

Pro Bono News

Fall 2021 Edition

A Message from President-Elect Sherry Levine Wallach The Perseverance of the Unsung Heroes

By Sherry Levin Wallach, Esq.



To say that life since March 2020 has been challenging for many is an understatement. This is particularly true for people involved in the criminal justice system, and those living in our poor and underserved communities.¹ The limited access to technology, adequate broadband/internet access and unemployment² are just some of the issues highlighted by the COVID-19 pandemic for those people who were already struggling. These and other societal inequities have led to the pandemic's undisputed disparate impact on our clients, many of whom are people of color, and their families.³ Public service attorneys, assigned counsel and pro bono attorneys, as they always have, continued to fight harder, argue stronger and refused to accept or give up. The incredible perseverance among this group in our legal profession is not only inspiring, but heroic. It is one of many reasons why I am proud to be a member of this legal community.

For me, as a criminal defense attorney, the beginning of the COVID-19 journey was the almost immediate shut-down of the courts and the jails

in March of 2020. Over two million incarcerated people were left vulnerable and helpless.⁴ Immediately, the criminal defense communities in New York State and across the country began efforts to advance applications for compassionate release to protect this often forgotten or ignored group of people from COVID-19 exposure, illness and death.⁵ In December of 2020, New York State had over 3,000 incarcerated people who had tested positive for the virus.⁶ Their families were panicked and confused. Criminal defense, assigned counsel, pro bono and civil legal attorneys all mobilized to save lives.⁷ It was an incredible group effort to ensure that our incarcerated population was not further marginalized and that their rights were protected.⁸

As the Pandemic continued, our courts, offices, programs, businesses, and government scrambled to adopt our new virtual reality. Those clients suffering from addiction and mental health challenges and our homeless clients were not able to access the in-person services that they desperately needed.⁹ Most attorneys had never appeared in court virtually or even used Teams or Zoom. Many of our clients did not have internet or sufficient access to meet or appear virtually.¹⁰ Our offices were shut down. It was up to the attorneys to find ways to assist our clients.

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This undertaking was particularly difficult on the criminal defense community, because our clients were often in the custody of law enforcement and being held in small police departments.¹¹ Clients had to appear virtually sometimes from behind bars

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Editor: Thomas Richards, Esq.

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President's Message

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for arraignments. Attorneys struggled to find both time and ways to speak confidentially with their clients while they were in custody.¹² The ability of attorneys and their staff to investigate cases was compromised by the restrictions that were brought about by the pandemic shut down including limited or no travel and the inability to meet in person with clients and witnesses.¹³ Other questions arose including the adequacy of a virtual plea allocation and the impact of virtual witness testimony.¹⁴ The criminal defense bar and public service attorneys never gave up, they fought day and night to assure their client's rights were protected in this ever-changing landscape. Many of these lawyers risked exposure to COVID-19 to protect the rights of their clients.¹⁵ As always, putting their client's needs before their own.

As the "shut-down" persisted, legal aid, legal services, assigned counsel and pro bono attorneys saw the situation for our clients worsen.¹⁶ The economy tanked. Our clients were not only the ones working the jobs that brought them into contact with the public regularly, but soon those jobs were eliminated, and the businesses closed.¹⁷ It was these vulnerable populations who were economically devastated.¹⁸ People were shut into their homes. Issues as to child custody exchanges emerged.¹⁹ The working poor had their worlds turned upside down. Yet the attorneys that represented them never stopped working. Although the playing field was changing constantly, these dedicated lawyers pivoted and adapted every day. They worked with bar associations, professional organizations and their own offices to ensure that the people's constitutional rights were protected and improve access to justice.

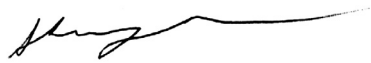
These attorneys are now faced with the challenge to prevent the further marginalization of their clients as the courts adopt new rules which include allowing virtual appearances. These attorneys continue to evaluate how the changes in our legal system will affect the underserved and impover-

ished members of our communities.²⁰ They are dedicated to ensuring that the convenience of technology does not undermine the humanity of our Justice System.

People often have asked me throughout my career why I do what I do. How can I spend my life representing defendants in criminal matters? My answer is and has always been: All people are created equal, justice must be blind and fair, and that protecting constitutional rights for all helps to ensure that we live in a free society. I am blessed to work with many wonderful, dedicated, talented and exceptional people who have my same passion for the law, our clients and burning desire to persevere. Each morning I wake looking forward to the challenges that the day holds and the opportunity to effect changes that will improve our legal system and protect our constitution. Most of all I am motivated by my clients and the overarching desire to help them through what is often the most difficult moments of their lives.

In the words of Maya Angelou:
"I've learned that people will forget what you said, people will forget what you did, but people will never forget how you made them feel."

Thank you,



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Volunteer Attorneys Helped Vulnerable New Yorkers Plan for an Uncertain Future During the COVID-19 Pandemic

By Peter Kempner, Legal Director, Volunteers of Legal Service

For over two decades the Volunteers of Legal Service (VOLS) Senior Law Project (formerly the Elderly Project) has helped low-income seniors plan for the future by providing them with Last Wills and Testaments, Powers of Attorney, Living Wills, Health Care Proxies, and other advance directives with the help of the volunteer attorneys from our pro bono partners.

In the early days of the COVID-19 pandemic the importance of planning for incapacity or end of life wishes became a reality not just for elderly but for those most at risk for COVID-19 – frontline workers.

Tapping into the pro bono resources of New York's legal community VOLS stepped in to organize help. Otherwise, young and healthy frontline workers were facing unprecedented risk to themselves while providing essential care to fellow New Yorkers. Wills and advance directives that may have been done years into the future became evermore important to finalize now. VOLS worked to make sure future planning was not one more hardship on their shoulders.

Having the right plan in place prior to the most stressful of times can be one of the most helpful things we do for those that are assisting us during these events. There is comfort in knowing that one's wishes will be carried out as planned but also reassurance to those caring for us that they are doing as their loved one wanted if the unimaginable happens.

On June 1, 2020, VOLS launched the COVID-19 Frontline and Healthcare Workers Initiative, a project to support those working on the frontlines during the COVID-19 crisis. The idea for the project was simple: we wanted to ensure that frontline workers would have access to free legal counsel to put the right plan in place in the event they themselves suc-

cumbed to COVID-19 while they were caring for others. By providing these frontline workers with free access to counsel, we could provide them with piece of mind and give their families the tools they would need if something went horribly wrong.

