

Pro Bono News

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The Front Lines of Justice

By Joan Fucillo

More than 130 people on the front lines of justice came to New York State Bar Association headquarters in Albany for the third annual state-wide meeting convened by the New York State Permanent Commission on Access to Justice. The day-long meeting was held on Oct. 28.

Commission Chair Helaine Barnett, who has devoted her entire career to the fight for civil legal services, welcomed the attendees.

NYSBA President Hank Greenberg, who hosted the event, praised Barnett and her work.

"Your career," he said, "has been dedicated to advancing access to justice for all." Greenberg noted that she had served as the president of the Legal Services Corporation and was awarded NYSBA's gold medal. Her alma mater, New York University School of Law, named a summer fellowship in her honor.

Greenberg spoke about the role of the commission, which began as a task force created by then-Chief Judge Jonathan Lippman as part of a comprehensive effort to provide counsel to low-income New Yorkers. In 2015 – at Barnett's urging – the task force became a permanent commission, enshrined in the Rules of the Chief Judge.

Greenberg underscored NYSBA's longstanding contributions to the effort, including lobbying for increased state and federal funding for civil legal services, and NYSBA

section, committee and task force partnerships with the courts on cutting-edge access to justice initiatives. This is ongoing.

"We are hard at work," he said, "developing actionable solutions here in New York State."

The conference theme, "working together to expand effective assistance for all low-income New Yorkers," reflected the speakers' and participants' shared sense that along with lobbying for more funding and encouraging pro bono, more innovative and community-oriented approaches are needed to reach people in need.

In her opening remarks, Chief Judge Janet DiFiore acknowledged that where people are asked to go to seek help can be a barrier to getting help. She welcomed the movement toward establishing centers for legal assistance in schools, churches and libraries and noted that citizens may be more comfortable going to a familiar location than going to a courthouse.

Judge DiFiore singled out Legal Hand, which is run by the Center for Court Innovation with support from the courts and legal service organizations. Legal Hand operates and staffs walk-in centers in the Bronx, Brooklyn and Queens, where trained non-lawyer volunteers provide free legal information, assistance and referrals. The goal is prevention – so a civil legal problem does not turn into a legal action.

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The day belonged to the justice stakeholders. Working groups from the judicial districts met to discuss and begin to hammer out solutions to problems that ranged from implicit bias in the courts to community justice councils to immigration and the needs in rural areas. Housing and consumer debt were topics as was the issue of sustainability once a program is launched.

Executive directors and staff from legal services organizations worked

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Ground Breaking National Injunction Blocks Trump's "Public Charge" Immigration Rule

Submitted by The Legal Aid Society Pro Bono Practice

On October 11, 2019, The Legal Aid Society and others, with the assistance of Paul, Weiss, Rifkind, Wharton & Garrison LLP, achieved a major victory for immigrant communities across our country. The federal court blocked the Trump Administration's new "public charge" rule, which was scheduled to go into effect on Tuesday, October 15, 2019. If enacted, the rule change would prevent noncitizens from obtaining family-based adjustment of status because of their receipt of housing and other lawful benefits.

In his decision, Judge George B. Daniels wrote:

"The Rule is simply a new agency policy of exclusion in search of a justification. It is repugnant to the American Dream of the opportunity for prosperity and success through hard work and upward mobility. Immigrants have always come to this country seeking a better life for themselves and their posterity. With or without help, most succeed."

"The Legal Aid Society is relieved by this preliminary result, which will protect plaintiffs, our clients, and

low-income and disabled immigrants across the nation while we seek permanent relief from this unlawful, anti-family, and racist rule," said Janet Sabel, CEO and Attorney-in-Chief of The Legal Aid Society. "We hope the court's decision sends a message to DHS to withdraw this unlawful rule, and to the Department of Justice to abandon its plans to adopt a similar rule attacking immigrants in the deportation context."

The Center for Constitutional Rights, The Legal Aid Society, and Paul, Weiss, Rifkind, Wharton & Garrison LLP filed the lawsuit on behalf of Make the Road New York, African Services Committee, Asian American Federation, Catholic Charities Community Services, and Catholic Legal Immigration Network (CLINIC). New York State Attorney General Letitia James, joined by the States of Connecticut and Vermont and the City of New York, filed a separate lawsuit challenging the rule. Both lawsuits were filed in the U.S. District Court of the Southern District of New York.

