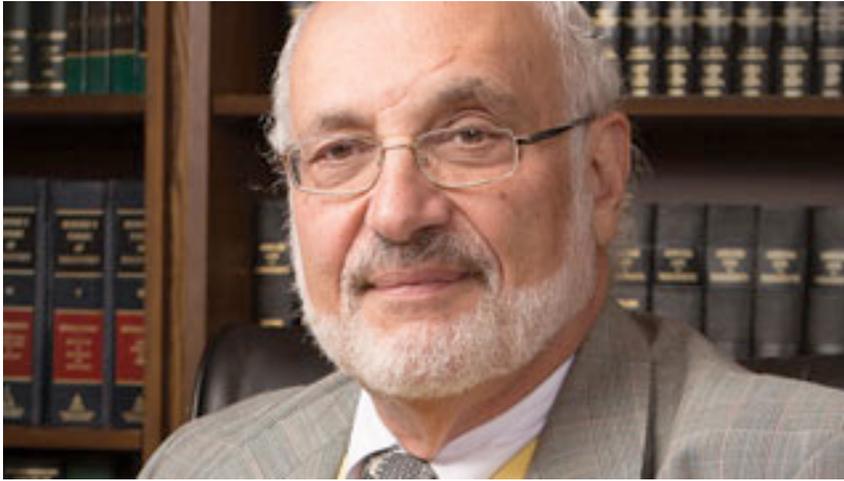


PUBLISHED IN: New England Super Lawyers 2013 — November 2013
Jason Allen Rosenberg's Sense of Community By
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The real estate lawyer builds bridges with legal work and disability advocacy





When he was 10, Jason Allen Rosenberg went to camp for the first time. He learned to fish, played baseball, took boxing lessons and made campfires.

The morning after he passed his swimming test, he woke up with a fever and aches all over his body. The camp counselors came in and told him he had to stay in bed and away from the other campers. They needn't have bothered.

"My legs did not do what I told them to," Rosenberg, now 68, says.

Rosenberg had polio. He would never walk again without back and leg braces and crutches.

"The best thing my folks did, and the hardest, was when I came home," he says. "I had a brand-new English bike, a black bike, just got it for my birthday. And they asked me, 'What do you want to do with your bicycle?' And I said, 'I think we should sell it, or give it away.'

"That was the litmus test for them, that I understood that there now was something seriously wrong with me. There were no support groups back then. This was something my parents did with common sense and a lot of love. They never said, 'What a shame.' They backed me up whenever I wanted to do something. My folks must've pulled the window shades down and either consoled each other or cried, but I never saw the tears."

Rosenberg took that lesson in calm perseverance to heart.

"When it's snowing out and cold in Boston, the way it gets only in Boston, it takes him five times as long to get from place to place, and he never, ever complains," says daughter Alicia Rosenberg, a middle school teacher in Washington, D.C.

After six months in the hospital and another six of rehab, Rosenberg's parents, Bob and Birdie, a pharmacist and a bookkeeper, insisted that he go back as soon as he could to public school in Mattapan, Mass.

"They were mainstreaming before there was mainstreaming," Rosenberg says. "I went back to regular public school and never thought anything of it."

Two years later, the family made a move to Newton, Mass., and he started at the newly built Newton South High School.

"The stairs there probably gave me my upper-body strength for the rest of my life," Rosenberg says, chuckling.

Rosenberg recalls. “I said, ‘I did?!’”

Rosenberg returned to B.U. for law school, where he eagerly absorbed lessons on municipal law and the legalities of urban planning. Partly, he says, he was motivated by the fate of old Jewish neighborhoods dear to his family’s heart, which had recently been rezoned and redeveloped into sterile cultural wastelands. People couldn’t help but notice his passion.

“Jason was well-known in the school,” says former classmate Ed Dailey, now an attorney at Sunstein Kann Murphy & Timbers. “He’s a person who makes himself known. If you walked in off the street to Starbucks or Dunkin’ Donuts, he’ll be the first person to strike up a conversation with you. He’ll find something to engage you. It’s his sense of community you’re dealing with.”

