

# Poverty Lawyer Chips Away at Health Care Access Issues

by Dawn Chase

As the Virginia Poverty Law Center was packing to move to new quarters last month, attorney Jill Hanken sifted through papers she amassed during almost thirty years of civil legal aid work.

Occasionally, she would pause. “I remember this case,” she’d exclaim, leafing through a file nostalgically before tossing it into the shredding pile.

For Hanken, those papers represented a decades-long quest to make health care accessible to low-income Virginians—work that required countless hours attending meetings about Medicaid, children’s health insurance, hospital charity care, and other public health topics.

Raised in Atlanta, Hanken earned an undergraduate degree in urban studies and social welfare, then plunged into legal aid in her first year of law school at Boston College. She recalled her early visceral reactions to circumstances that clients faced. “I remember going to my supervisor complaining about the injustice of a situation.” His response: “What does the statute say? You’re here to use the law as a tool.”

She took the lesson to heart. “Passion is important,” she said. But effective use of the law is what brings systemic, long-lasting relief.

She began practice in the late 1970s in Charleston, South Carolina, “Helping people avoid an eviction, get health care they needed, and not lose their cars. Doing what you can do every day to help people survive in a difficult and challenging world.”

It was a heady, optimistic time. Federal money supported expansion of legal services, and “legal aid was on the forefront for a lot of law reform,” she said.

At Charleston’s Neighborhood Legal Assistance Program, Hanken met her

future husband, and the two moved to Richmond in 1980 to work for the Virginia Poverty Law Center, a nonprofit that had recently been established to provide advocacy, education, and litigation support for Virginia’s legal aid system. “It was a really exciting time. Everybody was very interested in making a difference. We were collaborating with legal aid people around Virginia to address problems through litigation or policy and legislative changes.” Hanken’s litigation included a case before the U.S. Supreme Court.

As courts narrowed jurisdictional opportunities to raise certain claims, litigation largely gave way to legislative and regulatory advocacy. Today, “I view my policy and legislative work as my primary focus,” she said.

Hanken’s demeanor is cheerful and warm but not heated. “In Virginia, calm, informative, and helpful will get you farther than being too extreme,” she said.

She is a trusted resource for law- and policy-makers. “It’s critical to provide legislators with accurate and reliable information as they make decisions,” she said. Philosophically, “I’m a believer in the ‘common wealth,’ and the role that government plays in lifting all ships. I think everyone should have health insurance and access to quality health care.”

To those who don’t share her philosophy, she argues economics: “One million uninsured Virginians is a cost for all of us. We pay higher premiums and must deal with the long-term financial consequences of the poor health of others in our society.”

Looking back at her work Hanken observed, “Every year, the General Assembly makes choices. Every year, they assign priorities. I’m still waiting for some of my issues to be on that priority list.”



As it stands now, “an adult who is not a parent, not yet sixty-five, nondisabled, and not pregnant—even with zero income—is not eligible for Medicaid in Virginia.” That population includes many formerly employed people who have lost jobs in the recession.

But the Poverty Law Center and a growing coalition of other advocates have made important progress in what Hanken sees as providing Virginians with opportunities to improve their lives.

Over many years, her advocacy persuaded the General Assembly to change eligibility rules so that more pregnant women, children, and disabled or aged adults qualify for Medicaid. She helped improve a state program that insures children in low-income working families, by simplifying the application process and eliminating waiting periods and other barriers to enrollment.

At her urging, the General Assembly also amended the Administrative Process Act so that people who lose administrative hearings for Medicaid and other public assistance can appeal to court.

In 2006, the Virginia State Bar recognized these achievements by awarding Hanken its Legal Aid Attorney of the Year Award. “Many Virginians receive the health care they need as a direct result of Jill’s efforts over the years,” her nominators wrote.

**Hanken** continued on page 29

## Jamie Barber Named Greater Richmond Bar Foundation Pro Bono Clearinghouse Volunteer of the Year

Jamie A. Barber, of Hunton & Williams LLP, has been named 2011 Pro Bono Clearinghouse Volunteer of the Year by the Greater Richmond Bar Foundation, in recognition of his work with its Pro Bono Clearinghouse program.

