



NLADA Awards

Gerald McIntyre, directing attorney of the National Senior Citizen Law Center (NSCLC), states in his letter nominating Semmel for this award, "Herb represents the very best the equal justice community and legal profession has to offer. During his varied legal career, he has excelled as a volunteer civil rights lawyer in Mississippi in 1965, a labor lawyer representing workers, as a law professor who was among the pioneers in teaching Health Law and Social Welfare Law and integrating poverty law into the general curriculum, as the founder and first board chair of a legal services program in Illinois, as a health and civil rights lawyer, as executive director of the Center for Law and Social Policy, as a disability rights lawyer who filed the first complaint under the Americans with Disabilities Act, as Litigation Director at New York Lawyers for the Public Interest, and as an advocate for low-income elders at the National Senior Citizens Law Center (NSCLC), where he is now Director of the NSCLC Federal Rights Project."

Semmel started the Federal Rights Project after the Supreme Court issued a series of cases beginning in 1996 sharply restricting private enforcement of federal laws, particularly against state governments, typical defendants in suits to enforce federal laws benefitting low income persons. Semmel has developed new theories to enforce federal law, such as suits under the Supremacy Clause, to enforce federal rights. This approach has borne fruit with a recent decision by a federal Court in Texas enforcing the Medicaid statute under the Supremacy Clause.

While issues and client groups have varied over the years, Herb's work has always been marked by a commitment to social justice and adherence to principle. It is these traits combined with his keen intellect, enthusiasm and hard work that make him a most formidable advocate for poor people.

Semmel has worked for the last 10 years at NSCLC in Los Angeles focusing on Medicaid programs and on health care issues for seniors and people with disabilities. He brought successful litigation in several states to secure the continuation of Medicaid benefits for people who were losing their Social Security Insurance. He spent the better part of a year forging a coalition of aging organizations that mounted an aggressive and ultimately successful campaign before the California legislature to obtain passage of legislation to assure better staffing and ultimately better care for nursing home residents. Currently, Semmel is involved in litigation to secure access to adequate non-institutional alternatives for residents of a large city-run nursing home in San Francisco.

Ralph Reisner, director of the Center for the Study of Global Banking said, "...I can think of no one I have known during my professional life that has been more selflessly dedicated to the advancement of social justice. Throughout the 35 years that I have known him, Herb's pursuit of this aim has been the primary motivating factor in his life. I believe Herb to be the single most talented lawyer I have known. ...Given his extraordinary abilities, Herb could have undoubtedly have had many alternative professional opportunities that would have been far more remunerative. Fortunately for everyone, Herb chooses to dedicate his enormous talents to social causes and specifically, the advancement of legal services."

CHARLES DORSEY AWARD

Alex R. Gulotta



The 2003 Charles Dorsey Award winner is Alex R. Gulotta, executive director, of the Legal Aid Justice Center (LAJC) in Charlottesville, Virginia.

The Charles Dorsey Award is given biennially to an individual who has provided extraordinary and dedicated service to the equal justice community and to organizations that promote expanding and improving access to justice for low-income people. Candidates

for this award must demonstrate a commitment to equal justice through service as an officer, board or committee member of a national or statewide organization devoted to fulfilling the promise of equal access to justice.

Gulotta began his tenure in Virginia during 1994 as the director of the Charlottesville-Albemarle Legal Aid Society, a single six-county office, which at the time received funding primarily from the Legal Services Corporation. Today, the renamed Legal Aid Justice Center offers free civil legal assistance and community education to low-income families throughout Central Virginia, and to low-wage immigrant workers statewide, maintaining offices in Charlottesville, Richmond, Petersburg, and Northern Virginia. The LAJC receives funding from numerous funding sources, including individuals, local and state governments, local, state and national foundations, and the University of Virginia School of Law.

Gulotta has received national attention for his many innovative approaches to providing legal assistance to low-income Virginians. After the Congressional restrictions on federally funded legal aid programs were put into place in 1996, these restrictions served not as an obstacle to Gulotta, but a catalyst for change. He rallied his board of directors and staff, and they collectively created a new program independent of federal funding — and free of the onerous restrictions, allowing for the development and implementation of a creative initiative to bring justice to the low-income community. Gulotta's program was the first in Virginia to radically reorganize, serving as model of the future for legal aid programs across the country. Since then the numerous other legal aid programs have exchanged federal funds and their accompanying restrictions for the autonomy needed to better serve America's low-income communities.