Providing legal services through a pandemic and minimizing potential exposure for all parties has its challenges. With the assistance of Lawyers for Good Government and Kirkland and Ellis LLP, VOLS built an intake platform that could be initiated remotely with assistance online. Prior to the pandemic these types of intakes would be in person, so our staff and volunteers had to adapt to provide services while maintaining all safety precautions. We tapped into our network of pro bono partners to help rewrite our training materials and model documents to account for new rules which temporarily allowed for remote notarization (NY Executive Order 202.7) and remote witnessing of documents (NY Executive Order 2022.14) during the state of emergency. We trained and engaged over 100 volunteer attorneys from over a dozen law firms and corporate legal department with the help of Cadwalader, Wickersham & Taft LLP who hosting our CLE training program and reviewed our pandemic era training materials. We teamed up with DC 37's Municipal Employees Legal Services program, who provide legal services to the members of the nation's largest municipal employees union whose members were working on the frontlines throughout the pandemic, and who's attorneys were already doing this work for their members but were overwhelmed by the need.

When we sunsetted the project this past summer, we had drafted hundreds of advance directives for frontline workers. We served doctors, nurses, EMTs, teachers, public health

workers, and so many other dedicated New Yorkers that tirelessly served us during the state of emergency.

Volunteer attorneys from Akin Gump Strauss Hauer & Feld LLP; Arnold & Porter Kaye Scholer LLP; Cadwalader, Wickersham & Taft LLP; Clifford Chance LLP; Covington & Burling LLP; Davis Polk & Wardwell LLP; Fried, Frank, Harris, Shriver & Jacobson LLP; Kirkland & Ellis LLP; McDermott Will & Emery LLP; McGuireWoods LLP; Morrison & Foerster LLP; O'Melveny; Orrick Herrington & Sutcliffe LLP; Skadden, Arps, Slate, Meagher & Flom LLP; Stroock & Stroock & Lavan LLP; Simpson Thacher & Bartlett LLP; and Pfizer worked on these cases.

In addition to our Frontline and Healthcare Workers Initiative, we also connected with the New York State Bar Association's COVID-19 Pro Bono Recovery Taskforce and conducted a two-part training series for attorneys seeking to help their fellow New Yorkers plan for the future. For these trainings we partnered with the New York Legal Assistance Group's Legal Health program and the Center for Elder Law & Justice.

VOLS did all this while continuing to provide the same services to the clients of our Senior Law Project and our Veterans Initiative, again with the help and dedication of our network of volunteer attorneys using the VOLS approach: responsible and supported pro bono, involving community partners to serve clients in need.

As we continue through the current phase of the pandemic, we are helping clients and supporting our volunteers as they face new and evolving legal challenges. The lifting of the state of emergency has ended the ability to

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New York Lawyers: Let's Get to Work to Help Tenants

By Sateesh Nori, Esq.



Recently, Attorney General Merrick Garland called on the legal community to work together to stop the impending avalanche of evictions. The honorable Attorney General recognized that the folly of the Supreme Court's striking of the national eviction moratorium could be addressed collectively by reasonable and well-intentioned lawyers who don't want to see Covid-19 continue because of bad policy and bad law.

Months earlier, Deputy Attorney General Vanita Gupta wrote a letter addressed to chief judges and administrators of state courts to implore them to take our national eviction crisis seriously. In it, she stressed the impact of evictions on the most vulnerable people in our society, and predicted that, without action, evictions would cascade through America, making our public health crisis worse.

Millions of Americans have always lived on the brink of eviction and homelessness. Too many of them pay more than half of their monthly income on rent, leaving them with no security from calamities like illness or job loss. As Covid hit, it took aim at many of the most vulnerable Americans: low-income people, Black and brown folks, and the elderly.

In response, eviction moratoria were enacted and eviction as a legal remedy was set aside. Forty-six billion dollars in rent assistance was allocated. A link between safe housing and public health was recognized. Unfortunately, the national CDC moratorium was struck down by the U.S. Supreme Court on the basis that the CDC should not interfere with the economic interests of property owners- again highlighting that housing is a commodity and not a right. A few weeks before that, it struck down New York's eviction moratorium law on the basis that

tenants could not self-certify that they suffered from Covid-related hardship.

International law has long recognized a human right to adequate housing. Included in this right are protections against forced evictions, right to privacy and family, freedom of choice of housing, tenure, non-discrimination and habitability. Unfortunately, these rights, unrealized by billions in the world, are empty promises- unless lawyers and courts work to defend them.

In New York, there is no right to housing. New York State maintains, and recently strengthened, a system of rent regulation, affecting approximately one million apartments. But the system still does not help create enough affordable housing units. New York City's public housing authority, NYCHA, operates the largest system of public housing in the nation. But, every year, NYCHA still sues thousands of its own tenants- the most economically disadvantaged- for eviction. New York City has made free lawyers like me available to all income-eligible tenants, and this has been effective in reducing evictions. Let's bake tenant-defense into our legal system across the state.

So, lawyers, let's act. In New York, we have a proud tradition of pro bono work on behalf of the most vulnerable members of our society. Pro bono attorneys have fought for the rights of the homeless, the rights of the disabled, the rights of immigrants, the rights of prisoners, and many more. Now, let's fight together for our friends and neighbors- those who make New York City and New York State diverse, interesting, exciting, and vibrant- tenants.

What can we do?

First, we can help tenants apply for rent assistance. Billions of dollars sit unclaimed as both landlords and tenants struggle to make ends meet. The Legal Aid Society, where I work, has partnered with a major law firm to deploy associates and summers to help tenants fill out emergency rent

assistance applications. Through this project, we have helped dozens of tenants potentially save their homes. NYU Law, where I teach, has recently started the Law School Tenant Defense Collective to connect law students across New York with tenants in need of rental assistance. Such projects are simple to construct and give lawyers and law students' opportunities to connect with their communities.

Second, lawyers and policy makers can advocate for more affordable housing across the city and the state. We can and should increase the size of the pie, rather than fighting over the slivers of it left by the uber-rich. More housing, especially near transit hubs and other prime areas will make New York stronger and more resilient. More housing also means more density, and with careful planning, we can avoid the tragic deaths of basement tenants because of the flooding caused by Hurricanes like Ida.

Third, we can enact laws that transform apartments into homes. One such law, the Tenant Safe Harbor Act, passed during the pandemic in New York, protected tenants from eviction for rent owed after March 2020. This law was recently extended into January 2022. Rent should not be an albatross for the majority of New Yorkers. We can also pass "good cause" eviction laws that would limit the reasons by which landlords can evict tenants who are not already protected by law. Good Cause would give many more tenants tenure and security in where they live.

And finally, we can take on individual eviction cases and defend homes. Legal Services organizations across the state need help representing the thousands of people who seek their help every year. With basic training and supervision, lawyers can defend the rights of vulnerable people in housing courts and at NYCHA administrative proceedings. Lawyers can advise people in their communities about their rights. Let's heed the AGs call and do it now.

