



hiv law project

*Leading the Fight for the
Rights of People Living
with HIV/AIDS*

The HIV Law Project believes that all people deserve the same rights, including the right to live with dignity and respect, the right to be treated as equal members of society, and the right to have their basic human needs fulfilled. Yet these fundamental rights are elusive for many people living with HIV/AIDS. Through innovative legal services and advocacy programs, the HIV Law Project fights for the rights of the most underserved people living with HIV/AIDS.

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*The HIV Law Project
Leading the
Fight for the Rights
of People Living with HIV/AIDS*

Providing Critical Support

The HIV Law Project offers vital services to New York City's most vulnerable communities:

- Free legal advice and representation for individuals and families
- Ancillary social support services
- Impact litigation and public policy advocacy, on behalf of HIV-positive New Yorkers and benefiting all of us
- Advocacy training for low-income, HIV-positive women in New York City
- Legal education and technical assistance for local HIV service providers in New York City

The HIV Law Project has been at the forefront of legal and advocacy services to low-income, HIV-positive New Yorkers, particularly women and people of color, for more than 15 years — the only organization in New York providing empowerment-based support exclusively to these disenfranchised groups. Since its inception in 1989, the HIV Law Project's staff attorneys have assisted clients in more than 18,500 cases, graduated over 150 HIV-positive women activists from its advocacy training program, and developed and improved local, state, and national policies affecting people living with HIV/AIDS.

Despite Progress, Challenges Continue

The ranks of people living with HIV/AIDS in New York City continues to grow at an alarming rate. At the same time, state and federal funding to non-profits servicing the HIV/AIDS community is being slashed year after year—and the cuts to date have forced HIV Law Project to reduce the number of clients they serve. The HIV Law Project is the last resort for many people living with HIV/AIDS—when they are turned away from HIV Law Project, very often they have nowhere to turn.

The Time to Get Involved Is Now

Your support is critical if the HIV Law Project is to continue meeting the enormous need for their services. Your donation will help us continue to fight for the legal rights of all New Yorkers living with HIV/AIDS.

To make a tax-deductible donation, call us at **212.577.3001** or visit our website, www.hivlawproject.com.

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“The effectiveness and long-term commitment of the HIV Law Project assures me that my contribution is helping those who otherwise would get no assistance.”

—Irene Banning, founder of the Ms. Foundation’s Women and AIDS Fund

“Thank God for the staff at the HIV Law Project. They made me feel like family.”

—Ana

“The HIV Law Project saved me from eviction. I am forever grateful.”

—James

“Without HIV Law Project, I don’t know where I would have been, probably still homeless. Because of the knowledge I received, I was able to survive. It’s a blessing.”

—Whispers

“[HIV Law Project] is my second family...They let you know you are important, that you fit somewhere.”

—Mary

Shifting the Legal Landscape

In **1993**, efforts by the HIV Law Project resulted in the Centers for Disease Control and Prevention’s expansion of its definition of AIDS to include the illnesses common to women and people of color.

Also in **1993**, the HIV Law Project won the landmark class-action lawsuit *S.P. vs. Sullivan*, resulting in new federal regulations covering Social Security disability benefits—those previously unavailable to most HIV-positive women, IV-drug users, and children.

In **2000**, action filed by the HIV Law Project led to the Food and Drug Administration’s rescinding federal guidelines that allowed pharmaceutical companies to bar any woman of child-bearing potential from often life-saving clinical drug trials.

In June **2003**, the U.S. 2nd Circuit Court of Appeals upheld the 2000 District Court decision on *Henrietta D. vs. Giuliani*, a federal class-action lawsuit brought in part by HIV Law Project which challenged New York City’s inadequate provision of health and welfare benefits to indigent New Yorkers living with HIV/AIDS.

In **2005**, the HIV Law Project’s staff of six attorneys and two paralegals handled a total of nearly 1,400 cases at a sum of more than 10,900 billable hours.

“The HIV Law Project has been consistently evaluated by our summer associates as a wonderful organization that is really motivated by their mission, and well-run. Summer associates have described the work as interesting, challenging and incredibly rewarding. We look forward to continuing our relationship with the HIV Law Project for years to come.”

—Rachelle Louis, Pro bono and CLE coordinator, Schulte Roth & Zabel LLP



The HIV Law Project: Rising to the challenge

HIV/AIDS in Our Community—The Facts

- As of June 30, 2004, **92,021** New Yorkers had been diagnosed and are living with HIV/AIDS—although the true number is higher. It is estimated that **25%** of persons living with HIV have never been tested and thus do not know they are infected.

(Source: HIV Epidemiology Program, NYC DOHMH, April 2005)

- **89%** of women living with HIV/AIDS in New York City are African-American and Hispanic.

(Source: NYC HIV/AIDS Surveillance Statistics, 2003)

- **45%** of all New Yorkers with HIV/AIDS—and **53%** of African-American New Yorkers with HIV/AIDS—have histories of homelessness.

(Source: An Assessment of Housing Needs of Persons Living with HIV/AIDS, NYC DOHMH, 2005)

- At least **23%** of New Yorkers with HIV/AIDS depend on some kind of public support to meet housing needs.

(Source: Ibid)

- New and recent immigrants with HIV in New York City have limited access to a shrinking range of benefits and services.

