

Legacy Business Registry Staff Report

HEARING DATE JANUARY 22, 2018

AIDS LEGAL REFERRAL PANEL

Application No.: LBR-2017-18-023
Business Name: AIDS Legal Referral Panel
Business Address: 1663 Mission Street, Suite 500
District: District 6
Applicant: Bill Hirsh, Executive Director
Nomination Date: October 30, 2017
Nominated By: Supervisor Jeff Sheehy
Staff Contact: Richard Kurylo
legacybusiness@sfgov.org

BUSINESS DESCRIPTION

AIDS Legal Referral Panel (ALRP) is a 501(c)(3) nonprofit organization that was founded in 1983 and officially incorporated in 1989. The organization was formed as a committee of the LGBT organization Bay Area Lawyers for Individual Freedom (BALIF). The founders were responding to the deaths of many gay men from complications of AIDS. Their intent was to help dying men draft legal documents such as wills and durable powers of attorney in order to help them die with dignity and fulfill their wishes about healthcare and disposition of assets. The four began by publicizing a phone number that people with AIDS could call to receive legal help and by recruiting other attorneys to join them. In 1986, ALRP hired attorney Clint Hockenberry as its Administrator (and later, Executive Director).

Until 1989, they provided services as a committee of BALIF; however, even during this period ALRP had its own budget, funding sources, and staff. With Hockenberry at the helm, ALRP grew from a grassroots community of concerned attorneys to an established lawyer referral service. ALRP also began partnering with the Bar Association of San Francisco's Volunteer Legal Services Program (now the Justice & Diversity Center), and this partnership continues to today. Hockenberry expanded outreach to better serve people of color, children, women, injection drug users, non-native English speakers and the homeless. ALRP was incorporated in 1989 and physically separated from BALIF in 1990, becoming an independent organization.

In March 1992, Hockenberry passed away from AIDS, but the agency's work continued. The 1990s saw an expansion of services and public policy efforts and an improved client referral system that better served the legal needs of the HIV community. In 2000, Bill Hirsh became the Executive Director. From its roots as a simple lawyer referral service, ALRP has now grown into an organization with 10 staff attorneys and 700 volunteers that offers both direct legal representation and personalized attorney/client referrals in more than 2,100 cases a year. They help people with HIV keep their housing, maintain their financial stability, get and keep their access to health care, fight discrimination in the workplace and address immigration issues that keep them from becoming fully integrated into society. Through their work, especially their housing work, they have helped preserve the character and identity of many neighborhoods and communities in the city.

ALRP has an existing five-year lease that expires in February 2019. Negotiations with the landlord will begin in early 2018.



CRITERION 1: Has the applicant operated in San Francisco for 30 or more years, with no break in San Francisco operations exceeding two years?

No, the applicant has not operated in San Francisco for 30 or more years.

1663 Mission Street from 1989 to 1990 (1 year)
114 Samsome Street, Room 1129 from 1990 to 1995 (5 years)
582 Market Street, Suite 912 from 1995 to 2000 (5 years)
205 13th Street, Suite 2170 from 2000 to 2001 (1 year)
1663 Mission Street, Suite 500 from 2001 to Present (16 years)

PER CRITERION 1: Has the business operated in San Francisco for more than 20 years but less than 30 years, had no break in San Francisco operations exceeding two years, significantly contributed to the history or identity of a particular neighborhood or community and, if not included in the Registry, face a significant risk of displacement?

Yes. AIDS Legal Referral Panel has operated in San Francisco for more than 20 years with no break in San Francisco operations exceeding two years, has significantly contributed to the history and identity of the HIV/AIDS and LGBT communities in all neighborhoods of San Francisco and, if not included on the Registry, would face a significant risk of displacement.

CRITERION 2: Has the applicant contributed to the neighborhood's history and/or the identity of a particular neighborhood or community?

Yes, the applicant has contributed to the history and identity of the HIV/AIDS and LGBT communities in all neighborhoods of San Francisco.

The Historic Preservation Commission recommended the applicant as qualifying, noting the following ways the applicant contributed to the neighborhood's history and/or the identity of a particular neighborhood or community:

- AIDS Legal Referral Panel is associated with the tradition of supporting the AIDS/HIV and LGBT communities by connecting clients with free or low-cost legal services.
- AIDS Legal Referral Panel has contributed to the history and identity of the HIV/AIDS and LGBT communities in all neighborhoods of San Francisco by serving as a source of legal assistance and advocate, particularly in the areas of healthcare, immigration, insurance, and housing. The organization is a regular beneficiary of the Folsom Street Fair, the Castro Street Fair, and LGBT Pride. Also, by helping its clients maintain housing, the organization works to maintain neighbor character by retaining long-term residents.
- AIDS Legal Referral Panel was one of the first agencies formed to provide a specific response to the burgeoning HIV epidemic in San Francisco more than 30 years ago—a highly significant event for the LGBT community, and for the city overall. The organization was responsible for marshaling the legal community's response to the HIV epidemic.
- Clint Hockenberry, Administrator and Executive Director of ALRP from 1986-1992, was a leader in San Francisco's response to the HIV epidemic in the 1980s.





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OFFICE OF SMALL BUSINESS

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF SMALL BUSINESS
REGINA DICK-ENDRIZZI, DIRECTOR

- The building at 1663 Mission Street was constructed in 1925 by architect Samuel C. Herman. The building was evaluated for historical or architectural significance in 1978 by the Foundation for San Francisco Architectural Heritage and assigned a rating of “Contextual Importance”.
- The business has been cited in the following publications:
 - The Bay Area Reporter (April 25, 1996; July 10, 1997; November 26, 1998; March 4, 2004).
 - The San Francisco Sentinel (August 5, 1988).
 - The Bay Times (October 28, 2010).
 - The Daily Journal (May 27, 1987; October 19, 1994).
 - The Recorder (October 25, 1991; January 6, 1992; December 1, 1992; November 23, 1998).
 - The San Francisco Chronicle (April 16, 1997; May 4, 1998).
 - The San Francisco Examiner (November 12, 1988; July 25, 1996; April 16, 1997).
- Business Name has received the following awards and/or commendations:
 - Received State Bar of California Board of Governors commendation in 1985.
 - Received Honorable Mention for the John R. May Award in 1986.
 - Recognized by the White House on its 10th anniversary in 1993.
 - Recognized by Senator Boxer in 2008.
 - Recognized by Mayor Ed Lee in 2011.
 - Recognized by Congresswoman Pelosi in 2013.

CRITERION 3: Is the applicant committed to maintaining the physical features or traditions that define the business, including craft, culinary, or art forms?

Yes, AIDS Legal Referral Panel is committed to maintaining the traditions that define the organization, including (a) relying heavily on attorneys to volunteer their time to serve our clients; (b) taking on cases in all areas of civil law, with a special emphasis on fields that impact many people with HIV, such as housing, benefits, immigration and employment law; and (c) providing all services by ALRP staff as free, and providing low-cost services by ALRP volunteers governed by a fee protocol, with no fee charged to clients who earn less than \$20,000 a year.

HISTORIC PRESERVATION COMMISSION RECOMMENDATION

The Historic Preservation Commission recommends that AIDS Legal Referral Panel qualifies for the Legacy Business Registry under Administrative Code Section 2A.242(b)(2) and recommends safeguarding of the below listed physical features and traditions.

Physical Features or Traditions that Define the Business:

- Relying heavily on attorneys to volunteer their time to serve our clients.
- Taking on cases in all areas of civil law, with a special emphasis on fields that impact many people with HIV, such as housing, benefits, immigration and employment law.
- Providing all services by ALRP staff as free, and providing low-cost services by ALRP volunteers governed by a fee protocol, with no fee charged to clients who earn less than \$20,000 a year.

CORE PHYSICAL FEATURE OR TRADITION THAT DEFINES THE BUSINESS

Following is the core physical feature or tradition that defines the business that would be required for maintenance of the business on the Legacy Business Registry.

- Legal assistance to people living with HIV/AIDS.





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STAFF RECOMMENDATION

Staff recommends that the San Francisco Small Business Commission include AIDS Legal Referral Panel currently located at 1663 Mission Street, Suite 500 in the Legacy Business Registry as a Legacy Business under Administrative Code Section 2A.242.

Richard Kurylo, Manager
Legacy Business Program



Small Business Commission Draft Resolution

HEARING DATE: JANUARY 22, 2018

AIDS LEGAL REFERRAL PANEL

LEGACY BUSINESS REGISTRY RESOLUTION NO. _____

<i>Application No.:</i>	LBR-2017-18-023
<i>Business Name:</i>	AIDS Legal Referral Panel
<i>Business Address:</i>	1663 Mission Street, Suite 500
<i>District:</i>	District 6
<i>Applicant:</i>	Bill Hirsh, Executive Director
<i>Nomination Date:</i>	October 30, 2017
<i>Nominated By:</i>	Supervisor Jeff Sheehy
<i>Staff Contact:</i>	Richard Kurylo legacybusiness@sfgov.org

ADOPTING FINDINGS APPROVING THE LEGACY BUSINESS REGISTRY APPLICATION FOR AIDS LEGAL REFERRAL PANEL, CURRENTLY LOCATED AT 1663 MISSION STREET, SUITE 500.

WHEREAS, in accordance with Administrative Code Section 2A.242, the Office of Small Business maintains a registry of Legacy Businesses in San Francisco (the "Registry") to recognize that longstanding, community-serving businesses can be valuable cultural assets of the City and to be a tool for providing educational and promotional assistance to Legacy Businesses to encourage their continued viability and success; and

WHEREAS, the subject business has operated in San Francisco for 30 or more years, with no break in San Francisco operations exceeding two years; or

WHEREAS, the subject business has operated in San Francisco for more than 20 years but less than 30 years, has had no break in San Francisco operations exceeding two years, has significantly contributed to the history or identity of a particular neighborhood or community and, if not included in the Registry, faces a significant risk of displacement; and

WHEREAS, the subject business has contributed to the neighborhood's history and identity; and

WHEREAS, the subject business is committed to maintaining the physical features and traditions that define the business; and

WHEREAS, at a duly noticed public hearing held on January 22, 2018, the San Francisco Small Business Commission reviewed documents and correspondence, and heard oral testimony on the Legacy Business Registry application; therefore





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OFFICE OF SMALL BUSINESS
REGINA DICK-ENDRIZZI, DIRECTOR

BE IT RESOLVED that the Small Business Commission hereby includes AIDS Legal Referral Panel in the Legacy Business Registry as a Legacy Business under Administrative Code Section 2A.242.

BE IT FURTHER RESOLVED that the Small Business Commission recommends safeguarding the below listed physical features and traditions at AIDS Legal Referral Panel:

Physical Features or Traditions that Define the Business:

- Relying heavily on attorneys to volunteer their time to serve our clients.
- Taking on cases in all areas of civil law, with a special emphasis on fields that impact many people with HIV, such as housing, benefits, immigration and employment law.
- Providing all services by ALRP staff as free, and providing low-cost services by ALRP volunteers governed by a fee protocol, with no fee charged to clients who earn less than \$20,000 a year.

BE IT FURTHER RESOLVED that the Small Business Commission requires maintenance of the below listed core physical feature or tradition to maintain AIDS Legal Referral Panel on the Legacy Business Registry:

- Legal assistance to people living with HIV/AIDS.

I hereby certify that the foregoing Resolution was ADOPTED by the Small Business Commission on January 22, 2018.

Regina Dick-Endrizzi
Director

RESOLUTION NO. _____

Ayes –
Nays –
Abstained –
Absent –





SAN FRANCISCO
OFFICE OF SMALL BUSINESS

CITY AND COUNTY OF SAN FRANCISCO
EDWIN M. LEE, MAYOR

OFFICE OF SMALL BUSINESS
REGINA DICK-ENDRIZZI, DIRECTOR

Legacy Business Registry

Application Review Sheet

Application No.: LBR-2017-18-023
Business Name: AIDS Legal Referral Panel
Business Address: 1663 Mission Street, Suite 500
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Nomination Date: October 30, 2017
Nominated By: Supervisor Jeff Sheehy

CRITERION 1: Has the applicant has operated in San Francisco for 30 or more years, with no break in San Francisco operations exceeding two years? _____ Yes _____ ☒ No

1663 Mission Street from 1989 to 1990 (1 year)
 114 Samsome Street, Room 1129 from 1990 to 1995 (5 years)
 582 Market Street, Suite 912 from 1995 to 2000 (5 years)
 205 13th Street, Suite 2170 from 2000 to 2001 (1 year)
 1663 Mission Street, Suite 500 from 2001 to Present (16 years)

PER CRITERION 1: Has the business operated in San Francisco for more than 20 years but less than 30 years, significantly contributed to the history or identity of a particular neighborhood or community and, if not included in the Registry, face a significant risk of displacement?
 _____ ☒ Yes _____ No

CRITERION 2: Has the applicant contributed to the neighborhood's history and/or the identity of a particular neighborhood or community? _____ ☒ Yes _____ No

CRITERION 3: Is the applicant committed to maintaining the physical features or traditions that define the business, including craft, culinary, or art forms? _____ ☒ Yes _____ No

NOTES: NA

DELIVERY DATE TO HPC: December 18, 2017

Richard Kurylo
Manager, Legacy Business Program



Member, Board of Supervisors
District 8



City and County of San Francisco

JEFF SHEEHY

October 30, 2017

Re: Nomination of AIDS Legal Referral Panel (ALRP) for the Legacy Business Registry

Dear Director Regina Dick Endrizzi:

I'm writing to nominate AIDS Legal Referral Panel (ALRP) for the Legacy Business Registry. Since 1983, AIDS Legal Referral Panel (ALRP) has been providing legal services to an especially vulnerable population, people living with HIV/AIDS.

For over three decades, San Francisco's response to the AIDS epidemic has been a model to the rest of the country and indeed to the rest of the world. The volunteer army that was mobilized in the 1980's is still alive and well in agencies like ALRP. Each year ALRP leverages more than a million dollars in donated legal services. As the legal needs of its clients have changed over the years, so has the agency expanded its services to meet those needs, most especially in the areas of immigration, insurance, and housing. I strongly believe the business would benefit greatly from being a part of San Francisco's Legacy Business Registry, and thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Jeff Sheehy".

Jeff Sheehy
Member, San Francisco Board of Supervisors

Section One:

Business / Applicant Information. Provide the following information:

- The name, mailing address, and other contact information of the business;
- The name of the person who owns the business. For businesses with multiple owners, identify the person(s) with the highest ownership stake in the business;
- The name, title, and contact information of the applicant;
- The business's San Francisco Business Account Number and entity number with the Secretary of State, if applicable.

NAME OF BUSINESS:		
AIDS Legal Referral Panel		
BUSINESS OWNER(S) (identify the person(s) with the highest ownership stake in the business)		
Bill Hirsh, Executive Director Vincent Novak, ALRP Board Co-Chair Emily Nugent, ALRP Board Co-Chair		
CURRENT BUSINESS ADDRESS:	TELEPHONE:	
1663 Mission St., Suite 500 San Francisco, CA 94103	(415) 701-1200	
	EMAIL:	
	bill@alrp.org	
WEBSITE:	FACEBOOK PAGE:	YELP PAGE
www.alrp.org	https://www.facebook.com/AIDSLegalReferralPanel/	

APPLICANT'S NAME	
Bill Hirsh	<input checked="" type="checkbox"/> Same as Business
APPLICANT'S TITLE	
Executive Director	
APPLICANT'S ADDRESS:	TELEPHONE:
	(415) 701-1200
	EMAIL:
	bill@alrp.org

SAN FRANCISCO BUSINESS ACCOUNT NUMBER:	SECRETARY OF STATE ENTITY NUMBER (if applicable):
0380493	C1511881

OFFICIAL USE: Completed by OSB Staff	
NAME OF NOMINATOR:	DATE OF NOMINATION:

Section Two:

Business Location(s).

List the business address of the original San Francisco location, the start date of business, and the dates of operation at the original location. Check the box indicating whether the original location of the business in San Francisco is the founding location of the business. If the business moved from its original location and has had additional addresses in San Francisco, identify all other addresses and the dates of operation at each address. For businesses with more than one location, list the additional locations in section three of the narrative.

ORIGINAL SAN FRANCISCO ADDRESS:	ZIP CODE:	START DATE OF BUSINESS
1663 Mission Street	94103	1983
IS THIS LOCATION THE FOUNDING LOCATION OF THE BUSINESS?	DATES OF OPERATION AT THIS LOCATON	
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	1983-1990	

OTHER ADDRESSES (if applicable):	ZIP CODE:	DATES OF OPERATION
114 Sansome St., Rm 1129	94104	Start: 1990 End: 1995

OTHER ADDRESSES (if applicable):	ZIP CODE:	DATES OF OPERATION
582 Market St., Ste 912	94104	Start: 1995 End: 2000

OTHER ADDRESSES (if applicable):	ZIP CODE:	DATES OF OPERATION
205 13th St., Ste 2170	94103	Start: 2000 End: 2001

OTHER ADDRESSES (if applicable):	ZIP CODE:	DATES OF OPERATION
1663 Mission St., Ste 500	94103	Start: 2001 End: current

OTHER ADDRESSES (if applicable):	ZIP CODE:	DATES OF OPERATION
		Start: End:

OTHER ADDRESSES (if applicable):	ZIP CODE:	DATES OF OPERATION
		Start: End:

Section Three:

Disclosure Statement.

San Francisco Taxes, Business Registration, Licenses, Labor Laws and Public Information Release.

This section is verification that all San Francisco taxes, business registration, and licenses are current and complete, and there are no current violations of San Francisco labor laws. This information will be verified and a business deemed not current in with all San Francisco taxes, business registration, and licenses, or has current violations of San Francisco labor laws, will not be eligible to apply for the Business Assistance Grant.

In addition, we are required to inform you that all information provided in the application will become subject to disclosure under the California Public Records Act.

Please read the following statements and check each to indicate that you agree with the statement. Then sign below in the space provided.