Prisoners' Legal Services of NY To Host 11th Annual Pro Bono Celebration Event on November 18, 2021:

"Coping with COVID: Experiencing a Pandemic Behind Prison Walls"

Every Fall, in recognition of National Pro Bono Week, legal services organizations across the nation come together to celebrate and thank volunteers for their hard work, dedication and tireless energy in support of the underserved. On Thursday, November 18, 2021, from 6 to 7 P.M., Prisoners' Legal Services of New York will host its annual Pro Bono Celebration event, which will be conducted entirely virtually to ensure the safety and well-being of all guests and program participants.

At this year's event, PLS will honor the extraordinary contributions of the following awardees:

- Hon. Neil D. Breslin – John R. Dunne Champion of Justice Award
 - Phillips Lytle LLP – Hon. J. Clarence Herlihy Award
 - Alexis Karteron, Esq. – Paul J. Curran Award
 - Julia Canzoneri, Cornell Law School – Robert S. Bensing Award
- And, as in past years, PLS will be teaming up with members of the Black Theatre Troupe of Upstate NY who will perform dramatic submis-

sions from incarcerated New Yorkers. The theme of this year's event – "Coping With COVID: Experiencing a Pandemic Behind Prison Walls" – will focus on the extraordinary challenges faced by PLS' incarcerated clients and their families as the deadly COVID-19 virus raged across New York, the nation and the entire world.

Please be sure to save the date for this annual celebration! Details on how to access the event will be posted on PLS' website (www.PLSNY.org) early next month.

Volunteer Attorneys Helped Vulnerable New Yorkers Plan for an Uncertain Future During the COVID-19 Pandemic

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use remote notarization and witnessing to reach vulnerable clients. Recent amendments to the NY General Obligations Law which reformed the New York Statutory Short Form Power of Attorney has forced us to again revise the training materials and model documents used by our volunteer attorneys.

As the need for pro bono services grew during the pandemic VOLS is thankful for our dedicated partners. Partners that know pro bono service is vital to our city and that by giving back through our Frontline and Healthcare Workers Initiative some piece of mind was given to those that helped shepherd us through these very hard times.



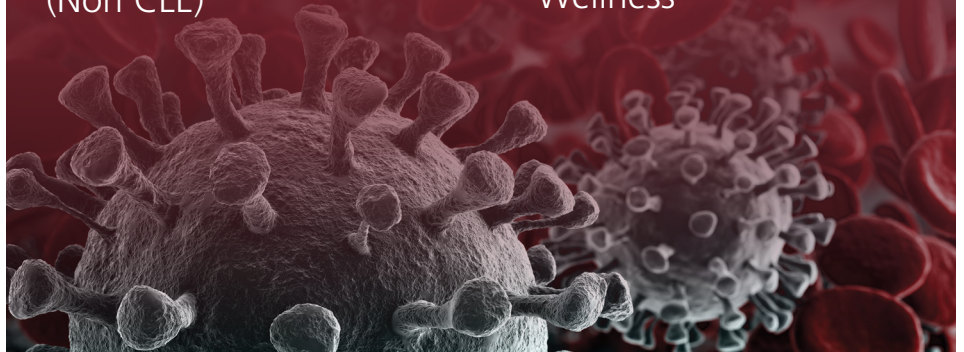
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Legal 911

Free Legal Aid is a Call Away, Thanks to Touro Law Students, Staff and Volunteer Attorneys

When COVID-19 struck, Touro Law's Public Advocacy Center immediately swung into action. Created as part of the Law Center's commitment to the greater community, the hotline is staffed by dedicated students, volunteer lawyers and Touro employees. They've been responding to concerns about everything from employment to food security, to mental health and immigration. Students also research issues and advise callers on their rights. More complex issues are referred to the Public Advocacy Center's many partners, including the Legal Aid Society.



Natalia Bianco, a third-year student in the part-time program at Touro Law, has spent her summer working for the COVID-19 legal assistance hotline. In addition to the satisfaction that accompanies giving back, Bianco gained invaluable career experience.

Some issues took longer than others to untangle. When the federal government mailed stimulus checks, many Long Islanders didn't get theirs. "We figured out that people who filed paper returns rather than electronic ones were caught up in the shutdown," says Bianco, 28. The IRS closed its offices without processing those returns, leaving some filers empty-handed.



Tom Maligno, who heads the Public Advocacy Center, is a 22-year veteran of Long Island legal advocacy. He modeled the pandemic hotline on Touro's Hurricane Sandy response. When the storm decimated homes and livelihoods on Long Island in 2012, Touro Law students set up a legal hotline in just three days. Maligno and colleagues were asked to write manuals for Bar Associations and law schools on how to respond to disasters. Their work became a national model. But for Maligno, it isn't about the kudos. "Our students are excited to do this work, because they want to use their degrees to make a difference in people's lives," he says.

Touro Law students also have been active helping Suffolk County senior citizens cope with COVID-19. On a typical day, the Senior Citizens Law Center fields some 30 calls with Medicare, long-term care, insurance and housing questions. The number of calls has increased during the pandemic. "Our students get lots of practical experience. They learn how to interview clients, draft letters, prepare Medicaid applications and prepare notice and petitions in landlord-tenant matters," explains Denise Marzano-Doty, who directs the Senior Citizens Law Center.



Nicole Grube, who plans to focus on elder law and estate planning, has found working for the Senior Citizens Law Center to be invaluable. "I learned how to do Medicaid applications, powers of attorney, living wills, landlord tenant letters," says Grube. "Many seniors are living on only their social security checks, so it was great to be able to tell them we could help them for free."

The pandemic has increased the workload at the Senior Citizens Law Center by 10-15 percent. Working seniors want to know if their employers are required to provide a safe workplace. New York's moratorium on landlord-tenant cases has also affected many seniors, who rely on rental income to stay in their homes. Touro is designing a Landlord-Tenant Mediation Clinic, which will launch after the moratorium on evictions ends.

And then there is the emotional and psychological toll seniors are struggling with; they can't see their families, leave their homes, are desperately lonely and bored. Law students find help for the elderly, from ways to get food delivered to the homebound to coming up with safe but creative ways for people to see their loved ones. Sometimes, people just need a caring voice, so students just listen and empathize.



Donald Dennison, who graduated from Touro Law in 2018, has been so inspired by working with the Center, that he has decided to practice elder law. “The first benefit was the hands-on experience working with real clients in real situations,” says Dennison. “It is something you have to experience outside of the classroom setting.”

Legal Eagles

Law students take what they learn to the communities that need help most.

Through Touro’s pro bono opportunities and externships, all law students gain exceptional hands-on experience while also offering legal services throughout New York City’s communities.

In the clinics, students represent actual clients with real legal problems, under the guidance of experienced attorney-professors. The law students advise faculty and appear on their behalf in court or at administrative hearings. In addition to providing valuable first-hand experience, clinics help students hone essential professional skills, such as interviewing, drafting legal documents and investigating and developing evidence.