The Front Lines of Justice

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with town, village, city and county court judges, law firm representatives and administrative judges from many of the judicial districts statewide. Public library officials, representatives from law schools, members of county and affinity bar associations,

and a county sheriff came together to help find movement on the seemingly intractable problem of ensuring that everyone's legal needs are served.

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Article authors are responsible for the correctness of all information, citations and quotations. Articles may be edited for clarity and length.

Editor: Thomas Richards, Esq.

Volunteers of Legal Service Launches Veterans Initiative for Older New Yorkers

By: Jessica Penkoff Esq., Staff Attorney, Elderly Project/Veterans Initiative

As the nation celebrates Veterans Day 2019, Volunteers of Legal Service (VOLS) is proud to announce the launch of our Veterans Initiative of the VOLS Elderly Project. New York City's older, low-income Veterans can receive free legal services to help ensure they can age in place with dignity and without fear of homelessness.

VOLS serves New Yorkers by collaborating with pro bono attorneys from top-tier law firms and corporations to ensure that our clients can attain dignity, security, and opportunity in their lives. Our expert team and network of pro bono attorneys advise older Veterans on a range of legal issues, including the drafting and execution of life-planning documents that ensure the protection of their individual rights throughout their lifetime and after their passing. By helping elderly Veterans obtain documents like Powers of Attorney, Health Care Proxies, and Living Wills, VOLS and its partners help empower Veterans to protect their financial integrity, obtain and maintain government benefits, carry out their health-related wishes, empower their caregivers, and maintain their affordable housing. Likewise, through helping Veterans obtain their Last Will and Testament, VOLS ensures that the individual wishes of each of its clients are carried out after they pass away, ensuring that individual choices are respected and helping families avoid a confusing and lengthy intestacy process.

The VOLS Veterans Initiative also addresses many other legal issues that elderly Veterans face. VOLS staff attorneys have expertise in housing law and provide advice, counsel, and representation in housing matters where possible, thanks in large part to the assistance and co-counsel of pro bono attorneys. Staff attorneys with the Veterans Initiative provide general advice and counsel on these and a range of other legal issues through 10

monthly walk-in legal clinics hosted at NYC senior centers.

The legal problems that low-income, older Veterans face are vast. In recognition of this fact, VOLS is part of the New York Veterans Law Working Group, which includes representatives from New York Legal Assistance Group, Legal Services New York City, City Bar Justice Center, Feerick Center for Social Justice, and the Veteran Advocacy Project. Through the Working Group, VOLS collaborates with other legal service providers who serve Veterans, with an eye toward filling service gaps and advocating for political support and funding for the services that low-income Veterans in NYC so desperately need.

Recently, the working group contributed to testimony given at the Court of Appeals in Albany during a hearing on civil legal services in New York State in September 2019. This tes-

timony highlighted the justice gap for Veterans and educated the staff of the New York State Court System, Office of Court Administration, and members of the New York State Permanent Commission on Access to Justice about the inadequate financial support for legal services in connection with VA benefits claims.

The work of the Veterans Initiative and other VOLS legal projects is made possible through the dedicated assistance and expertise of volunteer lawyers at major law firms and corporations throughout New York City, alongside our close partnerships with community-based groups to provide our services in trusted settings.

Finally, the VOLS Veterans Initiative is grateful to our clients for their service and sacrifice on behalf of their country. VOLS and our volunteers are honored to serve and advocate for Veterans as they age.

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The Legal Aid Society, Cleary Gottlieb Steen & Hamilton LLP, Attorney General, District Attorney Sue to Halt ICE Arrests in Courthouses

Submitted by The Legal Aid Society Pro Bono Practice

On September 25, 2019, The Legal Aid Society and Cleary Gottlieb Steen & Hamilton LLP, and New York Attorney General Letitia James and Brooklyn District Attorney Eric Gonzalez filed two separate lawsuits in the United States District Court for the Southern District of New York against Immigration and Customs Enforcement, challenging the legality of the agency's practice of making civil immigration arrests without a judicial warrant or court order in and around New York State courthouses.

