

Equal Justice America
Building II, Suite 204
13540 East Boundary Road
Midlothian, VA 23112

Dear Dan Ruben,

I am writing to thank Equal Justice America for supporting my summer at the Judge David L. Bazelon Center for Mental Health Law.

Under the supervision of brilliant and dedicated attorneys who provided true mentorship, I was able to work on litigation and policy advocacy to protect and advance the rights of people with mental illnesses.

On the litigation side, I supported the ongoing implementation of a consent decree entered as a result of the class action case *Williams v. Quinn*. The five-year consent decree, now in its sixth year, requires the State of Illinois to move thousands of people with mental illnesses who were being inappropriately housed in institutions for mental disease to the community. According to the Americans with Disabilities Act and the United States Supreme Court decision in *Olmstead v. L.C.*, people with mental illnesses are entitled to receive services in the most integrated setting possible. My work consisted of supporting negotiations surrounding the consent decree's sixth year by drafting letters to opposing counsel, attending meetings with opposing counsel, and researching potential litigation strategies.

The rest of my work was focused on policy. This consisted of attending coalition meetings, researching and briefing upcoming bills for the Bazelon Center to respond to, and evaluating and summarizing laws, regulations, and proposed bills—including the Mental Health Parity Final Rule—for public consumption.

On one occasion, I wrote a memo on whether case law supported a legal standard the Bazelon Center wanted to recommend to the Department of Education. The standard was for determining if a college student who is experiencing mental illness in such a way that puts them at risk of harm to themselves or others may be removed from campus.

Another project consisted of drafting a comprehensive summary of the rights of people with mental illnesses in housing, voting, education, employment, community integration, and health for the Substance Abuse and Mental Health Services Administration.

Learning how policies and strategies are crafted by community coalitions and pushed through Congress was invaluable. I gained technical knowledge on the federal laws that protect people with mental illnesses and strengthened my writing. Most significantly, I learned that even in the toughest fights, negotiations and bargains must be struck in the world of politics. This strengthened my resolve that people with mental illnesses themselves must lead the process of demanding social change.

I cannot say enough thanks to you and Equal Justice America for your generous support this summer. For all that I have learned and grown I am indebted to you.

With utmost gratitude,

Viviana Bonilla López
New York University

The Judge David L.
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for Mental Health Law
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September 29, 2016

By email to Katie@EqualJusticeAmerica.org

Dan Ruben
Executive Director
Equal Justice America
Building II, Suite 204
13540 East Boundary Road
Midlothian, Virginia 23112

Re: EJA Summer 2016 Fellow Viviana Bonilla Lopez

Dear Mr. Ruben:

I am writing to provide you with a report on Viviana Bonilla Lopez's work as a summer legal intern with the Bazelon Center for Mental Health Law. Viviana worked with us for 10 weeks, from May 23 to July 29, 2016. She was a pleasure to work with, and made a significant contribution to our work through her legal research and writing.

Viviana wrote helpful research memos for our Americans with Disabilities Act (ADA) class action *Williams v. Roemer*, in which the state of Illinois has agreed to help persons with mental illness transition from large privately-operated nursing homes known as Institutes for Mental Disease (IMDs) to their own homes, with appropriate community-based services. We turned Viviana's memo on why "transitional housing" for such individuals is an ineffective approach to housing them – experts have indicated that providing permanent supportive housing, under a "housing first" approach, results in better outcomes for people with mental illness – into a

letter we sent to the defendants when they were considering investing in transitional housing models. Also for *Williams*, Viviana wrote a memo discussing when a consent decree may be modified, including the very rare circumstances in which a state's insufficient funds may serve as a basis for modifying a decree. (As you may know, Illinois has been in a budget crisis for the last two years.) Viviana's work helped clarify our team's legal positions, which has been helpful in negotiations over Illinois' compliance with the consent decree in *Williams*.

Viviana also helped with two of our public education initiatives: she helped develop a fact sheet on new federal regulations requiring that Medicaid beneficiaries enrolled in managed care organizations receive mental health benefits on par with physical health benefits. She also researched a variety of laws affecting the civil rights of persons with mental disabilities, for a webinar presentation funded by the Substance Abuse and Mental Health Service Administration (SAMHSA). Viviana was a journalist before attending law school, and her talent for clear writing for non-legal audiences really helped us develop these materials.

At the end of the summer, Viviana and her fellow interns helped us with a project for the American Bar Association's Capital Clemency Project. She and her colleagues drafted brief descriptions of several mental health diagnoses focusing, for purposes of clemency petitions, on how mental health conditions affect allegedly criminal behavior, to assist pro bono attorneys representing criminal defendant petitioners to recognize and develop such evidence as support for a clemency petition. Viviana drafted an introductory letter to readers instructing them on how best to use the information, including by not trafficking in stereotypes about people with mental illness, even when tempted to do so while representing a client. ABA staff have assured us that these materials will help provide defendants with better representation in this important but often-ignored aspect of the criminal justice system.

Throughout her summer with us, Viviana was always enthusiastic about the work she was doing. We knew that our work, and mental health advocacy more generally, was important to her, because of the care she took with every assignment. And she was unfailingly enthusiastic about the other learning and social experiences we provide our summer interns, from brown bag lunches to barbeque gatherings to our annual baseball game. She really was a joy to work with, as well as a hard and good worker.

We are very grateful to Equal Justice America for sponsoring Viviana and other interns and fellows who have worked with us at the Bazelon Center over the years. As a former EJA-funded summer intern, I know that the experiences law students have during law school are so

important in helping them decide on and follow a career path. It was during my internship with the Prisoners' Rights Project of the Legal Aid Society in New York City that I learned about the challenges faced by persons with mental illness in our criminal justice system – and now I spend significant time as a lawyer trying to prevent such individuals from ever becoming incarcerated. Thank you for funding me and for funding the law students and fellows I have worked with over the years, including Viviana.

Sincerely,

/s/

Lewis Bossing
Senior Staff Attorney