- ☒ I am authorized to submit this application on behalf of the business.
- ☒ I attest that the business is current on all of its San Francisco tax obligations.
- ☒ I attest that the business's business registration and any applicable regulatory license(s) are current.
- ☒ I attest that the Office of Labor Standards and Enforcement (OLSE) has not determined that the business is currently in violation of any of the City's labor laws, and that the business does not owe any outstanding penalties or payments ordered by the OLSE.
- ☒ I understand that documents submitted with this application may be made available to the public for inspection and copying pursuant to the California Public Records Act and San Francisco Sunshine Ordinance.
- ☒ I hereby acknowledge and authorize that all photographs and images submitted as part of the application may be used by the City without compensation.
- ☒ I understand that the Small Business Commission may revoke the placement of the business on the Registry if it finds that the business no longer qualifies, and that placement on the Registry does not entitle the business to a grant of City funds.

Bill Hirsh

Name (Print):

Date:

Signature:

AIDS LEGAL REFERRAL PANEL
Section 4: Written Historical Narrative

CRITERION 1

a. Provide a short history of the business from the date the business opened in San Francisco to the present day, including the ownership history. For businesses with multiple locations, include the history of the original location in San Francisco (including whether it was the business's founding and or headquartered location) and the opening dates and locations of all other locations.

The AIDS Legal Referral Panel (ALRP) is a 501(c)(3) nonprofit organization that was founded in 1983 and officially incorporated in 1989.

ALRP was formed in 1983 by attorneys Frederick Hertz, Steven Richter, Mark Senick and Gary James Wood as a committee of the LGBT organization Bay Area Lawyers for Individual Freedom (BALIF). The founders were responding to the deaths of many gay men from complications of AIDS. Their original intent was to help these dying men draft legal documents such as wills and durable powers of attorney in order to help them die with dignity and fulfill their wishes about healthcare and disposition of assets. The four began by publicizing a phone number that people with AIDS could call to receive legal help, and by recruiting other attorneys to join them.

The four founders and 10 other original ALRP members sustained the organization the first few years without any other infrastructure, but the number of clients was mounting, and the diversity of their legal needs was growing – many were encountering discrimination, housing threats and problems with insurers. In 1986, ALRP hired attorney Clint Hockenberry as its Administrator (and later, Executive Director). Until 1989, we provided services as a committee of BALIF; however, even during this period ALRP had its own budget, funding sources, and staff. With Hockenberry at the helm, ALRP grew from a grassroots community of concerned attorneys to an established lawyer referral service. Fundraising efforts expanded, and ALRP professionalized its recruitment, training and supervision of volunteers. ALRP also began partnering with the Bar Association of San Francisco's Volunteer Legal Services Program (now the Justice & Diversity Center), and this partnership continues to today.

Hockenberry expanded outreach to better serve people of color, children, women, injection drug users, non-native English speakers and the homeless. During Hockenberry's tenure, ALRP hosted the first national AIDS Law Conference and published the first AIDS Law Manual, extended outreach to other counties, was awarded Ryan White CARE Act funds and founded a Public Policy Project. ALRP was incorporated in 1989 and physically separated from BALIF in 1990, becoming an independent organization separate from BALIF with its own Board of Directors.

In March 1992, Hockenberry passed away from AIDS, but the agency's work continued. Kristin Chambers, ALRP's second Executive Director, and her successor, Irwin Keller, maintained Hockenberry's model of dynamic client services. Under Chambers' and Keller's tenures, the

1990s saw an expansion of services and public policy efforts and an improved client referral system that better served the legal needs of the HIV community. Full-time housing attorneys were hired when rising real estate prices left many people with HIV confronting homelessness. "Working in the Cycle of HIV," an educational manual published in conjunction with AIDS Benefits Counselors (now Positive Resource Center) and the Employment Law Center, was created to respond to the large numbers of people with HIV who wanted to return to the workplace after experiencing positive outcomes from new treatments. On the public policy front, ALRP advocated for national health care reform, continued and improved HIV privacy and confidentiality protections, and promoted Social Security reform to provide expanded, fair and adequate access to benefits.

In 2000, Bill Hirsh became ALRP's fourth Executive Director, a role he continues to fill to this day. From its roots as a simple lawyer referral service, ALRP has now grown into an organization with 10 staff attorneys and 700 volunteers that offers both direct legal representation and personalized attorney/client referrals in more than 2,100 cases a year. We help people with HIV keep their housing, maintain their financial stability, get and keep their access to health care, fight discrimination in the workplace and address immigration issues that keep them from becoming fully integrated into society. Through our work, especially our housing work, we have helped preserve the character and identity of many neighborhoods and communities in the city.

ALRP has an existing five-year lease that expires in February 2019. Negotiations with the landlord will begin in early 2018. ALRP expects the rent to increase by approximately 15%, which is a significant rent increase. Inclusion on the Legacy Business Registry will enable ALRP to access assistance and grants. If not included in the Registry, ALRP would face a significant risk of displacement.

b. Describe any circumstances that required the business to cease operations in San Francisco for more than six months?

ALRP has provided continuous service to people with HIV in San Francisco since its founding in 1983.

c. Is the business a family-owned business? If so, give the generational history of the business.

ALRP is not a family-owned business.

d. Describe the ownership history when the business ownership is not the original owner or a family-owned business.

ALRP does not have an "ownership" but is governed by a 30-member board of directors. Board members are nominated by the Board's Nominations Committee. Terms are for two years, and can be renewed. Officers are chosen by the Board in a vote at the beginning of each calendar year, after an open nominations process and a recommendation from the current executive committee, comprised of the board Co-chairs, Treasurer and Secretary.

e. When the current ownership is not the original owner and has owned the business for less than 30 years, the applicant will need to provide documentation of the existence of the business prior to current ownership to verify it has been in operation for 30+ years. Please use the list of supplemental documents and/or materials as a guide to help demonstrate the existence of the business prior to current ownership.

This item is not applicable.

f. Note any other special features of the business location, such as, if the property associated with the business is listed on a local, state, or federal historic resources registry.

ALRP is located at 1663 Mission Street in San Francisco. The location has housed small and mid-sized nonprofit organizations and small businesses for decades, though more recently there has been an influx of technology-related firms. ALRP has been at its current location since 2001.

CRITERION 2

a. Describe the business's contribution to the history and/or identity of the neighborhood, community or San Francisco.

ALRP has served people with HIV from every neighborhood in San Francisco. We have contributed significantly to the identity of the HIV and LGBT communities in San Francisco. We were among the first HIV-specific agencies in San Francisco, and we quickly became part of the broader framework of HIV services in the city—the well-known “San Francisco Model” for providing a comprehensive and largely volunteer-based response to the HIV epidemic, which was overwhelming the city, and especially the LGBT community. We remain an integral part of the HIV and LGBT communities to this day:

- We handle more than 2,100 cases each year, with a focus on issues that have a very significant impact on the health and well-being of our clients, especially housing, immigration status, disability income, and employment.
- We offer client presentations, staff trainings, and other joint services in collaboration with other HIV agencies including the San Francisco AIDS Foundation, Shanti Project, Positive Resource Center, API Wellness Center, Mission Neighborhood Health Center, Ward 86, Catholic Charities, Larkin Street, Project Open Hand, Maitri, Westside Mental Health, HealthRight 360, Lutheran Social Services and AIDS Housing Alliance.
- We are a regular beneficiary of the annual Folsom Street Fair, for which we provide dozens of volunteers each year.
- We have frequently been a beneficiary of the Castro Street Fair and LGBT Pride, and have also provided volunteers for those events.
- ALRP’s Executive Director serves as a co-chair of the HIV/AIDS Provider Network, an organization HIV/AIDS service providers, which has advocated for funding for San Francisco’s HIV services, helped to prepare the City to implement the Affordable Care Act, and is currently working to help the City become the first in the country to achieve the goals of Getting To Zero: zero new HIV transmissions, zero HIV related deaths and zero HIV stigma.

Through our efforts to help people with HIV retain their housing, we have also preserved neighborhood identity. The mostly low-income, mostly LGBT clients that we provide with eviction defense (and other forms of housing legal services) contribute to the identity of their neighborhood—often, they face eviction because they are long-term tenants, giving landlords a strong financial incentive for evicting them. Last year alone, we helped more than 700 San Francisco residents fight to keep their housing and ensure its habitability.

b. Is the business (or has been) associated with significant events in the neighborhood, the city, or the business industry?

ALRP was one of the first agencies formed to provide a specific response to the burgeoning HIV epidemic in San Francisco more than 30 years ago—a highly significant event for the LGBT community, and for the city overall. ALRP was responsible for marshaling the legal community’s response to the HIV epidemic. That response has grown to include 700 attorneys from some of the city’s largest firms and from solo practitioners alike. Our volunteers contributed more than \$1.3 million in free legal services in 2016 alone.

c. Has the business ever been referenced in an historical context? Such as in a business trade publication, media, or historical documents?

There are many references to our work in newspapers including the Bay Area Reporter, the Bay Times, the Daily Journal and the Recorder, and also in the San Francisco Chronicle and the San Francisco Examiner. This 1988 issue of the San Francisco Sentinel has an article about ALRP on page 12, a copy of which is included in this Legacy Business Registry application:

http://digitalassets.lib.berkeley.edu/sfbagals/Sentinal/1988_SFS_Vol16_No32_Aug_05.pdf

d. Is the business associated with a significant or historical person?

Yes, Clint Hockenberry was a leader in San Francisco’s response to the HIV epidemic in the 1980s.

e. How does the business demonstrate its commitment to the community?

ALRP’s record of service reflects its commitment to the community. We have been providing services to people with HIV since 1983. We have 700 volunteers, a 30-person Board of Directors and 14 full-time staff. Our work receives more than \$800,000 annually in support from City departments including the San Francisco Department of Public Health, the San Francisco Human Services Agency and the San Francisco Mayor’s Office of Housing. Additionally, we raise approximately \$700,000 annually from private sources (e.g., individuals, law firms, foundations and corporations) to fund our work. We are committed to serving the community, and the community is committed to funding those services.

f. Provide a description of the community the business serves.

ALRP serves two intersecting communities: the LGBT community and the HIV community. Members of both communities can be found throughout the city, with concentrations of population in the Castro, the Tenderloin and South of Market. Both communities are diverse. In 2016, 49% of ALRP’s clients were White, 15% were African-American, 25% were Latino, 5% were Asian/Pacific Islander, 1% were Native American and 5% self-classified as Other.

g. Is the business associated with a culturally significant building/structure/site/object/interior?

No

h. How would the community be diminished if the business were to be sold, relocated, shut down, etc.?

We serve approximately 1,100 San Franciscans annually. We help them keep their housing, gain legal status in this country, obtain access to health care and income benefits and keep their jobs. The health and well-being of these San Franciscans would be substantially diminished without ALRP. No other provider in the city has the expertise to serve this community.

CRITERION 3

a. Describe the business and the essential features that define its character.

Essential features that define ALRP include the following: (a) We rely heavily on attorneys to volunteer their time to serve our clients; (b) We take on cases in all areas of civil law, with a special emphasis on fields that impact many people with HIV, such as housing, benefits, immigration and employment law; and (c) All services provided by ALRP staff are free, and all services provided by ALRP volunteers are governed by a fee protocol, with no fee charged to clients who earn less than \$20,000 a year.

b. How does the business demonstrate a commitment to maintaining the historical traditions that define the business, and which of these traditions should not be changed in order to retain the businesses historical character? (e.g., business model, goods and services, craft, culinary, or art forms)

ALRP has a commitment to all three of the business features outlined above, and we consider all three of them to be essential to the historical character of our work.

c. How has the business demonstrated a commitment to maintaining the special physical features that define the business? Describe any special exterior and interior physical characteristics of the space occupied by the business (e.g. signage, murals, architectural details, neon signs, etc.).

This question is not applicable.

d. When the current ownership is not the original owner and has owned the business for less than 30years; the applicant will need to provide documentation that demonstrates the current owner has maintained the physical features or traditions that define the business, including craft, culinary, or art forms. Please use the list of supplemental documents and/or materials as a guide to help demonstrate the existence of the business prior to current ownership.

This question is not applicable.

ALRP Agency Milestones



ALRP

1983

ALRP becomes the first legal services provider in the nation dedicated to meeting the needs of people with HIV.

1986

Clint Hockenberry joins ALRP as its first paid staff member, as ALRP caseload reaches 1,000.



1986

The Bar Association of San Francisco's Volunteer Legal Services Program (VLSP) becomes ALRP's fiscal sponsor.

1987

ALRP becomes the largest AIDS legal services program in the country, with more than 250 volunteer attorneys serving on its Panel.

250
PANEL
ATTORNEYS



1988

ALRP publishes the first editions of the *AIDS Law Handbook* and *Social Security Self-Help Manual*.

1987

ALRP's AIDS Community Outreach Program (ACOP) begins reaching out to underserved populations, including women and people of color.



ALRP

1989

ALRP incorporates with a new name: The AIDS Legal Referral Panel of the San Francisco Bay Area.

1988

ALRP coordinates the first national conference on AIDS legal services, inspiring similar panels nationwide.



1990

ALRP receives its first government grant through the federal Ryan White CARE Act.

1990

ALRP serves more than 2,000 clients assisted by a Panel of over 400 volunteers.

400
PANEL
ATTORNEYS



1992

ALRP receives U.S. Dept. of Health & Human Services Award for Outstanding Accomplishment in serving people with HIV.

1991

ALRP establishes its Public Policy Program and hires Paul DiDonato as its first Director of Public Policy.



500

PANEL
ATTORNEYS

1994

Over 500 volunteer attorneys, paralegals and notaries now serving on the ALRP Panel.

1992

Clint Hockenberry passes away from AIDS; Kristin Chambers hired as ALRP's second Executive Director.





1994

Eileen Hansen becomes the second Director of Public Policy; Rachel Maddow joins ALRP as a John Gardner Public Service Fellow.



1998

ALRP launches the AIDS Housing Advocacy Project (AHAP) to provide direct legal representation in housing matters.



1999

ALRP receives BALIF's Legal Services Award for excellence in serving people with HIV.



2000

ALRP surpasses \$1 million in annual leveraged pro bono legal services from volunteer Panel attorneys.



2004

ALRP receives the Bill Kraus AIDS Service Provider Award from the Harvey Milk Democratic Club.



2006

ALRP launches the HIV Insurance Protection Project (HIPP) to help clients with insurance-related legal matters.



2010

ALRP surpasses 60,000 legal matters since its founding in 1983.



2011

ALRP's annual operating budget surpasses \$1 million.



2013

ALRP honors Congresswoman Nancy Pelosi at ALRP|30 Justice From the Heart Annual Reception & Auction.

1996

Irwin Keller becomes ALRP's third Executive Director.



1998

ALRP receives the Richard Savilla Award from La Raza Centro Legal for outstanding contributions to the Latino community.



2000

Bill Hirsh becomes ALRP's fourth (and current) Executive Director.



2003

ALRP launches the ALRP Immigrant HIV Assistance Project (IHAP) to help clients with immigration-related legal matters such as political asylum and naturalization.



2005

ALRP receives the Award for Excellence in Volunteer Management from The Volunteer Center.



2008

ALRP's volunteer Panel reaches the 700 mark.



2010

ALRP launches the HIV Consumer Advocacy Project (HCAP) to help HIV+ consumers access public healthcare services and mediate disputes with HIV/AIDS service providers.



2012

ALRP receives the American Bar Association's Forger Award for excellence in legal services provision and advocacy.



1511881

ARTICLES OF INCORPORATION
OF
AIDS LEGAL REFERRAL PANEL
OF THE SAN FRANCISCO BAY AREA

ENDORSED
FILED
in the office of the Secretary of State
of the State of California

DEC 29 1989

MARCH FONG EU, Secretary of State

I. NAME

The name of the corporation is AIDS LEGAL REFERRAL PANEL OF THE SAN FRANCISCO BAY AREA.

II. PURPOSES

The corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for charitable purposes. The charitable purposes of the corporation include but are not limited to operating a nonprofit organization to provide 1) legal assistance to persons with acquired immune deficiency syndrome (AIDS), other human immunodeficiency virus (HIV) disorders, or who are legally affected by the HIV epidemic, who are otherwise financially and physically unable to obtain such services; 2) a free legal referral and information service for persons with AIDS and other HIV disorders; 3) education and information of AIDS legal issues to the general public; and 4) educational and training materials for professionals on AIDS legal issues.

III. INITIAL AGENT FOR SERVICE OF PROCESS

The name of the initial agent of the corporation for service

of process is Mark A. Senick, whose complete business address is 333 Franklin Street, San Francisco, California 94102.

IV. DEDICATION AND DISSOLUTION

(a) The property of this corporation is irrevocably dedicated to charitable purposes and no part of the net income or assets of this organization shall ever inure to the benefit of any director, officer, or member thereof, or to the benefit of any private person.

(b) On the dissolution or winding up of the corporation, its assets remaining after payment of, or provision for payment of, all debts and liabilities of this corporation shall be distributed to a nonprofit fund, foundation, or corporation which is organized and operated exclusively for charitable purposes and which has established its tax-exempt status under Internal Revenue Code Section 501(c)(3).

(c) If this corporation holds any assets on trust, or the corporation is formed for charitable purposes, such assets shall be disposed of in such manner as may be directed by decree of the superior court of the county in which the corporation has its principal office, on petition therefor by the Attorney General or by any person concerned in the liquidation, in a proceeding to which the Attorney General is a party.

V. LIMITATION ON CORPORATE ACTIVITIES

No substantial part of the activities of this corporation shall consist of the carrying on of propaganda, or otherwise

attempting to influence legislation, nor shall this corporation participate or intervene in any political campaign (including publishing or distribution of statements) on behalf of or in opposition to any candidate for public office.

VI. DISTRIBUTION OF INCOME AND
PROHIBITED ACTIVITIES

Notwithstanding any other provision in these Articles of Incorporation, the corporation shall be subject to the following limitations and restrictions:

(a) The corporation shall distribute its income for each taxable year at a time and in a manner that will not subject the corporation to the tax on undistributed income imposed by Section 4942 of the Internal Revenue Code of 1986.

