

CONNECTICUT LEGAL RIGHTS PROJECT, INC.

18-19



ANNUAL REPORT



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CONNECTICUT
LEGAL
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PROJECT, INC.

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ABOUT CLRP

Founded in 1990, Connecticut Legal Rights Project, Inc. (CLRP) is a statewide non-profit agency which provides legal services to low income individuals with mental health conditions, who reside in hospitals or the community, on matters related to their treatment, recovery, and civil rights. CLRP represents clients in accordance with their expressed preferences in administrative, judicial, and legislative venues to enforce their legal rights and assure that personal choices are respected and individual self-determination is protected. CLRP develops and supports initiatives to promote full community integration which maximizes opportunities for independence for our clients.

FROM THE EXECUTIVE DIRECTOR



State fiscal year 2019 represented a period of fiscal stability for CLRP. We were able to focus on substantive issues in testimony at the legislature, rather than needing to rally clients and board members and dedicate staff time to advocating for our survival. CLRP did experience some minor staffing changes during the fiscal year.

CLRP has focused on systemic litigation to address the problems facing our clients. The class-action lawsuit that was filed against the state in early 2018 on behalf of all patients civilly committed to state-operated psychiatric facilities survived a motion to dismiss in July of 2019.

We have been successful in appeals of probate court orders regarding civil commitment, forced medication, and forced electroshock (ECT). Filing these cases has taught us that the system as it currently exists fails to adequately protect our clients' liberty and due process rights. Our priorities include advocacy for statutory change in the legislature, and continuing to file appeals in court.

We have appreciated the opportunity to collaborate with community partners, in Connecticut and around the country, to increase understanding of the importance of protecting the legal rights of people living with mental health conditions.

We could not do this work without the support of funding from the state through the Department of Mental Health and Addiction Services, grants by the Connecticut Bar Foundation through IOLTA, the Court Fees-Grant-in-Aid, and the Judicial Branch Grant-in-Aid, funding from philanthropic foundations like the Impact Fund, money received through the Travelers Championship Birdies for Charity and the Solstice Sprint 5K, and contributions from individual donors like you.

I invite you to read this report to find out more about how we use the funds you contribute, and some highlights of the work that the dedicated attorneys and paralegal advocates, with support from our administrative staff, do every day on behalf of CLRP's clients.

KATHY FLAHERTY, ESQ.

Executive Director

BY THE NUMBERS

Of the **1000** clients served:

305

CLIENTS HELPED IN HOUSING CASES

From eviction prevention to landlord discrimination, CLRP representation prevented homelessness for 99% of our housing clients.

284

CLIENTS MAINTAINED ABILITY TO KEEP SELF-SUFFICIENCY/ SELF DETERMINATION

Individual rights, problems with conservators, education, employment, access to records and denial of wanted mental health treatment and services.

411

INPATIENT LEGAL ISSUES

Discharge planning, meaningful participation in treatment, understanding medication and restraint and seclusion are a few of the types of cases where CLRP provided information, advice or advocacy.



CLRP Board Chair, Mark Soboslai presented Nancy Alisberg, a retired, Connecticut attorney who represented individuals with disabilities for decades in various capacities, with an award in recognition of her work. This was the second year that CLRP's Board of Directors held an event to celebrate the work of CLRP.

7/1/18 - 6/30/19

3,404

PERSONS REACHED BY OUTREACH

463

PERSONS CONNECTED TO OTHER RESOURCES

HOUSING

CLRP continues to represent clients in housing issues, helping clients gain access to affordable housing, and helping clients to remain stably housed. CLRP intervention prevents homelessness; in the 262 housing cases closed in fiscal year 2019, 11 clients had access to housing and 251 clients were housed when their cases were closed. We appreciate referrals from DMHAS and our community partners. When referrals are made when a potential legal problem is first recognized, we often have a wider range of options available.

We often find that DMHAS staff (and even staff of housing providers) do not understand the full panoply of legal rights accorded to tenants. The Commission on Human Rights and Opportunities (CHRO) offered the opportunity to CLRP to collaborate with them on a series of workshops about the fair housing rights of people with psychiatric disabilities. We have been awarded funded from the federal Department of Housing and Urban Development (HUD) to present a series of five workshops. We hope that these

will increase the knowledge base of both clients and providers so that they know to call CLRP at the first sign of a problem.

