



Panel Attorney Spotlight

**AMIR ATASHI
RANG**

Whether in his everyday life or in his legal career, Amir's passion and sense of purpose are driven by his service to the community. His service allows him to be better in tune with his community and, more specifically, to be compassionately helpful to those confronted with sensitive life planning decisions and other stressful issues. Amir has been an invaluable asset to our Panel, having accepted over 30 referrals and mentorships since joining the Panel less than two years ago. His extraordinary spirit for volunteerism, his calm and reassuring demeanor, and his deep compassion inspire all who have the privilege of working with him.

After having lived as a child in both Iran and France, Amir has been a devoted Bay Area resi-

Continued on pg.7

Client Keeps Benefits

Attorneys overturn insurance company's LTD denial

When "Tom B." received a letter from his long-term disability insurer indicating that his benefits were going to be terminated, he was shocked and dismayed. Here he was, struggling with disabling AIDS, Hepatitis C, and cirrhosis. Each day brought new challenges and symptoms, including extreme mental and physical fatigue, digestive problems, insomnia, and other side effects of his daily regimen of medications. Yet despite the severity of his disability, somehow the insurance company was under the impression that he was perfectly able to work a full time job. Tom had received a modest monthly income from this long-term disability insurer for over ten years. Without that steady income source, Tom feared not being able to pay his rent or afford the high cost of his medical care.

Tom first contacted ALRP with these concerns when he feared his insurer was planning to terminate his benefits. After he received the official termination letter, he knew he had no choice but to appeal the decision. ALRP Panel attorneys **Catha Worthman** and **Daniel Feinberg**, of **Lewis, Feinberg, Lee, Renaker & Jackson, P.C.**, prepared his administrative appeal. They assisted Tom in gathering even more evidence of his disability, including declarations stating that he was incapable of working full-time. They also



Attorney Catha Worthman

procured updated medical records and statements from his doctors and expert opinions from vocational consultants and an HIV-AIDS specialist.

According to federal benefits law, insurance companies have 90 days to decide an administrative appeal. When the 90-day period expired without a decision from the insurer, Worthman and Feinberg threatened to file suit in court. Just days before the date of the potential lawsuit, the insurer finally conceded what should have been obvious all along: Tom was disabled. Due to Worthman and Feinberg's diligent advocacy, Tom's benefits were successfully reinstated including retroactive benefits.



Panel attorney Dan Feinberg

Continued on pg.6

ALRP's Pro Bono Connections Initiative Highlights

- **Clyde & Co US LLP** (through **Cathy Christ**) joined the PBCI and has already taken a referral for a client facing a possible eviction.
- **Cooley Godward LLP** (through **Maureen Alger**) won asylum based on fear of future persecution for a client after almost 300 hours of work by attorneys in the firm.
- **Ropes & Gray LLP** (through **Keith Bauman**) is a recent addition to the PBCI and has already drafted three wills for ALRP clients.

ALRP Mission

To help people with HIV/AIDS maintain or improve their health by resolving their legal issues.



From the heart

ALRP Executive Director Bill Hirsh

Board of Directors

Gregory Curatolo

Co-Chair

Martha J. Simon, Esq.

Co-Chair

Matthew S. Gray, Esq.

Treasurer

Enrique A. Monagas, Esq.

Secretary

David P. Barton, Esq.

Cathy Blackstone

Vincent Cheng, Esq.

Brandy E. Christensen, Esq.

Mark A. Delgado, Esq.

Kevin A. Hall, Esq.

Frank M. La Fleur, Esq.

Laura J. Maechtlen, Esq.

Kerne H. O. Matsubara, Esq.

Brian D. McDonald, Esq.

Maria Medina, Esq.

Robert Millar, Esq.

Jeffrey Norberg, Esq.

Vincent J. Novak, Esq.

Noel Rodriguez, Esq.

David J. Tsai, Esq.

Sean D. Unger, Esq.

Kathryn R. Watson, Esq.

