

COMMITTEE FOR PUBLIC COUNSEL SERVICES

2016 AWARDS CEREMONY

May 24, 2016

***John Adams Courthouse
1 Pemberton Square
Boston, MA 02108***

PROGRAM

5:00 - Welcome

5:10 - Award Presentations

Thurgood Marshall Award

Carol Donovan Exceptional Advocacy Award

Armand Goyette Investigator Award

Paul J. Liacos Mental Health Advocacy Award

Jane Addams Award for Outstanding Social Service
Accomplishments

Jay D. Blitzman Youth Advocacy Award

Edward J. Duggan Award for Outstanding Service -
Private Counsel

Maura Mellen Administrative Professional Award

Edward J. Duggan Award for Outstanding Service -
Public Defender

Margaret Winchester Child Welfare Advocacy Award

6:15 - Reception

THURGOOD MARSHALL AWARD

ARNIE LUCINDA STEWART

The Thurgood Marshall Award was established by CPCS in 1994 to honor a person or persons who champion the cause of zealous representation for the poor, and the right to effective assistance of counsel for all.

Arnie Lucinda Stewart is a natural leader. With a warm and engaging personality she leads through consensus building and collaboration. But beneath Arnie's smile is a steely determination and a fierce advocate. You do not want to be on the other side of Arnie if she perceives an injustice. It is this combination that has led to Arnie's incredible success as a staff attorney, office head and managing director.

Arnie began her career fighting on behalf of the indigent when she first joined CPCS in 1997 as a staff trial attorney in the Boston Superior Court Office. In 2009, Arnie was appointed as the Attorney-in-Charge (AIC) of the Boston District and Municipal Court office and in 2012, Arnie was chosen as the first PDD Managing Director for the Northeast Region.

As a trial attorney, Arnie was highly respected as a client-centered, compassionate negotiator and litigator with the ability to effectively communicate the humanity of each of her clients to judges, juries, assistant district attorneys and probation officers. She built lasting relationships with clerks, court officers, prosecutors, and judges, while educating them about their own prejudices and insensitivities.

In addition to her formal job responsibilities as an AIC and Managing Director, Arnie has served as a mentor to numerous colleagues, and been an active participant in efforts to improve CPCS and the representation provided to clients. Arnie has served on various committees and been extremely active in recruiting and hiring (well before her official capacity required it). Arnie is a leader in efforts to increase agency diversity and retention, helping to create trainings on management and diversity and being a founding member of the CPCS affinity group Public Lawyers of Color (PLOC).

Arnie lives in Jamaica Plain with her spouse Susan Greenwood, her son Elijah Greenwood-Stewart and her mother-in-law.

CAROL DONOVAN EXCEPTIONAL ADVOCACY AWARD

BARBARA KABAN

The Carol Donovan Exceptional Advocacy Award is presented from time to time by CPCS to the lawyer, public or private, whose representation of poor people facing the awesome power of the state is most reminiscent of Carol's fierce commitment to their vigorous and effective representation, and the cause of equal justice for all.

Barbara Kaban embodies all of the characteristics of a great public defender: outstanding legal acumen, a never say die attitude, extraordinary energy, and unending generosity. After a decade of ground breaking work at the Children's Law Center of Massachusetts, Barbara joined the Youth Advocacy Division in 2012, as its first Director of Juvenile Appeals. Almost immediately, Barbara teamed up with a host of lawyers and social workers to seek justice and freedom for about 80 prisoners who, as adolescents, had been condemned to die in prison. Barbara and Ben Keehn were the strategic thinkers that persuaded the SJC not only to retroactively apply *Miller v. Alabama*, which prohibited the mandatory imposition of sentences of life without parole for juveniles, but to leap past the Supreme Court and declare any life sentence without the possibility of parole unconstitutional for juveniles. They also secured a right to counsel, access to funds for experts and a right of appeal in juvenile lifer parole hearings. To date, nearly a dozen prisoners have received positive parole votes and several former juvenile offenders are already back in the community as free men, thanks in large part to Barbara's efforts.

Simultaneously, Barbara was also leading an explosion of appellate litigation on juvenile cases. During this time, the SJC ruled in a wide variety of contexts that the police, the court, juries, grand juries, SORB, and the parole board must take a defendant's youth into consideration in making decisions about arrest, prosecution, sentencing, etc. Barbara's efforts improved the law, but more importantly catalyzed the development of a strong and ever improving juvenile defense bar. Generations of youth in Massachusetts will reap the rewards of her efforts.