There is a plethora of clinics for all sorts of legal needs, including Advanced Bankruptcy Clinic, Child Advocacy Clinic, Criminal Defense Clinic, Criminal Prosecution Clinic, Education and Youth Justice Clinic, Immigration Law Clinic, Mediation Clinic, Senior Citizens Law Project, Small Business and Not-for-Profit Law Clinic, and the Veterans and Servicemembers Rights Clinic.

Additionally, in The Law Center’s Externship Program, students work in

diverse areas of legal practice. They develop essential lawyering skills, gain knowledge about particular fields of law, practice in specialized courts and learn how lawyers and law firms, government organizations and the courts operate. Students are placed in different types of settings, usually classified as civil, judicial or criminal.

Touro Law students also are required to complete a public interest/pro bono requirement for graduation. They are strongly encouraged to participate in various pro bono projects throughout their law school tenure. The reason is simple, yet fundamental: to promote the moral and ethical responsibilities of the legal profession, while improving the lives

of community members and honing legal advocacy skills.

Touro Law’s Public Advocacy Center carries the distinction of being the only one of its kind in the country. The Center is home to legal advocacy agencies that use our students for advocacy services, research work and client relations.

“The experiential learning opportunities provided by Touro Law are unique in legal education, allowing students to be in the classroom in the morning and in the courtroom in the afternoon,” says Dean Elena B. Langan. “This integrative education allows our graduates to become practice-ready professionals committed to serving the needs of their clients and the communities where they live.”

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NYSBA

Pace Women's Justice Center: Making a Difference in our Community for 30 years

By Natalie J. Sobchak, Director of Pro Bono Programs, Pace Women's Justice Center

It was a brilliant, if somewhat unexpected, collaboration: Governor Mario Cuomo of the State of New York, and Patricia Ewers, President of Pace University, agreed to jointly create the Pace University Battered Women's Justice Center on November 1, 1991. On his end, Governor Cuomo had recently committed to helping families affected by domestic violence by establishing the New York State Office for the Prevention of Domestic Violence. On its end, Pace Law School, had a proven track record for training young lawyers and was soon to be the site of the training facility for the members of the judiciary: the New York Judicial Institute. This public/private partnership to combat domestic violence identified a 3-point mission for the Center:

1. To train lawyers, including prosecutors, to provide effective legal services on behalf of battered women in civil and criminal proceedings;
2. To promote the provision of pro bono services to battered women; and
3. To provide other assistance to the State relating to the problems presented by the battering of women.

For 30 years, this legal center, now known as the Pace Women's Justice Center, has not only fulfilled this mission, but has expanded its services by providing direct representation to victims and survivors of intimate partner violence, sexual assault, and elder abuse, and by providing trainings to professionals outside of the legal profession, as well as "know your rights" workshops to members of our community. In other words, PWJC has a deep-rooted commitment to expanding our services to meet the needs of our community.

From the very beginning, PWJC's mission was to promote pro bono ser-



vices. Think about how progressive an idea that was in 1991! The Committee to Improve the Availability of Legal Services had only just issued its Final Report ("the Marrero Report") on the extent of the unmet need for civil legal services for the poor in New York. It would be 6 more years before our ethical obligations directed us to "aspire" to perform 20 hours of pro bono legal work each year. It would be 4 years after that when the largest mobilization of pro bono legal work in our history provided assistance to victims and their families after the 9/11 attacks. Yet, in the charter document creating the Center, a key mission statement was to promote pro bono work.

In those first years, PWJC worked with only a handful of volunteer attorneys. Today, we have a robust volunteer program which includes

over 60 attorneys, 25 law students, paralegals, accountants, other professionals, and college and high school students. PWJC's volunteers work side-by-side our staff, representing clients and giving them hope. When PWJC's doors to our offices closed because of the COVID-19 pandemic and we transitioned to remote services, our volunteers were there, virtually alongside us, getting familiar with the new platforms, learning the protocols, and working from home. And when, in the not-so-distant future, we return to our office space and work in-person with clients once more, we know our volunteers will be there, too, working beside us, and making a difference - just like they have for the last 30 years.

The Legal Aid Society and Covington & Burlington Win Settlement Against NYPD in Controversial Banned Chokehold Case

By Ivanna Guerra, Pro Bono Administrator, The Legal Aid Society

On the night of July 14, 2018, Detective Fabio Nunez of the NYPD arrested Tomás Medina after a neighbor called police due to a loud music complaint. During the arrest, Detective Nunez placed Mr. Medina in an illegal chokehold and tased him thirteen times. This was not Detective Nunez first complaint of excessive force; he had an extensive history of complaints lodged against him.

The Legal Aid Society and Covington & Burling LLP represented Mr. Medina in his case challenging the NYPD's continued use of banned chokeholds and misusing tasers. In July 2021, three years after the incident, Mr. Medina accepted a settlement of \$567,500 and Detective Nunez was forced to retire.

The attorneys who successfully represented Mr. Medina in his civil rights action were Corey Stoughton, Alexander Lesman, and Molly Griffard of Legal Aid and David Kornblau, Ishita Kala, Micha Nandaraj Gallo, Flannery Gallagher, and Jessica Gerson of Covington & Burling LLP. Cop Accountability Project Fellow at The Legal Aid Society, Molly Griffard, commented optimistically, "While this settlement will never completely right the injustice that Tomás Medina suffered or dismantle the NYPD's culture of impunity for excessive force, it does provide some closure and sends a message to the NYPD that violence against civilians will be met with consequences, so long as the NYPD brutalizes our clients, we will continue

to seek accountability and an end to NYPD violence."

The *New York Daily News* quoted Mr. Medina after the settlement stating, "Being attacked by the NYPD was one of the scariest things to ever happen to me. I could have died. What they did to me, and what they do to so many other people is not OK, but I take some comfort in knowing that Detective Nunez is no longer a police officer and that both he and the city have to pay for what they did to me." <https://www.nydailynews.com/new-york/nyc-crime/ny-half-million-dollar-settlement-nypd-chokehold-taser-20210721-qwx4pzyydnddvni-52f4rk3nro4-story.html>



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Resetting the Power Imbalance

By Heather Abraham, Associate Professor, Director of the Civil Rights and Transparency Clinic, University at Buffalo School of Law

Journalists often face a reoccurring issue: People in power don't always like to be held accountable for their actions, so they resist inquiries by the watchdogs called to do just that.

One solution: strategic legal intervention by the University at Buffalo School of Law's Civil Rights and Transparency Clinic.



The Clinic, directed by Professor Heather Abraham, has built a record of effective representation for local and national journalists seeking essential information. Its work does double duty—ensuring access to justice for its clients and training law students in the skills they'll need in practice.