Jeffrey A. Wilcox, Esq.

Barbra L. Williams, Esq.

ALRP Offers Mediation Services

Thanks to your support, with half the year over, ALRP is on track both to meet its revenue goals and to provide services to a record number of clients. And even in this year of tightening belts and funding reductions, ALRP has been seeking out new ways to meet the needs of our clients.

Many clients come to ALRP for assistance with disputes that do not fit neatly into a traditional legal approach. Say your client comes to you because he is having a problem with his neighbor. One thing has led to another and now the neighbors, once congenial, are consumed with anger and can't find a way to move beyond the escalating conflict. The stress your client is experiencing is very real, and he is concerned about his health. But there is no judge who is in a position to resolve this dispute, because there really is no legal issue. A trained mediator may help resolve the conflict by getting each party to understand the other's perception of the situation; sometimes a simple statement of apology, something no judge can order, is all that is needed.

ALRP is pleased to announce a new partnership with two community organizations that will provide free or sliding scale mediation services to ALRP clients. For some of our clients, zealous advocacy is what is required to protect their rights. In some situations though, the best avenue to resolve the conflict may involve facilitated mediation.

Community Boards, a non-profit that provides community-based mediation services to San Francisco residents, will now accept referrals for ALRP clients and waive its administrative fees. Community/neighborhood mediation services will be available for free for ALRP clients. If the dispute requires a specialized mediation service (e.g. homeowners associations, family law), Community Boards will provide sliding scale services based on the ALRP Fee Protocol. Community Boards will also make its mediation training available to ALRP Panel attorneys at a significantly discounted rate: the 40 hour mediation training, normally offered at \$595, will be available for \$395.

Continued on pg.7

ALRP Staff

Eric Bull
Office Manager

Diana Camacho
Volunteer Coordinator

Maisha S. Cole, Esq.
Outreach Attorney

Bill Hirsh, Esq.
Executive Director

Sara Malan, Esq.
Housing Attorney

Jim McBride
Development Director

Ana Montano, Esq.
Immigration Attorney

Amy Orgain, Esq.
Insurance Attorney

Jaime Rush, Esq.
Housing Attorney

ALRP's Recent Events

ALRP 9th ANNUAL VOLUNTEER APPRECIATION PARTY



ALRP 2009 Volunteer of the Year, Stephen Tollafeld.

On April 16th, ALRP honored its remarkable Panel attorneys, Board of Directors, event volunteers, and office volunteers

at Pillsbury Winthrop Shaw Pittman LLP for the 9th Annual Volunteer Appreciation Party. ALRP recognized ALRP's Volunteer of the Year, **Stephen Tollafeld, Esq.**, a long-standing member of ALRP's Events Committee.

ALRP MAJOR DONORS are a "TEN"



Bill Hirsh & Guy Kornblum, of Guy Kornblum & Associates

On May 20th, over 100 donors attended "TEN"- ALRP's thank you party for those who supported our 2009 Enduring Heart Individual Donor Campaign, which raised over \$112,000. David Hopmann, Esq. and the Richmond Ermet AIDS Foundation were honored. Special thanks to Guy Kornblum & Associates, Laurel's Catering, Robert Fountain Studio, Skona Advertising, and Target.

AIDS WALK 2009

On Sunday, July 19th, 27 ALRP Legal Eagles AIDS Walk team members raised \$8,031 to support ALRP's legal services. Both numbers are new records! It was a beautiful day and ALRP thanks those who came out!

ALRP at DORE ALLEY STREET FAIR



On Sunday, July 26th, ALRP volunteers turned out to help with the 2009 Dore Alley Street Fair. ALRP volunteers are also helping with this year's Folsom Street Fair on September 27th. ALRP will receive a share of the fair proceeds for our participation.

ALRP at the REAF GALA



ALRP Board Member Mark Delgado and Domingo Ruiz with Elvis at REAF.

