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

Enabling clients to keep their homes

Saving Vera’s Home

With a degree in business retail and a full-time job as an office manager, Vera Stokes never thought she would be in danger of losing her home. But when this hard-working single mom fell ill, things started to unravel. A few years ago, Vera was diagnosed with breast and stage IV lung cancers. She also suffers from COPD and emphysema and must use supplemental oxygen 90% of the time. Her illnesses eventually left her unable to work and as the family’s sole breadwinner, Vera soon fell behind on her mortgage payments. Vera says, “The thing is, I always worked two jobs and was never behind on bills, but after I received the lung cancer diagnosis and had to have a lung removed, I haven’t been able to work.” She explains, “I got behind on payments and continues on page 9
Happy New Year to all!

At the start of every year, I’m happy to report on new changes at the Legal Aid Society. We were sad to say goodbye to some of our most talented attorneys including Sarah Neitzel and Robert Magee. We are thrilled to bring on new staff, and looking forward to starting some new initiatives. In particular, in early 2016, Legal Aid will launch its Community Lawyering initiative, which will bring staff back into our local communities, launching a listening project. Through our listening project, we will talk with clients and community partners about the most pressing legal problems low income people in northeastern New York face. The results of the listening project will inform our priority setting, at the end of 2016. We will also work to provide services that meet the needs as expressed to us by our client community.

We also expect the results of the listening project to inform some of the new work of our Advocacy Coordinator, Victoria Esposito. Victoria is moving from our Canton office where she has served as a staff attorney and senior attorney since 2011. In January, Victoria will start as our new Advocacy Coordinator, charged with developing our Advocacy Docket, so we can better report to you and our funders about the systemic impact we are having in northeastern New York. In addition, Victoria will develop an Advocacy Plan which will include a review of our policies and staffing to better support increasing our impact in our client communities. Although we have been building towards increasing our impact for a few years, we are confident that with a new Advocacy Coordinator, we will be in good position to make our dreams come become a reality.

We expect to also improve our use of technology and knowledge management and internal wellness initiatives in 2016. Several of these initiatives are the result of our year-long Leadership Academy.

I’m also pleased to announce the promotion of Robert Vanderbles to senior attorney. Rob has been with Legal Aid as both a law clerk and then as a staff attorney for more than five years. He has worked primarily in housing and will be transferring now to our new Consumer Law unit. Congratulations to Rob, Victoria and all of our new colleagues!

The hunt for a new home for the Legal Aid Society in Albany continues. We are grateful to have received legislative grants from Assemblymember John McDonald and Assemblymember Patricia Fahy. We are also thrilled to have been recommended as a new project by the Capital Regional Economic Development Counsel. More to come about the details of our future project – suffice to say it is consistent with becoming an integral part of the community to which we will move. We hope to provide more direct services to local residents, especially affordable housing tenants. By doing so, we hope to stabilize the community and help people move out of poverty. It is an ambitious hope but one we will stick with. Can you help? Please feel free to contact me at 689-6304 or lmoy@lasnny.org.

Best wishes for a healthy and prosperous new year.

FROM THE executive director

Legal Aid matters

Winter 2016

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Dear Friends of Legal Aid,

As co-chairs of the Justice for All Campaign we thank the firms and individuals that supported the 2015 Justice for All Campaign. Thanks to you we raised over $300,000 last year.

Founded in 2004 the Justice for All Campaign replicates a national model of law firm giving to aid in the provision of legal services to the poor and helps fulfill our professional obligation as attorneys.

LASNNY has two significant challenges:

- serving more clients in an economy which has profoundly impacted low income people -- LASNNY already turns away about as many people it can serve and,
- attracting and retaining the best attorneys by increasing salaries that are still below that of the public sector, in particular, New York State

In 2014 we asked firms and individual attorneys throughout LASNNY’s 16 county service area to help us meet the challenges facing Legal Aid. Over 50 firms that gave at the leadership level which calculates the firm gift at $225 or above per attorney.

