



# Branching Out

VOLUME VI

MAY 2010, SPRING

## Special Points of Interest:

- CCFC to Disney: We Will Not Be Silenced
- CNN: Intriguing people: Patty Skolnik
- The Year of the Nursery Product Recall
- Citizens for Safe Water Around Badger
- 2010 Potential Grantees
- Grassroots and Champion Donor List



**Joan Claybrook**

## 25th ANNIVERSARY - FOUNDERS BREAKFAST OF CHAMPIONS

Tuesday, July 13, 2010  
8:00 - 9:30 AM



**Peter Perlman**



**Roxanne Barton Conlin**

Details on page 4

## Winter Convention Recap

### Raffle



#### IUSTICIA

*Justice, like the bright sun, shall break majestic forth*

**An allegorical figure of Justice.**

**She represents the striving of humanity toward higher civilization.**

A Trevor Goring limited edition, signed and numbered print. Beautifully framed with archival matting and gilded Italian wood molding.

Valued at \$2000 was raffled.

### One-of-a-kind, hand crafted jewelry sales.

The Civil Justice Foundation would like to thank **Kim Carmel**, for her generous donation.



### Silent Auction .

- Night-time tour of the Capitol with Linda Lipsen, for 4
- 2 Tickets to Yankees/ Red Sox Game
- Padres Tickets
- Original Photograph of Robert Kennedy
- One Year Nursing Home Litigation Group Membership

## CCFC to Disney: We Will Not Be Silenced

Forced from its home, advocacy group vows to continue its work on behalf of children.

BOSTON - March 10 - After ten incredibly productive years, the Campaign for a Commercial-Free Childhood has been forced to leave the Judge Baker Children's Center (JBCC), a Harvard-affiliated children's mental health center in Boston. JBCC's decision to end its affiliation with CCFC came after representatives from the Walt Disney Company contacted the Center following CCFC's successful campaign to persuade Disney to offer refunds on its Baby Einstein videos.

"It is chilling that any corporation, particularly one marketing itself as family friendly, would lean on a children's mental health center," said CCFC's Director, Dr. Susan Linn. "It is more important than ever that those who care about children's wellbeing speak out against the corporate takeover of childhood."

Last fall, after [a front-page story in the New York Times](#) called the Baby Einstein refunds "a tacit admission that {the videos} do not increase infant intellect,"

representatives from Disney contacted JBCC. In the aftermath, CCFC staff was pressured not to talk to the press about Baby Einstein. Questions were raised whether CCFC's mission was appropriate for the Center. In January, CCFC was told-after its most successful year-to-date-to leave Judge Baker.



"In convincing some of the biggest corporations in the world to change their marketing policies . . ."

Judge Baker's decision was sharply criticized by psychiatrist Dr. Alvin F. Poussaint, director of the Media Center at Judge Baker Children's Center, who was scheduled to receive JBCC's prestigious World of Children Award on Saturday, March 13 at a gala celebrating his commitment to children's wellbeing and a lifetime of advocacy. Dr. Poussaint refused the award on CCFC's behalf:

"In convincing some of the biggest corporations in the world to change their marketing policies, CCFC's work has benefited not just the children directly served by Judge Baker, but children all over the world," [wrote Dr. Poussaint in a letter to Judge Baker](#). "It is the obligation of all health and mental health institutions, and professionals, to stand up to any entity that is harming children and to work hard to change the related societal forces."

"We have great admiration for the Center's staff, and their work on behalf of children," said Dr. Linn. "But we are deeply saddened that the institution ceded its ground and stopped supporting CCFC and our efforts to challenge powerful interests in order to protect children and support parents."

CCFC now has a new home at Third Sector New England (TSNE), an organization devoted to promoting a more just and democratic society. "Third Sector New England is delighted to be the new home of the Campaign for a Commercial-Free Childhood," said TSNE's Executive Director Jonathan Spack. "CCFC's work to halt the commercial exploitation of children by corporate marketers is a wonderful addition to TSNE's social and economic justice programming. We look forward to helping CCFC continue its

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successful advocacy for policies and practices that protect the most vulnerable among us." Added Dr. Linn, "We are so pleased to be at TSNE. It's a wonderful organization, and a great place to continue our work reclaiming childhood from corporate marketers."