In addition to the LAJC's general civil advocacy work, Gulotta is also responsible for the creation and preservation of two innovative new programs for special populations: 1) the Virginia Justice Center for Farm and Immigrant Workers, which was created and has been sustained in the face of seemingly insurmountable opposition throughout Virginia, from not only the powerful seafood and agriculture industries but also in the state legislature. This program has reformed the seafood industry through zealous advocacy, letting the agriculture industry know that they will not get away with employment abuses; and, 2) the JustChildren program, the first Virginia legal aid pro-



NLADA Awards

gram to begin comprehensively addressing the unmet legal needs of children in the state's education, foster care and juvenile justice systems. This program, the largest children's law program in the state, has done nothing but grow since its inception, and with it the horizons of child advocacy in Virginia.

In their nomination letter, the LAJC board chair and three senior staff members said, "Alex has changed Virginia. His impact, however, extends far beyond his clients, and far beyond his program. He has demonstrated time and again that with determination and optimism and devotion to a cause, in spite of daunting obstacles, he can find a way to 'make it work.' Across the country, he has inspired other programs to try."

A graduate of Marquette University Law School with honors, Gulotta began his public service career as a staff attorney with Legal Services of Northeastern Wisconsin, Inc., representing low-income households in the areas of public benefits, housing, family and consumer protection. From there he went to the Appalachian Research and Defense Fund of Kentucky, Inc., as a senior attorney, where among his accomplishments was a successful negotiation with Kentucky officials on behalf of a class of Food Stamp recipients to correct constitutionally defective practices relating to termination of benefits.

CLARA SHORTRIDGE FOLTZ AWARD



Louisville Metro Public Defender's Office

The 2003 recipient of the Clara Shortridge Foltz Award is the Louisville Metro Public Defender's Office in Louisville, Kentucky, directed by Daniel Goyette

This award is given biennially to a public defender program or defense delivery system for outstanding achievement in the provision of public defense services. The achievement may be the result of an effort by the entire program, a division, a branch or a special project. The award is named for the founder of the nation's public defender system.

In a letter nominating the Louisville Metro Public Defender's office, former ABA President L. Stanley Chauvin, Jr. states, "During my term as president of the American Bar Association, I had the pleasure of observing, evaluating and interacting with many defender offices across the country. I know of no program or organization that better exemplifies the spirit and high standard of practice pioneered by the individual in whose name this important award is presented than the Louisville Metro Public Defender.

"Since its incorporation in 1971, the Louisville Metro Public Defender's office has revolutionized criminal defense representation in this jurisdiction and led the way for the establishment and implementation of a full-time, statewide public defender system in Kentucky. Dubbed 'The Best Legal Minds Money Can't Buy' in a *Courier-Journal Magazine* article published in 1990... the office operates a mixed caseload/vertical representation system in accordance with ABA standards and NLADA guidelines. Its record of achievement on behalf of indigent accused in the trial and appellate courts, both state and federal, is truly remarkable."

The Louisville Metro Public Defender's Office has a reputation among its peers as being the best. In trial courts, the success of the office's defender litigators is second to none in either the private or public sectors. Its representation of juvenile clients has been singled out for praise by the ABA, and its TeamChild program has broken new ground in Kentucky with an innovative and proactive approach. TeamChild pairs civil attorneys with public defenders to address more holistically the needs of youth in the juvenile justice system.

Similarly, the office's aggressive advocacy on behalf of respondents in involuntary hospitalization proceedings has changed practices and attitudes toward perhaps the most vulnerable clients in the court system. Staff attorneys in the defender's office are recognized as among the most expert in this area of the law and are regularly called upon to lead or participate in task forces and legislative efforts to improve the quality of justice for the mentally ill.

In addition, the Louisville Metro Public Defender's Office successfully challenged the use and expansion of video arraignments, and Chief Public Defender Dan Goyette convinced judicial and executive branch leaders to rethink and redesign new courts and corrections construction plans so that all persons accused of crimes are assured of in-person, in-court, "live" arraignments. Currently, Jefferson County is the only one of Kentucky's 120 counties in which video arraignments are not used. Instead, the equipment originally purchased by the county for video arraignments is now being used by the public defender's office and its clients to allow for "24/7" video-conferencing between attorneys and inmates.

Led by Goyette, the Louisville Metro Public Defender's Office staff includes 51 attorneys, nine investigators, five paralegals, two social workers, a mitigation specialist, two law clerks, 12 secretaries, eight data entry personnel and a comptroller. The workload and delivery system is organized into eight coordinated, collaborative divisions. A nine-member leadership team includes: Leo Smith, deputy chief public defender; Peter Schuler, chief of the Juvenile and Mental Health Division; Frank Heft, Jr., chief appellate defender; Ann Bailey Smith, assistant public defender; Donald J. Meier, Adult Trial Division Chief; Jay Lambert, Adult Trial Division chief; Raymond M. Clooney, chief of the Capital Trial Division; Patricia L. Echsner, deputy chief of the Juvenile Trial Division; and William E. Sharp, deputy chief of the Adult Trial Division.