With this increased support

- LASNNY provided legal assistance, information, referrals and community legal education (in person, in print and on the Internet) to a remarkable number of poor and low income families and individuals - 95,216
- LASNNY closed 9,451 cases at a cost of $804 per case,
- LASNNY is adding more than 6 new attorneys to increase our impact on the lives of our low income clients; and
- LASNNY again increased our starting attorney salaries and maintained a modest loan forgiveness program to help alleviate the burden of law school debt.

In short, the response to the 2014 Justice for All Campaign made it possible for LASNNY to progress towards its goal of Justice for All.

We are now asking that firms that already participate consider raising their per attorney giving level above $225. If your firm is not currently a member of the campaign please consider joining as a firm leader, or giving a gift of $225 as an individual.

As lawyers we know how important it is for a client to have a skilled advocate. We also have a special duty to lead the way in making legal assistance available regardless of income. In fact the generous support that LASNNY receives from the legal community has a significant impact in leveraging funding from the state legislature, foundations and philanthropic individuals.

Firms that contribute to the campaign are acknowledged in the Business Review, our website, our Newsletter and various Bar Association Publications.

Thank you again for your continued support of LASNNY. Please send your tax-deductible gift directly to LASNNY along with the enclosed gift envelope. Do not hesitate to contact us if you have any questions or need more information.

Sincerely,

E. Stewart Jones
Co-Chair

Thomas J. O’Connor
Co-chair

Justice for All
Heidi Dennis thought she had taken on a simple pro bono bankruptcy case, but it proved to be a life-changing experience for her client.

Dennis, a partner in the Plattsburgh office of O’Connell and Aronowitz, has been regularly taking on pro bono cases for the Legal Aid Society of Northeastern New York for the past decade. Heidi says that her caseload has increased lately, largely due to her firm’s encouragement and commitment to pro bono work. And Heidi’s expertise is particularly valuable when it comes to bankruptcy cases. She explains, “There are not many bankruptcy attorneys in our area, so I tend to take more of these types of cases.”

When local resident Kelly Cyr came to LASNNY for legal help, they connected her with Heidi. Heidi explains, “The LASNNY sent Kelly to me in September 2014 for assistance with claiming bankruptcy and when I met with her, she was separated from her husband and raising two sons on no income.” Heidi continues, “After speaking with her, I learned that she was considering divorce as well, so I agreed to represent her for both divorce and bankruptcy.”

While the divorce proceedings were ongoing, Heidi also helped Kelly file for bankruptcy to discharge some accumulated debt. Heidi says removing these debts allowed Kelly to start over. “I really think that’s what she needed,” Heidi says. “A fresh start.” Although Kelly’s initial request was only for help with bankruptcy, Heidi says she couldn’t ignore the other need. “From the first time I met with Kelly, I saw how important it was for both of these issues to be resolved.” She continues, “Kelly was a pleasure to work with and she took her role as a client very seriously.”

Throughout the process Kelly says Heidi was her rock, “There were so many things I was unsure about, but Heidi was so informative.” And while Heidi was always available to answer legal questions, Kelly says her kindness and compassion also left a mark. “She would check up on me when I was upset; even coming out of meetings [in the courthouse] to see if I was okay.” Kelly says, “She went above and beyond – she wasn’t just an attorney, but a friend as well.”

Kelly was especially impressed with how fast things were wrapped up – her bankruptcy was discharged in May of 2015 and the divorce was finalized in August 2015. And with the legal proceedings out of the way, Kelly has been able to move on with her life. “I no longer have an attachment to my ex-husband, I’m free of him, and it feels really good,” Kelly says. She continues, “I’m able to say, this is MY home and MY car.” And now that her ex-husband and her debts are in the past, Kelly says, “I’m finally able to work on myself.”

Heidi’s dedication to clients like Kelly Cyr (left) and her client Kelly Cyr. “She went above and beyond – she wasn’t just an attorney, but a friend as well.”
PAI Update

The PAI Program has settled nicely into the Saratoga Springs office, and remains as busy as ever! We’re wrapping up a great year of referrals, trainings in several areas of law, and clinics.