###

Campaign for a Commercial-Free Childhood is a national **coalition** of health care professionals, educators, advocacy groups, parents, and individuals who care about children. Headquartered at the **Judge Baker Children's Center** in Boston, CCFC is the only national organization devoted to limiting the impact of commercial culture on children.

## Annual Breakfast of Champions

### Community Champion Awards

*Honoring an amazing commitment to consumer advocacy and a positive contribution to the lives of consumers.*

#### Jean Rexford - Award Winner

Jean Rexford is a shining example of a Champion of Justice and we are proud to be honoring her for her hard work. Jean is the Executive Director of the Connecticut City for Patient Safety. Jean was asked in 2002 to organize the victims of medical malpractice in Connecticut. With Jean's efforts and hard work, the capping of non-economic damages in Connecticut was defeated. From these efforts Jean helped to create the Connecticut Center for Patient Safety and established a community of patient safety advocates.

#### Nancy Cowles - Award Winner

Nancy Cowles is the Executive Director of Kids in Danger (KID). Under Nancy's leadership, KID has grown into a nationally recognized advocate for safer children's products, called on often by the media, parents, regulators and other stakeholders as a resource and key player in the arena of product safety. Nancy opens her heart to protecting children's safety all across the nation and is a model Community Champion

### Years of Excellence Awards

*Honoring past grantees who have continued the positive work for which they initially received grants*

#### 10 Year Recipient

Kids in Danger – Chicago, IL

2000 - To support efforts to make recalls of children's products more effective.

#### 20 Year Recipient

Brain Injury Services, Inc. (Formerly Head Injury Services Partnership) – Fairfax, VA

1990 – To purchase laptop computers, allowing caseworkers to conduct field work with clients.

## CNN: Intriguing people: Patty Skolnik

By Jay Kernis, CNN

**Patty Skolnik:** Malpractice survivors and family members from five states will hold their first meeting with White House staff on Monday, coordinated by the Center for Justice & Democracy, a meeting Skolnik says they have been requesting since 2003. Advocates are concerned that proposals to limit injured patients' rights are becoming a bargaining chip in the health care debate.



Skolnik, of Centennial, Colorado, will be at today's meeting. She told CNN on Sunday, "Lawmakers can't look at the consumer as the problem, saying that we are bringing frivolous lawsuits. This is not the patient's fault. The White House needs to bring the consumer into the conversation."

Skolnik said that in 2001, a surgeon misdiagnosed what was wrong with her son, Michael, and performed unnecessary brain surgery on him. She says the surgeon told her "he had done many of these surgeries, when he had only done one before. He went on a fishing expedition inside my son's brain."

This marked the beginning of a 32-month nightmare of more brain surgeries, infections, partial blindness, paralysis, and other problems, leading to total disability. Her son could not eat, speak, or move anything but his right hand. Nearly every day during this traumatic time, she says, "Michael used the only limb control he had to shape his fingers into a gun, and held them to his forehead, repeatedly throughout the day." He had the cognitive ability of a third-grader.

The Skolniks sued the doctor, and when Michael died in 2004, they settled out of court. After his death, Patty Skolnik founded an organization that, in 2009, became the Citizens for Patient Safety. On her Web site, she says, "You can suffer a great loss, but you have a choice as to how to handle it. Anger and grief has a place, but taking that and transforming it into a solution is the best healer and the best reward for everyone."

### What is the Civil Justice Foundation?

The Civil Justice Foundation is a national charitable organization dedicated to safeguarding justice for all Americans by strengthening the alliance between trial attorneys and consumer advocacy groups. The Foundation is the only national foundation devoted solely to protecting the individual rights, health, and well-being of the injured — providing small but significant grants to the tireless efforts of organizations fighting for injury prevention and justice preservation across the country. The Civil Justice Foundation awards grants to progressive grass-roots consumer advocacy groups who share a common vision: consumer injury prevention, public safety protection, and constitutional right-to-trial preservation for all Americans.

## Providing the Framework

### Kids In Danger

#### The Year of the Nursery Product Recall

On March 29, Kids In Danger released *The Year of the Nursery Product Recall: a look at children's product recalls in 2009*. The [report](#) found that for the first time, nursery products -- cribs, strollers, high chairs -- accounted for the largest number of children's product recalls.

