our mission

The Legal Aid Society of Northeastern New York provides effective, free civil legal services and education to and advocacy for people with low income or other barriers to accessing the legal system. We secure basic needs, protect and preserve legal rights, provide equal access to justice and seek fairness and dignity for our clients.


executive director

Lillian M. Moy

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Aidan Raffe is a cheerful, energetic second grader who lives with multiple disabilities. Born 13 weeks premature, he uses a wheelchair, wears leg braces and receives nutrition through a gastric feeding tube. A constant blur of activity, Aidan enjoys building with his Star Wars Legos, frolicking with Scooter, the family’s Bichon Frise and “zipping around in his chair like a NASCAR driver,” says his mother Lauren Raffe. He enjoys playing and socializing with his classmates.

But if his school district had their way, Aidan would stay at home with a tutor, isolated from his peers, or be bused to a facility outside the district. In 2009, when the family moved from Ithaca to the Capital Region, they researched area school districts to identify the best resources for disabled students. Well versed in education law, the Raffes knew that their son had the right to learn in the “least restrictive environment.” Initially, local school officials agreed to place Aidan in a regular classroom attended by a nurse. One item of concern to the parents was the gastric feeding tube (G-tube), which must be reinserted within five minutes of becoming dislodged, or else Aidan would require emergency surgery.

After meeting with the school to develop Aidan’s Individual Health Plan (IHP), the school nurse refused to comply with the doctor’s instructions to re-insert the G-tube. Further, the district would not allow anyone to reinsert the feeding tube on school property. That left Raffe two options: pull Aidan out of school or fight back.

Choosing to fight, Raffe contacted Judy Swierczewski, staff attorney at LASNNY’s Children’s Law Project, which provides civil legal assistance to low-income children with disabilities.
Expanding access to civil legal services

On October 5, 2010, Chief Judge Lippman and Presiding Justice Anthony V. Cardona, former New York State Bar Association President Kate Madigan and Administrative Judge Anne Pfau, presided over an unprecedented hearing in the Third Department at the Court of Appeals on the issue of expanding access to civil legal services. The panel heard powerful testimony from Albany County Executive Michael Breslin and Warren County District Attorney Kate Hogan on the cost-effectiveness and urgent need for civil legal services. A panel of labor and community leaders, including NYS AFL/CIO President Denis M. Hughes, Statewide Secretary of Appeals on the issue of expanding access to civil legal services. The panel heard powerful testimony from Albany County Executive Michael Breslin and Warren County District Attorney Kate Hogan on the cost-effectiveness and urgent need for civil legal services. A panel of labor and community leaders, including NYS AFL/CIO President Denis M. Hughes, Statewide Secretary for the Civil Services Employees Association, Denise Berkley, and Patricia Bentley, member of the Board of Directors of NYS United Teachers, spoke about union members who have been represented by civil legal services providers, sometimes in life-saving cases.

Steven Longo, Executive Director of the Albany Housing Authority and Earl Eichelberger, Director of Catholic Charities, testified as to the importance of having legal services available to ensure that tenants are as well represented as landlords like the Albany Housing Authority are. Next came a panel of judges, including Hon. Helena Heath Roland from Albany City Court, Hon. Michael Conway of the Nassau Village Court, Hon. Mark Powers from Schenectady County Family Court and Hon. Judith O’Shea from Supreme Court in Chemung County. They spoke about the challenges of handling a busy trial court when there are so many pro se litigants. A panel of rural legal and community providers highlighted the particular challenges of serving the rural poor. The hearing concluded with a powerful group of LASNNY, TLP and Empire Justice Center clients who shared their stories to highlight the importance of legal services to individuals. The hearing is archived online at

[The Chief Judge’s Hearings on Civil Legal Services - Live Broadcast on Tuesday, October 5 from 10 a.m. to 1 p.m. (Albany Third Department Hearings)].

I hope you will take a few minutes to tune into some of the testimony.

On other fronts, we were recently notified that our federal grant to provide free legal services to rural domestic violence victims was approved. In a bittersweet turn of events, this is the grant I drafted on the night I had my stroke. While I can’t say it was worth it, I can say how happy I am that the work I do helps Legal Aid lawyers to save lives and bring stability and hope to our clients. With these funds we will be able to provide a significant amount of empathetic and expert legal assistance to victims of domestic violence in the most rural parts of our service area.