(b) The corporation shall not engage in any act of self-dealing as defined in Section 4941(d) of the Internal Revenue Code of 1986.

(c) The corporation shall not retain any excess business holdings as defined in Section 4943(c) of the Internal Revenue Code of 1986.

(d) The corporation shall not make any investments that will subject it to tax under Section 4944 of the Internal Revenue Code of 1986.

(e) The corporation shall not make any taxable expenditures as defined in Section 4945(d) of the Internal Revenue Code of 1986.

IN WITNESS WHEREOF, the undersigned, being the Incorporators

of AIDS LEGAL REFERRAL PANEL OF THE SAN FRANCISCO BAY AREA, have
executed these Articles of Incorporation on December 21, 1989.

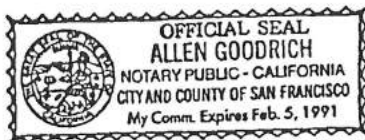
Mark A. Senick
MARK A. SENICK

Paige Wickland
PAIGE WICKLAND

STATE OF CALIFORNIA)
) SS
COUNTY OF SAN FRANCISCO)

On this 15th day of December, 1989, before me, Allen Goodrich, a notary public, personally appeared MARK A. SENICK, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that he executed it.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



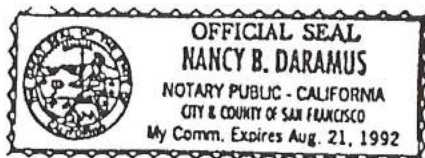
Allen Goodrich
Notary public of the State
of California
My commission expires:

2/5/91

STATE OF CALIFORNIA)
) SS
COUNTY OF SAN FRANCISCO)

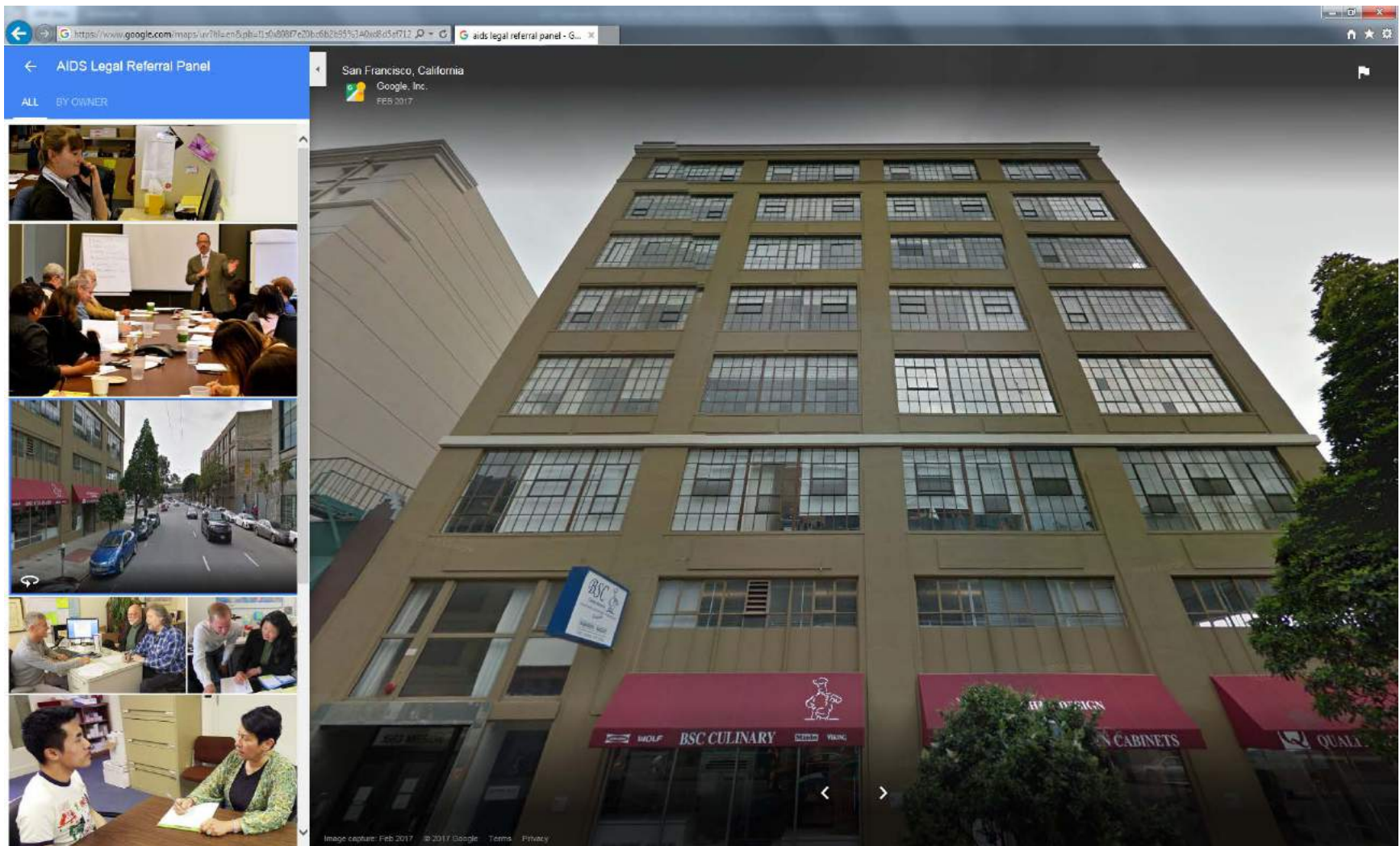
On this 21st day of December, 1989, before me, Nancy B. Daramus, a notary public, personally appeared PAIGE WICKLAND, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that she executed it.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Nancy B. Daramus
Notary public of the State
of California
My commission expires:

8.21.92



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Mezz 2: Greenwood Press
Nakamura Graphics

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S.F. Mental Health Clients Rights Advocates
(SFMHCRA)

320 San Francisco Parks Alliance

FOURTH FLOOR

400 Gateway Learning Group

460 National Housing Law Project

FIFTH FLOOR

500 AIDS Legal Referral Panel

501 ViewMagic

504 Housing Rights Committee

520 Kenzen

525 eCompliance

560 Standard Cyborg

SIXTH FLOOR

602 I.L.R.C.

603 Latino Wellness Center

604 Youth Speaks Inc.

650 SERP Design Center

SEVENTH FLOOR

700 Support for Families

720 Sentio/Thistle





AIDS Legal Panel Workload Grows In San Francisco

By DAVID OLTMAN

Requests for assistance from an AIDS legal referral panel in San Francisco are skyrocketing as more and more AIDS victims come to grips with legal aspects of the deadly disease.

At the same time, the San Francisco panel is fielding inquiries from around the world on how to address the legal ramifications of AIDS and is helping other cities form similar volunteer legal assistance programs.

The 145 clients served during March of this year is the largest monthly total the AIDS Legal Referral Panel has ever had, said San Francisco attorney Gary Wood, co-chairman

More Bay Area news, page 25

of the management committee for the AIDS Legal Referral Panel. "The number of cases we are handling this year is up significantly from last year."

The panel of volunteer attorneys, formed in 1983 to assist AIDS patients, served 1,035 clients in 1986. During the first four months of 1987, the panel served 457 clients. Those providing volunteer work say they expect a steady increase in calls for assistance from clients with legal questions regarding AIDS.

The panel, co-sponsored by the Bay Area Lawyers for Individual Freedom and the National Education Fund for Individual Rights, is the largest legal referral organization for AIDS victims in the United States. It has a bank of about 200 volunteer attorneys and can call on from 130 to 150 of them at any time to provide assistance to AIDS patients.

Resources On Hand

"We are the biggest and have the resources to provide assistance on the broadest range of legal questions about AIDS," Wood said. "That fact has encouraged others who want to start similar panels to contact us."

Wood said he has traveled recently to Los Angeles, Des Moines, Houston and Honolulu to help form AIDS legal referral panels. The Los Angeles AIDS referral panel has a bank of about 55 volunteer attorneys, he said.

"We have been at this long enough and have trained enough lawyers to have a package available to assist in the formation of these panels," he said.

The San Francisco panel provides videotaped presentations covering various AIDS-related legal problems to people wishing to form similar panels, Wood said. "We also put out sample bylaws, articles of incorporation and the necessary State Bar reporting forms," he said.

Wood said the panel also receives calls from people in other countries seeking advice on how to answer legal and social questions about AIDS. "Many of the questions we field are on the social issues surrounding AIDS, since other countries sort of look to the U.S. as a leader in that regard."

The panel covers an area from Monterey to Santa Rosa and does provide some services to clients from as far away as Redding and Fresno, Wood said. "The number of requests from the outlying areas is increasing dramatically," he said, adding that some of those areas will eventually have to set up volunteer panels of their own.

"I don't think we can be relied on to be that effective in those outlying areas," Wood said.

Wood said that although the number of AIDS cases has reached a plateau among gay men, the panel is expecting a steady increase in referrals because of a rise in the number of cases in the black and Latino communities.

Caseloads Increasing

"We are averaging about 115 cases per month and expect that number to creep up to from 125 to 130 cases per month in the next three to four months," said Clint Hockenberry, administrator for the AIDS Legal Referral Panel.

Hockenberry, the only full-time staff person working for the panel, said that about 70 people were served during January and February of last year and there has been "a steady increase in calls for assistance since then."

About half the calls received by the panel have to do with questions on wills and durable powers of attorney for providing health care, Hockenberry said.

"Our attorneys will go to where the client is when necessary," Hockenberry said. The

See Page 25 — AIDS

AIDS Legal Referral Panel Handles Insurance, Job Issues

Continued from Page 1

ice to AIDS patients who are bedridden been termed "wills on wheels." The next-largest number of legal inquiries the AIDS panel are on insurance matters. Job discrimination, Hockenberry said, two issues are related since 85 percent of ability coverage in the United States is by the employer.

one recent one-week period "we have four or five clients who have been denied by their insurer for AZT treatment," he said. "This is the only known successful treatment for AIDS," Hockenberry said. Many insurance companies that normally provide coverage for prescription drugs are denying coverage for AZT treatment because they it is still an experimental drug, he said. The California Department of Insurance recently said it expects those insurers pay for prescription drugs to provide coverage specifically for AZT treatment. The Federal Drug Administration has also ruled AZT is no longer an experimental drug, it said.

Insurance Problems

ist being able to present this information insurance companies means they will be under," Hockenberry said. "But it is a transition period before the insurance down and say they are going to pay AZT treatment and that time is crucial to AIDS patients. We hope they will comply with the ruling."

Hockenberry said a recent ruling by the U.S. Supreme Court holding that infectious diseases (tuberculosis in the Court's decision) are a handicap has had a ripple effect on discrimination against AIDS patients.

"The number of calls about employment discrimination has been easing up somewhat," Hockenberry said. Local ordinances in San Francisco, Berkeley and Hayward prohibiting discrimination against AIDS patients also helped ease the number of complaints, he said.

Financial questions — how to deal with credit problems and possible bankruptcy — are also fielded by the panel, Hockenberry said. "This disease can strike very, very quickly and devastate you financially," he said.

The issue of privacy and confidentiality for AIDS patients is another major concern for the panel, Hockenberry said.

A lawyer on the panel has filed a claim under California law against Shasta County for the refusal by two physicians at the county-run hospital to perform a hernia operation on a welfare recipient who tested positive for AIDS.

Questions on Operation

"This person was tested without his knowledge or consent and came up HIV (Human Immunodeficiency Virus) positive," Hockenberry said. The physicians told the patient that it was beyond their ability to treat for a hernia and that he would have to travel to

San Francisco for the operation, Hockenberry said.

Berkeley attorney Alice Philipson, co-chair of the panel's management committee, is seeking redress through the California Tort Claims Act and said a lawsuit will be filed on behalf of the Shasta County patient.

Philipson said she has failed in her attempts to have the Shasta County District Attorney prosecute the case and that the state Attorney General's office has said it will not order charges to be filed. The patient has since had the hernia operation performed by another physician in Shasta County, she said.

Dental Case

Another recent case brought to the attention of the panel involved a local dentist who refused to treat an AIDS patient who had volunteered information about the disease. The treatment was refused after the dentist revealed the patient's illness to other staff members, Hockenberry said.

"The law says that you cannot disseminate information about whether a person has tested HIV positive," Hockenberry said. "That information should be kept within the confines of the patient-physician confidentiality."

Hockenberry said the panel has been closely monitoring the situation at the state correctional facility in Vacaville, which has isolated AIDS patients from the main prison population.

"We have received reports from three or four people who have smuggled out information," Hockenberry said. "These people (AIDS patients) have not been able to see a psychiatrist, physician or dentist and have been denied hot food."

The panel handles a substantial amount of litigation work for its clients, particularly in the insurance and discrimination areas, Hockenberry said. "Just by the volume of cases we handle, we have a lot of cases that do go to trial, although these people are not crusaders and because of their shortened life expectancies, do not want to get into long-term litigation," he said.

The panel calls on attorneys for referrals and litigation work from the Bay Area Lawyers for Individual Freedom and others from the volunteer legal services program sponsored by the Bar Association of San Francisco.

Training for Attorneys

The first training session for attorneys from the bar association who signed up for the panel was held last September, said Janet Zeldin, coordinator for the association's volunteer legal services program. The association has provided about 70 volunteer attorneys to the panel, she said.

"A lot of these attorneys have not worked for people with AIDS and it can be quite a devastating experience for them if they are not prepared," Zeldin said. "But many of them come back and say this work is the most valuable experience of their careers," she said.

"Originally, the panel consisted of 25 attorneys doing wills and powers of attorney for AIDS clients," Wood said. "Now, we do any kind of legal service for a client with AIDS or an AIDS related complex or anyone suspected of having the disease."

Attorneys on the panel can call on members of the Bay Area Physicians for Human Rights during litigation concerning the medical benefit rights of AIDS patients, Wood said.

"For people with AIDS who lose their jobs,

most don't have disability insurance, so they fall back on Social Security or on state disability insurance," Wood said. The panel represents clients who have been denied Medi-Cal claims and those who have been denied Social Security benefits, he said.

Katherine Franke, a member of the management committee for the AIDS legal panel, said while there are enough attorney volunteers to answer with basic questions on how to write wills and execute powers of attorney, there is a shortage of lawyers to do pro bono work in other areas where AIDS patients are concerned.

"Some of these areas require some litigation work and many people in private practice can only put in so much time on no-fee generating type work," Franke said. "We have also had a number of attorneys who have said they need a little sabbatical from this type work," she said.

Franke said that the large San Francisco law firms have been very helpful in allowing their attorneys to volunteer for the AIDS Legal Referral Panel. She said the need now is for attorneys to address specific areas of AIDS legal concern and for attorneys in certain geographic areas, such as the East and South bays.

'Living Wills'

San Francisco attorney Mark Senick has been volunteering for the AIDS Referral Panel since its inception. He has helped write wills and draft powers of attorney, also known as "living wills," for AIDS patients.

"The living will is a document that directs that no extra life-support means be taken under certain circumstances," Senick said. Power of attorney papers allow AIDS patients to designate another person and an alternate to make health care decisions for them, he said.

"The kinds of health care decisions you can have made for you are the same ones you can make for yourself," Senick said. "Basically you have the right to consent to treatment or the right to refuse to consent to treatment."

Senick said that the power of attorney is particularly important to gay men suffering from AIDS. "They are in a relationship with another man and want that man to be able to make health care decisions for the patient without interference from the family," Senick said.

Writing wills and providing assistance with estate planning for AIDS patients is also an important part of the panel's work, Senick said. "Often times they don't even know how to structure the little property that they do have."

Hospice Settings

Senick said that most of the clients referred to him by the panel come into his office, but that he also calls on AIDS patients in hospital or hospice settings.

"There have been a couple of times that I haven't got there fast enough — not so much because the person died but just that by the time I arrived, a patient was so far gone that they couldn't make rational decisions," Senick said.

Despite the often grim aspects of the work, providing legal assistance to AIDS patients is rewarding, Senick said. "So often when these people leave the office, they are so happy to get this part of it behind them, it really relieves them of a burden. I feel good because they feel good."

Gay Softball League Play-Off Schedule, p. 30

S A N F R A N C I S C O

Sentinel

**AIDS Healing
Success Story**
p. 15

August 5, 1988

Vol. 16, No. 32

500 Hayes Street, SF, CA 94102

75¢ Outside SF Bay Area

THE GAY PICKET LINE: Walkout by Health Care Workers Has Gay Angle



Among the disputes that drove hospital workers and nurses to strike against seven city hospitals are issues involving lesbian and gay health care workers. George Mendenhall reports. p.3

'Monarch of the Dailies' Welcomes a Mississippi Queen

*'SF Examiner' Provides Fast
Track for Gay Editor's Career*

Greg Brock, Sunday editor of the *San Francisco Examiner*, is arguably the most powerful openly gay newsmen in the United States. The operative phrase is "openly gay," since the closets of the Fourth Estate are no less crowded than those of corporate America. Brock is one of the few upfront journalists in the country working at the policy-making level in a major daily newspaper.

Brock's candor has not been a deterrent to his career. Reliable sources in-

**ON THE
JOB**
ARTHUR LAZERE



Greg Brock.

dicating that advancement to an even more significant position, assistant managing editor for news, is imminent.

During his 14 years in the business, Brock, 35, has garnered experience with the *Washington Post*, the *Charlotte Observer* and the *Palm Beach Post*. Larry Kramer, executive editor of the *San Francisco Examiner* and the man who hired Brock away from the prestigious *Washington Post*, comments, "Greg has a very rare mix of talent. He is a great newsman and he knows graphics and presentation."