The first lawsuit, filed by The Legal Aid Society and Cleary Gottlieb, seeks a permanent injunction ordering the halt of ICE courthouse enforcement on behalf of an individual plaintiff — a noncitizen domestic violence survivor who needed to appear in

court for an order of protection, but feared the risk of an ICE arrest coming to a courthouse. Other plaintiffs include Make the Road New York, Urban Justice Center, Sanctuary for Families, The Door, and the New York Immigration Coalition.

The second lawsuit, filed jointly by Attorney General James and District Attorney Gonzalez, makes the case that ICE arrests in and around courthouses impede the administration of justice and adversely impact public safety. The suit seeks to halt a two-year pattern of civil immigration arrests by federal ICE agents in and around state courts, which have caused a major disruption to state court operations. By targeting witnesses and victims for arrests, noncitizens and immigrants are deterred

from assisting in state and local law enforcement efforts or protecting their own rights in court. As a result, valid prosecutions have been abandoned, or never pursued, making communities less safe.

"New York State is home to more than 4 million noncitizens who are vulnerable to deportation. In order for our judicial system — a pillar of our democracy — to operate effectively, it is fundamental that they have equal access to courts," said Janet Sabel, CEO and Attorney-In-Chief of The Legal Aid Society. "ICE's courthouse enforcement blatantly violates the constitutional rights of our clients, as well as all immigrant New Yorkers, and we look forward to addressing this injustice in court."

NEW YORK STATE BAR ASSOCIATION

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Erie County Surrogate's Court Help Center Brings an Innovative Approach to Assisting the Unrepresented

...and Other Exciting Updates from the Center for Elder Law & Justice

By: **Amanda M. Warner, Director of Pro Bono Programs at the Center for Elder Law & Justice**

I began working at the Center for Elder Law & Justice (CELJ) as Director of Pro Bono Programs in early September, which was a particularly exciting time at the organization. Sarah Hedden, Esq., supervising attorney of CELJ's Kinship Care Legal Services Program, was named a member of the National Advisory Council to Support Grandparents Raising Grandchildren, an initiative of the U.S. Department of Health and Human Services. CELJ's long-time volunteer, UB Law Emeritus Professor and Elder Law Clinic founder Tony Szczygiel, Esq. had just been selected for the Howard Hinds Memorial Award from the National Consumer Voice for Quality Long-Term Care for his tireless advocacy on behalf of long-term care consumers.

Several new programs and partnerships were also developing and taking shape. Child & Family Services' Center for Resolution & Justice received a 5-year, \$4.3 million grant from the NYS Office of Victim Services to support a collaboration with CELJ and Neighborhood Legal Services to address the many gaps in services faced by victims of crime. CELJ became one of the first recipients of grant funding from the newly formed Odd Fellow & Rebekah Benefit Fund, which will enhance advocacy efforts and systems change initiatives on behalf of nursing home and adult care facility residents. Through a partnership with Pro Bono Net, CELJ offered a free webinar series to nonprofit legal services staff, victim advocates, social workers, librarians, educators and health care professionals working with aging populations on a "Legal Risk Detector" and LawHelp Interactive Online forms, two online tools for remedying elder abuse and financial exploitation.

As a new staff member, it was often difficult to keep track of the many ways CELJ connected with the Western New York community during my first two months. There was the City of Buffalo's Foreclosure Assistance Program; the Safe at Home Conference; "Spot That Scam!" community presentations; the Network in Aging of WNY Forever Young Expo; Buffalo's Project Homeless Connect; the Senior Health and Wellness Fair; and reaching out to University at Buffalo Law students about CELJ opportunities and services at their Celebrate Pro Bono Week information fair.

These took place alongside many other ongoing programs designed to bring legal services out into the community, including our Mobile Legal Unit events, MedLaw Partnerships at Erie County Medical Center and Buffalo General Hospital, and the Lighthouse Free Medical Clinic, which allows uninsured and underserved patients in Buffalo the opportunity to meet with UB medical students, community health workers, physicians and attorneys in an effort to remediate barriers to healthy living and access to preventive medical care.

It is energizing and inspiring to be part of this agency at such a dynamic time. My role as Director of Pro Bono Programs is as multifaceted as CELJ as a whole. One of the programs that I am particularly pleased to coordinate and collaborate on is the Erie County Surrogate's Court Help Center (the Help Center). The Help Center got off the ground in November 2018, thanks to the vision of Hon. Acea M. Mosey, Erie County Surrogate's Court Judge, the support and dedication of volunteer attorneys from the private bar, and the collaborative expertise

of CELJ Staff. Its creation was driven by the needs of hundreds of unrepresented litigants attempting to navigate the Surrogate's Court without the assistance of an attorney. To date, over 300 unrepresented people in need of advice and counsel have been assisted through the program.