ALRP was a major beneficiary of the Richmond Ermet AIDS Foundation (REAF) *Help Is On The Way XV* Gala on August 2nd. ALRP's Board, staff and volunteers sold gala and raffle tickets, secured auction items, and volunteered for the event. ALRP anticipates receiving \$20,000 for our efforts! Thanks to all who helped make the event a great success!

WELCOME COLETTE!



Colette Marie Rush

ALRP congratulates Housing Attorney Jaime Rush, and her husband, George Rush, on the new addition to their family, Colette Marie Rush. Colette was born on May 3rd weighing 5lbs 2 oz. The Rush family is happy and healthy.

VOLUNTEERS NEEDED

We invite all long-standing and new volunteers to come join the fun at these upcoming events:

FOLSOM STREET FAIR
September 27

CASTRO STREET FAIR
October 4

ALRP ANNUAL RECEPTION & AUCTION
October 14

To sign up or for questions, please contact Diana Camacho, at diana@alrp.org or (415) 701-1200 ext. 303.

Congratulations!



Board Co-Chair, Greg Curatolo

ALRP congratulates Board of Directors Co-Chair Greg Curatolo, for receiving the Legal Aid Association of California's Award of Merit in the client area. Greg was presented with the award on June 10th at a luncheon ceremony in Los Angeles.

Greg came to ALRP back in 2005 as a client. He soon became a very valuable volunteer and continued on to join the Board of Directors. His experience as a client and continued effort within the organization has made him an inspiration.

GIVE THE GIFT THAT GIVES TWICE!

Looking for a great gift to give your Mom, Dad or Partner this holiday season?

Purchase **The Bracelet** from the *Until There's A Cure Foundation*.



Visit www.until.org to order, or to see more bracelet styles. Help ALRP be there for our clients, until there's a cure...



DO YOUR HOLIDAY SHOPPING ONLINE

Simply sign up at www.IGive.com/ALRP. Then shop at your favorite online store and the donation to ALRP is automatic.

Up to 27% of your purchases are donated simply by doing what you are already doing: shopping.

Shop at over 700 brand name stores, including Barnes & Noble, Best Buy, eBay, GAP, HSN, Lands End, Nordstrom, Overstock.com, QVC, Target, and many more.



KEEP ALRP'S FREE LEGAL SERVICES AVAILABLE TO PEOPLE WITH HIV/AIDS

Funding for AIDS services is down this year - the economic downturn is taking its toll. *You can still make a difference* by choosing one or more of these donation options:

BUY TICKETS to ALRP's From the Heart 26th Annual Reception & Auction

On Wednesday, October 14th, 2009, ALRP will commemorate 26 years of service. Tickets start at only \$75. Visit www.alrp.org for more information!

SHOP for ALRP this FALL & HOLIDAY SEASON

- Shop online at www.IGive.com/ALRP - visit all your favorite stores like eBay, Lands End, OfficeMax, ProFlowers, and Target – and up to 27% of your purchases goes to ALRP.
- Or visit www.until.org and shop for beautiful sterling bracelets, key chains and lapel pins from **Until There's A Cure Foundation**.
- Or stop by **UNDER ONE ROOF**, at 518A Castro Street (between 18th & 19th) in San Francisco.
- Feeling handy? Shop at **COLE HARDWARE** (956 Cole Street, 3312 Mission Street, and 70 Fourth St) and mention ALRP.

Include ALRP in your PLANNED GIVING and ESTATE PLANNING

Join the *ALRP Angels Legacy Society* by naming ALRP in your will or trust.

GET YOUR FIRM/COMPANY to MATCH YOUR GIFT

Check to see if your firm/company offers a matching gift or volunteer match program - which can double your donation or turn your volunteer hours into donations for ALRP!

Donate Your Car

With the *ALRP Car Donation Program*, you can get a big tax break, FREE IRS and DMV paperwork, and FREE pick-up (in most cases). To donate your car, truck, boat or RV, call our car auction partner, **Bizzarro Auctions**, at (866) 273-5898, or contact ALRP.