ARMAND GOYETTE INVESTIGATOR AWARD

ANDREW D. MOAN

The Armand Goyette Investigator Award is presented annually to a staff investigator for outstanding investigative work. The award is named for Armand Goyette, the first investigator at the Massachusetts Defenders Committee. Mr. Goyette, recognized as the consummate criminal defense investigator, provided outstanding service for over 25 years.

This year's recipient is **Andrew D. Moan**. Andy has worked as a criminal defense investigator for 15 years. Since joining CPCS about 4 years ago, Andy has been involved in some of CPCS's most difficult and sensitive cases. Andy consistently performs his duties in accordance with the highest professional and ethical standards, and is a role model not only for the new investigators, but for all of the investigators on staff. He has earned the respect of everyone he works with, as well as all those involved in the criminal justice system. Andy is the investigator other investigators go to for advice or assistance on a case. He is the consummate team member, always available to aid in our clients' representation and the protection of their legal rights.

Andy and his wife Wendy are raising three young children. He coaches Little League and basketball. Andy devotes his after-work hours to being with his family, participating in all kinds of activities, including camping and hiking with his son. Anyone who knows or talks to Andy quickly comes to realize that he is truly devoted to his family and they are the center of his universe.

The investigative staff is proud to have Andy as a member of our work family, and appreciate his positive contributions to the representation of indigent criminal defendants.

PAUL J. LIACOS MENTAL HEALTH ADVOCACY AWARD

ROBERT D. FLEISCHNER

The Paul J. Liacos Mental Health Advocacy Award is presented annually to a public defender or private attorney whose legal advocacy on behalf of indigent persons involved in civil and/or criminal mental health proceedings best exemplifies zealous advocacy in furtherance of all clients' legal interests.

Robert D. Fleischner has been practicing mental disability law since 1973. He is a national expert in many areas including advance directives and guardianship. He is the co-author of *Guardianship and Conservatorship in Massachusetts*. A Boston College Law School graduate, Bob has litigated community integration, civil commitment, prison mental health, juvenile justice, guardianship, and fair housing cases.

Bob has devoted his 44 year career to improving the lives of people with mental disabilities. His appellate work laid the framework for arguments that mental health attorneys make in courts throughout the Commonwealth. His cases include ones establishing that timelines for commencing civil commitment hearings are mandatory and jurisdictional; clarifying that judges are limited in their ability to set restrictions on patients and the clinical discretion of hospitals; and holding that if a court orders that a client be discharged, the hospital cannot circumvent the court order by keeping the client in the hospital, discharging him on paper and filing a new petition. In addition, Bob has spearheaded systemic litigation that benefits many, including cases preventing the solitary confinement of prisoners with mental disabilities; establishing intensive wrap-around services for children with serious emotional disturbances so that they can stay in their homes and communities; and establishing a system of services and community-based supports for individuals with brain injuries where no dedicated service system had existed before.

JANE ADDAMS AWARD FOR OUTSTANDING SOCIAL SERVICE ACCOMPLISHMENTS

LAUREN J. HONIGMAN

The Jane Addams Award for Outstanding Social Service Accomplishments is presented annually to a staff social worker or social service advocate who exemplifies a commitment to clients through his or her advocacy, support, and dedication. The award recognizes the profound impact of social workers and social service advocates serving as members of a legal team. It is named for Jane Addams, a pioneer in establishing the field of social work and the first American woman to be awarded the Nobel Peace prize.

In 2011, **Lauren J. Honigman** joined the Springfield Youth Advocacy Division office as its first Social Service Advocate. Working with Patrick Sparks and the other lawyers, Lauren laid the groundwork for establishing a model attorney/Social Services Advocate working relationship. Her work contributed to the positive opinion held by the Court and other system stakeholders about the value of social workers in delinquency cases.

Lauren exemplifies the values of Jane Addams. She is a constant voice of empathy for all people, but her fierce loyalty and compassion is most clearly evident in her work with youth and families. Her colleagues love Lauren's commitment to finding individualized services that meet the specific needs of her clients, her genius for connecting with children and families, and her uncanny knack for education advocacy.

Lauren's passion and skills are longstanding. Lauren started her work with court-involved youth as an undergraduate, volunteering at a correctional facility mentoring detained youth. She went on to get her Masters of Social Work from the University of Maryland. During that time Lauren volunteered with the Social Work Community Outreach Services program, advocating in schools in collaboration with the University of Maryland Law Clinic. After graduation, Lauren served as a social worker in the Bronx, and then, to further develop her ability to assist children and families facing injustice, earned a law degree at Western New England School of Law. Lauren is a member of the Massachusetts Bar and is a Licensed Independent Clinical Social Worker.