Those featured from Left to Right: Amanda M. Warner, Esq., Director of Pro Bono Programs at Center for Elder Law & Justice and Erie County Surrogate's Court Help Center volunteer Henry Gartner, Esq. of Lipsitz & Ponterio, LLC.

Over the past year, the Help Center has implemented changes to respond to feedback from stakeholders. It recently held its Grand Opening on October 7, 2019 and unveiled a more comprehensive and user-friendly approach to serving the unrepresented.



Those featured left to right:

Hon. Gerald Whalen, Presiding Justice, Appellate Division Fourth Department; Hon. Edwina G. Mendelson, Deputy Chief Administrative Judge for Justice Initiatives; Karen L. Nicolson, Esq., CEO Center for Elder Law & Justice; Kimberly Colaiacovo, Esq., Court Attorney, Erie County Surrogate's Court; Joseph Shifflett, Chief Court Attorney, Erie County Surrogate's Court; Hon. Acea M. Mosey, Erie County Surrogate's Court; Judge Andrew B. Isenberg, Esq., District Executive, 8th Judicial District

The Grand Opening was well attended by diverse members of the legal community, including private attorneys, judges, court staff and legal services agencies, who heard remarks by The New York State Office of Court Administration's Deputy Chief Administrative Judge for Justice Initiatives Edwina G. Mendelson, Judge Mosey, Court Attorney Kim Colaiacovo, CELJ CEO Karen Nicolson, Esq., and 8th Judicial District Executive Andrew Isenberg, Esq.

Although there are at least five other Surrogate's Court Help Centers across New York State, the Erie County Surrogate's Court Help Center has gained recognition statewide as the first to use a collaborative model wherein court employees, legal services staff, and the private bar work together on-site to assist the unrepresented. Court staff triage the cases that come in, provide information as appropriate, and when more assistance is needed, refer the client to an on-site volunteer attorney to provide limited scope legal advice and counsel that cannot be provided by the Court employees.

The Help Center's unique model is an effective and innovative way to bridge the justice gap for many unrepresented people during what is often a stressful, confusing and emotionally charged time in their lives.

Though the time spent with the pro bono attorney is brief, the volunteer's expertise in Surrogate's Court matters makes a substantial impact. In a brief consultation, attorneys can make recommendations on courses of action the client should or should not take, assist clients in assessing the relative merits of their case (or lack thereof), review and explain documents and court papers, explain procedures and what to expect at various stages of a court proceeding, and provide further direction on next steps to take.

The Help Center is centrally located in the Surrogate's Courthouse, encouraging neutral and easy access to litigants already in Court. The office includes a waiting area, language line, use of computers, access to fillable forms and private rooms for one-on-one pro bono attorney consultations. The central location is crucial to improve court efficiency and communication, to the benefit of those seeking services.

While the Help Center is open to all unrepresented individuals regardless of income, the majority (80%) of individuals seeking assistance have incomes that fall below 200% of the Federal Poverty Line (roughly \$25,000.00 per year). Thus, the Help Center is clearly playing an important role in bridging the justice gap for individuals who cannot afford to

retain private counsel in Surrogate's Court proceedings.

It is clear that in just one year, the Help Center has distinguished itself as a tremendously valuable asset to all parties involved. By dedicating time and resources to this partnership, the Court has improved its case processing and ability to manage its pro se litigant caseload. Most of the 43 volunteer attorneys recruited to assist with the Help Center have covered multiple shifts. Many have expressed an appreciation for the opportunity to do good work and provide meaningful assistance to the underserved in a time commitment conducive to maintaining a busy law practice (each shift is a 2-hour commitment). Others have noted the sense of professional satisfaction in addressing interesting issues that do not present themselves in their day-to-day practice.

CELJ recently profiled Help Center volunteer Benjamin S. Cranston, Esq. in our October 2019 newsletter in honor of National Celebrate Pro Bono Week. Mr. Cranston is an associate attorney at Phillips Lytle LLP, where he concentrates his practice in the area of family wealth planning. He noted the satisfaction he gets from pro bono work allowing him to think on his feet, work with clients directly, and give back to the Western New York Community. Summing up the significant impact that can be made in a limited time commitment, Mr. Cranston noted that "...[for] a small piece out of your day ... you may be helping someone with the most important thing in their lives."