Continued on page 4

American Gay Poetry: Light, Dark and Multi- Colored

Steve Abbott Uncovers
the "Roots" of
Gay Poetics

p.20



Marc Breindel
Talks History with
Poet Thom Gunn

p.19

TOP GUNN

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Week at a Glance .. 28

AT THE COURTHOUSE

KEN CADY

The Nuts and Bolts of AIDS Law

In this modern era when the housecall is virtually a thing of the past, Bay Area lawyers who volunteer for the AIDS Legal Referral Panel are now providing "wills on wheels," according to co-chair Clint Hockenberry. The agency provides free legal services for the drafting of wills and powers of attorney for persons with AIDS or ARC. Since many urgent situations present themselves, the attorneys are prepared to go to the person's house or to the hospital when necessary. Three hundred local lawyers have been involved with the volunteer project.

For many of the referral panel's clients, the broader issues of civil liberties are meaningless. They are concerned with practical issues involving daily survival and often come to the panel in a panic over a situation that needs immediate attention. Since the laws surrounding AIDS are often unclear in their application to the disease, attorneys like Hockenberry are on the cutting edge of a new legal field.

"I've personally dealt with 3,500 clients in almost three years," he told the *Sentinel* last week. "It's an overwhelming thing." The cases that develop are assigned to the volunteer attorneys, who are "the real heroes," Hockenberry says. "I'm amazingly proud of them." The panel provides training for the volunteers in legal issues surrounding AIDS as well as sensitivity issues. In November it is sponsoring a national workshop to help lawyers provide legal services to persons with AIDS

and ARC.

Operating on an annual budget of \$100,000, the agency last year provided over \$750,000 of free legal services. In the first six months of 1988 there were 865 new cases referred to the volunteers. Fifty percent of the cases involve providing wills and powers of attorney.

As readers of this column know, it is essential for persons with AIDS or ARC to have prepared these legal documents. According to Hockenberry, some people "dilly-dally until it is too late and the person is no longer competent. Then there is often nothing we can do." If there is no will or conservatorship for an incompetent person, the law provides for the family to take over. But many times this is contrary to what the person would have wanted. In the later stages of the disease it is often impractical to obtain a conservatorship for a sick lover due to the time constraints involved. The law does not favor gay

couples and those in alternative relationships. Hockenberry says that conservatorships are "not really an option."

Why do people insist on postponing these important matters? The lawyer says that in these situations, "the attorney is like the grim reaper. People don't want to talk about death. It's a really emotionally charged issue." When the preparations have not been made, however, the emotions involved in being unable to see a sick lover or take care of a deceased's body are difficult for everybody.

In addition to providing free wills, the agency also provides other services for a fee based upon ability to pay. "AIDS can bring out the best and the worst in people," Hockenberry observes. Cases involving domestic violence against the PWA are seen as well as cases involving undue influence or otherwise taking advantage of a person's vulnerability because of illness. There are the legal battles over disposal of a person's remains even at times when the legal documents have been prepared. Because the documents exist, the threat of a lawsuit is usually sufficient to deter persons wanting to ignore the client's wishes.

Hockenberry states that employment and housing discrimination complaints have declined this year as the law becomes more settled on these issues. Problems involving the military, immigration, criminal matters and creditors still make up a portion of the caseload. For many PWAs, finances become a serious problem, and

creditors begin hounding them. Hockenberry advises many people to "just say no" to creditors because they are judgment-proof. This means that they don't have any money to pay even if the creditor gets a court judgment against them. In this event, there isn't even a necessity to file bankruptcy. Creditors will often cease their attacks if they are just told the truth about the person's health.

Insurance companies are quickly becoming the real scoundrels of the modern legal battle surrounding AIDS. In this respect, Hockenberry says, "It's a minefield out there!"

One health provider refused to pay the costs of a biopsy on a Kaposi's sar-

coma lesion, claiming it was "cosmetic surgery." Another recent complaint involved a business with 13 employees which lost its entire health coverage because 1 of the 13 was a PWA. In another instance, a company of nine employees, one with AIDS and one with ARC, was forced to endure increases of 130% in premiums over a five-month period. The company then offered a new policy at the original rate but excluding the PWA and the PWARC. A frightening situation which may increase if the legislature allows insurance companies to test for AIDS before insuring involves cancellation of the entire group policy with alternative coverage under a "new" policy being

offered. Of course, persons infected with HIV would be excluded, even if they have been paying under the old policy for years. Confidentiality issues for persons with HIV disease continue to be a problem. Hockenberry advises that you "don't tell your doctor anything you don't want to see on the front page of the newspaper." Situations exist where hospital records are available to hundreds of people. Doctors sometimes make mistakes in their entries which can cause problems for the patient in seeking life or other insurance. In one case, a doctor might write "ARC" when he means "HIV+," a major difference since state law forbids insurers to con-

The AIDS Legal Referral Panel provides free legal services for the drafting of wills and powers of attorney for persons with AIDS or ARC.

sider HIV status in determining eligibility for insurance or employment. Hospitals are often reluctant to admit their mistakes.

For a similar reason, he advises applicants for insurance not to list a beneficiary of the same sex on an application. In this case Hockenberry recommends that the estate be listed as the beneficiary to avoid screening problems.

PWAs and PWARCs have enough to do without hassling with the government or other bureaucrats. If you know someone who could use the services of the AIDS Legal Referral Panel, have them call 864-8186. It could make a big difference.

San Francisco Examiner

★★★★
Saturday
NOVEMBER 12, 1988
FINAL
TWENTY-FIVE CENTS

Spectra: Change your mind?

Do we really change our minds? New research suggests that brain cells and nerve connections in some animals may alter as they grow, changing the way they think and remember and process information. [Page D-1]



Legal mess in AIDS crisis

People with AIDS are fighting a legal struggle as well as the illness. [A-2]

Warriors fall in Phoenix

The Suns hand Golden State a lopsided defeat, 141-103. [C-1]



Frank Sinatra at Circle Star

Old Blue Eyes' somewhat ragged show did have its moments. [B-1]

AIDS crisis is creating legal plight

Infected struggling to protect rights

By Katherine Seligman
OF THE EXAMINER STAFF

The AIDS crisis has become a legal crisis as thousands infected by the human immunodeficiency virus (HIV) struggle to hold onto their jobs, medical insurance and homes, experts on the epidemic say.

"Outside of the very biggest cities, there isn't any help available," said Clint Hockenberry, administrator of San Francisco's AIDS Legal Referral Panel.

Hockenberry spoke Friday at the first national AIDS law conference, held in San Francisco.

"Only 10 legal-aid programs throughout the United States are providing legal services to the over 1.5 million persons with AIDS and AIDS-related complex (ARC)," he said.

The daylong conference at the War Memorial Building, sponsored by legal-assistance groups, drew more than 300 people from 30 states and several countries. Lawyers and AIDS policy experts led a series of workshops on employment discrimination, wills, fund raising and criminal law.

They also discussed AIDS testing — a controversial issue Californians acted on Tuesday by defeating Proposition 102, which would have forced health officials to report the results of AIDS tests. The measure's rejection at the polls was applauded by panelists.

Pat Christen, public-policy director of the San Francisco AIDS Foundation, said its defeat was due partly to Gov. Deukmejian's support. The furor over his "ridiculous opinion" was responsible for turning the tide against the measure, she said.

"Had he not come out for it, others like (Surgeon General C. Everett) Koop wouldn't have stood up," she said.

The aftermath of 102

Hockenberry said the proposition's defeat should not make people forget that a similar measure could be introduced in the future. Public attitudes toward people with AIDS and ARC, and those infected with HIV, are gradually changing, he said, but discrimination is still rampant.

Once diagnosed, many lose their jobs and, consequently, their medical benefits. As new treatments prolong the lives of people with AIDS, more legal help will be needed, Hockenberry said.

The Legal Referral Panel's caseload is 2,000 a year and growing, he said.

Robert Barnes, legal supervisor at the Legal Aid Society of San Francisco, cited a recent poll in the New England Journal of Medicine that showed that while only 11 percent of Americans think AIDS can be transmitted in the workplace, 30 percent don't want to work next to someone with it.

Ironically, some of the most blatant discrimination is in health-care fields, Barnes said. In one recent case that received widespread publicity, FBI agents refused to be seen by a San Francisco physician diagnosed with AIDS. After the doctor filed a lawsuit, a U.S. District Court judge issued a temporary restraining order protecting his job.

Other health workers were not as fortunate, said Barnes. The Cook County Hospital in Illinois has given patients the right to refuse treatment by staff members infected with the AIDS virus.

The same hospital took privileges away from a doctor with AIDS, but reinstituted them after he agreed to wear two sets of protective gloves — one more pair than is advised by the Centers for Disease Control.

"If anyone should know these guidelines, it's the hospitals," said Barnes, "but they are worried about losing business."

The RECORDER

FRIDAY, OCTOBER 25, 1991

The **San Francisco AIDS Legal Referral Panel** recently appointed **Paul Di Donato** to the newly created position of director of policy. He began as director Sept. 17.

Di Donato, 31, was legal director of National Gay Rights Advocates from 1990 until it closed in May 1991. Before he joined the NGRA as a senior staff attorney, he was in private practice in San Francisco. He earned his law degree from Harvard Law School in 1985 and has taught courses at New College School of Law. In 1985, he was selected for the Revson Women's Law and Public Policy Fellowship which he undertook at the Disability Rights Education and Defense Fund in Washington, D.C.

The AIDS Legal Referral Panel, founded in 1983, provides free and low-cost legal services to people with AIDS and symptomatic HIV infection. The organization has served over 10,000 people since its inception.

The **Legal Aid Society of San Francisco** announced Oct. 15 that **Michael Adams** had been hired as the society's sixth **Felix Velarde-Munoz** Intern.



Adams, 30, began with the society on Sept. 30. He graduated with distinction from Stanford Law School in 1990. He is presently a member of the board of directors **ADAMS** of the Bay Area Lawyers for Individual Freedom. Before joining the society, he worked as a law clerk to U.S. District Court Judge **Marilyn Hall Patel**.

The internship program offers a new lawyer or recent law school graduate an opportunity to receive experience and training in all aspects of public interest law practice. The program is named after **Felix Velarde-Munoz** who practiced law at the Legal Aid Society from 1981 to 1983 and subsequently died of AIDS.

NEWSLETTER

BAR ASSOCIATION
OF SAN FRANCISCO

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January 6, 1992

Clint Hockenberry
Executive Director, AIDS Legal Referral Panel

On December 2, 1991, the U.S. Department of Health and Human Services honored five community organizations from around the country for their outstanding work in the fight against AIDS. The AIDS Legal Referral Panel, one of these five voluntary organizations and the only legal service that HHS has ever recognized, received the Assistant Secretary for Health's Award for Outstanding Achievement in "providing access to vital legal services to people with symptomatic HIV."

Clint Hockenberry, Executive Director of the AIDS Legal Referral Panel, accepted the award on behalf of the organization. Clint, and the entire staff of the AIDS Legal Referral Panel, are especially proud of the award, as it signifies that legal services are part of the total delivery of AIDS care. As David McCullough, the Panel's 1990 Paralegal of the year put it, "In being able to provide so many different kinds of legal help to people with AIDS, the AIDS Panel performs a truly critical function; it helps to buffer that very capriciousness, that unpredictability, which AIDS so often imposes on people's lives."

Clint's community and activist involvement with health issues affecting the gay and lesbian community began long before he became Executive Director of the AIDS Legal Referral Panel and long before AIDS was a national concern. In the mid-1970's, as President of the Gay Men's Health Clinic in Washington, D.C., Clint noticed particular indicators on a health level, such as an increased rate of tuberculosis in gay males, that alerted him and others to the fact that health problems specific to the gay population existed. From 1982 to 1984, Clint was the Executive Director of Americans for Democratic Action, in Washington D.C., and during 1984 and 1985, he was a health planner in Northern Virginia. Clint earned his J.D. from Georgetown University in 1981. Since law school, Clint has focused his energies on disability discrimination. He became Executive Director of the AIDS Panel in December of 1985, nearly three years after the inception of the Panel.

The Panel was originated by the Bay Area Lawyers for Individual Freedom in 1983. Initially, the Panel's function was to provide "bread and butter" legal services for people with AIDS and their caregivers; more often than not, their lovers. The Panel dealt with such legal issues as powers of attorney and will-drafting. As the scope and nature of the AIDS crisis mushroomed, the Panel likewise broadened its scope to include the more complex issues it deals with today; such as landlord/tenant, employment discrimination, immigration, child custody, and criminal law. Presently

the Panel, supported by the Bar Association of San Francisco's Volunteer Legal Services Program and the Bay Area Lawyers for Individual Freedom averages 220 cases a month.

The Panel became associated with VLSP in 1986. Since then, VLSP has recruited hundreds of volunteer San Francisco attorneys for the Panel through brochures, regular newspaper articles, and speaking engagements of Bar Association staff. VLSP administers training programs for Panel attorneys and recruits experts to provide the training. VLSP staff attorneys also provide individual assistance and support to Panel attorneys, answering legal questions and making referrals to mentor attorneys when needed. The VLSP clerical staff handles the case-tracking system for Panel clients. The cooperation between the Panel attorneys and the VLSP staff and its attorneys has greatly relieved the daily pressures on the Panel's small staff and provided an added level of quality assurance for Panel clients.

Since 1986, the Panel has grown from having a total budget of \$25,000 to having enough in reserve to survive for one year, if all fund-raising efforts stopped. Since 1986, the Panel's Board of Directors has assumed fund-raising responsibilities and has built up a diversified financial base. Significantly, the Panel recently received its first government grant, designed to provide additional assistance to clients with benefits and insurance problems.

In addition to expanding its financial network, the Panel has organized and implemented four successful programs: Client Services, Outreach, Benefits Advocacy and Policy. Client Services, directed by Ron Hypolite, is responsible for the intake of phone calls to the Panel, and direct client contact. Outreach, directed by Kerrington Osbourne, is responsible for targeting clients and volunteer attorneys in areas outside San Francisco, primarily by establishing new clinics or by providing practicing attorneys to existing clinics whose clients need legal advice. Benefits Advocacy, directed by Kristin Chambers, deals specifically with helping clients receive social security and employer-provided benefits, as well as aiding clients in bankruptcy matters. Finally, Policy, directed by Paul D. Donato, is a new program designed to promote policy change, rather than litigation, as the primary means of legal protection for people with HIV and AIDS. This program's current emphases are twofold. Because insurance policies are beginning to exclude AIDS patients from coverage, or impose monetary caps on the amount that will be paid out for medical care, the program's first goal is to advocate that monetary caps present in



Clint Hockenberry

insurance policies be excluded. The second, equally important goal is to modify the present social security regulations so that existing exclusions, which disproportionately affect people of color or women and children with AIDS, are removed.

Clint sees his directorship responsibility as keeping the AIDS Legal Referral Panel current, so that it meets the needs of its individual clients. This is a considerable challenge, because people with AIDS are living and working longer. Clint is confident, however, that the Panel will be able to meet the challenge because of the caliber of its staff and volunteers. As Clint is quick to point out, the image of lawyers shines when one looks at the pro bono efforts of the legal community in the battle against AIDS. No other profession can compare in terms of its advocacy and generosity.

For information on how to become involved with the AIDS Legal Referral Panel, contact Janet Seldon, of the Bar Association's Volunteer Legal Services Program, at (415)764-1600. Walt Disney's World on Ice Discount Tickets We are offering tickets to Disney on Ice coming Feb. 6 through Feb. 16 at a discounted rate. Regularly priced \$12.50 tickets are available for either \$11.00 adult and \$10.50 child or \$11.50 adult and \$11.00 child depending on performance. This year's show includes Roger Rabbit, Rescue Rangers, DuckTales and Ariel, the Little Mermaid. This is a beautifully staged ice skating show that you won't want to miss! Call Jean Diaz at 267-0721 for an order form or look for it in your BASF December or January CLE Bulletin.

AIDS Case

INS Jails Delegate To S.F. Health Meeting

By Lori Olszewski
Chronicle Staff Writer

A Dutch delegate on his way to the national Lesbian and Gay Health Conference, which begins tomorrow in San Francisco, is being held in a Minnesota jail by federal immigration officials because he has AIDS.

Hans Paul Verhoef, 31, of Rotterdam, the Netherlands, is being detained by the Immigration and Naturalization Service on the ground that he cannot come to the United States because he has an infectious and communicable disease, according to Representative Nancy Pelosi, D-San Francisco, who is working to secure Verhoef's release.

"The best weapon we have against AIDS is prevention. And here we have a person on his way to a meeting in San Francisco where important prevention strategies will be conveyed and he is in jail," Pelosi said.

"We do not believe the intent behind the immigration law was to exclude tourists," said Pelosi, who is approaching the U.S. attorney general for a waiver that would allow Verhoef to proceed to San Francisco and the health meeting. A total of 1,500 people from across the United States and the world are expected to attend.

Verhoef was taken to the Scott County Jail, about 20 miles from the Minneapolis-St. Paul airport, after U.S. Customs officials discovered the drug AZT in his baggage on Sunday, according to a friend who was with him. A jail spokesman told The Chronicle yesterday that Verhoef could not accept phone calls.

Steve Morin, legislative assistant to Pelosi, said Verhoef told customs and immigration employees he had AIDS when he was questioned about the AZT, a drug used to treat people infected with the human immunodeficiency virus.

"He didn't try to hide it," Morin said. "We also question this on humanitarian grounds, putting some-

one in jail under these circumstances."

Pelosi and her staff have been in touch with federal immigration officials in Minnesota.

INS staff members maintain that Verhoef should go home to the Netherlands and not be allowed to enter the United States because of a provision in immigration law that excludes people with contagious diseases.

Clint Hockenberry, administrator of the AIDS Legal Referral Panel in San Francisco, said Verhoef's situation illustrates the problems people infected with the AIDS virus have making international trips. Many other countries besides the United States, such as Japan and India, also exclude tourists with HIV infection.

"There has to be something that triggers their suspicion, like the AZT or Kaposi lesions. We get a lot of questions from people who wonder whether they should bring their AZT with them because of that," Hockenberry said. "It's a ridiculous policy."

