases and helped clients secure more than $160,000 in Social Security benefits with plans to secure even more in the future.

Some of those individuals who received benefits simply didn’t know they had access to them, while others had been denied by private attorneys or had bad experiences with lawyers in the past.

The students’ work ranges from hosting “power of attorney days” — where they’ll meet with Hesed House clients across the street and assist them with filling
out a legal form for a power of attorney — to actually representing the clients at hearings.

While Social Security cases can be tedious, particularly working with people who are sometimes struggling with numerous other issues, Boraca said "there's nothing better" than seeing their clients find permanent homes thanks in part to their new income.

"All of the clients that we have secured benefits for are no longer homeless and that's something we're incredibly proud of," she said. "It helps prevent them from coming back here."

The clinic opened at a time in Illinois when social service agencies that support the homeless population have had to make cuts due to a lack of a state budget.

Dowd said the struggles that agencies are facing, which has cut into resources available to the homeless population and has led to more people being homeless, has made the need for any assistance, including legal help, greater.

When Dowd was a student at NIU before graduating in 2003, he volunteered at Hesed House in a pro bono capacity, but there was no on-site legal clinic at the time. Dowd noted that it required a lot of coordination to create the joining partnership between Hesed House, Aunt Martha's and NIU to establish the medical-legal partnership.

But that effort was worth it, he said.

"People become homeless for a myriad of reasons, but one of those reasons is you're unable to work because you're disabled. And if you're unable to work because you're disabled and your disability application takes three years, you're going to be homeless for three years. If your application only takes three months, you're going to be homeless for three months. We've seen people that the duration by which they are homeless be cut down dramatically for people who are applying for disability," Dowd said about the clinic's work.

Hesed House has on average 16 new homeless people show up each week, which means they need to get 16 people out each week to make space available.

"We've got two basic goals, to get people in here, off of the streets, and to get people out of here and into their own homes. (The legal clinic is) a huge piece of that second goal of getting people out of here," he said. "I view the legal clinic as absolutely instrumental to getting people out of here."

While most of the clinic's work so far has involved helping clients obtain Social Security, the legal team is also there to help those referred to them with other legal needs related to their health.

Stella Fitzgerald, regional nurse manager at Aunt Martha's, described one instance in which the health clinic needed the legal clinic's assistance in helping a patient receive Medicaid for a power scooter he needed. She said the process required several appeals.

"It can be something so simple as getting a power scooter, it may take us pooling our resources to get that gentleman into that chair that he needed," Fitzgerald said.

One of the clinic's staffers, Heather Skrip, participated in the clinic when she was a 3L at NIU. After graduating this year, she joined the clinic as an AmeriCorps volunteer.

A part of Skrip's work today involves telling guests at the Hesed House about what they're doing at the clinic.

As a student, she said, working at the clinic was the experience in law school that "I look back the fondest on," which she credited to being able to work directly with people with needs who turned to the students just as if they were their lawyers.

"It's nice to see good work being done for people who have no other assistance. They desperately need and appreciate our services and sometimes if you just sit and listen to them tell their story that makes their entire day," she said.