It is always our goal to adapt our services and programs to best accommodate and meet the needs of our clients, and 2016 certainly will not disappoint in this area. We are proud to be recipients of this year’s Pro Bono Innovation Fund grant from the Legal Services Corporation, through which we will be able to connect urban volunteer lawyers in Albany with rural clients in several of the other 16 counties within our service area. This will be accomplished by linking these lawyers with clients through the innovative use of remote assistance technology, including real time video sessions, remote review of documents, and remote generation of pro se answers. We will partner up with Legal Assistance of Western New York, and the Volunteer Legal Services Project of Monroe County in order recruit at least 50 volunteer lawyers to provide brief services to at least 150 rural clients between January 2016 and March 2017. This is an exciting grant, and we hope that you will consider volunteering your time and expertise.

In other news, in November, we welcomed Shaniqua Jackson to Legal Aid as both our Pro Bono Innovator and Staff Attorney. In her role as Pro Bono Innovator, she is recruiting both law students, primarily from Albany Law School, and attorneys emeritus to volunteer with us in our programs. We hope that you’ll meet her soon.

Thank you, as always, to the volunteers who, time and again, demonstrate such generosity and compassion toward our clients. It’s been a pleasure working with you this year, and I look forward to the same in 2016.

Thanks to the following attorneys who took cases:

July 1, 2015 – November 30, 2015

Albany
Janet Axelrod
Paula Barbarulo (2)
Lawrence Becker
Joel Blau
Ira Bloom (2)
Frank Brennan (2)
Kevin Donovan
Joseph Dougherty
Dennis Duggan (2)
Byrgen Finkelman (9)
Carl Hasselbarth
Albert Hessberg, III (2)
Amanda Jackson
Mark Lansing
Michael O’Brien (8)
Michael O’Connor (5)
Lynne Papazian (3)
Frank Pell (2)
Emily Quinlan
Douglas Shartrand
Adam Shpeen
Joanne White

Montgomery
Bethany Schumann-Mcgee (4)

Rensselaer
Christian Dribusch
Marc S. Ehrlich (3)
James Gross (5)
Adriana Shako

Saratoga
Christine Carsky
Alexander Dunshee (7)
Tara Anne Pleat

Schenectady
David Burke (13)
Nancy Delain
Charles Harding (3)
Noel Mendez
Kathleen Toombs

St. Lawrence
Andrew Moses (6)
Cathleen O’Horo (2)
Paul Phinney (2)
Rebecca Simser
Megan Whitton

Warren
Jessica Vinson

Albany/Rensselaer County Assigned Counsel Program

Chad Balzer
Ellen Bennett Becker
Amanda Connor
Eleanor Decoursey
Karen Gazda
Michelle Haskin
Lauren Hunt
David Kavanaugh
Randall Kehoe
Andrea Kelsey
Gerald Leary
Matthew Mann
Robert Molloy

Joanne Monagan
Asa Neff
Stephen Prudente
Peter Scagnelli
Terence Shanley
Jo Ann Shartrand
Wayne Smith, Jr.
Thomas Snyder

Remember our SEFA number:
50-00198
2015 Campaign Kickoff

Wednesday, October 28, 2015
Fort Orange Club, Albany

Right: George Slingerlands, Jami Durante Rogowski, Peter Coffey.
Below left: E. Stewart Jones, Jr., Hon. Patricia Fahy.
Below right: Beth Carey, Richard Weisz, Edward Laird

Below: 2015 Leadership of the Justice for All Campaign.
Above: Sandra Rivera, Patricia Rodriguez, Eric Tepper

Below: Left: Geri Pomerantz, Mark Mishler; Center: David Miranda, Peter Lauricella; Right: Philip Mazzotti, Michele Sleight

Below: Lillian Moy presents the Awards For Leadership in the Pursuit of Justice for All to Hon. John McDonald (left) and Hon. Patricia Fahy.

Above left: Tara Moffett, Daniel Rubin, Hon. Elizabeth Garry, Kaitlin Schwendeman

Above right: Leonard Weiss, Mark McCarthy, Donald Boyajian

Below right: Tom O’Connor, Lillian Moy, Hon. John McDonald, E. Stewart Jones, Jr., Hon. Patricia Fahy
Untangling the Knot

When Sharon Boula received a quit-claim deed in pieces in the mail from her ex-husband, she had no idea he had just tangled her in a complicated knot that could lose the roof over her head. The court order in Boula’s 2005 divorce had awarded the marital home to her. Rather than sign the property over to Boula, her ex-husband, who had abused her during the marriage, ripped the document up and returned the shreds to her. She believes refusing to sign the deed was his way of asserting control over her.