Over the next 18 months, along with our partner, the Albany County Bar Association, we will also offer free trainings to lawyers who are willing to provide pro bono services to our clients. Finally, we will work in concert with ten local domestic violence providers to ensure that our clients have access to both legal and other supportive services that they need.

Finally, it is the end of the year so I ask you to please prioritize a gift to the Legal Aid Society so that we can continue to provide life-changing legal services to your low-income neighbors. As always, I welcome your suggestions at lmoy@lasnny.org or at 518-689-6304.

FROM THE executive director
Once again Swierczewski countered well within the scope of practice. Ful research determined that it was a violation of the Nurse Practice Act.” However, Swierczewski’s care-
Thanks to all who joined us for this year’s Justice for All Campaign kick-off at Dale Miller on September 16th.

If you haven’t already made a contribution please use the enclosed envelope to support the work of LASNNY.

You can also make a gift online, in memory of a loved one, or as a gift for the holidays with the option of sending an e-mail card. Visit LASNNY on the web and go to the Donate Now button: www.lasnny.org.

Tom O’Connor, E. Stewart Jones
Campaign Co-chairs
An eventful pro bono season

After months of preparation we enjoyed a month of celebration of pro bono. We sponsored many events in October in recognition of National Pro Bono Week. We started off with a Landlord Tenant Training on October 13, 2010, which we co-sponsored with The Albany County Bar Association. This training was a stepping stone for recruiting volunteers to participate in our “Lawyer-For-A-Day” program in Albany City Court. A big thank you to Judge Stiglmeier and Judge Heath-Roland, together with Chris Aldrich, Bruce Rosenthal, Bob Serenka and Wendy Wahlberg for being a part of the training. It was a huge success, resulting in twenty two (22) volunteers. We unveiled our Lawyer-For-A-Day Program on October 22, 2010 and special thanks to Amanda Maleszewski of Whiteman, Osterman & Hanna, who daringly went through our first run with us!

There was also a foreclosure training held on October 18, 2010 at the New York State Bar with approximately 100 attorneys in attendance. An amazing result, spearheaded by the Empire Justice Center and co-sponsored by the Legal Aid Society of Northeastern New York, Capital District Women’s Bar Association Legal Project and the New York State Bar Association.

On October 26, 2010, our Bankruptcy training took place. This was also co-sponsored with the Albany County Bar Association, The Legal Project and the New York State Bar Association. It was an informative collaboration of presenters, including Judge Littlefield, Cynthia Platt, together with Tony Arcodia, Marc Ehrlich and Mike O’Connor. Eleven (11) attorneys agreed to take bankruptcy cases on a pro bono basis. With the economy in flux, the need for volunteers in this area is more crucial than ever.

We continue to strive to increase our volunteer base to be able to serve more clients. The month of October has become our starting point each year. We aim to keep the momentum going for the remaining eleven (11) months. Your next pro bono training opportunity is our annual “Representing Victims of Domestic Violence in Family Court” training on December 10, 2010.

In addition, we are having an unemployment training on March 10, 2011. To register, call or e-mail me at 518-689-6322 or kcinelli@lasnny.org. If you can’t reach me, you may also call or e-mail Johanna Williams at 518-689-6334 or jwilliams@lasnny.org.

Thank you for your time, and I am so grateful to have gotten to know you!

Kristie Cinelli
Director of PAI

Trainings:

Representing Victims of Domestic Violence in Family Court
Friday, December 10, 2010
NYS Office for the Prevention of Domestic Violence
80 Wolf Road, Albany
8:30 a.m.–4:00 p.m.
6.5 Hours CLE Credit

Representing the Claimant in Unemployment Benefits
March 10, 2011

Thanks to the following attorneys who have accepted cases

From August 1 through October 31, 2010:

Albany
Jerrold Bartman (4)
Ira Bloom
Guy Criscione
Charles Feldman
Dennis Irwin
Robert Knightley
Rebecca Mudie
Michael J. O’Connor (4)
Alex Powhida/Jason Little
James R. Schultz
Thomas Welsh (2)
Kim Williams

Clinton
William Favreau

Columbia
Carl Whitbeck

Greene
Thomas Fori
Edward Kaplan (2)
John Winans

Montgomery
Gerald McAuliffe, Jr.
(9 Pro Se Divorces)
Bethany Schumann-McGhee
(9 Pro Se Divorces)