"It's an access to justice issue to make sure we have a responsive government," says Abraham, who previously served as a supervising attorney for the Civil Rights Clinic at the Georgetown University Law Center. "We've become a go-to resource for investigative journalists in Buffalo. Our goal is to sustain that work to facilitate a more informed electorate and a more informed citizenry."

Toward that end, Clinic students have invoked the courts to eliminate

barriers to access on a number of fronts:

- Winning a lawsuit to overturn a local law in Niagara County that shielded conflicts of interest by public officials from disclosure.
- Representing a journalist who was protecting a confidential source but was called to testify in court.

- Prevailing in trial court, and defending on appeal, the release of Erie County records relating to the suicides of 23 jail inmates.
- Filing and winning an open-records lawsuit to force the Buffalo Public Schools to release records about a failed attempt to provide wi-fi access to low-income students.

Many journalists work for organizations that lack the legal firepower to pursue such cases on their own. "The Clinic has proven to be very helpful in prying public records loose from stonewalling bureaucrats," says Jim Heaney, editor and executive director of Investigative Post, a nonprofit Buffalo-based news organization. "Governments often try to wait out news organizations but having the Clinic as an advocate for us sends a message that we mean business."

In addition to consulting with journalists on strategies to access information, the Clinic advocates for greater transparency in government. As one example, student attorneys are preparing to submit a proposed federal rule to standardize the process for sealing court records across all 94 federal districts. Students also provide free trainings to journalists and others on transparency laws, including New York State's Freedom of Information Law.

That law—the go-to justification for New York journalists seeking government information—can be strengthened, and that too is part of the Clinic's portfolio.

"We advocate for improvements in the law through impact litigation," says the Clinic's Assistant Director Michael Higgins. "We select cases that will improve the law by expanding or preserving access to government documents. For example, we represented the Reporters Committee for Freedom of the Press and 26 media organizations to ensure access to police disciplinary records after police unions sought to roll back new legislation. We also represent Reinvent Albany and the New York Coalition for Open Government to urge an appellate court to require government agencies to release their training documents and prevent an overuse of the attorney-client privilege.

"In our litigation, we reset the power imbalance between recalcitrant government agencies and journalists who seek to hold them accountable."

And at the core of the Clinic's work, Abraham says, is a commitment to racial equity. "It's one thing to have transparency for transparency's sake," she says, "but we apply a racial justice lens to our transparency work. We're asking questions like why police treat some people differently than others. These are all critical access to justice issues."

Nassau County Bar Association Mortgage Foreclosure Project Prevails Amidst COVID-19 Pandemic

By: Ann Burkowsky, Communications Manager, Nassau County Bar Association



Each year, the Nassau County Bar Association (NCBA) Mortgage Foreclosure Project enlists the help of generous NCBA Member attorneys who

volunteer their time and expertise to ensure that all members of the Nassau County community have access to legal assistance, despite the challenges that arose from the pandemic.

When asked what motivates them to volunteer, the volunteer's replies were heartwarming. "Having the ability to give back—to help people in need—is one of the reasons that I became an attorney. When I'm helping someone in need, giving advice, or just listening—In reality, I'm getting much more than I'm giving," said Jaime Ezratty, Esq. "I always imagined myself as a lawyer changing the world and helping others. The NCBA Pro Bono program lets me help others and change the world, or at least make it a little better, one client at a time. It's a pleasure and privilege to be able to participate in the Pro Bono program," said Elan Wurtzel, Esq., another dedicated volunteer attorney.

Each year, hundreds of Nassau County residents reach out to the NCBA in need of guidance for an array of legal issues. The NCBA Mortgage Foreclosure Project, a part of the Homeowner's Protection Program (HOPP)—which consists of 88 non-profit housing, counseling, and legal service organizations that offer free services to New York homeowners to help avoid homelessness, crushing debt, and displacement—assists those seeking housing and legal advice throughout the year.

One of the most difficult challenges over the past year was the inability to meet in person. As the NCBA Mortgage Foreclosure Project staff hosts free monthly Mortgage Foreclosure clinics open to Nassau County residents, they needed to find a way to continue the service with the health and safety of all in mind. Over the last year, the Project was able to successfully enlist attorney volunteers to provide virtual consultations. Whether the consultation was via phone, Zoom, or email, volunteer attorneys were at the ready to assist residents. Staff were also available to direct each inquiry to a volunteer quickly and efficiently within a 48-hour timeframe.

On April 19, 2021, the NCBA Mortgage Foreclosure Project was able to host its first in-person clinic since the pandemic had begun. Following were monthly clinics that were held throughout the summer, in-person, with safety standards in place. This

past summer, the Project proudly assisted numerous residents in need of mortgage foreclosure assistance.

The Project is now excited to announce that it will hold its annual Open House event virtually, on October 28, 2021, in celebration of National Pro Bono Week. The Open House event invites Nassau County residents with any legal issue to schedule a consultation with a volunteer attorney. Residents of Suffolk County and Queens in need of help will not be turned away. Attorneys are available for consultations in bankruptcy; divorce and family issues; employment; mortgage foreclosure and housing; senior citizen issues; Superstorm Sandy, and all other areas.

Attorneys who are interested in volunteering for the Mortgage Foreclosure Project can contact Gale D. Berg, Director of Pro Bono at the NCBA at (516) 747-4070.



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Disability Rights New York Provides Hard-to-Find Legal Services for People Under SCPA 17-a Guardianship Seeking to Restore Decision-Making Rights

The recent media attention of Britany Spears' efforts to remove her conservatorship has shone a spotlight on the legal barriers faced by those who seek to remove a guardianship. In New York, individuals with developmental disabilities face significant obstacles in seeking restoration of their rights from guardianship. As the designated Protection and Advocacy System ("P&A") for New York State, Disability Rights New York (DRNY) advocates for thousands of individuals with disabilities including people subject to guardianship who seek to dissolve their guardianship and restore their decision-making rights. Over the past several years, DRNY has successfully restored the rights of more than 15 individuals subject to guardianship under Article 17-a of the Surrogates Court Procedure Act (SCPA 17-a). These efforts, along with the emergence of Supported Decision Making (SDM) as an alternative to guardianship, have resulted in a steadily increasing demand for pro bono representation in terminating SCPA 17-a guardianships.

As the public has learned from Ms. Spears' story, dissolution of guardianship is an arduous process – even for those like Ms. Spears, who are well-resourced. The road to restoration of rights under SCPA 17-a presents significant hurdles. Those subject to SCPA 17-a are rarely advised of their right to appeal or later challenge their guardianships. Others are often equally unaware of the process for restoration. In fact, DRNY regularly encounters clerks of Surrogate's Courts who assert that a person with a SCPA 17-a guardian loses any right to challenge their guardianship by virtue of the appointment.