Many of our housing cases represent long term commitments to our clients. We provide a lot of quick information and advice, and occasionally are able to accomplish some magical quick fixes. The primary goal when a housing case is opened is always to maintain access to housing; how to accomplish that goal often involves several parallel or twisting paths. An eviction case goes through an investigation stage (interviewing the client, obtaining information from other sources), a possible request for a reasonable accommodation, pre-trial motions to dismiss, lots of advice, preparation for trial, a trial, possibly an appeal, and then perhaps a separate discrimination case as well. It is important that DMHAS housing case managers refer clients with potential legal issues as soon as possible so that we have more options to reach a successful resolution.



INCREASING OPPORTUNITY FOR LIFE IN THE COMMUNITY

Community providers (private non-profits receiving funding from DMHAS) must understand that the Patients' Bill of Rights applies to the services they provide, and that they are obligated to follow the decisions rendered during grievances. Clients should not be told that their services are being reduced and therapists changed, without written notice and appropriate planning. Clients should not need to engage CLRP to have their legal rights under the Patients' Bill of Rights respected – but that is often the case. The Department should make clear in its contracts to private non-profit providers the state's expectation that providers will respect the legal rights of clients, and include sanctions to providers if those expectations are not met. The Department should make sure that its community providers understand their obligations to provide written notices of denial when they do not accept a person trying to leave the hospital; social workers on inpatient units must insist that community providers give required written notices of denial, including clinical justifications, in accordance with the Patients' Bill of Rights.

CLRP representation has also enabled clients who are students to access the compensatory education services to which they are legally entitled, and for working clients to get the reasonable accommodations needed so they can maintain both their employment and their recovery.



INPATIENT

Protecting our clients' legal rights under the Patients' Bill of Rights is our top priority at CLRP. The class-action litigation filed on behalf of clients civilly committed to state-operated inpatient psychiatric facilities, filed in February 2018, remained pending. As of the conclusion of the fiscal year, the court had not yet ruled on the state's motion to dismiss and the plaintiff's motion for class certification (both motions were denied in mid-July 2019.) CLRP continued to work collaboratively with facility administrators to resolve other issues.

A client's inability to preserve limited resources can pose a barrier to discharge when there is no money available to cover a security deposit and other expenses related to moving. We identified one problem that occurred when the state served as a person's representative payee. We have encouraged unit social workers to work with clients to identify trusted supporters in the community who might serve as representative payees, and have tried to work with court-appointed conservators to remind them of their obligation to preserve client's assets for the benefit of the client. When necessary, we have petitioned the probate court to review accountings.



LEGISLATIVE ADVOCACY

Each legislative session brings the opportunity for policy advocacy on behalf of CLRP's clients and for people with disabilities generally. CLRP's Executive Director also serves as the co-chair of the Keep the Promise Coalition, and is a member of the steering committee of the Connecticut Cross-Disability Lifespan Alliance. CLRP submitted written testimony on 84 different bills and testified in person at dozens of public hearings. Most often, we are in a position of defending against proposals that we believe will be harmful to our clients' interests. Occasionally, we have the opportunity to support affirmative legislation. This session, we were excited to support the Connecticut Parity Coalition, which was finally successful in getting a mental health parity bill passed. Other accomplishments included the passage of bills that

- expanded Medicaid coverage of telehealth services;
- extended the foreclosure mediation program;
- supported law enforcement mental health peer support;
- created a task force to study campus mental health;
- protected the rights of youth experiencing homelessness to access education
- supported funding for the creation of the CHESS initiative covering supportive housing services under the Connecticut Medicaid State Plan.

Sometimes, we celebrate the defeat of a bill that would result in a diminution of our clients' legal rights. A proposal to change the civil commitment process to remove the requirement to get a second opinion from a physician passed the Senate, but was never called for a vote in the House because members had expressed concerns raised by CLRP about the impact on respondents' due process rights. There were several proposals regarding misrepresentation of service animals and emotional support animals defeated during the session.

Advocacy in support of passage of clean slate legislation was not successful during the 2019 legislative session, but a meaningful conversation has been started. We look forward to collaborating with community partners in support of policy proposals that will enable those people who have criminal legal system involvement to re-enter the community successfully.