Designate ALRP through UNITED WAY or Workplace Donor Initiatives

- United Way now uses addresses for designations, instead of codes. Please designate ALRP by including our address: 1663 Mission, Suite 500, San Francisco.
- If you are a federal or state employee, you can designate ALRP through the Combined Federal Campaign and the California State Employee's Charitable Campaign. Look for ALRP in your campaign directory.

DONATE ITEMS to COMMUNITY THRIFT

Donate thrift items (clothing, household goods) to **Community Thrift**: 623 Valencia (at 17th Street) in San Francisco - Designate ALRP Code 230 as the beneficiary of proceeds from the sale of your donation, and receive a tax deduction.

MAKE A DONATION

Send a contribution directly to us at ALRP, 1663 Mission St., Suite 500, San Francisco, CA 94103. Or make a donation ONLINE - just click "Donate Now" on the home page at www.alrp.org.

Please contact our Development Director, Jim McBride, at 415-701-1200 ext. 301 or jim@alrp.org if you have any questions about making a financial contribution to ALRP.

SPECIAL THANKS to our SPECIAL SPONSORS

Please join the Board, staff and clients of ALRP in thanking the following special sponsors for going above and beyond the call during these challenging economic times.

Association of Corporate Counsel - Pro Bono Services Grant
Bob Ross Foundation - On-going Law Clerk Scholarships
Gilead Sciences, Inc. - Supreme Court-Level Annual Reception Sponsorship
Richmond Ermet AIDS Foundation - Major Beneficiary Designations
Skona Advertising - Pro Bono Design Services
Target - Grants/Sponsorships and In-Kind Donations
VanLobenSels/RembeRock Foundation - 3-year Core Operating Support Grant
Wells Fargo Foundation - AHAP Housing Program Grant



Thank you for your generosity, leadership, and continuing support of ALRP.

Does your firm order depositions or use electronic discovery services?

If you answered yes, ALRP has a great offer for you! In an effort to raise critically needed funds to continue our free legal services for people with HIV/AIDS, ALRP has partnered with Advanced Discovery Services and U.S. Legal Support, Inc., in the **ALRP LEGAL SERVICES DONATION PROGRAM (LSDP)**

Firms participating in the LSDP receive high-quality service and special pricing from these vendors, while generating donations to ALRP.



ADS provides a full range of electronic discovery solutions and is **donating 3% of all LSDP revenue** generated from participating law firms and Panel attorneys.

U.S. Legal Support donates **\$10.00 for each deposition** and **\$2.00 per location** for record retrievals.

To participate or to schedule a **FREE LSDP lunch-n-learn presentation** in your office, contact Jim McBride, ALRP Development Director, at (415) 701-1200 ext. 301 or jim@alrp.org

More Shopping

FIND GREAT GIFTS AT UNDER ONE ROOF



Shop at **UNDER ONE ROOF** at 518A Castro between 18th & 19th. The store is open from 10am-9pm daily.

Or visit www.underoneroof.org. Help raise funds for AIDS agencies, including ALRP.

Shop for a cause!

CLEAN OUT YOUR CLOSET

Do your Holiday Cleaning and help ALRP.

Recycle your clothing and household items at **COMMUNITY THRIFT**.



Simply drop off your items at **623 Valencia Street** at 17th and list ALRP Code 230.

Donate any day from 10am-5pm.

Visit www.community-thriftsf.org for listing of acceptable items.

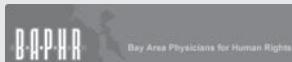
Client keeps benefits

Continued from pg. 1

Insurance companies are terminating the disability benefits of those with HIV/AIDS at an alarming rate. Many people with disabilities lose their benefits because they are unaware of their rights or believe they lack the means to challenge the insurer. In a very generous act, Tom donated almost 10% of his retroactive benefits award to ALRP in order to help other persons with disabling HIV/AIDS. The money will be allocated to provide ALRP clients with expert opinions from HIV/AIDS specialists, which are essential pieces of evidence in appealing benefit terminations.