Knowledge of the right to restoration is not the only hurdle to terminat-



DISABILITY RIGHTS NEW YORK

ing a guardianship. DRNY and our clients are regularly denied access to the court records from the original guardianship proceeding. Some Surrogate's Courts require a party to file a notice of appearance or even seek permission from the guardians in order to access these essential documents. These procedural barriers make it nearly impossible for an individual subject to a guardianship to seek its removal without access to an attorney. Indeed, while the Unified Court System has a "Do-It-Yourself" package of fillable forms for those seeking a guardianship, there is no similar assistance for those seeking to remove guardianship. Instead, those seeking restoration must obtain pro bono counsel who can prepare, file and advance a petition for the dissolution of the guardianship.

Even those lucky enough to secure legal representation still face an uphill battle as the process for terminating a SCPA 17-a guardianship is often far more complicated than the proceeding for the appointment of a guardian. The vast majority of Surrogate's courts place the burden of proof on the person seeking to have the guardianship removed. It is then incumbent on the person under guardianship to produce evidence that guardianship is not in their best interest, even when their current guardian does not oppose the dissolution. Some Surrogates require an evidentiary hearing even when no such hearing was required when the guardianship was originally granted.

SCPA 17-a's requirements for dissolution are markedly more onerous

than those applicable in New York's other guardianship scheme – Article 81 of the Mental Hygiene Law (MHL 81). In its efforts to achieve more systemic reform, DRNY routinely raises the discrepancies between these two statutes as discriminatory and in violation of due process and equal protection under the Constitution. As an example, under MHL 81, the burden of proof lies with the party seeking to maintain the guardianship while SCPA 17-a puts the burden on the person seeking dissolution. Similarly, under MHL article 81, the need for guardianship must be established by clear and convincing evidence; SCPA 17-a uses the ambiguous and subjective best interest standard.

In many cases, individuals subject to SCPA 17-a are denied basic due process protections in the original proceeding that resulted in their guardianship. Among these is the lack of adequate notice of the plenary and permanent nature of SCPA 17-a guardianship, the right to challenge the guardianship, the right to a hearing, and the right to counsel. Unlike MHL 81, SCPA 17-a lacks any requirement that informs the person that the proceeding may result in a loss of rights and autonomy nor the requirement that a neutral party, such as a court evaluator, explain the petition and implications of guardianship to the person whose rights are being removed. Likewise, SCPA 17-a does not require the appointment of counsel or a court evaluator. Further, while MHL 81 clearly articulates a process for restoration, the process under

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Disability Rights New York Provides Hard-to-Find Legal Services for People Under SCPA 17-a Guardianship Seeking to Restore Decision-Making Right

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SCPA 17-a is not specified in the statute. This has translated into a lack of consistent processes across jurisdictions causing pro bono counsel to exhaust valuable resources learning to navigate multiple restoration procedures.

Over the last five years, the Legislature has taken up several bills seeking to reform SCPA 17-a. These efforts are ongoing, but those being placed under guardianship or seeking restoration are seeking reform at the bench. Some Surrogates have begun to approach the need for guardianship under SCPA 17-a more cautiously. For example, some courts now recognize that guardianship is appropriate only if it is the least restrictive form of intervention. Surrogates are increasingly willing to look at the person's natural and environmental supports and safeguards before imposing the drastic remedy of

plenary guardianship. This is a timely development given the success of the Supported Decision Making New York (SDMNY) pilot project funded by the New York Developmental Disabilities Planning Council and directed by Hunter/CUNY in collaboration with other partners including DRNY. The Legislature has recently taken up a bill that would make SDM agreements legally enforceable alternatives to guardianship. In April 2021, in the first ever dissolution involving a fully executed SDM agreement facilitated by SDMNY, DRNY successfully terminated the guardianship of a 37-year-old man. The Surrogate's order specifically notes the parties' agreement that "the implemented Supported Decision Making Agreement serves as a less restrictive alternative to guardianship."

While the practice of guardianship dissolution is challenging, it is also highly rewarding. Facilitating a client's right to fully self-determine everyday life choices has an extraordinary impact on their lives. Restoration of rights practice is fertile ground for attorneys seeking pro bono opportunities that truly change lives.

We have witnessed through the testimony of Ms. Spears that the journey towards restoration is not an easy one. However, Ms. Spears is not alone in this struggle. As DRNY and others pursue these cases and consistently challenge the problematic lack of constitutional protections afforded by SCPA 17-a, we also watch as some individual Surrogates are recognizing the need to prevent future unnecessary guardianships. These may be the seeds that lead to lasting systemic reform.

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Syracuse University's Bankruptcy Clinic: A Conversation with Lee Woodard, Esq.

By Karlene Archer, Staff Attorney, Legal Aid Society of Mid-New York

Pro bono representation and assistance can take many forms, from lawyer-for-a-day programs for minor matters to full-scale representation on years-long appeals. While all forms are mutually beneficial for both the representative and the client, few are as impactful on the representative side than law school clinics. Syracuse University Law School students have for years assisted residents of the surrounding areas with chapter 7 bankruptcy petitions, clearing the way for these residents' fresh start while themselves learning the intricate balance of the bankruptcy system. We spoke to Lee Woodard, the current professor of the Syracuse University bankruptcy clinic and partner at Harris Beach PLLC, about his experience with the clinic.

Q: Can you tell us a little bit about the history of the program, and your involvement?

LW: The clinic has been around a number of years. Originally, it was only offered in the fall semester, by a professor who also taught contracts but did not practice bankruptcy. At that time, I was a sitting chapter 7 trustee and would come to the class to talk a little bit about my career, and what a career in bankruptcy might look like. When the professor was taking on another contracts section, I was stepping down as a chapter 7 trustee, and he suggested that I teach the class. I had taught business law before at Cazenovia college and I truly enjoyed teaching and was thrilled to take this position. I began teaching it in the fall semester of 2017 and added a spring semester in 2018 because of the combination of need in the community and interest among the students.

Q: How does the clinic work?

LW: Each semester there are about 10 students enrolled. We receive referrals from the different legal services organizations in the area, including Legal Aid Society of Mid-New York. Depending on the need, we typically have 1-2 clients per student. For the fall of 2021, we have about 1.5 cases per student. Each week I teach a substantive class about the basics of bankruptcy. In the meantime, the students are working with their clients on the petitions. The students are admitted to practice for the purpose of filing the petition and representing their client. They become my associates, and I am there to help them with any questions, but these are their clients. The students are able to learn about bankruptcy and about client representation and have the opportunity to save the financial lives of individuals in the area.

Q: You're now in your third semester of teaching during the pandemic. What difficulties have you faced due to remote learning and representation?

LW: The classroom stuff worked fairly well, since we only have about 10 students. However, at the beginning of the pandemic, the students went on spring break and never came back, and it was an adjustment. Some of the students went to stay with others in the class, and I started to notice that a soda bottle or a candy wrapper would disappear from one screen and show up on another screen – it was either a twilight zone episode or an extended spring break!