The ongoing generosity and dedication of Help Center volunteers like Mr. Cranston cannot be emphasized enough. I am honored to continue the work of CELJ staff before me in supporting those efforts. Looking ahead, CELJ would like to expand the pro bono attorney component of the Help Center from two to three shifts per week. Western New York attorneys with Surrogate's Court and estate planning experience who are interested in becoming part of this successful and rewarding program can contact me at (716) 853-3087, extension 241, or at awarner@elderjusticenyc.org.

VLP's Chautauqua County Family Court Help Desk: Utilizing Technology to Reach Rural Communities in Need



**By: ECBA Volunteer Lawyers Project, Inc.
Gretchen Gonzalez, Deputy Director
Maria A. Valeri, Pro Bono Recruitment Coordinator**

This year marks the 6th anniversary of the Erie County Family Court Help Desk (FCHD), a limited scope legal representation program for pro se litigants in Erie County Family Court, created by a partnership between the Erie County Bar Association Volunteer Lawyers Project (VLP), the University at Buffalo School of Law, the Bar Association of Erie County's Practice and Procedure in Family Court Committee and Erie County Family Court. Each day, pro se litigants can come to the Family Court Help Desk where they are greeted by a law student who does the initial intake and issue spotting before handing the case off to a VLP Volunteer Attorney to provide limited scope legal advice. In six years, the Erie County Help Desk has served 5,479 clients benefitting 15,477 people and avoided/reduced litigation by 25%.

The success of the Erie County Family Court Help Desk led VLP to seek to expand the program to other counties in Western New York. We were able to use the exact same model for our Niagara County Family Court Help Desk, currently operating on Wednesdays in Niagara Falls. Our Niagara Falls program, though located in a different county from our Buffalo office, is still only a 20-minute commute for our program coordinator. Though there is no law school in Niagara County, we were able to create a relationship with the paralegal program at Daemen College to provide an intern to do intake at the program.

Expanding the program to the more rural counties of Western New York has been challenging. Chautauqua

County was our first effort to expand into a rural area and required us to reevaluate the program's model. Erie County's population is approximately 925,000 and its county seat is Buffalo, an urban area served by public transportation with a large number of practicing attorneys. Operating programs and providing legal services for the poor in Erie County has never been hindered by location, nor accessibility, nor availability of providers. On the other hand, Chautauqua County has a population of approximately 129,000 and its county seat is the Village of Mayville, population approximately 1,700. Like most rural areas, there are less attorneys providing legal services, and many providers are hundreds of miles away from the individuals that need their services.

Our initial attempts at an in-person model for the Chautauqua County help desk faced several logistical issues. VLP's Buffalo office is approximately an hour and a half drive away from the Chautauqua County Courthouse, which means that three hours of the coordinator's day would be spent on the commute alone and more so in the winter months when heavy snowfall tends to increase drive time. The closest law school is also in Buffalo, which means it would be difficult to find law students who could participate. The larger concern is the shortage of attorneys in rural areas like Chautauqua. The Government Law Center at Albany Law School recently released a study that indicated that only 3% of all attorneys in New York State are registered as having rural addresses. Among the rural attorneys surveyed, 48.8% of them

agreed that there are not enough attorneys to serve rural client needs. The majority of rural attorneys surveyed (57.1%) indicated that they turn clients away because the matter requested is outside their expertise, with respondents indicating the most requested area of law outside the attorneys' area of expertise was family law (24.8%). These challenges caused us to rethink the in-person model and look outside the box for technical solutions that could still provide high quality legal services to pro se litigants in family court.

