

# Civil Legal Services Attorney Honorees



**David Kagle, Esq.**

David grew up in Westchester County and the Bronx before attending Swarthmore College, where he earned a B.A. with a major in Biology in 1999. After beginning law school at Cardozo, he transferred to Cornell University, where he received a J.D. cum laude in 2008.

David has been a staff attorney at the Bath office of Legal Assistance of Western New York, Inc. (LawNY) since 2013. Previously, he worked with the Chemung County Department of Social Services, primarily in child support matters, as well as for Sayles and Evans in Elmira, New York.

David lives in Caton, New York with his wife, Jeanne, children Arthur and McKenna, and more pets than he feels are entirely necessary.

David's practice at LawNY is focused on housing. In addition to working on code enforcement issues, David works to preserve private and subsidized housing, improve housing conditions, and address abuses by sellers in land-contract situations.

# The Civil Legal Services Attorney Honorees



**Josh Cotter, Esq.**

Josh's humble and unassuming manner belies the tremendous work he accomplishes on behalf of his clients. In the past year, Josh's cases have included advocacy on behalf of children held in solitary confinement, disabled prisoners denied access to reasonable accommodations and basic services, and immigrant families who fled war torn countries only to be placed in deplorable housing in Syracuse. Josh sued on behalf of minors in solitary confinement in Cayuga and Onondaga Counties; a prisoner in Onondaga County, deaf since birth, who was denied a sign language interpreter, adequate time on a teletypewriter to make calls, and access to other services; filed a Federal lawsuit (on appeal in the 2nd Circuit) and won for an inmate with cerebral palsy deprived of use of his motorized wheelchair; and a class action lawsuit on behalf of Somali refugees who were placed in an apartment complex owned by an out of state landlord and rife with health and safety hazards.

Josh maintains a drop-in legal clinic in Oswego County, and handles all manner of cases in The Advocacy Group unit, especially cases relating to evictions and housing emergencies.

In addition to his work at LSCNY, Josh is also a board member of the CNY Chapter of the NYCLU and serves on the NYCLU Legal Committee.

# Civil Legal Services Program Director Honoree



**Karen Nicolson, Esq.**

Karen L. Nicolson, Esq. has been CEO of Legal Services for the Elderly, Disabled or Disadvantaged of Western New York (LSED), Inc. for the past sixteen years. LSED provides free civil legal services to seniors in the counties of Erie, Niagara, Cattaraugus, Chautauqua, Wyoming, Allegany, Orleans, and Genesee, as well as to the Seneca Nation of Indians. As CEO, she feels privileged to support its mission to utilize the legal system to help our clients live independently and with dignity.

Karen is a community leader and spokesperson for the senior, disabled and low income populations on a statewide level. She currently serves on the Governor's Advisory Committee on Aging, the New York State Bar Association's Committee on Legal Aid, and the Town of Amherst Senior Services Advisory Board. She is a member of the Erie County Age Friendly Initiative, a collaboration with Erie County Senior Services, AARP, and the Center for Inclusive Design at SUNY Buffalo. In addition, she serves on the Elder Justice Working Group through the NYS Unified Court System under the leadership of Judge Deborah Kaplan, Statewide Coordinating Judge for Family Violence Cases. She is a delegate to the New York Inaugural WINGS Guardianship Core Group through the New York State Unified Court System and a member of the Advisory Committee of the Crime Victims Legal Network Project. She currently is a member of the Think Group for the New York State Legal Services Initiative, a partnership of the NY State Office for the Aging, the NY State Office of Court Administration, the NY State Bar Association and the NY State Office for People with Developmental Disabilities. Karen was named a National Federation for Just Communities Leader in 2010 and in 2015 The Amherst Senior Citizen's Foundation named her their Senior Community Leader.

This year, she was appointed by Senate Majority Leader John Flanagan to the NYS Committee for the Coordination of Police Services to Elderly Persons.

