

The State Bar of California

2011 Loren Miller Legal Services Award



Sid Wolinsky has dedicated more than 40 years to providing legal services to the poor and disadvantaged. He received his LL.B from Yale Law School in 1961. After six years in private practice, Mr. Wolinsky then played a major role in establishing the former San Francisco Neighborhood Legal Assistance Foundation (now part of Bay Area Legal Aid) in 1968 and served as the first Director of Litigation.

In 1971, he co-founded Public Advocates, the first non-governmental non-profit public interest law firm on the West Coast, and served as senior attorney for 16 years. He founded and directed the first Disability Rights Clinical Legal Education Program in 1987 that included courses at four law schools on poverty law and legal rights of people with disabilities. In 1993, he co-founded Disability Rights Advocates (DRA), a 22-person non-profit legal center serving persons with disabilities and specializing in high impact litigation. Mr. Wolinsky continues in his position at DRA as Director of Litigation. All four organizations continue to serve the disadvantaged with vigorous and effective advocacy.

Known for his tenacity, creativity and skill in the courtroom, Sid Wolinsky has successfully litigated at both the trial and appellate level a multitude of high-impact and landmark cases that span decades. These cases were litigated on behalf of people with vision and hearing impairments, learning and physical disabilities, wheelchair users, the homeless, children, veterans, and others to remove barriers in key areas of life including education, employment, transportation, health care and access to public services and accommodations. Two well known cases are:

Serrano v. Priest, 5 Cal. 3d 584 (1971): This landmark case in which Mr. Wolinsky was the lead trial and appellate counsel found the entire existing California statewide school financing system to be unconstitutional as a denial of equal protection for children in poor school districts. This, and following cases, resulted in legislation that significantly changed the financing of California schools.

Serrano v. Priest II, 20 Cal. 3d 25 (1977): The California Supreme Court established the private attorney general theory for recovery of fees for cases serving the poor.

The following sampling of first impression and recent cases in which Mr. Wolinsky was lead counsel or co-counsel demonstrates the boldness and originality of his approach to advocacy:

Bracco v. Lackner, 4462 F. Supp. 436 (N.D. Cal. 1978): Court held that nursing home agents and officers were restrained from transferring any resident if the transfer would jeopardize the resident's life and health, establishing the concept of "transfer trauma."

Communities Actively Living Independent & Free v. City of Los Angeles, No. 09 Civ. 0287 (C.D. Cal. Feb. 10, 2011): Class action on behalf of disabled Los Angeles residents. It was alleged and affirmed through summary judgment that the city ignored (and therefore violated) the rights of people with disabilities in disaster planning.

Metzler et al. v. Kaiser Foundation Health Plan, Inc. et al., No. 829265-2 (Alameda Super. Ct.): First class action suit in the country challenging systemic deficient health care for men and women with disabilities. Landmark settlement in March of 2001 benefits persons with all disabilities.

Veterans for Common Sense v. Shinseki, --- F.3d ---, No. 08-16728, 2011 WL 1770944 (9th Cir. May 10, 2011): Class action lawsuit on behalf of veterans with post-traumatic stress disorder. The suit charges that veterans are being inexcusably deprived by the Veterans Administration of essential medical treatment and disability benefits to which they are entitled.

Western Regional Advocacy Project, et al. v. Mayor Gavin Newsom, et al., No. C 08-4087 MMC (N.D. Cal.): Landmark suit filed in federal court in San Francisco charged that San Francisco's homeless shelter program discriminates against disabled homeless people. The suit is the first in the country to broadly challenge the homeless shelter program of a city as a violation of civil rights statutes that protect people with disabilities.

His legal work has not only directly benefited countless numbers of low-income and disabled individuals and families, but Sid Wolinsky has encouraged, inspired and developed California's next generation of legal services advocates, multiplying his influence on public interest law over many lifetimes.

The Loren Miller Legal Services Award was created in 1977 to commemorate the 50th anniversary of the State Bar of California. The award is given annually and honors an attorney who has demonstrated long-term commitment to legal services and who has personally done significant work in extending legal services to the poor.