The client representation was a bit more difficult. The biggest problem was the signing of petitions. When the

client signs the petition, it's critical to walk through all of the 60 or so pages and ensure they understand and confirm every piece. Interactive sessions are really important. However, many of the clients did not have computers, so we had to try the phone or FaceTime. Then many did not have a printer, or printer ink, so there was a lot of mailing back and forth. But, all of our students stuck with our clients, and each client received a discharge.

Q: Have any of your former students become bankruptcy lawyers?

LW: Yes, many of them! In fact, I was recently in a mediation that was conducted remotely, and the mediator was a judge from Virginia. He invited his law clerks to observe, and when I looked over, I recognized one of the law clerks as a former student. I've also run into other former students in Texas while I've been working on chapter 11 cases and asked former students to assist me as local counsel.

Q: In your view, why is pro bono representation especially important in bankruptcy?

LW: Because there is a need. Many people are in dire need of something, and it may or may not be bankruptcy, but they need someone knowledgeable to help guide them in the right direction. People who need to file will need to do so most likely due to divorce, or health issues, or age issues. Bankruptcy can be expensive, at around \$1,500 for a lawyer in a chapter 7 case, but people with these issues need assistance and they cannot afford it. Bankruptcy is an area where the expertise is especially necessary, but where it can be too expensive for those who really need it.

The Underutilized Use of the Fee Shifting Provision in Special Education Matters to Represent Underserved Communities

By Alison Morris, Esq.

The Individuals with Disabilities Education Act (“IDEA”) states, regarding the award of attorney’s fees: “In any action or proceeding brought under this section, the court, in its discretion, may award reasonable attorneys’ fees as part of the costs ... to a prevailing party who is the parent of a child with a disability.” 20 USC 1415(h)(3)(B). Under the IDEA, if a student has a disability and is eligible to receive special education and services, they are entitled to a free and appropriate public education (“FAPE”), including an individualized education program (“IEP”) that is tailored to their individual needs and allows for meaningful progress.

If a student is eligible for special education and services and does not have an IEP, or has an IEP that is not appropriate, the student (or more often the parents on behalf of the student) can bring a due process complaint against the school district and seek relief. For instance, the family might believe the student’s related service recommendations, goals, class size, transition plan towards post-secondary life, and/or placement is not appropriate to address the student’s needs. The family might believe the student is not getting what the student needs to make progress, or has regressed – issues that might have been present for years. If these FAPE violations are found, potential remedies could include: a new, appropriate IEP with appropriate related service and class size recommendations; compensatory (or make up) related services or tutoring to address those past inappropriate recommendations; independent evaluations; and a new placement, either in a different public school, an approved New York State private school, or funding for a private placement of the parents’ choos-

ing, if warranted and appropriate.

For families who have the means to hire an attorney when these issues occur, the response to remedy the situation may be fast. Find and hire an attorney to sue to the school district, or what many know of special education matters, engage in a tuition reimbursement lawsuit. In a nutshell: a school district recommends an inappropriate program, a family gives proper notice and then places the student in an appropriate private school and pays for that placement, and then sues the school district to get reimbursed for the cost of tuition and other associated costs. Or, in the alternative, paying for private tutoring or related services, and suing the school district to reimburse them. That option necessitates the family being able to afford paying for that private school (and/or services) and the cost of the litigation.

For families who do not have that option or the means to pay for legal representation or private funding of educational supports, what can they do?

Typically done in New York City, there are “Connor’s” or prospective funding cases. This type of funding arose out of a case, holding that if the same prerequisites are met for a tuition reimbursement case, but the family does not have the financial means to pay for that private school and seek reimbursement, that family can bring a case for private placement and sue for the school district to fund the placement and not have to pay first and then seek reimbursement. (*Connors v. Mills*, 34 F. Supp. 2d 795 (N.D.N.Y 1998) (explaining: “In a situation where a parent does not have the adequate means to finance unilateral private placement and is told by a court years later that they

were right, the victory would not only be empty but meaningless,” and “It simply cannot be the case that an act designed to grant ‘all’ disabled children access to needed services would undermine that very goal by making such access dependent upon a family’s financial situation.”)). These situations arise where a family who does not have the means to pay for a private school’s tuition upfront has an arrangement with the private school that the student is allowed to attend while the case against the New York City Department of Education (“NYC-DOE”) or local educational agency (“LEA”) is being litigated. Some private schools, in an effort to make seats available to underserved populations, take on that risk of no upfront payment by families and are doing an incredible service to those families of limited means. However, in order for the private school to accept the student, the family needs to be actively suing the school district to ensure the district will pay the private school if the family wins. In those cases, those attorneys should consider using the fee shifting provision, so there is equal access to justice for all students regardless of the family’s economic status. This is a risk, however, that some private schools are not willing to take and not all private schools are able to offer this option for those families who cannot afford to pay the tuition fees upfront.

However, not all special education litigation cases involve tuition reimbursement for private school tuition. In many cases, families want their children in their community schools with the proper programs and/or related services available to the students. Some cases involve seeking a more appropriate placement which might be another public school or

an approved New York State private school, compensatory services, and appropriate recommendations on the student's IEP. Those families should have access to representation, and the attorneys working on these matters should be compensated appropriately for their work on those cases. The fee shifting provision of the IDEA serves as a mechanism to both allow attorneys to assist more families, and benefits families who, but for the provision, would have no way to challenge the school district's decisions. School districts typically have either in counsel or private law firms representing their interests, while many families do not have the ability to simply hire attorneys in order to challenge potentially inappropriate recommendations for their child with special needs. Utilizing the fee shifting provision is one way for families to achieve the goal of accessing appropriate educational services for their children who need special education services.

Attorneys who use the fee shifting provision do bear the risk of not recouping legal fees if they lose a case. In addition, there are further challenges to using this mechanism as a practitioner: if you do win, payment may not be received immediately, and

you may need to sue for your recoverable attorney's fees. This can lead to a cash flow problem for an attorney or firm if not taken into consideration. In addition, the attorney and/or firm will be submitting their rates and billing invoices and will need to make sure there are no errors and the rates are justifiable, or risk having the fees reduced.

In many cases, when a school district is aware the family will be seeking their legal fees from the school district, it brings everyone to the table to seek an early resolution so the school district is not faced with their own legal bills as well as the cost of the parent's legal fees, which will increase if the matter is not timely resolved. Fee shifting is also a mechanism to serve truly vulnerable populations who need assistance. Clients who cannot afford representation, or who can only pay on a sliding scale, can obtain representation using this fee shifting provision, and if you get a favorable decision, the attorneys can be paid their reasonable fees for these matters.¹

Practices that use the fee shifting provision help break the cycle of inappropriate educational services and programs for students in low income

and underserved communities, especially those for whom English is not their first language. More practices should be gaining knowledge in and understanding of how to utilize the fee shifting provision. This will ensure families, regardless of means, have access to representation when their child's special education rights are in question.