In October 2019, VLP launched our first Family Court Help Desk to utilize a video conferencing model with the support of Eighth Judicial District Administrative Judge Hon. Paula L. Feroletto, and Chautauqua County Family Court Chief Clerk David Travers. On Monday mornings, pro se litigants call into a dedicated phone line where they are screened for financial eligibility and legal issue; they are then scheduled for a video conference the next day to take place at the Family Court building in Mayville. Upon arrival, litigants sign a limited scope retainer as well as a release allowing the family court clerk to scan any relevant court documents to the VLP volunteer attorney for use during their consultation. The pro se litigant is then taken to a private room in the courthouse where they will have their video consultation via Skype with the VLP attorney who is working from our office in Buffalo or from their own office. Though the program is in its infancy, we have high hopes that it will have success similar to our exist-

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Prisoners' Legal Services of New York PLS' Pro Bono Celebration Event Focuses on "Immigration in America: Voices from Behind the Wall"

PLS Contact: John Amodeo/Pro Bono Coordinator

Prisoners' Legal Services of New York hosted its Ninth Annual Pro Bono Celebration Event – *Immigrants in America: Voices from Behind the Wall* – on Friday, October 25, 2019, at Capital Repertory Theater in Albany. As in past years, the event included both a *pro bono* awards ceremony and a performance by the Black Theatre Troupe of Upstate New York. This year's performance included dramatic renditions of poetry and prose pieces on immigration selected from dozens of original works submitted by incarcerated persons from across the State, and the Troupe's reenactment of a federal deportation trial. Based on an actual deportation case from PLS' Immigration Unit, the reenactment told the story of a young immigrant mother who, after suffering years of physical, emotional and sexual abuse at the hands of her U.S.-born husband, was facing both imminent deportation to her violent homeland and long-term separation from her two school-age children.

At the awards portion of the October 25th event, PLS Board member Bijan Amini, Esq. presented the *Hon. J. Clarence Herlihy Award for Pro Bono Service by a Law Firm* to Debevoise and Plimpton, LLP for its successful three-year course of litigation challenging the Department of Corrections and Community Supervision's system-wide policy of redacting critical information from routine staff reports on the ground that the reports were "personnel records," and thus confidential, under Civil Rights Law section 50-a. DOCCS' redaction policy under that statute and related

provisions of the State's FOIL law had seriously impeded the ability of PLS' incarcerated clients to enforce their rights in disciplinary hearings, excessive force cases and other contested matters. Reversing a NYS Supreme Court decision that had dismissed the action, the Appellate Division, Third Department, ultimately rejected DOCCS' position, holding that the routine staff reports did not qualify as "personnel records" within the meaning of section 50-a. Debevoise Partner and Chair of PLS' Board of Directors, John Kiernan, was present, along with Debevoise Associates Daniel Aun and Joshua Smith, to accept the Herlihy Award on behalf of the firm.

PLS presented its *Paul J. Curran Award for Pro Bono Service* to Rosanne Trabocchi, a retired Captain and Judge Advocate in the U.S. Coast Guard. As a member of the NYS Attorney Emeritus Program, Ms. Trabocchi successfully represented PLS clients in prison disciplinary cases where long periods of solitary confinement had been imposed, and in a "merit parole" application on behalf of a 75-year old, wheelchair-bound man serving a 5 to 15-year sentence for felony marijuana possession. The *Robert F. Bensing Award for Pro Bono Service by a Law Student* was presented to Allison Hart, a third-year student at Albany Law School. Allison was an intern at PLS' Albany office during the summer of 2018 and continued her work at PLS during the 2018-19 school year. The Paul J. Curran Award was presented to Ms. Trabocchi by Paul Curran's son, PLS Board member Thomas J. Curran, Esq.

Finally, PLS bestowed its distinguished John R. Dunne Champion of Justice Award to attorney Bruce Gitlin, founder and Executive Director of the New York Center for Law and Justice, for his extraordinary volunteer work on behalf of a deaf PLS client who, prior to his release from state prison, spent over a decade in solitary confinement. The award was presented to Mr. Gitlin by former NYS Senator, and current PLS Board member, John R. Dunne himself.

VLP's Chautauqua County Family Court Help Desk

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ing help desk models.

By connecting clients to volunteer attorneys through the use of video conferencing, we hope to make progress toward closing the justice gap for low income people in rural areas. To receive assistance with a family court matter, Chautauqua County residents should call (716) 828-8480 on Mondays from 9:30 am to 11:00 am to make an appointment for a video conference with an attorney on Tuesdays from 1:00 pm to 3:00 pm. Attorneys who wish to volunteer in Chautauqua County, Niagara County or Erie County can contact our Pro Bono Recruitment Coordinator, Maria Valeri, at (716) 847-0662 x321.

