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Duke's AIDS project turns 10

By PAUL BONNER, The Herald-Sun
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DURHAM -- When law professor Carolyn McAllaster started the Duke Law School's AIDS Legal Project 10 years ago, she hoped -- if not expected -- that by 2006, there would be a cure for AIDS and thus no more need for the service.

A decade and more than 1,000 clients later, the free legal clinic is as necessary as ever, she said.

The AIDS Legal Project handles disability benefit claims, wills, discrimination complaints and other legal work on behalf of low-income people with HIV infection at sites in central and eastern North Carolina.

McAllaster and another law faculty member, Allison Rice, supervise 10 students enrolled in the project, part of a for-credit course, each semester.

"The challenge, I think, for the students is not to neglect their other classes," McAllaster said. "We say 100 hours a semester ... but they all go over that."

In the mid-1980s when tests for HIV became available, McAllaster's brother in Boston tested positive. Then in private practice, McAllaster often talked with him about the legal problems he and other people with AIDS faced. He died in 1992.

After McAllaster joined the Duke Law faculty in 1988, she did volunteer work for people with AIDS.

In those early years, McAllaster and a student volunteer would go to Blevins House, a Durham group home for people with AIDS, to prepare wills and power-of-attorney documents for its residents. The demand quickly spread.

"When you're providing a free service, the word gets out," she said.

She put a notice in the law school's newsletter to enlist more volunteers.

"It just said, 'AIDS wills project. Training.' And we had 30 students show up," she said.

The work grew into what at the time was Duke Law's only in-house legal clinic. The Law School now operates student clinics in public education, community economic development and other areas.

Much of the time, the AIDS Legal Project helps people get coverage and benefits from Social Security, Medicaid and other government programs, or private health care or disability insurance. In the government-benefit cases, students represent clients in hearings before administrative law judges.

The program also offers end-of-life planning, including living wills, plans for guardianship of children of HIV-infected parents, and legal action to counter discrimination in jobs, housing or services. It receives more discrimination complaints than it can handle, McAllaster said.

The clinic's focus has shifted with its clients' longer life expectancy from retroviral drugs.

"When we first started, we were losing a lot of clients," McAllaster said. "We'd go to Blevins House and do wills for people, and six months later, we'd go back and do wills for six new people that were there, because the others had died."

Now, legal issues of returning to work after an AIDS diagnosis are common, she said.

Duke funds the clinic, which also receives money from the federal government's Ryan White Care Act, named for the Indiana teen whose battle against AIDS drew nationwide attention in the 1980s.

Including phone advice and referrals, the clinic has served several times more than its 1,000 clients, McAllaster estimates. There is not another such project in the Carolinas or Virginia, she said, although UNC has had a volunteer, noncredit program.

"I take road trips with the students," she said. "We go to Rocky Mount routinely, Fayetteville, Greensboro. We've been down to Sampson County."

Law students are rewarded by knowing their work can brighten the prospects for a person with AIDS, McAllaster said.

"It's not uncommon for advocacy to make a difference between having a home and not having a home," she said.

"I tell the students this every semester: I personally am so gratified they are willing to sign up for this class and put in the amount of work that they do," McAllaster said. "It's not easy work."

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