



# TENNESSEE JUSTICE CENTER

Advocates for Families in Need

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November 2005

Dear Friend of the Tennessee Justice Center:

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The child's voice, quivering with fear, sounded out of place in the courtroom. But it carried a message that rang with the force of truth. The voice belonged to Chelsie, a fifteen-year old from Union County whose family struggles constantly just to get by. Using an appeal process won for TennCare patients by the Tennessee Justice Center, Chelsie's mother and doctors had been able to obtain life-saving surgery for her after her TennCare HMO had turned her down. Now the state was asking a federal court to make it impossible for patients to win such appeals in the future. The state had cited Chelsie's appeal in its own proof, badly distorting the facts to make its case.

So, Chelsie now found herself in a federal courtroom in Nashville, where she had come to set the record straight. Terrified, she faced the state's phalanx of Washington lawyers, in a setting that intimidates even seasoned lawyers. But she was determined to save for others the appeal rights that had made such a difference in her own life. Chelsie's moving testimony cut through the state's "spin" cleanly, decisively, and it helped persuade the court to leave an effective appeal process in place. Chelsie also demonstrated that it is people who are poor themselves who are the most generous aiding other poor people.

Chelsie is one of many people who helped and inspired us during a difficult and painful year. The year was devoted mostly to trying to defend 1.3 million TennCare patients from the harshest, most devastating cuts to public health care in the nation's history. During months of 80-hour work weeks, we were sustained by an extraordinary outpouring of generosity. Clients sent us notes of thanks and, sometimes, donations they could not afford but that we could not refuse. A church congregation brought meals on a regular basis to staff working late into the night.

In the TennCare cuts, as in the belated and ineffective response to the hurricane victims, we are witnessing the results of official mismanagement and government's abandonment of the most vulnerable. But Chelsie and others remind us that the post-Katrina news footage from New Orleans and the constant coverage of official wrongdoing and government failure don't tell the whole story about America. This is still a country where even a child, if she can summon the courage to do so, can be heard when she speaks truth to power. This is still a state full of generous and caring people, whose compassion and concern are deeper and more powerful than divisions of race, region or political affiliation. And this is still a land where the foundation of community lies in the principle of equal justice under law.

Since its beginning ten years ago, the Tennessee Justice Center has made that principle a reality for hundreds of thousands of Tennesseans. TJC has served as a voice for Tennessee's voiceless, from children in Tennessee's troubled foster care system to the frail elderly in nursing homes. We have used the law as a means to ease the burdens of poverty and injustice, achieving success principally through quiet diplomacy and technical assistance. TJC's behind-the-scenes advocacy has had a major influence on a wide array of public policies affecting the poor. Even when compelled to resort to litigation, we have usually been able to achieve success through patient negotiation. Whether in the courtroom, legislative hearings or high level policy discussions, TJC's advocacy has relied on mastery of the facts, a sophisticated understanding of public and fiscal policy, and expertise in complex federal and state laws.

Most importantly, our effectiveness is grounded in a determination to stay close to those whom we serve, to understand the realities of their lives, their hurts, their aspirations. Our advocacy is neither abstract nor ideological, but directed by the insights and understanding that come from representing hundreds of individuals each year. They help us identify and correct systemic failures and injustices that affect not only their families but many others like them.

As the year draws to a close, we find ourselves in what a dear friend has described as a season of grief and grace. We are filled with sorrow that our best efforts could not avert the TennCare cuts. Listening every day to those whose lives have been devastated by the cuts, it is sometimes an effort to remind ourselves that the suffering would have been even greater had TJC not been here.

At the same time, we are grateful beyond words for all that TJC has received this year. Each person who works at TJC knows to a certainty that, without the support of our clients, the prayers and encouragement of friends and the generosity of supporters, it would have been impossible to do our jobs, to keep faith with our clients and to make a difference in their lives. Without such support, we could not have compelled the state to implement safeguards that saved coverage for 15,000 chronically ill patients slated for termination. Without such support, TJC could not have succeeded in the reinstatement of health coverage for 20,000 of the state's sickest and poorest children. Without such support, TJC could not have preserved the integrity of an appeals process that constantly relieves suffering and sometimes, as in Chelsie's case, even saves lives. TJC's work is only possible through the efforts of a compassionate community of many hundreds of generous, caring people.

Now that the TennCare cuts have taken effect and state officials have moved on to other issues, the news media ask frequently what TJC is planning to do. The answer is simple. In spite of ongoing political attacks and a very difficult financial situation, TJC is continuing to do what it has always done – compiling the facts, standing with the victims of injustice and giving voice to their suffering. We are responding to requests for help from hundreds of individuals and agencies across the state. We are also responding to requests for technical assistance from legislators of both parties – sometimes the same ones who blast TJC publicly. We are providing them information and educating the public on policy options that would enable the state to live within its means and yet still mitigate the TennCare cuts.

In short, TJC continues to win life-changing victories and to serve, as a recent award from a disability agency put it, as “a beacon of hope” to people who have been left out and left behind. Thank you for being part of the community of concern that helps make that possible.

Sincerely yours,

Gordon Bonnyman  
Executive Director