School districts should be focusing on providing appropriate special education services and programs in the first instance; this will obviate the need for special education matters and therefore the need to pay for attorney's fees. However, until school districts provide students with special needs the appropriate programs, services, placements, and evaluations they need and are entitled to, all families should know they are able to bring a case to enforce the special education rights of their children, and school districts can be held responsible for those fees.

1. See *Johnson v. Georgia Highway Express, Inc.* 488 F.2d 714 (5th Cir. 1974) (twelve factors to determine the reasonableness of an attorney's fees, including "novelty and difficulty of the questions," "customary fee for similar work," and the "experience, reputation, and ability of the attorneys.").



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Designing and Hosting Successful Remote Student Internships

By Maria Valeri, Pro Bono Coordinator at Erie County Bar Association Volunteer Lawyers Project, Inc., Buffalo, New York



Hosting internships has always been an important part of our work at VLP. Providing law students opportunities to directly interact with clients, participate in court appearances, network with both new lawyers and seasoned attorneys, and attend programming designed to assist with career development, all provide students with the tools they need to define their career path and ready themselves for life after law school. In return, as the host organization, we receive hundreds of hours of valuable services that keep our clinics running and enable us to continue to assist as many low-income clients as we can. When students become lawyers, we welcome them back as pro bono volunteers. Pandemic or not, we knew we had to find a way to continue our internship program, even if in-person programming was not possible. So, we opened the internship application process online and started planning our first ever remote experience.

HOW WE DID IT

Developing a meaningful and engaging remote internship program that wasn't cost prohibitive began with brainstorming. We formed a committee that consisted of an attorney from each unit that planned to host an intern and began to discuss our needs and the challenges we faced. Our Family Court Virtual Help Desk and our Housing/Eviction Defense Helpline would need multiple interns, that was clear. We also hoped to have an intern for our Immigration Program and our Positive Families (HIV+) Program. The students would be responsible for handling the phone lines, conducting client intakes, writing/ research

assignments, and casework.

We tackled our biggest concern first . . . how to keep confidentiality intact while operating electronically. Policies and procedures were reviewed and revised to include personal laptop use directives, password protection requirements, the use of secure cloud services for sharing of documents and the wiping of hard drives at internship completion.

As our interns would be using their own cell phones to conduct client intakes, we needed them to be able to hide their outgoing numbers yet provide a way for clients to return their calls. Google Voice to the rescue.

Next, we dealt with assigning tasks, tracking progress, sharing work product and timekeeping, all things that were previously handled face-to-face in the office. Using AirTable, we were able to develop a free and secure system to easily accomplish these goals.

Now that the housekeeping issues were out of the way, what to do about programming? In addition to client interaction and research assignments, we wanted our students to experience what it's like to be a practicing attorney, provide them with skills and insights they would not necessarily learn in law school, and help them define their field of interest. This would require a diverse group of speakers and topics to keep things interesting since Zoom would be the mode of communication.

Our committee members worked together to come up with ideas and extend invitations to speakers that we hoped would share their time and expertise with our students at little or no cost. The response was positive and speaking invites were readily accepted. The Partnership for the Public Good, the International Institute of Buffalo, the University at Buffalo Institute on Trauma and

Trauma Informed Care, and Dr. Ursuline Bankhead all joined as presenters. A partnership with our NYS Court System quickly doubled the amount of trainings available to our respective interns and we worked together to cover as many topics as possible. An AirTable was created that all students could access which laid out the training schedule and included their Zoom invites. When all was said and done, our interns participated in two training sessions per week which included topics such as microaggressions in the workplace, the impact of unconscious biases in decision making, how to effectively work with clients who have been exposed to trauma, working for policy change and grassroots advocacy in Western New York, an overview of the judicial process, partnering with social workers to improve case outcomes, how jurors are summoned and selected, and providing non-profit legal services in Western New York.

We bookended the programs with a welcome event and a farewell event via Zoom that were open to all VLP attorneys and support staff. These events allowed us to get to know one another and to share our varied backgrounds and our separate paths to public interest law. It also gave the students the freedom and encouragement to reach out to anyone at VLP that was practicing in an area they were curious about. Prior to the welcome event, we shared a picture and bio of each intern with our staff so we could all start to put names and faces together before the work began.

Onboarding took place over Zoom, and we reviewed our newly revised practices and procedures, expectations, etc. as a cohesive group. This led to revising our onboarding procedure to create and utilize fill-in forms that the students could easily complete, sign and return electronically.

Social media was used to post about our students and their endeavors as they began their internships. Consistent communication from supervising attorneys was made a priority in the hopes no student felt disconnected or as if they were operating in a vacuum.

WHAT WE LEARNED

Since we were offering fully remote internships, we received applications from students at law schools all over the northeast. As such, we were able to select our interns from a large pool of diverse and qualified candidates. Law schools represented included the University of Pennsylvania Carey Law School, the School of Law at Case Western Reserve University, the Indiana University Maurer School of Law, Temple University Beasley School of Law, Syracuse University College of Law and the University at Buffalo School of Law.

The programming sessions we created for our interns were also open

to our staff and provided additional training that the entire firm benefited from, not just our interns. With permission, the cultural competency and trauma survivors' trainings were recorded and are now a part of our onboarding process for new VLP employees and future interns.

A database was created (again in AirTable) to keep track of all student forms and timesheets. This turned out to be so convenient, we assigned a paralegal with the task of creating virtual folders for all of our past interns by scanning in our paper files. Now, any one of us can easily locate intern records for reference checks, etc. regardless of when the intern worked with, or who they worked with, at VLP.

An anonymous survey was emailed to each student at the end of their internships asking them to rate and review their experience. We are so pleased to say that all students reported that the internships met their expectations, with more than half

reporting the experience exceeded their expectations. Every single student agreed that the internship helped them define their career choice.

Working with clients was most meaningful to the students, especially when able to sit in during a client's meeting with their assigned attorney. What did the students say they missed most? Happy hour, of course! Don't we all? But seriously, moving forward we'll look at building in more opportunities for interns to make connections and network remotely if necessary.

Thanks to all of our summer interns for navigating the remote waters with us. You rose to the challenge and logged nearly 1,920 hours providing valuable assistance to hundreds of low-income clients. Well, done!

For more information on how we set-up remote programming for interns, feel free to reach out to us at 716.847.0662. extension 321.



Thank You!

For your **dedication**,
For your **commitment**, and
For recognizing the **value** and
relevance of your membership.

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T. Andrew Brown
President

Pamela McDevitt
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