In 2009, CPSC recalled twenty sleep products including cribs, hammocks and play yard/bassinet systems, as well as high chairs that collapse, strollers that amputate little fingers and carriers with handles that fail. There were 9 deaths in products recalled last year.

The increase in nursery product recalls shows that the current voluntary industry standards are not doing enough to keep children safe.

The mandatory standards for nursery products [required](#) by the Consumer Product Safety Improvement Act (CPSIA) can't come fast enough. Congresswoman Jan [Schakowsky](#) spoke of first introducing a bill with that requirement in 2001. Now, CPSC is on pace to release the standard for cribs and non-full size cribs later this year.



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So what can parents do? First, check out the report of [2009 recalls](#) as well as the CPSC [list](#) of recalled products to make sure you aren't using any. Second, report any problems with nursery products or any other children's product to the manufacturer and [CPSC](#). Check out KID's [blog](#) for more thoughts on why nursery product recalls are on the rise, what action the Illinois Attorney General is taking and resources for parents.

## Regulation of Carcinogenic Explosive will set National Precedent Citizens for Safe Water Around Badger

In response to a formal petition from Citizens for Safe Water Around Badger, the Wisconsin Department of Natural Resources has proposed groundwater quality standards for all forms of Dinitrotoluene (DNT) – a carcinogenic explosive that has contaminated dozens of drinking water wells near the Badger Army Ammunition Plant.

If approved by the state legislature, the proposal is expected to draw strong opposition from the U.S. military. Wisconsin will set a precedent for other states, and could be significant for over a hundred sites across the country contaminated with DNT.

Based on recommendations from senior toxicologists at the Wisconsin Division of Public Health, all 6 isomers (forms) of DNT will be regulated as a single entity. The proposed standard is 0.05 parts per billion – equivalent to the current Health Advisory Level (HAL) recommended by state health officials.

The lack of enforceable groundwater standards – state or federal – places disadvantaged community members at disproportionate risk, especially if they do not have the resources or capacity to pay for a new well or take other actions to protect their health.

For more than 20 years, Citizens for Safe Water Around Badger leadership and grassroots organizing have set national precedents that benefit the thousands of communities that are impacted by pollution from the U.S. Department of Defense.

As a progressive social justice organization, support from individual donors is critical to CSWAB's work. To donate online visit <http://www.cswab.org/donate.html>

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Laura Olah, Executive Director  
Citizens for Safe Water Around Badger (CSWAB)

## Membership Outreach

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In today's ever-changing, globalized world it is becoming increasingly popular for businesses to utilize recent technological and networking tools in order to effectively reach out to markets and clientele bases. As social networking sites increase in popularity, so does the potential for groups to use these methods in order to fundraise, organize and market. In addition, specialized e-mail marketing sites, allow organizations to reach massive numbers of contacts at once – with personalized, custom designed layouts. Many organizations are already reporting that being able to network through popular sites has helped with organization, communications, and raising funds. The Civil Justice Foundation has realized the potential of such technology and has recently established accounts on iContact, Facebook, and Twitter in order to increase communication, create more organized and effective marketing, and establish effective ways to reach potential and current donors.

The availability of this technology and the potential that it generates for the Civil Justice Foundation has been facilitated through the help of Wise Law Groups who developed our new and improved website at [www.civiljusticefoundation.org](http://www.civiljusticefoundation.org). The user-friendly design features instant access to CJF and updated information as well as video feed and a PayPal donation link. The site also has direct links to recently created Facebook and Twitter accounts.

One of the primary goals of CJF in the near future is to expand our outreach to firms that are outside of the AAJ network. With our new website and taking advantage of the rise in use of online networking, the Civil Justice Foundation can keep frequent contact with trustees, donors, and various grassroots foundations that have been supporters and/or recipients of grant awards. Realizing the growing popularity and effectiveness of newly developed online programs, the Civil Justice Foundation has utilized such methods and one of the most prominent ways is through the use of iContact. iContact is an e-mail marketing service that allows companies and organizations to create, track and send e-mail newsletters, survey and other devices over the web. In addition, iContact allows users to store hundreds of addresses and send mass e-mails with ease. Users can also customize each e-mail in order to give a personalized feel.