(Source: New York City Mayor’s Office/AIDS Policy Coordination, Housing Work Group, July 2001)

People Living with HIV/AIDS Face Debilitating Obstacles And not just the physical and emotional challenges related to HIV infection. People living with HIV/AIDS in New York City routinely face many legal barriers: eviction from their homes and the threat of homelessness; myriad immigration issues; denial of government benefits and health insurance coverage; harassment from creditors; and HIV-related discrimination and confidentiality matters.

Marisol's Story

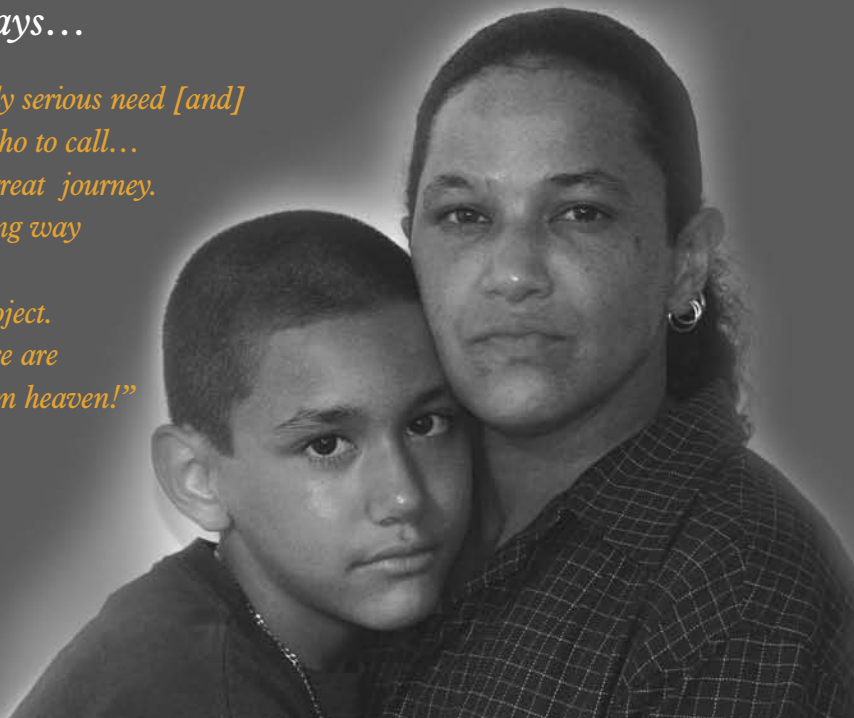
Marisol is a 38-year-old Latina mother of two, who is HIV-positive and identifies herself as a lesbian. Several years ago, while addicted to drugs, she determined that she could no longer adequately care for her son and asked a friend to take him in. When she was not able to look after Marisol's child, the friend contacted the authorities, and the Administration for Children's Services filed a case to terminate Marisol's parental rights. With nowhere else to turn, Marisol came to HIV Law Project.

How HIV Law Project Helped

The HIV Law Project went to court with Marisol, represented her before the hearing officer, and was able to stop her rights from being terminated. After 18 months of litigation, her son was placed back in her custody in December 2004. Both Marisol and her son are currently doing well. Marisol has since turned her life around, having completed a drug treatment program and attended parenting classes, and is currently pursuing her GED.

Marisol Says...

"I was in really serious need [and] didn't know who to call... It has been a great journey. I've come a long way thanks to the HIV Law Project. The people here are angels sent from heaven!"



Edna's Story

Like many people living with HIV/AIDS, Edna—a 53-year-old woman from the Bronx—struggled to meet all her basic needs on her limited income. Edna was often forced to pay the rent on her apartment late or in varying amounts each month, in an informal agreement with her landlord. However, the deplorable conditions of Edna's apartment started to adversely affect her health (which was compromised by her weakened immune system), and despite many discussions with her landlord, none of the repairs were made. She finally complained to the City's housing inspection department. After the City issued several violations against the landlord, the landlord retaliated by started an eviction case against Edna, citing back rent.

How HIV Law Project Helped

The HIV Law Project successfully represented Edna in her case—the rent arrears were reduced to less than a few hundred dollars, and all of the repairs were made to her apartment. Edna also enrolled in the Law Technical Assistance Program (Law TAP), HIV Law Project's advocacy training program for HIV-positive women. Through Law TAP, she learned to become a successful advocate on a range of legal issues. She hopes to enroll in the Women's Leadership Institute to learn advanced leadership and community organizing skills.

Edna Says...

"Because of the HIV Law Project, I still have my home. Now I've learned to advocate for myself and that makes me feel good. I feel I've grown as a person."



Enrique's Story

Enrique is a 38-year-old gay man from Peru. After being diagnosed with HIV and later AIDS, Enrique fortunately regained his health through a drug-recycling program, and soon after started a community-based organization to empower those living with HIV/AIDS. His activism made Enrique "the face of the AIDS" in Peru. But due to his high profile, Enrique received death threats, and in December 2003 he was abducted and violently assaulted—he believed the assailants were hired by the government, and that he was attacked for his outspokenness as well as his sexual orientation. Fearing for his life, Enrique was forced to flee to the United States and seek asylum.

How HIV Law Project Helped

The HIV Law Project spent many hours preparing for Enrique's interview before the U.S. Citizenship and Immigration Service's Asylum Office. In the end, HIV Law Project successfully presented Enrique's very compelling case and he was granted asylum. From his home in New York, he continues to work on behalf of those living with HIV/AIDS in Peru and elsewhere.

Enrique Says...

"I feel relieved to know that when I walk in the streets, I have full legal status—and I owe that to the HIV Law Project. Thanks to the HIV Law Project, I now feel secure, and a part of society."