JAY D. BLITZMAN YOUTH ADVOCACY AWARD

JOE MULHERN

Established in honor of the Youth Advocacy Division's founder, the Jay D. Blitzman Youth Advocacy Award is presented annually to a person who has demonstrated a commitment to juvenile rights, which is the hallmark of Judge Blitzman's long career as an advocate. The award honors an advocate who has exhibited both extraordinary dedication and excellent performance to assure that children accused of criminal conduct, or otherwise at risk, are treated fairly and with dignity in the courtroom, in the community, and in the custody of the state.

In baseball parlance (Joe loves baseball almost as much as he loves juvenile defense), “Cool” **Joe Mulhern** is Fall River YAD’s player/manager, and he excels at both. As a player, Joe had a great 2015: he won a complicated rape case, set up the record perfectly to make great case law for youthful offenders, and was instrumental in helping a juvenile lifer obtain parole and eventual release. But 2015 was not that unusual for Joe. For the last five years running YAD’s Fall River office, Joe has been an outstanding litigator and a leader of the local juvenile defense bar, while also starting and running a very tightknit and organized office that has developed a statewide reputation for zealous and skilled advocacy. His team attacks cases ranging from disorderly to home invasion with a client centered ferocity that consistently yields outstanding results. Joe has carefully managed the swift professional development of his staff, but when there is a particularly bad case, Joe takes it. Joe works closely with Melissa Ellis to provide leadership to the Bristol County bar. Everyone in Juvenile Justice knows and respects Joe. It is not unusual for him to respond to numerous advice questions a day from lawyers, judges, and members of the community. When things need to get done on a specific juvenile case, program, or policy in Bristol County, Joe is called to help. Joe participates in Bristol County on the JDAI Steering Committee, the Mental Health Court Steering Committee, the Drug Court, and the Sexually Exploited Youth Multidisciplinary Team. Equally impressive as Joe’s workload and work ethic, is the calm professionalism with which he carries out the job.

EDWARD J. DUGGAN AWARD FOR OUTSTANDING SERVICE - PRIVATE COUNSEL

LUKE RYAN

The Edward J. Duggan Award for Outstanding Service, Private Counsel is given to an Assigned Private Counsel and is named for Edward J. Duggan, who served continuously from 1940 to 1997 as a member of the Voluntary Defenders Committee, the Massachusetts Defenders Committee, and the Committee for Public Counsel Services. The award has been presented each year since 1988 to the private attorney who best represents zealous advocacy --- the central principle governing the representation of indigents in Massachusetts.

Luke Ryan, in collaboration with CPCS appellate defender Rebecca Jacobstein, has led the charge since January 2013 to uncover what is now revealed to be another enormous drug lab scandal impacting thousands of indigent clients. As Luke pressed for information about the extent of misconduct at the Amherst lab to help his clients facing drug charges, prosecutors dismissed Luke's efforts as "fishing expeditions" until Rebecca Jacobstein persuaded the SJC to call out law enforcement's resistance to the truth.

Luke concentrates his private practice in criminal defense at the trial and appellate level and in civil rights litigation. He is cooperating attorney with the ACLU of Massachusetts and has collaborated with the Center for Constitutional Rights to challenge human rights violations by anti-gay activists operating in Springfield and Uganda. Luke is active in local community organizations including the Performance Project (in which prisoners tell their stories through theater productions) Out Now, Arise for Social Justice and Springfield No One Leaves.

A native of Northampton, Luke received his bachelor's degree from Amherst College, and his J.D., magna cum laude, from Western New England College School of Law. While at Western New England, Luke served as editor-in-chief of the Law Review and published a note on the necessity defense. From 2005 to 2007, he clerked for U.S. District Judge Michael Ponsor. In 2013 and 2014 Luke was named a "rising star" by Massachusetts Super Lawyers.

MAURA MELLEN ADMINISTRATIVE PROFESSIONAL AWARD

JUDITH H. FLYNN

The Maura Mellen Administrative Professional Award honors an administrative staff member who has made an outstanding contribution to the delivery of zealous and effective advocacy for CPCS clients. The award recognizes that administrative staff members perform many critical roles in the provision of zealous representation to CPCS clients.

Judith H. Flynn is the perfect example that leaders in this agency are not always attorneys. For over 20 years Judie has epitomized supportive leadership and by so doing has allowed the attorneys, social workers, and investigators she supported the luxury of concentrating all their efforts on their clients.

Judie began her career at CPCS with CAFL. She supported the administration of child welfare cases and provided direct support to the program directors and staff attorneys. Judie then joined the Boston Superior Court Unit where she remained for nearly 15 years, helping to run the biggest superior court office in the agency. During Judie's tenure in Boston, she was the "fixer." Anyone who had a problem went to Judie to solve it. If she could not fix the issue herself, Judie knew who could.