The year 1971 was a tough market to be a brand-new law school grad, and for a while Rosenberg struggled to find a place to hang his shingle. Then he ran into his law school dean, who suggested the local boy look to his own backyard: The Newton city law department had an opening.

The city didn’t hesitate to put the rookie to work. He became an adviser to the zoning board of appeals, the conservation commission and the planning board. Newton has the largest city council in Massachusetts—a whopping 24 aldermen—on top of a strong-mayor government, and he quickly became an expert at the politicking and negotiating skills an assistant city solicitor needs to balance 25 politician-sized egos.

“He knows the laws and the statutes, is charming, witty and a clear-thinking lawyer. He has overcome his handicap so significantly that I always forgot he was handicapped,” says Howard Levine, a colleague at the Newton solicitor’s office, now at K&L Gates. “Even to the point of asking him to help me move furniture—until I remembered why he shouldn’t, and then we both laughed.”

In the solicitor’s office, Rosenberg opened the way for married women to be allowed to keep their maiden names, pushed for protections for local wetlands, and successfully argued before the Massachusetts Supreme Judicial Court to let stand a policy that became one of the first so-called “anti-snob” zoning ordinances in the country. It required that 10 percent of new developments be affordable housing—an ordinance that Rosenberg and Levine had themselves drafted for Newton.

During his time as city solicitor, Rosenberg met his wife, Donna, at City Hall, where she worked. They had two girls, Alicia and Kayla.

“When our daughter Alicia was born, carrying her was just too hard for Jason,” Donna Rosenberg says. “And then he figured out how to get her out of the crib, and into the carriage, and into another room. And then he learned how to dress her—but he kept dressing her backwards!”

Kayla passed away in 2001, one of four students killed in a middle school bus accident. The family maintains The Kayla Rosenberg Memorial Fund in her honor.

In 1975, Rosenberg became adviser to a newly formed Newton mayoral committee to improve the city for disabled people. Four years later, as a private citizen, he became its chairman, a position he’d hold for more than a quarter

“Because of his handicap, he was always a proponent of making sure projects took into account the spirit of the law, not just the letter,” says Jamie Mitchell, a lawyer and former zoning board member. “This wasn’t some abstract legalism for him. He put a personal spin on it, and personalized and sensitized the rest of us to it, and did it very effectively.”

In 1977, Rosenberg left government to join what’s now Sarrouf Law in Boston, but he didn’t stray far. The next year, he represented Newton residents who were upset that the city had decided to close down two public schools due to declining enrollment and sell them to developers. He won the right to a referendum on the fate of the schools—but saw the anti-school closing side soundly defeated at the polls.

“We were blown out,” Rosenberg admits, shrugging.

In 1981, Rosenberg and two former Newton aldermen colleagues spun off their own firm, now named Rosenberg, Freedman & Lee, situated in Newton ever since. But even in private practice, looking out for the community has always been prominent in Rosenberg’s mind, friends say.

“He would only take on things not just for a fee, but things that were good for the city,” Levine says. “He definitely is a Newton kid—he loves the city, wants to improve it constantly.”

His attitude—that the long-term greater good is paramount—is one his opponents respect. When faced with a recent thorny issue of three bitterly estranged siblings squabbling over a real-estate inheritance, Rosenberg focused on finding a solution that both protected his two sibling clients’ interests while ensuring that they weren’t destroying any possibility for a future reconciliation.

“It could’ve been a field day for litigators,” says Kenneth Halpern, who represented the opposing sibling. “He kept an eye on the big picture without trying to win every little fight for his client, which can lead to protracted and expensive litigation. He recognized that we weren’t going to solve all their problems, but we might remove one big irritant.”

Rosenberg also has a knack for turning defeats into victories. Once one of the Newton schools that he’d failed to prevent getting shut down started being turned into apartments, he filed the petition to create 26 units specifically for people with disabilities.

Yet, Rosenberg says, his favorite legal philosopher is Clint Eastwood at the end of *Magnum Force*: “A man’s gotta know his limitations.”