Special Thank You

BAPHR GRANT PROVIDES EDUCATIONAL BROCHURES



ALRP is pleased to announce the availability of three new program brochures, funded in part by a \$2,000 grant from Bay Area Physicians for Human Rights (BAPHR). The brochures: *Wills, Power of Attorney, and Advanced HealthCare Directives* (available at year-end) will help clients with advanced planning, to ensure that their wishes are respected with regard to their financial affairs and their health care. The brochures are being created in both English and Spanish and will be available in print and on the ALRP website at www.alrp.org.

Dealing with debt: ALRP can help

By Megan Corcoran, Esq. and Martha J. Simon, Esq.,
ALRP Board of Directors Co-Chair

Every day, the staff at the AIDS Legal Referral Panel takes at least a handful of calls from HIV-positive individuals who are struggling under the pressure of unpaid debts. We hear from our clients about debts resulting from various situations, including emergency medical treatment, time off from work, or caring for a loved one. Our clients often discover that their limited resources are quickly exhausted by the high cost of living in the Bay Area. The problems compound when the client becomes disabled and does not anticipate returning to work. At this point, debts will continue to accumulate as the client turns to credit to simply live.

While the debts may have arisen from various sources, the consequences of living with debt impact our clients similarly. Without exception, every client who calls us for advice about credit problems relates the same story about the emotional toll the debt situation has caused.

Unfortunately, once the debts are acquired and high interest rates accumulate, a disabled individual will be challenged to dig himself out of the hole. While surviving without a job on a minimal, fixed income provided by government benefits and/or private disability coverage, repayment of debts is often a low priority; inevitably, life presents other challenges. The trauma induced by credit problems is only outdone by the difficulty of figuring out how to take care of it.

When a client calls ALRP to discuss credit issues, we do our best to emphasize that there are steps that can be taken to relieve the pressure of debt. Clients may be specifically seeking to declare bankruptcy. Other times, clients are concerned about walking away from their debts. No

matter what the initial instinct of the client may be, ALRP explains the options available to a client.

In many of our clients' situations, their limited assets and income make them "judgment proof." This means that they have so few assets and such limited income that no one would be able to collect on a judgment if they obtained one. Sometimes, when a creditor learns that a client is judgment proof, it will stop attempting to collect the debt and take it as a tax deductible business loss. For this reason, we may provide our clients with template letters describing their judgment proof status. The client can modify it as necessary for every creditor pursuing him.

For those clients who are not judgment proof, the possibility of being sued is much more likely. In these situations, our clients may consider credit counseling. ALRP frequently refers clients to the Consumer Credit Counseling Service, an organization committed to assisting individuals with objective advice about money management and debt repayment. In some cases, the service can help clients negotiate with multiple creditors. There is a small fee associated with their services that will not exceed \$35 per month.

If credit counseling results in a payment plan that the client cannot handle, then bankruptcy may be considered as an opportunity to "clean the slate." Consumers generally file for bankruptcy under either Chapter 7 or Chapter 13. In either case, as soon as a bankruptcy is filed, an "automatic stay" of collection activity prohibits creditors from taking any action against you or your property. If you make less than the median income for California, then you automatically qualify to file under

Continued on next page

Panel Attorney Spotlight: Amir Atashi Rang- Continued from pg.1

dent for many years. Amir moved to Palo Alto as a child, pursued his undergraduate degree at Santa Clara University, his J.D. at UC Hastings, and his LL.M in taxation law at Golden Gate University School of Law. Since then, he started his own firm, The Atashi Rang Law Firm, which specializes in estate planning, tax law and probate. His work day, however, does not end there, as he also serves as the Vice-Chair of the Young Tax Lawyers Committee of the State Bar of California and on the Board of the Blind Babies Foundation.