In 2012, Judie moved to Cape Cod to join the new CAFL and YAD Hyannis offices. Judie's administrative abilities and knowledge of all things CPCS made the opening and day-to-day operation of the co-located offices seamless. For the past four years, Judie has split her time working as the Administrative Assistant for both CAFL and YAD. While this would be overwhelming to most, Judie has proven to be a multitasking expert, and handles the job with ease. And as if this were not enough, Judie also handles assignments for the CPCS murder list several days a week.

Judie's service to CPCS employees and clients for more than 20 years is inspiring to all of us who work to provide zealous legal representation. While Judie would never seek any acclaim, she is certainly deserving of this recognition.

EDWARD J. DUGGAN AWARD FOR OUTSTANDING SERVICE - PUBLIC DEFENDER

JOHN S. REDDEN

The Edward J. Duggan Award for Outstanding Service, Public Defender is given to a Public Defender and is named for Edward J. Duggan, who served continuously from 1940 to 1997 as a member of the Voluntary Defenders Committee, the Massachusetts Defenders Committee, and the Committee for Public Counsel Services. The award has been presented each year since 1988 to the public defender who best represents zealous advocacy -- the central principle governing the representation of indigents in Massachusetts.

This year, the Brockton Superior Court office attorneys nominated their Attorney-in-Charge, **John S. Redden**, for the Duggan Award, "not only because he is a phenomenal trial attorney who embodies zealous advocacy for our clients, but because his mentorship and guidance is an example of zealous advocacy for his own staff and our profession." John has been the leader of the Brockton Superior Court office for the past six years. During that time, he has inspired and uplifted his staff by winning "not guilty verdicts against all odds and stand[ing] by his clients in moments of defeat." He has inspired loyalty and support by "show[ing] up, day after day, week after week ... and year after year [to] represent each client with the same unwavering compassion and zealous advocacy."

After spending nearly 30 years as an attorney in New Jersey, in 2007 John joined CPCS as a staff attorney in the Brockton Superior Court office. In the mid-80s, John was a public defender in New Jersey. During his time as a public defender in New Jersey and Massachusetts, John has tried close to 100 jury trials. John was also a prosecutor in New Jersey – he was the First Assistant in Essex County, New Jersey for six months in the late 90s – and his time with the prosecution has given him unique insight and wisdom.

In 2014, Governor Deval Patrick appointed John to the Massachusetts Sentencing Commission. John hopes his work on the Sentencing Commission will help to end the long reliance on incarceration as a preferred criminal case disposition.

John Redden uses his skills as a litigator, a mentor and a manager to inspire lawyers to unwavering zealous advocacy.

MARGARET WINCHESTER CHILD WELFARE ADVOCACY AWARD

CHRISTINE M. BONARDI

Margaret Winchester provided the highest quality representation to children and indigent parents and made it her mission to help others do the same. The Margaret Winchester Child Welfare Advocacy Award honors a staff member or a private attorney who, through his or her zealous advocacy and extraordinary commitment to children and parents in care and protection and other Massachusetts child welfare cases, is a model for other advocates seeking to protect the rights of children and parents.

Christine M. Bonardi serves as a model for lawyers statewide who represent children and parents in care and protection, termination of parental rights, guardianships and other cases in which the state has intervened in the lives of children and families. A graduate of Suffolk University Law School, Christine began private practice in Boston in 1989, and joined CPCS's CAFL panel where she quickly became one of the go-to attorneys in the courts where she accepted assignments. In 1996 Christine became a CAFL Trial Panel mentor. Over 10 years as the CAFL Regional Coordinator for Suffolk County, Christine's trainings were very well-attended and attracted many based outside of Boston. We still use the chapter she co-authored in the MCLE *Child Welfare Practice in Massachusetts* Manual to instruct attorneys about the DCF administrative process.

Christine is a member of the CPCS SORB/SDP, Mental Health, and Mary Moe panels. (She has also served on the Juvenile Delinquency panel.) Christine also acts as a Parent Coordinator and guardian ad litem in Probate and Family Court. Christine helped establish the ARC (Attorneys Representing Children) Panels, where she trains volunteer attorneys to represent children in the Probate and Family Court in high-conflict cases where there is no right to counsel.

Christine has been a warrior for families whose lives have been turned upside down by government intervention. As tireless and fearless as is her advocacy for her clients, Christine's greatest attribute may be the support, strength, time, and creativity she provides to her mentees and colleagues. Christine's advocacy gives each of her clients a fighting chance.

We fight for equal justice and human dignity by supporting our clients in achieving their legal and life goals. We zealously advocate for the rights of individuals and promote just public policy to protect the rights of all.

Committee for Public Counsel Services