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Unbillable Hours

AIDS Law Group Raises \$75,000

Orrick, Herrington & Sutcliffe

Photographs by GREG URQUIAGA



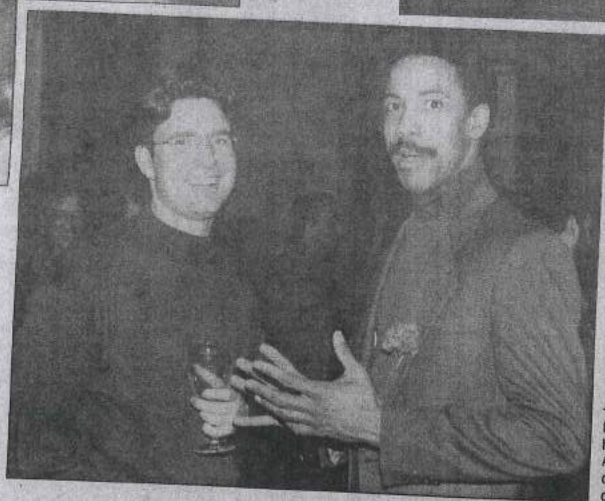
Board member Constance Hiatt (above), a Pillsbury Madison & Sutro associate, presented Morrison & Foerster managing partner Keith Wetmore with the Law Firm of the Year Award for MoFo's work on behalf of the panel. Pillsbury associate Susan Stokes (right) won Attorney of the Year honors at the Nov. 21 event.



▲ AIDS Legal Referral Panel executive director Kristin Chambers and director of policy Paul DiDonato at the panel's annual reception, which raised about \$75,000 for the nonprofit group.



▲ Panel staffer Esther La and Michael Fargo, an office volunteer for the panel, were among the 250 to 300 people who attended the event. The panel estimates it will have referred about 2,800 clients to its list of roughly 450 Bay Area attorneys this year.



▲ Panel outreach director Kerrington Osborne (left) and Lee Woods, a volunteer with the Black Coalition on AIDS, discuss the event over cocktails.



▲ Steve Coger (left), a student at Michigan Law School, and Ron Hypolite, the panel's client services director, also were on hand. A special appearance was made by Supervisor Roberta Achtenberg — one of President-elect Bill Clinton's top Democratic supporters — who addressed what a Clinton presidency could mean to gays, lesbians and people with AIDS.

tion says. "The intent was clear that this project was for the classroom [yet] it was always obvious that this would hit the bookstores as well. We want everybody to enjoy them."

Guitton says she and Irons did not pursue the project for the money. They received "an advance of \$10,000 at the most" and all revenues will revert to the publisher to fund similar projects, she says. There is talk of a

follow-up set focusing on childrens' or women's rights.

In the meantime, Guitton is preparing to take the tapes and the book to San Diego's inner city schools come January.

"That's why [the project] was done in the first place," she says, "and this is where it should be."

— Krysten Crawford

As Its Mission Matures, S.F. AIDS Panel Still Waits for the Cure

Gay San Franciscans in 1983 were being felled right and left by a deadly new disease called AIDS, and many found themselves suddenly requiring help with things they hadn't expected to need for decades — drafting a will and assigning powers of attorney.

Steve Richter, an attorney with Bay Area Lawyers for Individual Freedom recognized the need, and helped establish the AIDS Legal Referral Panel to locate attorneys willing to help AIDS patients for free.

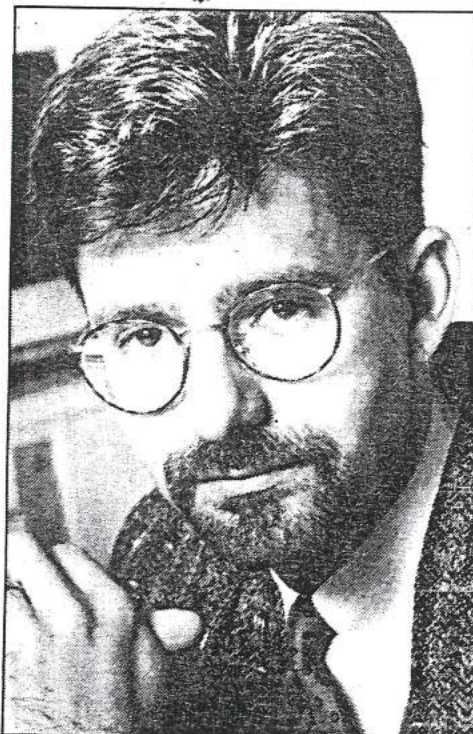
Richter later died of AIDS, but the panel survived and marks its 10th anniversary on Nov. 20 with an evening reception in the San Francisco City Hall rotunda.

ALRP does far more than draft wills these days. It has matured into a powerful legal force and is recognized as a leader in the realm of AIDS work. The group now handles everything from family law to insurance issues to employment cases to landlord-tenant disputes.

A 1983 hand-written list of about 25 volunteer referral attorneys — some of them students — has grown to around 500 in computer files.

"It's almost become an HIV legal rights and legal policy center in Northern California," says former policy director Paul DiDonato.

"Pound for pound and dollar for dollar, [ALRP] is one of the best — if not the best



MERYL SCHENKER

PAUL DIDONATO: "Pound for pound and dollar for dollar, [ALRP] is one of the best — if not the best — agencies of its kind," says the panel's former policy director.

— agencies of its kind," says DiDonato, who recently left to become policy associate for the San Francisco AIDS Foundation. "People are beginning to find out about it nationally as well."

The group's early ventures included fighting insurance discrimination and preventing airlines from refusing to transport

Corporate Counsel Group To Get 1st Woman Chief

Sara Holtz, deputy general counsel at Nestle USA Inc., is in line to become the highest-ranking female officer of the American Corporate Counsel Association and its first woman leader.

Nominated by the ACCA board of directors, Holtz is on a slate that will be formally elected Wednesday in Washington, D.C., at the association's ninth annual meeting. She will serve as vice chairman in 1994 and chairman the following year. Next year's chairman will be Norman Krivosha of Ameritas Life

Insurance Corp.

About 25 percent of ACCA's 9,300 members are women, said spokeswoman Cecilia Sepp, but no woman has served in the first or second chair. The organization also has never had a minority vice chairman or chairman.

Holtz is the top lawyer at two Nestle divisions, Nestle Beverage Co. in San Francisco and Wine World Estates Napa County. She was division counsel for The Clorox Co., of Oakland, before joining the Switzerland-based food giant in 1990.

Holtz refused to discuss her new position until after Wednesday's vote.

— Jennifer Thel

people with AIDS. Its effectiveness grew in 1986, when Clint Hockenberry — who became one of the most prominent AIDS-law attorneys in the nation before his death last year — was hired to run the show.

One major milestone, says executive director Kristin Chambers, was when the group associated with the Bar Association of San Francisco's Volunteer Legal Services Program in 1985.

It was "a huge step . . . allowing us to recruit a much broader range of volunteer attorneys," Chambers says. In addition, the BASF program's prestige helped ALRP become recognized as "legitimate."

Today, ALRP is housed in an 11th-floor office in San Francisco's Financial District — a mansion compared to the "cubbyhole" it first occupied in the Mission District's Employment Law Center.

DiDonato and Kathleen Larson, a member of ALRP's board of directors, say a crowning achievement is that the group has become a force in analyzing issues and creating policy. It even helped in the research for *amicus curiae* briefs last year in a landmark U.S. Supreme Court case on insurance caps.

"Because we have so many attorneys, we

can handle just about any area of civil law," Chambers says. The only areas the group farms out, she says, are cases involving prisoners and criminal defense.

Larson, whose first contact with ALRP was as a Morrison & Foerster legal secretary working with an attorney doing bono work for the panel, says the group is especially unique because of its long-range goal.

"It would be wonderful if we could get ourselves out of business," she says, "and have no clients."

In other words, to be there for a cure.

— Mike Mc

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SAN FRANCISCO

Daily Journal

Wednesday, October 19, 1994

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MOVERS & SHAKERS | CYNTHIA JOYCE

AIDS Panel Recognizes Pro Bono Efforts

The AIDS Legal Referral Panel presented its annual awards in honor of those who have made outstanding legal contributions to people with AIDS or HIV.

Elizabeth Hansen, a Castro-based estate planner, was named Attorney of the Year for her work in two Tenderloin legal clinics.

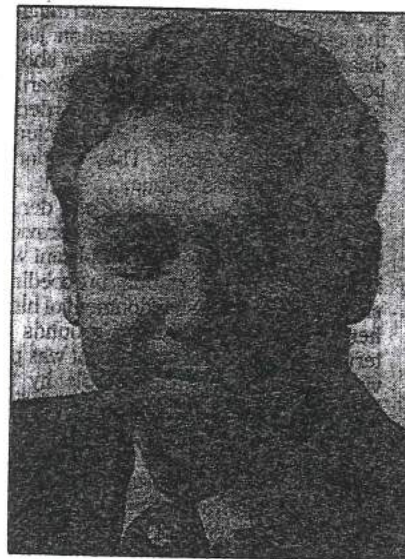
Hansen, 30, has worked for the past year at the Tom Waddell Clinic and at Continuum HIV Day Services drafting documents, setting up schedules for legal consultations, and going through Social Security Insurance claims and disability claims for people with HIV or AIDS.

"This has given me a real wakeup call," Hansen said of her work at the clinic. "There just isn't anything better to do with your time. I could go on and on about the rewards — spiritual, psychological and otherwise."

Hansen says that although the benefits far outweigh the deficits of her volunteer work, she has had to confront the skepticism of several colleagues who don't consider pro bono work "real law."

"A lot of my colleagues don't really want to acknowledge that this is real attorney work, like it's not important," she lamented. "So I constantly have to explain to them — while holding my temper — that there are financial rewards as well. I don't think that's why people should volunteer, but having developed an entire area of expertise doing pro bono work, I can better serve my paying clients as well."

Hansen said she hopes to develop other joint pro bono projects. One project she is considering is working with the



Manuel Fishman

SPCA to get landlords to allow people with HIV or AIDS to have pets.

"Even if they had to pay damage deposits or something," Hansen said, "I think that would be a really cool thing to see happen."

Others honored Friday night were **Thomas Walsh** as Notary of the Year, for his frequent visits to hospitals to notarize documents; legal secretary **Dawn DeBois** as Volunteer of the Year; and **Larry Mercer** as the first recipient of the Clint Hockenberry Award for his intensive, long-term pro bono work. The award honors the former executive director of



Fred B. Weil

the panel who died of AIDS complications in 1992.

Pillsbury Madison & Sutro was named Firm of the Year for helping many people with AIDS obtain Social Security benefits.

The Community Service Award was given to the volunteers who coordinate the **AIDS Bike-a-thon**.

"These are but a few of the hundreds of volunteers who have delivered essential legal services at no cost to thousands of persons with AIDS or HIV this year," said **Kristin Chambers**, executive director of the panel. "We hope these awards will encourage other lawyers to join in

this ongoing effort."

□

Manuel Fishman has been elected to the State Bar to serve as the 1995 chairman of the Real Property Law Section. Special counsel to O'Melveny & Myer Fishman, 41, works in the firm's San Francisco office. His practice focuses on representing institutional lenders and owners in secured lending, leasing and the purchase and sale of commercial property.

With more than 7,200 members, the Real Property Section sponsors educational programs, publishes a quarterly legal journal and provides opportunities for involvement in State Bar-sponsored activities.

□

Fred B. Weil has been named partner with Hansen, Bridgett, Marcus, Vlahos Rudy. Formerly managing partner of Broad, Schulz, Larson & Wineberg, We 52, has a business transactions and corporate law practice and also specializes in taxation and tax-exempt organizations, education, and estate planning.

□

Oma Edgar has been named a labor and employment associate at Pettit & Martin. Formerly an associate with Perkins Coie of Seattle, Edgar, 29, received her degree from Hastings College of the Law in 1991.

BAY AREA REPORTER

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Serving the Gay and Lesbian Community for over 25 Years



Irwin Keller

Jane Philimon Cleland

Keller heads AIDS Legal Referral Panel

by Dennis Conkin

Longtime AIDS legal advocate Irwin Keller became the director of the AIDS Legal Referral Panel, the oldest HIV legal service group in the country, on April 18.

Keller, a University of Chicago Law School graduate, is the author of the 1988 Chicago Ordinance on Human Rights, which prohibits discrimination on the basis of sexual orientation, military discharge status, and source of income.

A former associate of Thelen, Marrin, Johnson and Bridges, a San Francisco law firm, Keller joined ALRP in 1992 as the director of the agency's benefits program, where he specialized in insurance issues, government benefits, and debt relief for people with HIV and AIDS.

"Legal matters are difficult at any time," Keller said. "When compounded by AIDS or HIV they can be devastating."

With a staff of 12 and a budget of \$500,000, ALRP provided pro bono legal assistance to an estimated 3,000 clients last year in more than 20 areas of law — including insurance and government benefits, housing, wills, durable power of attorney, and other areas of specialty.

As the face of AIDS changes, so do the long-term needs of ALRP clients, Keller told the *Bay Area Reporter*.

"As more women are living with HIV, we see more problems concerning children," he said, "because most of the women we see with HIV have children."

According to Keller, access to healthcare — and insurance payments for AIDS treatments — remain critical issues for people with AIDS, as do right-wing legislative attempts to abridge civil rights.

"We're seeing a resurgence of HIV-related discrimination," he said, "and we're seeing a cycle of legislative attempts to create mandatory HIV testing and mandatory names reporting." ▼

AIDS Legal Referral Panel can be reached at (415) 291-5454.

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San Francisco Examiner

New legal issue of AIDS in '90s: Privacy rights

In 1980s, most
common cases were
over discrimination

By Nanci Kulig
MEDILL NEWS SERVICE

WASHINGTON — AIDS-related legal battles in the 1990s tend to involve individual privacy rights, a shift from the previous decade, when discrimination cases were most common, a new study concludes.

"AIDS litigation is really a mirror of American society," said Lawrence Gostin, a Georgetown University law professor and author of the study on AIDS lawsuits, funded by the Menlo Park-based Kaiser Family Foundation and released Wednesday.

The study revealed that many 1990s cases involved employees in health care or other settings where there were possibilities of exposure to blood. In balancing privacy rights against the risk of HIV transmission, courts frequently have ruled in favor of mandatory testing of health care workers, Gostin found.

In the previous decade, cases were more likely to involve discrimination against those with AIDS in schools, workplaces and housing developments. The courts for the most part supported the rights of people with AIDS.

The study, titled "The AIDS Litigation Project III," analyzed more than 300 cases involving HIV or AIDS issues decided in state and federal courts from January 1991 to last month. Two previous studies analyzed cases from the '80s in five-year intervals.

AIDS-based bias hasn't disappeared, though.

"AIDS discrimination is alive and well 15 years into the epidemic, even in San Francisco, which is an enlightened community," said Irwin Keller, executive director of

the Bay Area's AIDS Legal Referral Panel.

Keller said the panel handled about 3,000 cases a year for people with AIDS who had been discriminated against in housing, health care or other areas.

In the '90s, said Gostin, courts have consistently upheld the duty of HIV-infected people to inform their sexual partners. But so far they have ruled that promiscuous behavior alone, most notably in the case of basketball player Magic Johnson, does not legally require informing partners.

Today's courts, Gostin said, are hearing more cases involving transmission risks beyond sexual and needle-sharing partners. People claiming to have been "assaulted with a deadly weapon" have brought criminal cases against people with AIDS for spitting, biting or hitting. Those cases have been treated seriously by the courts and occasionally have resulted in charges of attempted murder, he said.

"As science strives to overcome the formidable challenges of the HIV-AIDS epidemic, so too must the law seek to abate the similarly intractable social burdens," Gostin said.

But the up-and-coming area of AIDS litigation is insurance law, including coverage limits for AIDS treatment.

Some people with HIV can get insurance

Life insurer's plan hailed as proof that nature of illness has taken turn for the better

By Michael Dougan
OF THE EXAMINER STAFF

An Illinois insurance company's plan to offer life insurance to some customers with HIV is being hailed as further proof that the nature of the illness has taken a turn for the better.

Guarantee Trust Life Insurance, based in Glenview, Ill., announced this week that it will insure HIV-positive applicants who are younger than 49, meet certain health profiles and don't have AIDS.

"What I really like about it is that they are treating (HIV) as a treatable chronic illness, which is entirely appropriate for many people," said Betsy Johnsen, a benefits attorney with the Aids Legal Referral Panel in San Francisco.

The program will initially be offered on a test basis in Guarantee

Trust's home state.

Guarantee Trust officials said they are introducing their HIV policies in recognition of the fact that new drugs — specifically protease inhibitors — have dramatically expanded the life span of many people with HIV.

"I think it's extremely encouraging that they're doing it," said California Insurance Commissioner Charles Quackenbush. "It shows that they've been carefully following the medical research on this."

While praising Guaranteed Trust for offering the life insurance, Bay Area insurance specialists and AIDS activists say people infected with HIV have always been able to purchase life insurance but under limited conditions and often for smaller payouts.

"It obviously is a major change," said insurance specialist and AIDS activist Chuck Cole. "The majority of insurance companies have not been selling insurance to people with HIV."

Cole and Johnsen said there have been several ways for HIV-infected people to buy policies — the best being group policies provided at work or through a professional organization.

"Group plans typically don't test for HIV," Johnsen said.

She said life insurance policies are important for people with HIV because they offer the prospect of viatication — in which a company buys out a person's policy at a discount, giving the individual badly needed cash. The company then collects its premium when the person dies.

Cole is Northern California representative for Life Benefactors, a viatication firm. He also lectures before HIV groups about ways to obtain insurance.

Cole said so-called "simplified" insurance policies are another option for people with HIV.

"There are some companies that do not ask an HIV-specific question on some of their simplified issue forms," he said. Nor do they require the physical exams and blood tests often mandated to receive the more common general issue insurance policies.

