



TENNESSEE JUSTICE CENTER

Advocates for Families in Need

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To: Friends and partners of the Tennessee Justice Center:
From: Gordon Bonnyman
Date: December 30, 1999
RE: Year end report

“Luckiest lawyer in the world.” It’s a phrase that gets a lot of use around the Tennessee Justice Center. Michele Johnson coined the phrase shortly after she helped found TJC four years ago, describing to a potential funder how she felt about the privilege of representing the families we serve. Ever since, the rest of us have teased her about it, reciting the words on those occasions when we have all felt beaten down, and nothing has seemed to go right.

This year has provided many such occasions. Much of the year was spent in costly and contentious litigation. Seventy and eighty hour weeks took their toll on staff and families, and TJC’s finances took a beating. The often heartbreaking stories of clients reinforced our sense of the urgency of their need, and deepened our frustration at the slow, grinding pace of the legal process.

And yet, it was also a year of rewards, and of hope. Tennessee’s poorest children received increases in their Families First grants, because Russ Overby “found” unspent funds that were in danger of reverting to the federal government, then built a consensus in favor of using the money for those most in need. Earlier this month, a TJC suit prompted the state to mail 30,000 uninsured Tennesseans the best Christmas cards they could hope to get: notices acknowledging that they had been wrongfully deprived of health coverage, and offering them an opportunity to re-enroll in TennCare. (This was in addition to the 15,000 people who were reinstated last summer as a result of the same case.) Michele’s persistence brought us by year’s end within sight of a negotiated settlement that promises to address the neglect that thousands of abused children suffer *after* they are taken into state custody. And another hard-fought case won for TennCare’s 1.3 million beneficiaries the strongest patient protections found in any managed care program, public or private, in the country.

Our clients remind us that there are real people behind those numbers. In April, Michele and I drove to Weakley County for the funeral of Colby Walls, a long time client. Colby died at age 19 after a lifelong struggle with a genetic disease that had killed his older brother at around the same age. Michele had helped Colby and his indomitable mother, Paula,

successfully battle a managed care company that wanted to consign Colby to a nursing home during the last years of his life. After the endless struggles with a corporation that seemed incapable of counting Colby's life in any terms other than dollars and cents, it was so heartening to witness the true value of that life and its legacy. Sharon, Tennessee is one of those places of which it can truly be said that "everyone knows about you when you are born and cares about you when you die." And, boy, did they ever care about Colby! The outpouring of love demonstrated that he had inspired more people in his few years than most of us can hope to touch in a long lifetime.

Paula's grief, staggering as it was, only sharpened her enormous compassion for others: within three weeks of Colby's death, she was back on the phone to Michele, seeking help for a neighbor with a medically fragile infant. In the case that produced the new patient protections for TennCare beneficiaries, Paula provided valuable testimony concerning the managed care abuses that Colby had experienced, and the importance of guarding others against similar treatment. Other clients who had also lost loved ones relived their pain as they, too, testified to the need to prevent others from suffering as they had, due to improper denials of care.

Clients helped in other ways, as well. As the New Year approached, we became fatalistic about the probable fate of our aged computers. A consultant told us that several of the older ones, upon which we have to rely every day, could not be made Y2K compliant, and would fail on January 1. Then Jane Beasley, our wonderful paralegal, had an inspired idea. Years ago, she helped Sheryl and Jack, a devoted couple who helped each other cope with mental illness, deal with the challenges of managed care. They are now doing well, are no longer on TennCare, and have no need for our help, but have maintained their friendship with Jane.

Jane remembered that Jack is a computer whiz, with technical know-how that is desperately lacking at TJC. (My colleagues are gifted and caring advocates, but if our computers have problems that can't be fixed by turning them off and back on, they're sunk.) Jane asked Jack if he had any ideas about what we should do. A short time later, Jack and Sheryl showed up at our office. Sheryl brought us a fruitcake and visited while Jack worked on the machines. Several hours later, the computers were Y2K compliant, with a new lease on life that will hopefully tide us over until next Spring, when a hoped-for grant may enable us to buy new equipment.

Michele was out of town the day Jack and Sheryl came to our rescue. She called in that afternoon to ask for her messages, and was told of their gifts of time and talent. It was once more Michele's turn to use the phrase she had coined: "What did I tell you? We *are* the luckiest lawyers in the world". And she's right. Getting to do important work on behalf of inspiring clients, supported by the gifts (in many different forms) of people who yearn for a more just and humane world ... it doesn't get any better than this. For your part in making it possible, thank you.

May you and yours have a happy – and Y2K compliant - New Year.