This year, ALRP is honoring Amir as the ALRP Attorney of the Year because of his tremendous efforts to serve people living with HIV/AIDS. He became involved with the Panel in early 2008, after having been referred by 2007 Attorney of the Year, Alma Beck. Since then, clients and staff alike describe Amir as affable and incredibly helpful. For many clients, legal issues can be frustrating and very stressful. Even relatively simple issues can be

difficult to manage, but when confronted with a complex issue, such as the tax consequences of a personal injury settlement, it can be completely overwhelming. That is why ALRP client Michael Colombo, for one, found Amir's expertise as a tax attorney so helpful. He left Amir's offices feeling reassured and supported. These types of accounts are not hard to come by when it comes to working with Amir; ALRP staff attorneys report similar experiences with regard to Amir's ready willingness to help sort out complex matters despite his busy schedule.

As for Amir, he is equally appreciative of the opportunity to work with clients in need of assistance. Amir feels that there are few greater rewards than "seeing someone walk out of [his] office unburdened" after they were initially overwhelmed with grief and anxiety because of a legal issue. ALRP is honored to have a Panel attorney with such passion for service and dedication to those living with HIV/AIDS. Thank you Amir!

Continued from pg. 2

Recourse is a community based mediation non-profit organization serving the Bay Area with community and court based mediation services. Its services are available to residents of the North Bay and cost \$150 per community mediation, with no one turned away for lack of funds. Recourse is offering a discount on its mediation training for ALRP Panel attorneys, and will use the funds generated by the mediation training to provide its services to ALRP clients free of charge.

ALRP will be actively recruiting mediators for both programs. This partnership reflects ALRP's commitment to collaborating with community partners to ensure the health and wellbeing of our clients.

Dealing with debt: ALRP can help - Continued from previous page

Chapter 7. If you make more than the median income, your ability to pay debts over time will be assessed to determine your eligibility for Chapter 7 bankruptcy.

Under Chapter 7, a debtor who owns no real estate is allowed to keep certain assets, which are considered "exempt" under state law. Most clients find that they will be able to keep all of their assets in a Chapter 7 case. If a client has a secured debt, like a car loan or a mortgage, then she may have to surrender the item covered by the loan, depending upon its current value. This is an issue that needs to be fully reviewed

with counsel prior to making a decision to file a bankruptcy case.

Clients who do not qualify for Chapter 7 bankruptcy might choose to file under Chapter 13. This type of bankruptcy will require the client to commit their disposable income to paying off part of her debts through a Chapter 13 Plan. A Chapter 13 bankruptcy is often a viable option for someone with regular income who owns real property or other valuable assets that she wants to keep.

For those clients who will benefit from bankruptcy, ALRP is fortunate to have access to many local bank-

ruptcy attorneys who participate on the Panel. These attorneys agree to consult with ALRP clients for free, and to accept referrals on a sliding scale basis. The bankruptcy attorneys on the Panel are well aware of the various medical, economic, and emotional challenges facing our clients, and provide our clients with a comprehensive assessment of the advantages and disadvantages of filing for bankruptcy in light of their specific situations.

This article is intended to give you general information about addressing credit problems, but it is not meant to be legal advice.



Non-Profit Org
US Postage
PAID
San Francisco, CA
Permit No. 2364

Address Service
Requested

Panel Notes

Volume XII, No. 2
Fall 2009

Published by the AIDS
Legal Referral Panel of the
San Francisco Bay Area.

Editor
Diana Camacho



*Printing of this issue of Panel Notes is
made possible through the generosity
of the Castro Lions.*

Upcoming ALRP Events



FOLSOM STREET FAIR
Sunday, **SEPTEMBER 27**
Folsom Street, SF
Come volunteer or enjoy the festivities!



CASTRO STREET FAIR
Sunday, **OCTOBER 4**
Castro at Market
Come help us collect gate donations.



FREE FALL MCLE TRAININGS
October to December
Check out www.alrp.org for full list!



**ALRP From the Heart 26th
ANNUAL RECEPTION & AUCTION**
Wednesday, OCTOBER 14
War Memorial Building/Green Room
Be there to commemorate ALRP's 26th!