"Guaranteed issue" policies are also available, Cole added. For these policies, advertised on TV with a pitch toward older customers, "if you're breathing and you can pay the premium, you get it," he explained.

While many require buyers to be a certain age — say 55 and up — others offer policies to people as young as 30, Cole said.

Simplified issue policies can hold face values of up to \$100,000, Cole said, but "the lower the face value you ask for, the less scrutiny your application gets. Most people go in the \$50,000 to \$75,000 range."

One insurance specialist, who asked not to be identified, said some HIV-positive buyers take out several simplified issue policies simultaneously, achieving a total face value as high as that offered by Guarantee Trust while paying less in premiums.

Cole said longevity gains among people with HIV will not spell the end of the viatication business.

4/16/97

HIV-Infected Offered Life Insurance

Trial program notes
AIDS drug success

By Laura Castañeda
Chronicle Staff Writer

Life insurance policies are being offered for the first time to people infected with HIV, but only on a trial basis to Illinois residents at steep prices.

The announcement yesterday by Guarantee Trust Life Insurance Co. of Glenview, Ill., is significant because it recognizes the success of protease inhibitors in extending the lives of many AIDS patients.

"It's another step forward in acknowledging the power of new treatment options," said Timothy Rodrigues, a spokesman for the San Francisco AIDS Foundation.

"It's not for everybody, but it's a start in the right direction," said Betsy Johnsen, a benefits attorney for the AIDS Legal Referral Panel in San Francisco.

However, even Guarantee Trust said the cost of this new insurance may be too high for most people.

"We're excited about being able to offer this product, but there may not be a market for it," said Monty Edson, Guarantee Trust's senior vice president for marketing.

If the 90-day trial is successful, Guarantee Trust plans to roll out the plans nationally.

Many insurance specialists and AIDS activists believe the move by Guarantee Trust will encourage other insurers to begin offering life insurance products to people with HIV.

"We expect other insurance

HIV: Life Insurance Offered

From Page 1

companies will be looking closely at this to see if they can design their own products," said Ken Vest, a spokesman for the Washington D.C.-based American Council of Life Insurance.

Guarantee Trust is offering whole life coverage ranging from \$25,000 to \$250,000 to people who are under 49 years of age and do not have full-blown AIDS.

Other requirements for coverage include HIV treatment for at least nine months, T-cell counts no lower than 400, and an average viral load that has not exceeded 5,000 over the past year.

Edson said the company wants applicants to be working and insured so that they can afford to pay for their HIV treatments.

People who were infected with HIV from sharing needles during intravenous drug use are not eligible for the insurance, he said.

The price for the Guarantee Trust policies for people with HIV will be substantially higher than its impaired risk policies, said Edson.

With the standard impaired risk product, a 30-year-old man who doesn't smoke would pay between \$55 and \$110 a month for a \$50,000 whole life policy. If that same person were HIV positive, the policy would cost about \$300 a month.

With a whole life insurance policy, the face amount is constant

and will be paid if the insured person dies at any time while the policy is in effect. Premium payments are fixed and remain the same from the effective date to maturity date.

Many insurance companies across the country offer so-called impaired risk life insurance for people who had organ transplants, cancer, heart problems or suffer from diabetes.

The only plans available to people with HIV are "guaranteed issue insurance" plans that do not ask about a person's health status, or group insurance plans.

But guaranteed issue insurance is expensive, usually provides around \$25,000 of coverage, and is typically limited to people age 50 or older.

Edson said the Guarantee Trust plans have no restrictions on viatical settlements, where the terminally ill sell their policies for a fraction of their value.

Guarantee Trust, a 60-year-old company with more than 1 million customers and \$175 million in assets, specializes in insuring impaired individuals.

ALRP workshop to provide legal will power

by Shan Schwartz

Without the benefit of legal marriage, gay and lesbian couples are considered by most communities' laws to be strangers. Should one person become ill or pass away, a queer partner may have no say or legal recourse to make decisions on their loved one's medical care or handling of possessions following death.

But with just a few legal documents, individuals and couples can make sure they've established rights for themselves or others to make decisions for them. A free community workshop this weekend can help people make the legal preparations necessary to deal with such unforeseen circumstances.

"Where There's a Will, There's a Way" will take place this Saturday, July 12, from 10 a.m. to 1 p.m. in Koret Auditorium at San Francisco's New Main Library. The workshop is sponsored by the AIDS Legal Referral Panel (ALRP), the National Center for Lesbian Rights, and the Public Library's Gay and Lesbian Center.

Irwin Keller, executive director of ALRP, said it was not difficult for gays or lesbians to make the necessary preparations to protect their families.

"Those of us who are gay, lesbian, bisexual, or transgendered, we don't have the same governmental protections for our families," he said. "But some of those protections we can recreate, in a way to protect our partners or our children, despite the fact that the law doesn't recognize our relationships."

Keller said that nearly anyone — single or partnered — should think about what would happen if they suddenly became incapacitated or died.

"Good intentions don't always

survive catastrophes," Keller said. "The biggest misconception is not a misunderstanding of 'Are we protected?' but, 'Could something happen?'"

Indeed, anything could happen — from possibly foreseen health problems to sudden accidents. Keller said that even people with HIV, who in the past have made more preparations for the event they become ill, are lately doing less planning because of better HIV treatments.

"Right now with the success people are experiencing with protease inhibitors, a lot of people with HIV have stopped planning for the possibility of illness. But as a community, we need to think about the fact that for us, things do need to be spelled out in case something happens," he said. "And something *could* happen."

Saturday's workshop will be split into two parts. The first half will address basic partnership protections that even single people can use, such as wills or durable powers of attorney for healthcare.

"Wills can be relevant for people regardless of whether they have a lot of assets," Keller said. "The most frequent calls we get are about someone's estate because they didn't have a will, and now a lover or family or roommate are fighting."

Following a mid-workshop break, where participants can actually draft and execute documents with on-site notaries, the second half will focus on more complex estate planning for individuals who own real estate or have other substantial assets.

Bring your homework

Keller said participants can attend either half or the entire workshop, depending on their needs and interests. He said participants should do a little homework before the workshop if they

hope to prepare or sign a legal document during the workshop.

"Think in advance about who you trust to make decisions the way you would want them made, should you become unable to specify your wishes," he said. "Or put more simply, 'If you were in a coma, who would you want standing guard at the bed?' and then give some thought to what you'd want that person to do."

Following the workshop, participants will probably have more homework to do to prepare additional documents appropriate for their own unique situations.

Keller said people should know that legal documents such as these can be important even for single people or people without a great amount of assets, but are definitely important for anyone in a committed relationship.

"If you create the right documents, your will will have to be your will," he said. "Your wishes will have to be carried out, and it doesn't matter if you're in a same-sex couple or an unmarried couple. There's a tremendous amount of independence and autonomy we can exercise if we take the moment it takes to think about it and plan."

"It's a gift to your friends and loved ones," he said. "The small investment in time is well worth it."

Workshop presenters will include Kate Kendall, executive director of the National Center for Lesbian Rights; Diane Cash, an estate planning attorney and board chair of ALRP; Jim Lee, an estate planning attorney and ALRP volunteer; and Angela Padilla, an ALRP volunteer and board member with the NCLR. ▼

"Where There's a Will, There's a Way" is free and open to the public, but reservations are encouraged. To make a reservation, call ALRP at (415) 291-5454.

Bay AREA REPORTER 7/10/97

MONEY & JOBS

MONDAY, MAY 4, 1998

B1

WORKWAYS

Ilana DeBare

When the Boss Gossips About Worker's HIV

Q: I recently told my boss I had HIV, the virus that causes AIDS, and asked if he could run interference on some minor issues for me in order to minimize my stress level. (HIV is aggravated by stress.) Later I found out that he'd gossiped about this with all the managers in the division. I've decided to leave, since I feel I can no longer trust this manager. What options do I have?

A: Sit down, take a deep breath, try to set aside your anger, and think about whether you really want to quit. If you like the company, you may want to consider other ways of dealing with this, such as seeking an apology from your manager or transferring to a different part of the firm.

No matter which option you choose, you have a little bit of leverage — because your manager's gossip was not only insensitive but illegal.

California law requires employers to keep their workers' medical records confidential, according to Betsy Johnson of the AIDS Legal Referral Panel in San Francisco. As someone with HIV, your privacy may also be protected by the Americans with Disabilities Act. (The U.S. Supreme Court is currently considering whether the ADA covers people who have HIV but no symptoms of AIDS.)

"The manager has the right to tell anyone necessary such as the human resources department, but he or she does not have the right to idly spew this

You could theoretically sue for invasion of privacy. But few lawyers would take the case, since you haven't been fired or suffered other quantifiable economic harm.

However, you still can sit down with your boss or someone from human resources and point out that they've violated your rights.

San Francisco vocational counselor Betty Kohlenberg offers these ideas for how they could help set things right:

- Establish an explicit company policy about confidentiality of medical information, and make sure managers know about it.

- Provide training in AIDS sensitivity and disability rights for all managers.

- Guarantee that any references given about you won't mention your HIV status or this dispute.

- Transfer you to another division, if working with this supervisor has become impossible.

- Figure out a way to help you manage your stress and keep doing your job — which is what your boss should have done to begin with.

"If he really feels he has to leave because he can't live with this particular manager," Kohlenberg added, "I think he could make a case for the company to continue paying his salary until he finds a new job."

Want more input? Contact Positive Resource, a San Francisco nonprofit that provides employment help to people with HIV and AIDS, at (415) 928-1448. Or call the AIDS Legal Referral Panel at (415) 291-5454.

Bar Talk

People and Practices

AIDS Group Marks 15th Year

Finding few takers for the stylish lavender chapeau she donated to raise funds for the AIDS Legal Referral Panel, guest auctioneer Drucilla Ramey upped the ante Wednesday by explaining the usefulness of the hat's matching veil.

"It makes it harder for guys you don't like to kiss you," Ramey, sporting a black veiled hat herself, said as several people chuckled. "It takes a certain amount of temerity."

The lines worked, as the hat was quickly snatched up for 55 bucks by — surprise! — San Francisco Municipal Court Judge David Ballati for his wife. Ramey, executive director of the Bar Association of San Francisco, had baited Ballati earlier while auctioning off 10 comedy club tickets.

"Judge Ballati," Ramey had said, "you've always struck me as a droll fellow." Seems she

was right.

That exchange took place at the ALRP's 15-year anniversary party, held 20 stories above downtown San Francisco in offices leased by Pillsbury Madison & Sutro. About 150 lawyers, judges, clerks and others — gay, straight, or otherwise — showed up to honor the group that was founded in 1983 to help AIDS patients with their legal affairs.

Begun mostly to draft wills and assign powers of attorney, the group, which coordinates work by volunteer lawyers, has grown into one of the country's most powerful civil rights firms for people with AIDS.

Executive director Irwin Keller announced at the party that since its founding, ALRP has handled more than 30,000 cases and has established legal clinics throughout the Bay Area. Recently, he said, the group took a big step by hiring

its first full-time lawyer, Peter Kearns, to handle AIDS-related evictions and housing discrimination, which, he noted, now comprise one out of four new cases.

"It's a big change for ALRP," he said.

The evening had a festive feel to it, cathartic in a sense for a group whose daily work can sometimes be grim and tiring. But underlying the frivolity was serious work.

Auctioned items — including autographed books, signed photos, and tickets to an opera, a play and a 49ers game — raised about \$8,000, with other thus-far untabulated donations raising the take even higher.

Every little bit helps, ALRP lawyers say, and could tide them over until the day they pray for — when a cure for AIDS puts them out of business.

— Mike McKee

COMMUNITY NEWS

ALRP marks 15 years

by Cynthia Laird

Exemplifying the legal community's noblest instincts of volunteerism and public service, the AIDS Legal Referral Panel (ALRP) marked 15 years of legal service to the HIV community at a reception Wednesday, November 18. The event honored Bay Area lawyers and legal professionals – over 1,200 of them – who have given their time and expertise to protect the rights of people living with HIV and AIDS.

The nation's oldest organization dedicated to meeting the civil legal needs of people with HIV/AIDS, ALRP began in 1983 when a handful of lawyers saw their friends become sick with a mysterious and fatal illness. Those lawyers established a list of volunteers who would visit people with AIDS at home and in hospitals to write wills and medical powers of attorney to help protect their rights.

Since then, ALRP has assisted clients in over 30,000 legal matters, said Irwin Keller, executive director.

"People with HIV and AIDS today face new legal challenges. As people with HIV live longer lives, they are likely to encounter more legal problems," said attorney Sarah Thomas, ALRP's client services director. According to Thomas, the promise of new HIV therapies has caused many ALRP clients to think about entering or returning to the work force. Those considerations often involve sticky legal questions in order to take medications on time with the proper food, and how to respond to harassment or discrimination in the workplace.

Another dramatic shift in the legal needs of people with HIV or AIDS has been in the area of housing. ALRP has experienced a tremendous upsurge in the number of people with HIV or AIDS who need help responding to a residential eviction. This year, nearly one-quarter of all ALRP



Jane Philomen Cleland

Supervisor Tom Ammiano delivers a proclamation to ALRP Board Co-Chair Diane Cash (center) and Executive Director Irwin Keller (R).

clients are calling for help with a housing matter.

"Our clients are overwhelmingly poor," Keller said. "They have been impoverished by AIDS and disability. They are often longtime tenants paying low rents. In San Francisco, a city with less than one percent vacancy, that makes them prime targets for eviction."

Responding to the crisis, ALRP launched its AIDS Housing Advocacy Project during this anniversary year. In addition to offering help through volunteer attorneys, ALRP staff will provide direct representation in eviction and housing discrimination cases. According to Peter Kearns, ALRP's housing attorney, "Stable housing is essential for people to be able to manage a complex HIV treatment regimen. If evicted, our clients may end up homeless and unable to adhere to their HIV treatments. For these clients, maintaining shelter is quite literally a matter of life and death."

ALRP helps clients in a broad array of complex legal matters. The agency continues to assist New Zealand native Christopher Arnesen in his fight to obtain disability benefits earned after nearly 30 years of working and paying taxes in San Francisco. "Chris is caught in a bureaucratic Catch-22," said Betsy Johnsen, ALRP's benefits attorney. "He was told to

leave the U.S. in order to apply for Social Security benefits, then he was told he needed to return to the U.S. in order to collect those benefits, but the INS [Immigration and Naturalization Service] barred him from returning because of his HIV status." ALRP assembled a team of volunteer lawyers to work on his case, which is still pending. According to Johnsen, "The case will set an important precedent, hopefully a positive one."

Arnesen, a renowned travel photographer, had some of his images of Papua New Guinea on exhibit at the recent ALRP reception and they were part of a silent and called auction to raise funds for the agency. ▼

**For more information on
ALRP's services, call (415)
291-5454.**

Bill Hirsh takes over at ALRP ^{BAR}

MARCH 2000

by Jose Antonio Vargas

Longtime disability rights attorney Bill Hirsh has been named executive director of the AIDS Legal Referral Panel, the agency's board of directors announced this month. Hirsh takes over for Irwin Keller, who left the agency earlier this year to pursue an off-Broadway career with the Kinsey Sicks, a dragapella beautyshop quartet.

A 1986 graduate of Golden Gate University Law School, Hirsh most recently served as executive director of the Mental Health Association of San Francisco. He also had served as directing attorney for the Mental Health Advocacy Project of the Santa Clara County Bar Association Law Foundation. He has over 10 years of experience in community-based nonprofit organizations.

"All my work has been with nonprofits. For me, it's an effective way of promoting social change," Hirsh said. "What we do here in the ALRP is help get people with AIDS appropriate legal representation. We provide the highest quality we can with the limited resources that we have available."

As the leading provider of legal



New ALRP head Bill Hirsh

services to people with HIV in the San Francisco Bay Area, ALRP was one of the nation's first organized responses to the AIDS epidemic. The agency was formed by a committee of Bay Area attorneys who met in the early 1980s to help fill the needs of people hospitalized with varying AIDS-related illnesses. Formed in 1983, ALRP has handled over 35,000 legal matters. Today, it employs a staff of 11, including five in-house attorneys and coordinates a network of 600 volunteer attorneys.

According to Hirsh, the legal needs of people with HIV/AIDS has dramatically changed. In the

past, lawyers were needed only to draft wills and provide durable power of attorneys. Nowadays, as people living with HIV live longer and continue to be part of the work force, Hirsh pointed out that there are other issues that need legal attention.

"The epidemic is not over and the need to protect the legal rights of people affected by HIV and AIDS has not ended," Hirsh explained. "Housing, healthcare, employment, and family law matters have moved to the forefront of the legal arena for ALRP clients, and ALRP's legal services have expanded to meet the needs of our clients." ▼

For more information on ALRP, call (415) 291-5454.

COMMUNITY NEWS

San Francisco loses \$4M in AIDS funding

by Matthew S. Bajko

Numerous AIDS service organizations face dire consequences after learning that the federal government is slashing more than \$4 million in AIDS funding to San Francisco this year.

Already, client services are being reduced and some agencies could shut down due to the lack of funds, health officials warned.

"This is devastating. Some agencies will fold," warned Jim Illig, director of government affairs at Project Open Hand, whom Mayor Gavin Newsom appointed to the Health Commission this week [see story, page 4].

The Health and Human Services Administration announced this week that the city will receive less than \$29.9 million this year in Title I funds under the Ryan White CARE Act. The amount is a 12 percent decrease from the \$33.9 million San Francisco received in fiscal year 2003.

"I am shocked that it would be this much of a cut. It is shocking," said Illig.

In 2002 the city lost \$2.2 million or 6.2 percent of its Title I funds, receiving close to \$33.5 million that year. To absorb the lost funding, the city's HIV Health Services Planning Council asked the agencies funded through the program to take a 6.2 percent cut.