Barber, who has handled eleven matters for the foundation since 2006, provided more than twenty-eight hours in pro bono work over the past year for such nonprofits as St. John's Child Development Center, A.C.O.R.N., Goochland Free Clinic, and One by One Initiative.

Barber was honored at the foundation's annual reception on October 27.

Barber focuses his practice on corporate finance, public and private securities offerings, private equity, and other corporate matters. He used these legal skills to, among other things, review by-laws and articles of incorporation, answer questions regarding organizational structure and liability, and assist with the development of a client application for Pro Bono Clearinghouse clients.



### Free and Low-Cost Pro Bono Training

Visit the Pro Bono page on the VSB website for free and low-cost pro bono training and volunteer opportunities: [http://www.vsb.org/site/pro\\_bono/resources-for-attorneys](http://www.vsb.org/site/pro_bono/resources-for-attorneys)

**Hanken** continued from page 28

"I've had some success, but gee whiz — Virginia can do so much more to improve access to health care," she said. "It's always been hard to get the majority of legislators to see the value of investing in programs for low-income people. Low-income people are not necessarily seen as constituents who matter.

"The poor people I've known are among the most resilient people I've ever met. It's a marvel how people do survive and live very rich lives with

great love for their families and others, despite very difficult circumstances."

Hanken's reflections suggest a kinship between legal aid lawyers and clients in their uphill quests. "To do what we do every day and for the length of time that we do it, you have to be an optimist and believe that our work will make a difference."



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# Harrisonburg Attorneys Honored for Pro Bono Work

Blue Ridge Legal Services, the Valley's non-profit legal aid society, recognized three Harrisonburg attorneys and a Harrisonburg law firm for extraordinary pro bono work during the Harrisonburg-Rockingham Bar Association's annual Professionalism Seminar on October 12.

Honored were Patrick M. Connell of Wharton, Aldhizer & Weaver; Hannah W. Hutman, a solo practitioner; and Roland M.L. Santos, also a solo practitioner.

The law firm of Hoover Penrod PLC was honored for the diligent provision of pro bono services by its attorneys. Notably, one of the cases handled by the attorneys at Hoover Penrod last year resulted in a unanimous Virginia Supreme Court decision overturning widespread payday lending practices.

Blue Ridge Legal Services' Executive Director John E. Whitfield recognized these award recipients for the quality of pro bono services they provided to their clients and their dedication to promoting equal access to justice for local low-income residents who otherwise could not afford to obtain legal assistance. The pro bono awards presentation is a longstanding tradition recognizing particularly noteworthy pro bono contributions of members of the Harrisonburg-Rockingham Bar Association.

Since 1982, Blue Ridge Legal Services and the Harrisonburg-Rockingham Bar Association have collaborated in this pro bono referral program to provide free legal services to financially disadvantaged members of the community. Last year, the bar closed 145 pro bono cases for low-income local residents, and during the last eighteen months, eighty-five percent of the bar's firms and solo practitioners were involved in pro bono representation through the pro bono referral program.



Connell



Hutman



Santos



The law firm of Hoover Penrod PLC was among the honorees recognized by Blue Ridge Legal Services during the Harrisonburg-Rockingham Bar Association's Professionalism Seminar on October 12. The firm was recognized for the diligent provision of pro bono services by its attorneys. Pictured from back left are Lawrence H. Hoover Jr., Grant D. Penrod, Richard A. Baugh, M. Bruce Wallinger, Laura S. Evick, David A. Penrod, John N. Crist, Dale A. Davenport, Jacob T. Penrod, and Dillina W. Stickley.

During the last three decades, this program has garnered statewide and national acclaim, including the national Legal Services Corporation's Rural Pro Bono Attorneys of the Year Award in 1993, the Virginia State Bar's Lewis Powell Pro Bono award in 1998, the American Bar Association's prestigious Harrison Tweed Award in 1995, and a Pro Bono Service Award from the Legal Services Corporation in 2011.

As a partner-agency of the United Way, Blue Ridge Legal Services provides free civil legal assistance to low-income residents of the Shenandoah and Roanoke Valleys through its staff and volunteer attorneys across its service area.