Rensselaer
Tony Arcodia &
Marc Ehrlich (3)
Robert Johnson, III.
Jennifer Storm

St. Lawrence
Natasha Hill
Maureen McGaw
(10 Pro Se Divorces)
Thomas Wheeler (2)

Saratoga
David Devall
James Doern
Alan LeCours
Gary Palmer

Schenectady
Peter McHugh
Schenectady County Bar Association (17 Pro Se Divorce and Referral Programs)

Warren
Matthew R. Ludemann
Michael Toomey

Albany & Rensselaer County Assigned Counsel Program

Ian Arcus
Gloria Arroyo
Copland
Michael Belsky
Ellen Bennett Becker
Caplan & Caplan
George V. Collins, III
Marcia Doyle
Paul Dwyer
Michael Friedman
Joyce M. Galante
Karen Gazda
David Goldin
Gerald Leary
David Marinucci
McNamee, Lochner, Titus & Williams
Mark J. McQuerrey
Kevin O’Brien
Florence Richardson
Justine Spada
Long Awaited Divorce
LASNNY Helps Client Dissolve Marriage to a Vanished Spouse

BJ was still President when Jack Jones was first married over 40 years ago. After living with him briefly, his wife Lisa left him, disappearing without a trace. For decades, Jones never worried about the fact that he was still hitched: “I was young, and I was convinced that I’d never marry again.” But recently, Jones, who’s been living with his current partner, Rita, for over 25 years, decided that a divorce was long overdue. “Let’s get it done already,” Rita urged him.

Unable to track down the spouse through conventional methods, Balzer made a motion for service by publication, which was granted by the Court. Jones’ divorce summons then appeared in the Albany Times Union. Pursuant to the Court’s pro bono order, the County reimbursed for the costs of the publication, which Jones would not have been able to afford on his own (newspaper display ads range from $125–$300). When the required waiting period had elapsed and no spouse appeared, the Court granted a default Judgment of Divorce. Jones was free.

Jones felt a great sense of relief and joy that he could finally make his relationship with Rita legal. The pair married shortly after the judge delivered his judgment of divorce. “Thank God Mr. Balzer was here,” said Jones. “It’s like a load off my chest.”

Balzer was impressed with Jones’ patience and forbearance in this unusual case. “Pro bono work is an important part of what we do,” he said. “It’s important to give back to those who are less fortunate. They’re seeking recourse in the legal system, and many have no idea how to go about it. I find it personally rewarding to assist people in these matters and find the pro bono clients I represent (are) tremendously appreciative.”

PROFILE: PAI volunteer
Chad Balzer

Funding:
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Miriam (“Mimi”) Netter

There are certain people who represent all that is good about our organization—people who, because of their dedication and devotion to serving the community, embody LASNNY’s core values. Miriam Maccoby Netter, who passed away on Sept. 9, was one of those people.

A pioneer in the field of intellectual property law, devoted to women’s issues, and deeply passionate about her work with charitable organizations, Mimi seemed to be everywhere. Board President of LASNNY from 1984-1986, her work was central to our mission: “Mimi was committed to ensuring that the important law firms in Albany were involved in leading the Society,” recalls executive director Lillian Moy.

Mimi was a person of extraordinary energy and drive. After graduating with academic honors from Albany Law School, where she was law review editor, she served universities, colleges and nonprofit organizations in the general practice of law. Working with startup companies, Mimi became involved in intellectual property cases, lending her expertise to the NYSBA’s IP section.

Graduating from law school in the early 1970s at a time when female lawyers could expect to face derision from their male colleagues, Mimi was an early activist and mentor for women in the legal profession. She was one of the first female members of NYSBA’s Executive Committee, and served the Advisory Board of the Capital District Women’s Bar Association Legal Project.

Mimi loved serving the community, supporting an ever-expanding roster of non-profit organizations as donor, legal advisor, and board member. Serving with Mimi during a climate of federal budget cuts to legal services, fellow LASNNY board member Thomas J. Kenney recalls her “dedication to providing services for poor people.” Lillian Moy says, “Even after her board service was complete, Mimi continued to support LASNNY by lending us her considerable connections and her wise guidance. Mimi was a cheerleader, mentor, friend and tough mother for many women attorneys in the Capital Region, including me. She will be missed.”