## Potential Grantees

### **Birth Defect Research for Children**

**Overview:** To find the causes of birth defects through the use a powerful tool known as the National Birth Defect Registry. This registry, sponsored exclusively by BDRC, can find patterns and clusters of birth defects and potentially find the cause(s) of the birth defects.

**Funding Purpose:** Our request to the Civil Justice Foundation is for \$15,000 a year in registry and program support for three years. This will specifically be focused on getting the word out to parents of children with birth defects so that they can add their data to the registry. The power of the registry has been shown on numerous occasions.

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### **Breath of Hope, Inc.**

**Overview:** Breath of Hope exists to combat the congenital diaphragmatic hernia birth defect. We are committed to supporting parents, children, family members and friends facing the diagnosis of a congenital diaphragmatic hernia birth defect. We carry out this mission through promoting public awareness, supporting the medical community and encouraging research efforts to one day successfully treat all those diagnosed with a congenital diaphragmatic hernia.

**Funding Purpose:** For general operating exepenses.

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### **Champaign County Health Care Consumers**

**Overview:** CCHCC is a non-profit grassroots citizen-action organization dedicated to quality, affordable health care for all. We believe that access to health care is a fundamental human right and a social and economic justice issue. CCHCC engages in advocacy, education, and grassroots organizing to bring consumers' voices, needs, and priorities to the health care system, while also working one-on-one with consumers having problems with any part of the health care system. CCHCC is founded on the premise of participatory democracy and the belief that meaningful reforms in the health care system and other systems that affect people's lives will come only through the active involvement of consumers.

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**Funding Purpose:** Civil Justice Foundation funds would be used to support our intensive and urgent community organizing campaign to protect the residents' rights in this unfolding situation. Specifically, the funds would be used to cover staff time needed to continue the community organizing and information gathering/research efforts that are part of this campaign, as well as to cover other expenses associated with the campaign, such as printing and postage, meeting costs, and costs for other materials associated with campaign actions.

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### **Childhood Lead Action Project**

**Overview:** The Childhood Lead Action Project has been at the forefront of the lead prevention movement since our inception in 1992. Our mission is to eliminate childhood lead poisoning in Rhode Island through education, parent support, and advocacy. The Project has been a catalyst for an 82% reduction in the rate of lead poisoning since 1998 – a significant achievement for an organization with a small staff and for most of its years, a shoe-string budget.

**Funding Purpose:** In response to news that influxes of families from five regions of the world are being poisoned in Providence at an alarming rate, the Childhood Lead Action Project launched an initiative to reduce the exposure of immigrant and refugee children to lead hazards in housing through increased parent awareness and improved housing resettlement practices. According to the CDC, refugee children are typically twice as likely as native-born children to have elevated blood lead levels, with some populations an incredible 12-14.5 times more likely to have elevated blood lead levels. In 2010, this project will continue to provide customized lead education in community and home-based settings to multiple high-risk populations. We will also engage in a partnership with a local refugee resettlement agency to ensure refugees are no longer placed in substandard housing conditions upon their arrival to this country.

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### **Disabled Rights Action Committee**

**Overview:** A small grass roots organization of activists with disabilities who are committed to fighting for our civil rights and those of our brothers and sisters with disabilities throughout our state and nation. In particular, we are committed to fighting for affordable and accessible housing, accessible businesses and access to adequate health care and support services that will allow us to work and live in our communities. We fight government rules and regulations that offer guaranteed funding for us to moving into nursing homes where our most basic freedoms are taken away, but that will not offer lesser funding for attendant care that will allow us to live in our own homes. We see society's prejudices and attitudes towards us as our true disabilities. We seek not for pity but for reasonable access and accommodation.

**Funding Purpose:** The Utah Transit Authority continues to face a budget shortfall and seems to be devising plans for balancing their budget through transportation cuts and rate hikes that disproportionately impact persons with disabilities. Businesses and apartment complex continue to deny us access by willfully designing and building structures that are not accessible—the modern day equivalent of hanging signs that say we are not welcome to apply, patronize or live with.