Brad Hume, co-chair of the

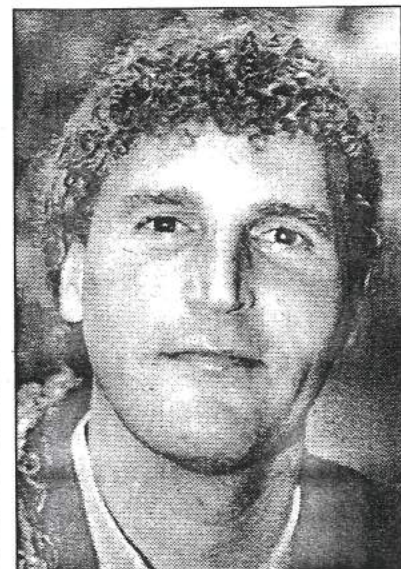
HIV Health Services Planning Council, said the city had been bracing for more cuts this year, but had planned for a 10 percent decrease at most.

"I am stunned and devastated," said Hume. "It is more severe than anyone thought. The impact will be even greater than we are seeing."

Three months ago, numerous AIDS agencies received warnings from the city that their funding could be gone come March. Two years ago the planning council decided in such an event to defund whole program categories, including dental care, legal help, outpatient substance abuse, and complementary therapies like acupuncture and herbal medicines. Hume said he expects the city to release a complete list of cuts to services today (Thursday, March 4).

"It is a shake-up of the system of care. Some programs will cease to exist and will not be available anywhere else," said Hume. "There will be a little bit of chaos I would imagine for providers trying to transition their clients into similar services that exist or cope if they are going to not be getting services at all."

The AIDS Legal Referral Panel board met Tuesday night to discuss the future of its agency. It stands to lose 40 percent of its funding and will have to curtail the amount of free legal advice it



ALRP's Bill Hirsh

provides to people living with AIDS.

"It is going to be devastating for our organization. We know that there will be a dramatic impact on our ability to provide services to the community," said ALRP Executive Director Bill Hirsh.

While Hirsh said the agency has some contingency plans in place, he nonetheless said, "We, as I can assert everyone else is, are totally shocked at the level of cuts. No one had anticipated they would be this deep. We are working our damndest to get through it."

At Continuum, the agency
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AIDS funding

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stands to lose nearly \$240,000 in funding for its adult day health-care program, said Laura Thomas, the agency's director of government grants and public policy. The money covered meals delivered by Project Open Hand and paid for clients who are not covered by MediCal.

"Things feel pretty grim. This is on top of state cuts to MediCal and the fact the city has no money to support health services," said Thomas. "Yes, we are definitely trying to find other funding. I just don't know where the money is going to come from to pick up the services."

Although there is not much she can do to increase the city's Title I award, House Minority Leader Nancy Pelosi (D-San Francisco) nonetheless vowed Tuesday to fight the reduction and any future cuts in AIDS funding.

"These cuts will be devastating to San Franciscans living with HIV/AIDS and their service providers. Health and Human Services Secretary Tommy Thompson owes the people of San Francisco an explanation," said Pelosi through a spokesman.

The funding cut only adds to the already severe budgetary problems facing both the state and city. AIDS agencies are already battling Governor Arnold Schwarzenegger's proposals to cap enrollment in the AIDS Drug Assistance Program and decrease HIV funding by 2 percent. Facing a near \$300 million deficit, Newsom received proposed budgets with cuts of 15% from the city's departments on Tuesday.

Thompson announced the Title I funds on Monday, March 1. While the 51 grants total more than \$595 million, the award is \$5 million less than the \$600 million the government awarded in 2003.

"These grants will increase access to quality health care for those Americans living with HIV or AIDS, especially those who need help the most, including minorities, the uninsured, and the underinsured," Thompson said. "This funding will help save lives and improve the quality of life for those affected by this terrible disease."

The grants to 51 eligible metropolitan areas (EMAs), which include both formula and supplemental grants, are funded under Title I of the Ryan White Comprehensive AIDS Resources Emer-

gency Act. Formula funds are awarded based on the estimated number of people living with AIDS in the city, and supplemental funds are awarded competitively among EMAs based on demonstration of severe need and other criteria. A portion of the grant awards will fund the Minority AIDS Initiative to bolster care and services among minority populations. HHS' Health Resources and Services Administration oversees CARE Act programs.

Kevin Ropp, a HRSA press officer, said nearly \$3.5 million of San Francisco's cut came in supplemental funding, with another \$600,000 cut in the city's formula award. The supplemental funding is competitive, Ropp explained, where all 51 EMAs compete against each other for the funding based on their ability to demonstrate severe need.

"What that means is our objective reviewers, people outside of this agency who reviewed the applications and ranked them, found that San Francisco's need wasn't as great as some of the other cities," said Ropp. "It may have been how the application was written or for any number of factors."

Local officials contend the city's lost funding is payback for its liberal politics and constant criticism of federal health policies. Illig said he views the funding cuts as punishment to the city from the federal government.

With the funds being announced on the same day as the new fiscal year, Illig said, "The feds delayed this and just dropped it on San Francisco. This is a direct attack on San Francisco, our values, our service system, and our stance on this administration of how they waste money on other things. We have been the most outspoken on how they are wasting money on wars while there are huge problems at home."

Ernest Hopkins, director of federal affairs with the San Francisco AIDS Foundation, said the funding reductions are a confluence of both changes in how the federal government doles out CARE funds and ire with the city's politics and positions.

"We have a political hit we take for being San Francisco and a hit we take because our award looks very disproportionate in comparison to other EMAs. The last couple of reauthorizations San Francisco has been a focus of attention by other parts of the country in an effort to see how they could reduce the San Francisco award so it

looks more in line with awards the other EMAs received," said Hopkins.

Ropp dismissed the notion that the city's funding decrease is a retaliatory action by Republicans in Washington who have criticized San Francisco's AIDS care and HIV prevention methods for years.

"It certainly is an objective review process. We are not involved in it, we just take what the reviewers provide us," said Ropp.

Other cities also receiving less money this year include Miami (\$2 million cut), Los Angeles (\$4 million), Oakland (\$400,000), and San Jose (\$200,000). Cities receiving more funds this year include Caguas, Puerto Rico (\$200,000 increase), Chicago (\$2.2 million), and New York City, (\$18.3 million).

While San Francisco officials can protest their funding award, Ropp said that "once the Title I funds are expended there is no other pot of money from which to draw on to increase or decrease awardees' funds."

San Francisco agencies could try to recoup the lost funding through the state when it receives Title II funding. Those awards are expected to be announced in April, and last year brought \$118.2 million to California.

"I am certain a fair amount of that money will end up going to San Francisco," said Ropp.

Next year Hopkins predicts the city will take another hit to its Title I funding "until we get to a place where our Title I award is consistent with the number of AIDS cases we have in our system. So yes, I am predicting more cuts to come next year. People should be prepared." ▼

COMMUNITY NEWS

HIV+ man wins suit against CVS pharmacy

by Zak Szymanski

ProCare Pharmacy — now known as PharmaCare, an HIV/AIDS specialty store on Castro Street owned by CVS — wrongly refused to accommodate its former employee's HIV/AIDS-related medical needs, a San Francisco Superior Court jury found last month.

The jury awarded nearly \$277,000 to Gregory Daniels, a former manager of the store who claimed that CVS had failed to provide him with the reduced schedule he needed to take care of his health.

Daniels, 35, was the most senior staff member in the store and worked there from April 2000 until June 2003. He told the *Bay Area Reporter* that his most recent management team refused to give him reduced hours, making it difficult for him to get enough rest and make it to his medical appointments without sacrificing his job.

"They harassed me over the amount of time off that I needed," said Daniels. "They were making it really hard for me and weren't



Rick Berharter

Plaintiff Gregory Daniels

letting me go to the doctor."

Daniels said that eventually he felt pressured to choose between his health and his job.

"The people they serve are HIV-positive people, so it just blew my mind," he said.

The jury in the case found that CVS refused to provide Daniels with the necessary paperwork to get a reduction in his workweek schedule and concluded that he was forced to resign to protect his

health. Daniels said that the period of unemployment that followed was a tremendous hardship, and he lost his wages, insurance, and his apartment.

After he left his job at ProCare, Daniels found himself at a seminar sponsored by the Positive Resource Center in conjunction with the San Francisco Human Rights Commission that addressed the rights of HIV-positive people in the workplace beyond the Family Medical Leave Act.

"It was then that I realized all the laws that CVS had blatantly blown to hell," he said.

PRC and HRC worked in conjunction with the AIDS Legal Referral Panel to help Daniels, who was referred to ALRP panel attorney Barry Willdorf.

Willdorf and co-counsel Laura Stevens handled the case on a contingency fee basis, spending two years and more than \$40,000 of their own money, according to a press release from ALRP.

"We are very pleased with the outcome," said a statement from Willdorf. "People in California don't realize that our state employment discrimination law is broad-

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COMMUNITY NEWS

Pharmacy

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er than what the FMLA provides for, so this should be a wake-up call to corporations doing business in California that FMLA is not the only statute they need to know."

Stevens agreed.

"This was a very strong case that had clear merit and a client who clearly needed help. But the case also had wider importance — out of state corporations shouldn't come to California and ignore California's better laws," said Stevens.

CVS headquarters is based in Rhode Island but the company is the largest retail pharmacy chain in the country, with more than 5,500 locations in 36 states. "They are large enough to be much more responsible than they were in this matter," said Stevens.

ALRP Executive Director Bill

Hirsh called the Daniels case "an example of the San Francisco HIV/AIDS service agency network at its best," noting how PRC, HRC, and ALRP all joined forces to seek justice for a victim of discrimination.

Daniels agreed.

"I'm really glad I had these organizations like ALRP to put me in touch with my attorneys," he said. "And if PRC hadn't sponsored that meeting I probably wouldn't be here right now."

CVS did not return calls by press time, but Stevens told the *B.A.R.* that the company filed a notice of intent to appeal, which reserves its right to pursue that avenue.

"I wouldn't be surprised if they appealed," said Stevens. "I expect they are going to object to everything for the sole purpose of delay and mean-spiritedness which has been a feature of their behavior throughout this case." ▼

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AIDS Legal Referral Panel Celebrates 27 Years of Service

By Dennis McMillan
 Published: October 28, 2010

AIDS Legal Referral Panel (ALRP) provides free and low-cost legal services to people with HIV/AIDS in the San Francisco Bay Area. ALRP is the only institution in the San Francisco Bay Area whose entire mission is dedicated to providing free and low-cost legal assistance and education on virtually any civil matter to persons living with HIV/AIDS. This includes such widely disparate areas as housing, employment, insurance, confidentiality matters, family law, credit, government benefits or public accommodations, to name just a few. This is accomplished through either direct representation of clients by one of ALRP's five attorneys or by careful placement of clients with one of ALRP's 700 panel attorneys.

Founded in 1983, ALRP has handled over 50,000 legal matters for their clients over the last 27 years. Their goals are simply to provide legal counsel and representation on often-complex legal matters with respect to HIV/AIDS for a community of individuals often least able to afford it, and to leverage the resources of the private bar for the public good. In the process, they increase resources dedicated to the public interest through the private market, and they increase the skill and capacity of the legal community to handle the intricacies of HIV/AIDS related law and representation.

ALRP held an awards party on Oct. 20 at the War Memorial Veterans Building Green Room entitled, "From the Heart."

Speaker of the House Nancy Pelosi sent along a congratulatory letter to ALRP with LGBT liaison Don Bernal, in part stating, "ALRP is an essential part of the San Francisco system of care and support for people living with HIV/AIDS which continues to be a model for the nation. This year marks the anniversary of a major victory in the fight against AIDS in the form of the Ryan White Care Act. Together we will defeat the devastating effects of AIDS on our community."

ALRP Executive Director Bill Hirsh introduced the evening's emcee and presenter of awards, State Senator Mark Leno. He stressed how important it was to elect Jerry Brown as California Governor and Barbara Boxer and Nancy Pelosi in order to keep vital HIV, LGBT, and social issues in the forefront.

Leno honored Martha J. Simon with the Clint Hockenberry Leadership Award, "to someone who has done so much for the community - someone we admire and respect for her 20-plus years of service." Originally when AIDS was taking so many lives so quickly, her job had been to get patients' papers in order to prepare them for their imminent death. But present days, because of many lifesaving drugs, people with AIDS are living longer, fuller lives, and her job is to work with insurance papers and various forms dealing with work and compensation to enhance their lives.

Leno presented the Attorneys of the Year Award to Michael Bracamontes and Ryan Vlasak, calling them "true champions of social justice." Vlasak said the people who really deserved the award were the team of lawyers who helped the clients, and the clients themselves for their bravery in the legal fights involved with HIV/AIDS. "We want to thank our staff who aren't afraid to take on anything," said Bracamontes.

The firm of Lewis, Feinberg, Lee, Renaker & Jackson, P.C. received the Firm of the Year Award for its litigation victories "that have literally changed the practices of major corporations and restored wages to hundreds of thousands of employees," according to Leno. "Their insurance benefits victories make the difference of whether or not a client can pay for health care and other needs." Leno said, "For their generosity and years of dedicated service, ALRP is proud to honor them with this award." Dan Feinberg accepted, noting how shocking it is to try to get clients the benefits they so obviously deserve. "The fact is that some insurance companies still don't recognize that AIDS is a disabling disease for many people, and they don't want to honor their promises," he said. "A win can literally be a lifesaver." He concluded, "It has been a wonderful relationship over the years between this firm and ALRP, and I hope to continue that in the many years to come."

In 2006, ALRP launched the HIV/AIDS Insurance Protection Project in response to a growing number of clients needing help gaining and retaining access to medical/ disability insurance and prescription drug coverage. Since then, almost 1,000 clients came to ALRP needing help - including more than 300 last year alone - more than ten times the anticipated number. Your donation will help support the HIPP Insurance Attorney in directly handling the overwhelming number of clients coming to ALRP for help with their insurance-related legal matters. Contact ALRP at (415) 701-1200 or ALRP.org.



Honoree Marti Simon, ALRP ED Bill Hirsh and presenter State Senator Mark Leno. Photo by Rink.

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*for its efforts to ensure equal access to justice
for California's underrepresented*

David M. Hellbron

David M. Hellbron
President
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in recognition of
excellence in organized
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for the 1986

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*Bay Area Lawyers
for Individual Freedom's
AIDS Pro Bono Panel*

October 23, 1986

San Francisco
FOUNDATION

In presenting this Honorable Mention, The San Francisco Foundation recognizes the vital work of BALIF's AIDS Pro Bono Panel in its provision of free legal services to individuals with Acquired Immune Deficiency Syndrome (AIDS) and AIDS Related Condition (ARC).

BALIF is honored for its successful efforts to educate the legal community about AIDS-related issues, and to mobilize their support and participation.

The San Francisco Foundation commends BALIF's AIDS Pro Bono Panel for its initiative, deep commitment, and effective response to a critical contemporary problem.

Henry M. Heston
Chairman, Awards Committee

W. A. Kelly
Director, The San Francisco
Foundation

THE WHITE HOUSE
WASHINGTON

September 2, 1993

I am delighted to send my congratulations to the AIDS Legal Referral Panel on the occasion of your tenth anniversary.

Your efforts to provide free and low-cost legal services to underprivileged individuals with HIV/AIDS in the San Francisco Bay area have given hope to many who might otherwise experience discrimination in our society. You can take pride in your contribution to protect, educate, and serve those with HIV/AIDS and, most importantly, to encourage compassion and understanding for those living with this disease. Your generosity and service have improved numerous lives, and I commend you for your deep concern for persons with HIV/AIDS and for your commitment to civic duty.

Best wishes for a memorable anniversary year and much continued success.

Bill Clinton

BARBARA BOXER
CALIFORNIA

COMMITTEES
COMMERCE, SCIENCE,
AND TRANSPORTATION
ENVIRONMENT
AND PUBLIC WORKS
FOREIGN RELATIONS

United States Senate

HART SENATE OFFICE BUILDING
SUITE 112
WASHINGTON, DC 20510-0505
(202) 224-3553
<http://boxer.senate.gov/contact>

November 13, 2008

AIDS Legal Referral Panel (ALRP)
1663 Mission Street, Suite 500
San Francisco, CA 94103

Dear Friends:

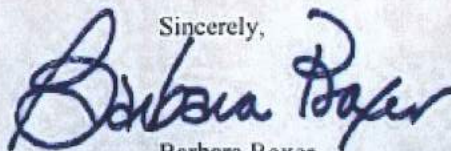
Please accept my warmest greetings as you gather for the AIDS Legal Referral Panel's (ALRP) "From the Heart" 25th Annual Reception & Auction. I am proud to be serving on the Honorary Committee for tonight's event. Although I cannot be there with you, I send you my best regards for a memorable evening.

Since 1983, ALRP has provided free and low-cost legal representation services, and numerous educational legal programs, to assist those within the HIV/AIDS community in need of legal counsel. I applaud ALRP for its ongoing commitment to the fight against HIV/AIDS, and for addressing the legal concerns of countless San Francisco and Bay Area residents.

In the Senate, I am continuing our fight to maintain and increase funding for HIV/AIDS research, treatment and prevention. We cannot and will not rest until we find a cure.

I would like to congratulate all of the staff, clients, volunteers, and supporters of ALRP on the 25th Anniversary of this laudable organization. I hope you have a memorable celebration, and I wish ALRP many more years of success!