Legal Assistance of Western New York Awarded Engaged Curriculum Grant from Cornell University to Support Client Services and Promote Student Service-Learning About Unemployment

By LawNY's Pro Bono Team

Legal Assistance of Western New York, Inc.[®] (LawNY)'s Ithaca office is just minutes away from the world-class Ivy League institution of higher learning, Cornell University. For its students, however, life "on the hill" can seem a world away from that of low-income clients who receive free legal assistance from LawNY. With the support of a \$46,000 development grant from Cornell's Office of Engagement Initiatives, students at Cornell's School of Industrial and Labor Relations (ILR) have the opportunity to bridge the divide and enhance their education through service-learning in partnership with LawNY.

Beginning in the spring 2020 semester, students taking the interdisciplinary class, "The Fight Against Unemployment: Policy and Advocacy," taught by Dr. Ian Greer of Cornell's ILR School, will have the opportunity to work directly with LawNY staff

as they assist clients. With support from the grant, LawNY Staff Attorney Kim Morrell will train and supervise students to work with clients as they prepare for unemployment insurance benefits hearings. At the end of the semester, two students will be offered paid summer internships through LawNY.

"This course is unique," Greer said. "There's not another course at Cornell like it." In addition to reading and discussing books and articles about unemployment, in many cases involving the authors as guest lecturers, the project takes ILR students off-campus to assist low-income unemployed community members navigating the legal system. "The engaged learning piece is really powerful because it takes students out of their comfort zones," Greer said. Students gain experience in advocacy and reflect on how their classroom learning connects

with their hands-on service-learning. The students' assistance with cases will expand the capacity of LawNY to serve more clients.

LawNY will train students participating in the service-learning course component in substantive areas of law such as unemployment insurance benefits; advocacy fundamentals such as how to represent a client at an administrative hearing; and ethical considerations such as client confidentiality. Other substantive areas of law may include removing barriers to employment in the context of reentry from the criminal justice system. Students will have learning experiences such as listening to an administrative unemployment insurance telephone hearing; observing a local justice court session and speaking with the judge about the ways that employment affects and is affected by the justice system; providing educational

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The New York State Bar Association's Pro Bono Immigration Portal:
Is a new and exciting initiative created to address the growing needs of our immigrant communities and public service organizations, inspired by an overwhelming response of New York attorneys wishing to contribute and help out in any way they can. Browse available opportunities and volunteer directly, or use the tailored referral service to get connected with volunteer opportunities at organizations that work closely with immigrants.

Questions?
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Legal Assistance of Western New York

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outreach and one-on-one assistance to unemployed workers; and reflecting on these experiences in the classroom.

Application for unemployment insurance benefits in New York is by telephone or online only, which can create multiple barriers for unemployed workers. Applicants need regular internet or telephone access, the ability to speak English or obtain translation and/or interpretation, literacy or someone to read documents to them and write on their behalf, and the ability to understand what is being asked. Advocates can assist applicants in this process. If a claim is rejected, advocates can help applicants request and prepare for a hearing and support them at the hearing. A representative at an administrative hearing does not have to be an attorney.

LawNY's service area covers 14 counties across mostly rural western New York and nearly 10,000 square

miles. The majority of unemployment insurance benefits hearings are conducted remotely by telephone.

"Legal advocacy can provide many benefits," said Morrell. "The financial impact of unemployment may be obvious—unemployed workers often deplete any savings they have, borrow money to make ends meet, even declare bankruptcy. What may be less obvious is the toll that unemployment can take on a person's sense of purpose, self-worth, physical and mental well-being, and relationships. Having an advocate empathizing, encouraging, and navigating the process can have a positive impact regardless of the outcome of the case."

"One of my goals is that by meeting and assisting clients who face the challenges of unemployment, students will gain insight and inspiration that they carry forward in their personal and professional lives," Morrell said.

"I'd like the students to take away a nuanced understanding of the causes and effects of unemployment on individuals, families, and communities. Whether the students pursue careers in the public or private sectors, I'd like them to have the knowledge and motivation to work toward the elimination of barriers to self-sufficiency. It's not just unemployed workers and their families who benefit from unemployment insurance benefits. Unemployment insurance benefits stabilize entire communities by ensuring a degree of regional and local economic activity, even in the face of economic downturns." Morrell added, "I'm delighted that Dr. Greer and Cornell University recognize the value of community engagement through service-learning by supporting this partnership with LawNY."

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