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### **French American Museum**

**Overview:** We focus on French human and cultural immigration to Chicago. That means just as important as immigration of actual persons is the immigration of ideas such as French markets similar to what recently opened near Jefferson Street in Downtown Chicago, French words such as Au Bon Pain or Amour, French concepts such as Liberte Egalite and Fraternite, French legal ideas as a civil justice system, French philosophy such as Sarte's existentialism or biology such as Pasteur's germ theory or astronomy such as Messier's cataloging of objects or Laplace's concepts about collisions or French art such as Liberty Leading the People by Delacroix or impressionism.

**Funding Purpose:** Research how consumers and civilians and military personnel are protected in France, Belgian and Luxembourg regions. Research how consumers respond to food and wine problems in French regions.

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### **Keep Kids Alive Drive 25**

**Overview:** In most towns and cities in the U.S., the residential speed limit is 25 miles per hour; thus the slogan, “*Keep Kids Alive Drive 25*®”. Our mission is to put an end to deaths and injuries caused by speeding and distracted driving on our nation’s roads by educating and actively engaging citizens in a common commitment to create safer streets for the benefit of all. To support our efforts, we also run a number of complementary campaigns targeting stop-sign running, seat belt use, and tailgating.

**Funding Purpose:** Now in our 12<sup>th</sup> year of serving communities and families, we look to build upon all that we have learned in order to expand our *Keep Kids Alive Drive 25*® public awareness/education campaign and connect communities of all sizes from coast to coast with consistent messages and expectations about safe driving behaviors. We know that the Keep Kids Alive Drive 25 educational campaign is effective at lowering neighborhood speeds.

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### **Kids in Danger**

**Overview:** Monitoring the implementation of this vital regulation, working side-by-side with testing labs, consumers, manufacturers and the government to strengthen testing standards, especially for cribs, and, as always, giving a voice to victims of unsafe children’s products to help them protect other children.

**Funding Purpose:** We are now requesting a grant of \$12,000 for general operating expenses. We are at a crucial juncture in children’s product safety, just on the cusp of realizing substantive portions of our mission to strengthen children’s product safety. With our mutual commitment to preventing consumer injury, we have accomplished so much in the last ten years, and we hope to continue our work together to usher in a new age in consumer protection for the littlest and most vulnerable consumers: our children.

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### **Northwest Health Law Advocates**

**Overview:** NoHLA, an IRS 501(c)(3) nonprofit, is the leading consumer health advocacy organization in Washington State. Our mission is to achieve a seamless and equitable health care system, in which individuals are assured of basic rights and protections, and continuity of care..

**Funding Purpose:** NoHLA is very hopeful that federal health reform will become a reality in the near future. We are poised to play a central role in implementing that reform in Washington and dedicated to making sure consumers have the information to make the best choices. Through this work, we can assist other advocates in reaching out to consumers in their states to ensure that consumers take full advantage of their rights and options under health reform.

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### **OKWatchdog**

**Overview:** During the last year and a half OKWatchdog has conducted original research, informed legislators of both parties, conducted press conferences, written papers and guest editorials, and conducted grassroots outreach and other activities to bring attention to consumer issues. OKWatchdog's focus for the next several years will be on improving health care access and advocacy in Oklahoma, notably including health insurance transparency and accountability.

**Funding Purpose:** Based on documented expenses associated with our previous town-hall efforts, the average cost of conducting a live-call survey on a statewide basis that achieves an acceptable degree of accuracy, and costs of research and publication, we estimate that this project will cost \$20,000 in all. This project will fill an information void for Oklahomans. Health care reform at the national level and health care access at the state level are intertwined and depend on awareness of people's attitudes and experiences.

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### **South Carolina Fair Share Education Fund**

**Overview:** Enabling a powerful role for the public in public life, developing leaders, promoting inclusiveness and demanding fairness. We operate statewide. For twenty years, we have been building the infrastructure for a social change movement that will shift the balance of social and economic policy in the state. We have done that through policy analysis and advocacy on issues affecting everyday South Carolinians, direct advocacy and by building the strength of other organizations and individuals to carry out their policy work by providing training and tools.

**Funding Purpose:** We will use campaign organizing on specific issues affecting everyday South Carolinians -- issues like health care reform, predatory lending and tax policies such as a state EITC -- to bring average folks into the policy making process. They will become the agenda setters in their local communities, as well as statewide, and build the leadership of all South Carolinians, particularly youth, women, people of color and low-wealth workers.