One of Karen's most significant accomplishments is in founding the Western New York Coalition Pooled Trusts (WNYCPT) in 2003. Drawing from the expertise of LSED board members and forging a partnership with People, Inc., the WNYCPT was developed. It has become a valuable resource for people with disabilities in our community and serves as a means for people to stay in their community, both because of the high cost of institutional care and the many benefits of being able to live at home. The WNYCPT makes it possible for people to maintain their benefits such as SSI and Medicaid, but also be able to access funds needed to stay in the community. The trust has grown from a single client at its inception to now having 450 clients, with a value over \$6 million. Karen continues to support the growth of the WNYCPT by providing community presentations and working with the local bar associations to promote the use of the trust as a valuable tool when planning for the immediate and future needs of a person with a disability.

Prior to becoming CEO, Ms. Nicolson was a staff attorney with LSED for eleven years; before that, she worked briefly at the Legal Aid Bureau of Buffalo. She is a past chair of the Board of Directors of the Western New York Law Center and past Secretary of the Erie County Bar Foundation. She is a past chair of the Erie County Bar Association's Elder Law Committee and a recipient of the Special Services Award from the ECBA. She frequently lectures on elder abuse, pooled trust and elder law issues. Ms. Nicolson lives in Amherst, New York with her husband, Thomas Smith, and their daughter, Haley.

# Civil Legal Services Nonprofit Organization Honoree



## Community Service Society of New York – Next Door Project

For more than eight years, the Community Service Society’s Next Door Project has assisted New Yorkers in obtaining, understanding and correcting mistakes on their NYS rap sheets, applying for certificates of relief from disabilities and certificates of good conduct, and addressing discriminatory employment practices through legal advocacy and litigation. Their work is done in close collaboration with a dedicated cadre of specially trained and closely supervised older adult volunteers, many of whom hail from the same communities as their clients and all of whom believe in second chances. Working together, they see hundreds of clients each year and help put them in the best possible position to seek and obtain jobs and occupational licenses. The Next Door Project is led by Carlos Jesse, Project Director, supported by George Hairston, Project Assistant, and further supported by General Counsel Judy Whiting, Associate Counsel Kim Westcott, Senior Staff Attorney Estee Konor, and Equal Justice Works/AmeriCorps fellow Emily Hoffman.

# Phil Dailey Award



## Awarded Posthumously to Phil Dailey

Phillip Dailey was born in Penn Yan, New York on August 21, 1968. He served in the U.S. Army from 1992 to 1995. He served with the 7th Infantry Division, the 101st Airborne Division, and was stationed at Guantanamo Naval Base during Operation Safe Harbor. After his Honorable Discharge in 1995, Phil obtained an A.A.S. degree from Finger Lakes Community College in 1997 and a Bachelor of Arts degree in Political Science from Hobart College in 2000.

Phil's life of service continued after college. Phil signed up for AmeriCorps, and came to the Geneva office of Legal Assistance of Western New York, Inc. as an AmeriCorps Paralegal in 2001. He served two 12 month terms of service as an AmeriCorps Paralegal. At the end of his second AmeriCorps term, LawNY hired Phil as a staff paralegal, and he continued in that role until he passed away on 4/22/16.

Phil had an unparalleled commitment to the rule of law and the concept of equal justice under the law. He dedicated his career to the notion that the law must be applied uniformly to all people, regardless of their circumstances or their station in life. He served in a rural part of New York State, where local agencies and judges knew the background and family history of the people that they judged on a day to day basis. Phil held these folks accountable for the biases that they exhibited toward his clients, and forced them to follow the letter of the law. He exhibited a photographic memory and encyclopedic knowledge of the rules and regulations that applied to public assistance benefits, veterans benefits, subsidized housing, and landlord-tenant law.

LawNY launched a veterans' hotline in February 2012. The hotline was Phil's brainchild, and until recently he ran it almost single-handedly. The hotline was initially intended to provide legal information and referral to veterans and their families in a 5 county area surrounding Geneva, NY. Word of the hotline spread quickly through the veteran community, and we were soon getting calls from across New York State and beyond. The hotline handled 581 calls in 2015.

For several years, Phil was a valuable member of the LawHelpNY team. He was largely responsible for organizing, reviewing and adding to the Veterans and Military topic area on the LawHelpNY website, and he was a leader on the team of legal services attorneys that developed the interactive forms that help a person in need request and then win a Fair Hearing if they lost or were denied public benefits.