CLRP provided testimony to the task force created by the legislature to review policies and procedures at Connecticut Valley Hospital and Whiting Forensic Hospital in the wake of the abuse scandal. It is not within CLRP's purview to improve the services provided by DMHAS or to question the professional judgment of DMHAS clinicians. However, our obligation to be zealous advocates for our clients' expressed preferences does mean that we will be asserting our clients' right to be meaningfully involved in treatment planning and discharge planning, and that we will be asking questions about the steps that have been taken (or not) by treatment teams to address the barriers faced by our clients. It should not take months of CLRP advocacy and repeated meetings to address complaints about the lack of humane and dignified treatment, lack of access to fresh air, and lack of access to mobility aids.

OUR SUPPORTERS

CLRP gratefully acknowledges financial support from:



Individual Donors

Katey Baruth, Tom Behrendt + Lisa Kaston, Bruce Boyson + Elizabeth Darling, John Bozzi, Karen Caffery, Melanie Champion, Kasey Considine, Nancy Dart, Liz Drummond, Michael Feinberg, Kathleen Flaherty, Celeste Fong, Jeffrey Gentes, Cynthia Guendert, Karen Jagielski, Christopher Knerr, Rosemary Leigh, Helen Mehm, Dwight Merriam, Anne Oeldorf-Hirsch, Adam Osmond, Louise Pyers, Paul Rice, Sharon Rosenblatt, Mark Soboslai, The First Church of Christ

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Travelers Employee Giving Campaign
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Does your employer offer an employee charitable campaign?
Please consider CLRP when making your election.

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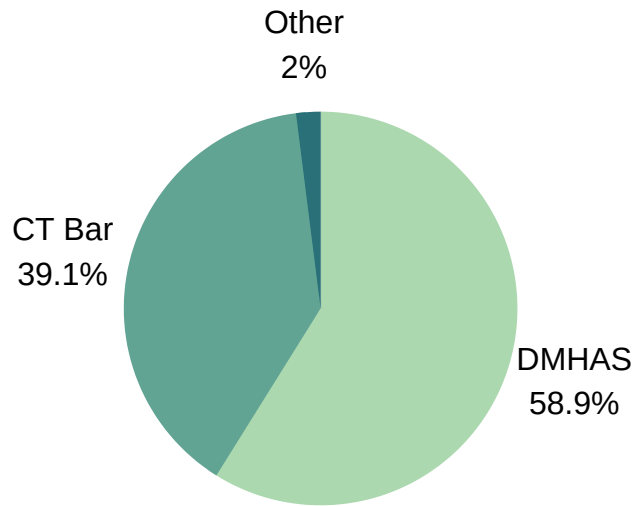
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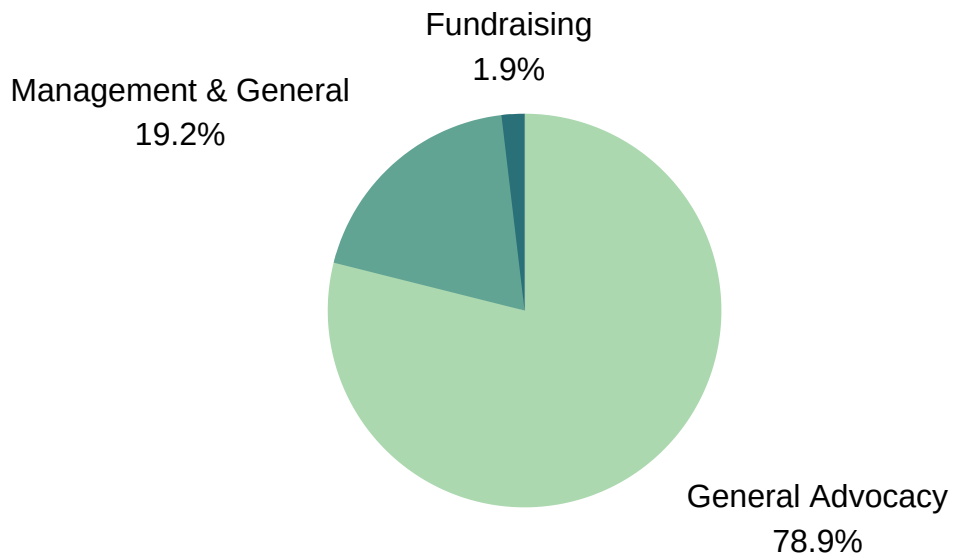
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FINANCIALS

INCOME



EXPENSES



NET ASSETS

\$688,774

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