Sincerely,



Barbara Boxer
United States Senator

1700 MONTGOMERY STREET
SUITE 240
SAN FRANCISCO, CA 94111
(415) 403-0100

312 NORTH SPRING STREET
SUITE 1748
LOS ANGELES, CA 90012
(213) 894-5000

501 J STREET
SUITE 7-600
SACRAMENTO, CA 95814
(916) 448-2787

2500 TULARE STREET
SUITE 5290
FRESNO, CA 93721
(559) 497-5109

600 B STREET
SUITE 2240
SAN DIEGO, CA 92101
(619) 239-3484

201 NORTH E STREET
SUITE 210
SAN BERNARDINO, CA 92401
(909) 888-8525

PRINTED ON RECYCLED PAPER

Proclamation

City and County of San Francisco

WHEREAS, the City and County of San Francisco traditionally honors the achievements of notable organizations, and for 28 years, the dedicated work of the AIDS Legal Referral Panel has represented San Francisco values at their best; and

WHEREAS, for nearly three decades, the AIDS Legal Referral Panel (ALRP) has accomplished their mission of helping people with HIV/AIDS maintain or improve their health by resolving their legal issues with free and low-cost services; and

WHEREAS, ALRP is the only institution in the San Francisco Bay Area solely dedicated to providing free and low-cost legal assistance and education on virtually any civil matter to persons living with HIV/AIDS; and

WHEREAS, since 1983, ALRP has handled over 60,000 legal matters for their clients, often providing representation on complex legal matters for a community of individuals least able to afford it; and

WHEREAS, last year, ALRP helped over a thousand people with HIV/AIDS with over two thousand legal matters, successfully leveraged over \$1.5 million in donated legal services and provided legal training for over 300 attorneys; their efforts to help our residents with issues of housing, bankruptcy and credit, immigration, employment, insurance, family law, government benefits, confidentiality and public accommodations are significant contributions to the vitality of our City that will continue to benefit many for generations to come

WHEREAS, as we continue our efforts to find a cure for HIV/AIDS, organizations like the AIDS Legal Referral Panel are helping to ensure that people living with HIV/AIDS receive the services they need and have the quality of life they deserve; now

THEREFORE BE IT RESOLVED, that I, Edwin M. Lee, Mayor of the City and County of San Francisco, in celebration of their 28th anniversary, do hereby proclaim October 19, 2011 as...

AIDS LEGAL REFERRAL PANEL DAY

In San Francisco!



IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City and County of San Francisco to be affixed.



Edwin M. Lee
Mayor



Nancy Pelosi
Democratic Leader

October 17, 2012

Dear Friends,

Greetings as you gather to celebrate AIDS Legal Referral Panel's 29 years of outstanding service improving the lives of persons living with HIV/AIDS. I join you in congratulating tonight's honorees – Boone Callaway, Emily A. Nugent, and the firm of Reed Smith LLP.

The free and affordable legal assistance provided by ALRP is an essential part of San Francisco's system of community-based care and support for people living with HIV/AIDS, which continues to be a model for the nation. Thank you to the ALRP board, staff and volunteers for your commitment and service. The rest of our country has learned from your example.

It was 31 years ago when we first heard that doctors at UCSF were seeing cases unlike anything they'd seen before, symptoms that harkened back to the Middle Ages. At first, it didn't even have a name. Soon, we knew it as AIDS, and quickly, it began to take a terrible toll. In the beginning, many of us were going to two funerals a day.

We understood that AIDS is a very resourceful virus; so too did we become resourceful, pursuing new science, mobilizing in new ways, taking fresh approaches to prevention, treatment, and care. We knew we had to organize, not just agonize – and organize, we did – giving voice to people living with HIV/AIDS here in San Francisco and across our country.

I was proud to share San Francisco's experience during my speech earlier this year at the International AIDS Conference, which returned to the United States for the first time in two decades because we ended the travel ban on people living with AIDS. We also succeeded, under the leadership of President Obama, in developing our first comprehensive National HIV/AIDS Strategy, and passing the Affordable Care Act which will ensure that everyone, including people with HIV, has insurance and the ability to afford lifesaving medications.

Our country cannot turn away from these achievements; we must build on them. We live in dramatically different times than when the AIDS epidemic began, and we must continue to invest in research and innovation, and in the search for a cure.

Thank you again to ALRP and tonight's honorees for your leadership in the fight against HIV/AIDS. Working together, we will defeat this epidemic and its devastating effects on communities at home and around the world.

Sincerely,

Nancy Pelosi
NANCY PELOSI
Democratic Leader



Nancy Pelosi
Democratic Leader

October 16, 2013

Dear Friends:

Thank you for the great honor of receiving the 2013 Clint Hockenberry Leadership Award from the AIDS Legal Referral Panel. Please join me in thanking my dear friend, Ambassador James Hormel, for his tireless leadership to increase awareness and compassion for those afflicted by HIV/AIDS.

In 1983, a small band of dedicated attorneys joined together with a single goal: To restore the dignity that our society had denied to Americans suffering from HIV/AIDS. That extraordinary mission became a San Francisco establishment thanks to the bold vision, leadership, and perseverance of Clint Hockenberry. Because of his immeasurable efforts, the AIDS Legal Referral Panel is celebrating its 30th anniversary as a pillar of our global efforts to creatively and effectively combat the AIDS epidemic.

I am deeply honored and humbled to receive an award so rightfully named for a remarkable community leader. Clint Hockenberry extended his hand to people of color, children, women, non-native English speakers, the homeless—he was a voice for the voiceless. It is that kind of public service that inspired my very first speech on the House floor, where I vowed to enlist Congress in the fight against AIDS. Since that day in 1987, House Democrats have worked across the aisle and with Presidents of both parties to accelerate development of an HIV vaccine, expand access to Medicaid, increase funding for research, care, treatment and prevention initiatives, as well as restore funding to San Francisco's systems of care for people living with HIV/AIDS. As we continue our work in Washington, we shall not waste a single opportunity to give a voice and extend a hand to those living with, combatting, and overcoming the AIDS epidemic.

Thank you, ALRP, for this award and for thirty years of your leadership, dedication, and singular achievement in our fight against AIDS. As we look ahead to the next thirty years, I look forward to working with all of you to make the dream of an AIDS-free generation a reality for our city, our country, and communities across the globe.

Thank you again for this incredible honor, and best wishes for a memorable 30th anniversary celebration.

Best regards,

Nancy Pelosi

NANCY PELOSI
Democratic Leader



SAN FRANCISCO PLANNING DEPARTMENT

Legacy Business Registry Case Report

HEARING DATE: JANUARY 17, 2018

Filing Date: December 18, 2017
Case No.: 2017-016394LBR
Business Name: AIDS Legal Referral Panel
Business Address: 1663 Mission Street, Suite 500
Zoning: NCT-3 (Neighborhood Commercial Transit)
85-X Height and Bulk District
Block/Lot: 3514/030
Applicant: Bill Hirsh, Executive Director
1663 Mission Street, Suite 500
San Francisco, CA 94103
Nominated By: Supervisor Jeff Sheehy, District 8
Staff Contact: Shelley Caltagirone - (415) 558-6625
shelley.caltagirone@sfgov.org
Reviewed By: Tim Frye - (415) 575-6822
tim.frye@sfgov.org

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
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Planning
Information:
415.558.6377

BUSINESS DESCRIPTION

The AIDS Legal Referral Panel (ALRP) is a 501(c)(3) nonprofit organization that was founded in 1983 and officially incorporated in 1989. ALRP is governed by a 30-member board of directors. ALRP was formed in 1983 by attorneys Frederick Hertz, Steven Richter, Mark Senick, and Gary James Wood as a committee of the LGBT organization Bay Area Lawyers for Individual Freedom (BALIF). The founders were responding to the deaths of many gay men from complications of AIDS. Their original intent was to help these dying men draft legal documents such as wills and durable powers of attorney in order to help them die with dignity and fulfill their wishes about healthcare and disposition of assets. The four began by publicizing a phone number that people with AIDS could call to receive legal help, and by recruiting other attorneys to join them.

The four founders and 10 other original ALRP members sustained the organization the first few years without any other infrastructure, but the number of clients was mounting, and the diversity of their legal needs was growing – many were encountering discrimination, housing threats and problems with insurers. In 1986, ALRP hired attorney Clint Hockenberry as its Administrator (and later, Executive Director). Until 1989, they provided services as a committee of BALIF; however, even during this period ALRP had its own budget, funding sources, and staff. With Hockenberry at the helm, ALRP grew from a grassroots community of concerned attorneys to an established lawyer referral service. Fundraising efforts expanded, and ALRP professionalized its recruitment, training and supervision of volunteers. ALRP also began partnering with the Bar Association of San Francisco's Volunteer Legal Services Program (now the Justice & Diversity Center), and this partnership continues to today.

Hockenberry expanded outreach to better serve people of color, children, women, injection drug users,

non-native English speakers and the homeless. During Hockenberry's tenure, ALRP hosted the first national AIDS Law Conference and published the first AIDS Law Manual, extended outreach to other counties, was awarded Ryan White CARE Act funds and founded a Public Policy Project. ALRP was incorporated in 1989 and physically separated from BALIF in 1990, becoming an independent organization separate from BALIF with its own Board of Directors.

In March 1992, Hockenberry passed away from AIDS, but the agency's work continued. Kristin Chambers, ALRP's second Executive Director, and her successor, Irwin Keller, maintained Hockenberry's model of dynamic client services. Under Chambers' and Keller's tenures, the 1990s saw an expansion of services and public policy efforts and an improved client referral system that better served the legal needs of the HIV community. Full-time housing attorneys were hired when rising real estate prices left many people with HIV confronting homelessness. "Working in the Cycle of HIV," an educational manual published in conjunction with AIDS Benefits Counselors (now Positive Resource Center) and the Employment Law Center, was created to respond to the large numbers of people with HIV who wanted to return to the workplace after experiencing positive outcomes from new treatments. On the public policy front, ALRP advocated for national health care reform, continued and improved HIV privacy and confidentiality protections, and promoted Social Security reform to provide expanded, fair and adequate access to benefits.

In 2000, Bill Hirsh became ALRP's fourth and current Executive Director. From its roots as a simple lawyer referral service, ALRP has now grown into an organization with 10 staff attorneys and 700 volunteers that offers both direct legal representation and personalized attorney/client referrals in more than 2,100 cases a year. They help people with HIV keep their housing, maintain their financial stability, get and keep their access to health care, fight discrimination in the workplace and address immigration issues that keep them from becoming fully integrated into society. Through their work, especially their housing work, they have helped preserve the character and identity of many neighborhoods and communities in the city.

ALRP has an existing five-year lease that expires in February 2019. Negotiations with the landlord will begin in early 2018. ALRP expects the rent to increase by approximately 15%, which is a significant rent increase. Inclusion on the Legacy Business Registry will enable ALRP to access assistance and grants. If not included in the Registry, ALRP would face a significant risk of displacement.

Located on the east side of Mission Street between Plum and 12th streets at the northern edge of the Mission District. ALRP is within the NCT-3 (Neighborhood Commercial Transit) Zoning District and an 85-X Height and Bulk District.

STAFF ANALYSIS

Review Criteria

1. *When was business founded?*

The business was founded in 1983.

2. *Does the business qualify for listing on the Legacy Business Registry? If so, how?*

Yes, the AIDS Legal Referral Panel (ALRP) qualifies for listing on the Legacy Business Registry because it meets all of the eligibility Criteria:

- i. ALRP has operated continuously in San Francisco for 35 years.
- ii. ALRP has contributed to the history and identity of the HIV/AIDS and LGBT communities in all neighborhoods of San Francisco by serving as a source of legal assistance and advocate, particularly in the areas of healthcare, immigration, insurance, and housing. The organization is a regular beneficiary of the Folsom Street Fair, the Castro Street Fair, and LGBT Pride. Also, by helping its clients maintain housing, the organization works to maintain neighbor character by retaining long-term residents.
- iii. ALRP is committed to maintaining the traditions that define the organization, including (a) relying heavily on attorneys to volunteer their time to serve our clients; (b) taking on cases in all areas of civil law, with a special emphasis on fields that impact many people with HIV, such as housing, benefits, immigration and employment law; and (c) providing all services by ALRP staff as free, and providing low-cost services by ALRP volunteers governed by a fee protocol, with no fee charged to clients who earn less than \$20,000 a year.

3. *Is the business associated with a culturally significant art/craft/cuisine/tradition?*

The business is associated with the tradition of supporting the AIDS/HIV and LGBT communities by connecting clients with free or low-cost legal services.

4. *Is the business or its building associated with significant events, persons, and/or architecture?*

ALRP was one of the first agencies formed to provide a specific response to the burgeoning HIV epidemic in San Francisco more than 30 years ago—a highly significant event for the LGBT community, and for the city overall. ALRP was responsible for marshaling the legal community's response to the HIV epidemic. ALRP was awarded the State Bar of California Board of Governors commendation in 1985. It was awarded Honorable Mention for the John R. May Award in 1986. It was recognized by the White House on its 10th anniversary in 1993. It was recognized by Senator Boxer in 2008, by Mayor Ed Lee in 2011, and by Senator Pelosi in 2013.

Clint Hockenberry, Administrator and Executive Director of ALRP from 1986-1992, was also a leader in San Francisco's response to the HIV epidemic in the 1980s.

The building at 1663 Mission Street was constructed in 1925 by architect Samuel C. Herman. The building was evaluated for historical or architectural significance in 1978 by the Foundation for San Francisco Architectural Heritage and assigned a rating of "Contextual Importance".

5. *Is the property associated with the business listed on a local, state, or federal historic resource registry?*

No, the property has not been evaluated for eligibility for local, state, or federal history resource registries.

6. *Is the business mentioned in a local historic context statement?*

No, the property has not been listed in any historic context statements. However, the history of the AIDS epidemic in San Francisco that ALRP is associated with is addressed in the LGBTQ Historic Context Statement.

7. *Has the business been cited in published literature, newspapers, journals, etc.?*

The work of the organization has been referred to in several newspapers including:

- The Bay Area Reporter (April 25, 1996; July 10, 1997; November 26, 1998; March 4, 2004)
- The San Francisco Sentinel (August 5, 1988)
- The Bay Times (October 28, 2010)
- The Daily Journal (May 27, 1987; October 19, 1994)
- The Recorder (October 25, 1991; January 6, 1992; December 1, 1992; November 23, 1998)
- The San Francisco Chronicle (April 16, 1997; May 4, 1998)
- The San Francisco Examiner (November 12, 1988; July 25, 1996; April 16, 1997).

Copies of articles are included in this Legacy Business Registry application.

Physical Features or Traditions that Define the Business

Location(s) associated with the business:

- 1663 Mission Street, Suite 500 (1983-1990 and 2001-present)

Recommended by Applicant

- Relying heavily on attorneys to volunteer their time to serve our clients;
- Taking on cases in all areas of civil law, with a special emphasis on fields that impact many people with HIV, such as housing, benefits, immigration and employment law; and,
- Providing all services by ALRP staff as free, and providing low-cost services by ALRP volunteers governed by a fee protocol, with no fee charged to clients who earn less than \$20,000 a year.

Additional Recommended by Staff

- No additional recommendations



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Draft Resolution No. XXX

HEARING DATE: JANUARY 17, 2018

Filing Date: December 18, 2017
Case No.: 2017-016394LBR
Business Name: AIDS Legal Referral Panel
Business Address: 1663 Mission Street, Suite 500
Zoning: NCT-3 (Neighborhood Commercial Transit)
85-X Height and Bulk District
Block/Lot: 3514/030
Applicant: Bill Hirsh, Executive Director
1663 Mission Street, Suite 500
San Francisco, CA 94103
Nominated By: Supervisor Jeff Sheehy, District 8
Staff Contact: Shelley Caltagirone - (415) 558-6625
shelley.caltagirone@sfgov.org
Reviewed By: Tim Frye - (415) 575-6822
tim.frye@sfgov.org

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Suite 400
San Francisco,
CA 94103-2479

Reception:
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Planning
Information:
415.558.6377

ADOPTING FINDINGS RECOMMENDING TO THE SMALL BUSINESS COMMISSION APPROVAL OF THE LEGACY BUSINESS REGISTRY NOMINATION FOR AIDS LEGAL REFERRAL PANEL, CURRENTLY LOCATED AT 1663 MISSION STREET (BLOCK/LOT 3514/030).

WHEREAS, in accordance with Administrative Code Section 2A.242, the Office of Small Business maintains a registry of Legacy Businesses in San Francisco (the "Registry") to recognize that longstanding, community-serving businesses can be valuable cultural assets of the City and to be a tool for providing educational and promotional assistance to Legacy Businesses to encourage their continued viability and success; and

WHEREAS, the subject business has operated in San Francisco for 30 or more years, with no break in San Francisco operations exceeding two years; and

WHEREAS, the subject business has contributed to the City's history and identity; and

WHEREAS, the subject business is committed to maintaining the traditions that define the business; and

WHEREAS, at a duly noticed public hearing held on January 17, 2018, the Historic Preservation Commission reviewed documents, correspondence and heard oral testimony on the Legacy Business Registry nomination.

THEREFORE BE IT RESOLVED that the **Historic Preservation Commission** hereby recommends that the AIDS Legal Referral Panel qualifies for the Legacy Business Registry under Administrative Code Section 2A.242(b)(2) as it has operated for 30 or more years and has continued to contribute to the community.

BE IT FURTHER RESOLVED that the **Historic Preservation Commission** hereby recommends safeguarding of the below listed physical features and traditions for the AIDS Legal Referral Panel.

Location (if applicable)

- 1663 Mission Street, Suite 500

Physical Features or Traditions that Define the Business

- Relying heavily on attorneys to volunteer their time to serve our clients;
- Taking on cases in all areas of civil law, with a special emphasis on fields that impact many people with HIV, such as housing, benefits, immigration and employment law; and,
- Providing all services by ALRP staff as free, and providing low-cost services by ALRP volunteers governed by a fee protocol, with no fee charged to clients who earn less than \$20,000 a year.

BE IT FURTHER RESOLVED that the **Historic Preservation Commission's findings and recommendations** are made solely for the purpose of evaluating the subject business's eligibility for the Legacy Business Registry, and the Historic Preservation Commission makes no finding that the subject property or any of its features constitutes a historical resource pursuant to CEQA Guidelines Section 15064.5(a).

BE IT FURTHER RESOLVED that the **Historic Preservation Commission** hereby directs its Commission Secretary to transmit this Resolution and other pertinent materials in the case file 2017-016394LBR to the Office of Small Business.

I hereby certify that the foregoing Resolution was ADOPTED by the Historic Preservation Commission on January 18, 2018.

Jonas P. Ionin
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED: