



June 13, 2016

Dear Members of the Conference Committee:

On behalf of the Women’s Bar Association of Massachusetts (WBA), we ask you to strongly consider several budget items and make several recommendations for your consideration.

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**Legal Services Funding:** The current budget shortfalls threaten to cripple access to justice and safety net programs with a disproportionate impact on women and children. A state budget that reduces funding for civil legal services and safety net measures such as housing and welfare is not a state budget worthy of our great Commonwealth. Advocates struggle daily to attempt to serve just half of the low-income families and individuals seeking legal help with life-altering issues such as foreclosure, child custody conflicts, and domestic violence. Those same advocates recommended legal services receive \$27 million of funding. Even at \$18.5 million, many of the Commonwealth’s most vulnerable residents will be unable to secure critical assistance. Therefore, we strongly urge the Conference Committee to either increase funding for legal services or for Senate Conferees to recede to the House at the recommended \$18.5 million.

In addition, we request that the Conference Committee recede to the Senate on four critical provisions, none of which require additional funding.

**Section 108K (Gender Equity in Disability Insurance):** Individual disability insurance is vital to protect wages when the policyholder can no longer work due to a non-job related accident or illness. This section of the budget prevents gender discriminatory pricing of disability insurance. Just as the insurance industry no longer uses race or religious grounds to stereotype an individual for insurance purposes, they should also be prohibited from using gender as grounds to discriminate and charge higher rates. Massachusetts currently prohibits gender-based pricing disparities for annuities, auto insurance, homeowner’s insurance, and health insurance. Moreover, worker’s compensation insurance and employer-based disability insurance are also required to be gender neutral. Adding this provision will bring Massachusetts disability insurance into conformity with the Equal Rights Amendment to the Massachusetts Constitution.

**Sections 166 and 167 (Disability standards for TAFDC):** This provision is needed to protect benefits for 2,200 impoverished families headed by a parent with a severe disability. The provision retains the state standards for disability exemptions from the TAFDC time limit and work requirement and directs the Department of Transitional Assistance (DTA) to update the standards as necessary. The DTA planned to eliminate the strict state standards and only recognize disabilities that meet the even stricter federal disability standards used for the Supplemental Security Income (SSI) program.

**Sections 106 and 107 (Job search for TAFDC applicants):** Parents applying for cash assistance are often in crisis and need benefits in order to stabilize their situations before they can realistically undertake job search activities. This provision clarifies that applicants have 60 days to verify the required job search, meaning that they will generally have 30 days after benefits are approved to perform and provide proof of job search. If they do not provide the proof within 60 days of application, their benefits will be terminated. DTA planned to require job search *before* benefits are approved, a requirement that would prevent many destitute families from getting the assistance they need because they lack the child care, money for transportation, and other essential resources needed to conduct a job search.

**Section 168 (Exemption for caregivers of family members with a disability):** This provision retains the current exemption from the TAFDC time limit and work requirement for parents who are caring for their own disabled parent, grandparent or adult sibling. DTA planned to eliminate the exemption for these caregivers, requiring them to stop caring for their loved ones in order to meet the work requirement or else lose TAFDC for themselves and their children.

The WBA is a professional association of women attorneys and judges, with over 1500 members across the Commonwealth. The WBA was founded in 1978 and is one of the largest and most influential women’s bar associations in the nation. We are committed to working towards a more just society and a just society requires that its citizens have access to legal services, public counsel and a properly functioning court system.

Thank you for your attention and work on these critical issues to the Commonwealth.

Sincerely,

Kristin W. Shirahama  
WBA President