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### **Safe Tables Our Priority**

**Overview:** Safe Tables Our Priority is a non-profit, 501 (c)3 volunteer health organization dedicated to preventing suffering, illness and death due to food borne illness by advocating sound public policy, increasing awareness and education, and providing victim assistance. We are a national grassroots organization representing all consumers who want a safer food supply. We are the only national organization that supports victims of food borne disease which gives LIS a unique and strong voice.

**Funding Purpose:** This funding would be put to use by S.T.O.P. to facilitate and advance advocacy for better medical and public health attention, treatments, and outcomes for those suffering from food borne ReA as well as advocacy to prevent others from getting sick. Ultimately then, the benefits of this grant would be both individual and societal. While there are support groups and tools for peer communications for victims of many diseases and health conditions, such services don't exist for victims of ReA for specific reasons.

## Honor Roll of Champions & Grassroots Donors

*The Trustees of CJF would like to acknowledge the steadfast generosity of the current Champions of the Foundation*

<b>Barrister</b> <b>\$10,000 and above</b>	The Olender Foundation Washington, DC	Decaro & Kaplen Pleasantville, NY	Rick Bishop
Law Offices of Lee Rohn St.Croix, VI	Golomb & Honik Philadelphia, PA	Lee Rohn St. Croix, VI	Ryan W. Green
<b>Counselor</b> <b>\$5,000 - \$9,999</b>	Rose, Klein & Marias Los Angeles, CA	Peter Perlman Lexington, KY	Mike Withey
<b>Advocate</b> <b>\$2500 - \$4,999</b>	Lieff, Cabraser, Heimann & Bernstein, LLP New York, NY	Christopher Seeger New York, NY	Mike Ferrara
Anapol Schwartz Weiss Cohan Feldman & Smalley Philadelphia, PA	Casey Gerry Schenk Frankavilla Blatt & Penfield LLP San Diego, CA	Kathryn Clarke Portland, OR	Anna G. Werner
Steigerwalt & Associates San Diego, CA	Waters & Kraus Dallas, TX	R. Gary Stephens Richmond, TX	C. Gibson Vance
<b>Champion</b> <b>\$1,000 - \$2,499</b>	Bartimus, Frickelton, Robertson & Goring PC Leawood, KS	<b>Grassroots</b> <b>\$1 - \$999</b>	Don Jacobs
Boone & Stone Atlanta, GA	Marsy & Vititoe West Lake Village, CA	Donald H. Slavik	Martin J. Healy
Beasley Allen Crow Methvin Portis & Miles, P.C.	The Reardon Law Firm New London, CT	Emanuel E Edem	Michael Warschauer
Kazan, McClain, Abrams, Fernan Lyons, Farrise & Greenwood Oakland, CA	Girardi & Keese Los Angeles, CA	J. Marvin Mullis Jr.	Marc Weingarten
Morgan & Weisbrod Dallas, TX	Locks Law Firm Philadelphia, PA	Jonathan Koles	Gerald Sloat
Herman, Herman, Katz and Cotlar New Orleans, LA	Paul & Hanley Berkley, CA	L. Mike Eidson	Tracey Hardman
Theodore A. Schwartz Philadelphia, PA	Sondra Robinson Washington, DC	Mary Alexander	Andrew Fischer
		Staci Yandle	Roy Duddy
		Thomas Fortune Fay	Jorden Pedersen
		James Sokolove	Bill Hopkins
		Tom Malon	Ryan W. Green
		Brian Kabateck	Collyn A. Peddie
		Jack Meligan	Daniel E. Rosner
			W. Coleman Allen Jr.



**CIVIL JUSTICE  
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**Grant Information**

Grants are up to three years in duration and are provided for general operating expenses and specific projects. To be eligible for a foundation grant an organization must have, or have applied for 501(c)(3) status from the IRS, and must have a current annual operating budget under \$500,000. The Foundation does not provide grants to support direct social, medical or legal sources; the writing or production of books; or litigation. Please feel free to call the Foundation office at 800-424-2725 ext. 381 to determine whether your organization or project meets our funding criteria.

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