Boula, 51, a resident of Oswegatchie, had little recourse to force the issue with her ex-husband, so she notified the court and followed up on her child support claims against him. Then she did what most single moms with three kids do — focused on the responsibilities in front of her. Legally, her husband continued to co-own the marital home. And since he was the co-owner, judgments he incurred after the divorce, including those for failure to pay child support, created liens on the property.

“This was back in 2005,” said Boula, “when all three children were home. There were times when I wouldn’t eat so my kids could eat. I wanted to go back to school, but there was no way I could afford the gas.”

Sharon was ... able to refinance the mortgage with substantial savings and keep her home.

Boula did not want to go on public assistance, so she worked full-time, babysat, and took on other odd jobs to make sure her children had what they needed. Eventually Boula had difficulty affording the mortgage on the home and applied to a bank to re-finance the mortgage. Refinancing would save Boula over $200 per month on the mortgage due to lower interest rates and the equity Boula had built in the home. That’s when Boula discovered the liens, all against her ex-husband, and most due to child support nonpayment. Boula also was told by the bank that she could not re-finance the property in her own name if her ex-husband continued to be a co-owner.

“I would lay awake at night wondering what I was going to do,” she said. In April of 2013, she turned to Legal Aid. “They didn’t waste any time,” said Boula.

“The first thing that struck me was what a horrible situation she was in,” said LASNNY senior attorney Victoria M. Esposito. “Here was a woman who had done everything right, and it ended up working against her. She was raising kids without child support, making heartbreaking choices between mortgage and food. You shouldn’t go to court to get child support and end up with a lien on your house.”

Esposito could not recommend Boula cut her losses like so much bubblegum in hair. So she put the complicated tangle under a bright light and, with precision and patience, unraveled it strand by strand.

“One of the liens was in her name in her favor, so she could release that lien,” said Esposito, who was also able to make quick work of most of the other liens, too.

Unfortunately, the New York State lien proved more difficult. “Initially, State Tax and Finance were sympathetic,” said Esposito, “but they have rules to follow.”

Esposito knew it would be difficult to go after the ex-husband to enforce the requirement in the divorce decree that he relinquish his ownership of the marital home, as he lived out of state. Then she remembered a part of the Civil Procedure Law that allows a judge to authorize a county sheriff to sign in someone else’s place.

“I’ve only seen it ever used with a recalcitrant spouse in a divorce,” said Esposito. It was the last tool needed to make the tangle fall apart. A judge issued the order, the county sheriff signed, and in December of 2013, Boula was sole owner of her home.

“I sent the info to the State,” said Esposito, “and they agreed to release the lien as he was no longer an owner. Sharon was then able to refinance the mortgage with substantial savings and keep her home.”

Boula was beyond grateful to LASNNY. “They were awesome and Victoria was wonderful,” she said. “In my mind, it’s there but for the grace of God go I,” said Esposito.

“You can picture any regular person, through no fault of their own, having this happen to them. She’s more in control of her life at this point. Sharon was a very easy person to help because she is just such a sweetheart. I was happy to do it.”
Saving Vera’s Home

the bank just wouldn’t work with me. They wouldn’t give me a modification and put me in foreclosure.”

In 2013, Vera was running out of options, so she contacted LASNNY for assistance. Dan Alley, the attorney of record, and Theresa Wells, the case’s paralegal, began investigating options. “At first, we tried to do loan modifications, says Theresa. “We submitted several loan modification packets on her behalf, but the mortgage company was saying Vera didn’t make enough money to support a mortgage.” She continues, “We just kept thinking, ‘What can we do to help this woman?’” Dan and Theresa also called in help from Friends of the North Country, a home counseling agency. Kelli Duquette, a counselor at Friends of the North Country, joined the case and thought Vera might qualify for a new state program funded by the New York Attorney General’s Office; his office received the money as a result of complaints filed against the banks and some was directed to housing counselors.” LASNNY and Friends of the North Country often work in tandem on cases like Vera’s. Kelli explains, “We focus on the paper work, so Dan and Theresa can focus on the legal aspects.”

Due to the team’s hard work, Vera received $40,000 in MAP funds toward owed arrearages. After those funds were applied, Vera owed a remaining $11,000 on her mortgage. The bank agreed to roll that balance into a loan modification program and now Vera pays a very manageable $353 mortgage per month.

When it comes to foreclosures, homeowners often need help navigating their options and rights. Theresa says, “A lot of times when foreclosures start, mortgage companies don’t effect proper service, don’t have legal standing to bring a foreclosure action, or do not follow the rules set out for properly foreclosing on a property. If those things happen and if the Client contacts us as soon as they are served with a summons and complaint, then in most cases Dan can file the appropriate answering papers and in most instances get the foreclosures dismissed. That gives our clients a bit of breathing room and gives us the opportunity to look at other options for them.”

While Vera admits that things will always be tight financially, she says her mortgage payment is now doable. Her taxes and homeowners insurance are escrowed and the payments are deducted from her bank account automatically, making the process much simpler for Vera. “I don’t where I’d be without Theresa, Dan, and Kelli,” says Vera. “Kelli really fights to help you. There are so many good things to say about her and LASNNY, that I don’t where to begin.” Vera continues, “They all worked hard for me and never made me feel any different because of my economic situation.”

“Vera is exactly the type of homeowner Legal Aid wants to help. It’s wonderful to partner with Friends of the North Country to serve our clients in protecting their homes,” said Lillian Moy, LASNNY’s Director. Thanks to the joint efforts of LASNNY and Friends of the North Country, Vera was able to stay in her home; something she says she won’t ever take for granted.

LASNNY and Friends of the North Country often work in tandem on cases like Vera’s
In Memoriam: Dick Bartlett

Dick Bartlett has done about everything you can do as a lawyer and then some. He engaged in general practice, litigated in state and federal courts, and served as a Justice of the New York Supreme Court and Chief Administrative Judge of New York.

He was Dean and Professor of Law at Albany Law School, and Member and Chair of the New York Board of Law Examiners. He participated in the House of Delegates of the American Bar Association, as well as many other legal professional associations including the New York State Bar Association, Federation of Bar Associations, American Bar Foundation and the Historical Society of the Court of the State of New York, to name a few.

He served in the New York General Assembly and was appointed by Governor Nelson Rockefeller to several crime councils. He was Chair of the New York Select Committee on Penal Institutions created following the Attica riot in 1971.

Now, he has committed himself to law in perpetuity by including the Legal Aid Society in his estate plans making him a Guardian of Justice.

By pledging a future financial gift to LASNNY, he helps ensure that civil legal services will be available for future low-income and vulnerable families in need.

“It is the obligation of our profession to assure competent representation for everybody that comes in contact with the court system-criminal and civil,” explained Dick Bartlett who retired from practicing as a Glens Falls attorney last year.

Dick Bartlett’s commitment to the profession also extends to raising lawyers. His daughter is an attorney and he has a grandson currently studying at Albany Law School.

Although he gave up racing sailboats seven years ago at age 78, he still visits Lake George, where he and his family often vacationed. “There is no better spot than our much loved Lake George.”

Heidi Dennis:
A Lasting Commitment to Pro Bono Work

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Kelly is nothing new. In fact, when she was a law student, Heidi spent some time clerking for Legal Aid. When she’s not practicing law at her firm or volunteering for pro bono cases, Heidi also finds time to serve on a number of non-profit boards in Clinton County, including the Clinton County Historical Society and the Child Care Coordinating Council of the North Country. This on-going commitment to her community is what sets Heidi apart from her peers.

Executive Director of LASNNY, Lillian Moy is thankful for the hard work of pro bono attorneys like Heidi. She says, “I am so grateful to Heidi and O’Connell and Aronowitz for their commitment to our clients. I hope that Heidi will soon join our Board of Directors where she can continue to strengthen the Legal Aid Society.”

Kelly says the assistance she received was invaluable “The help I got from Heidi and LASNNY was a huge relief financially, I don’t know what I would have done with out them.”
involved in landlord-tenant disputes. Mathew describes a case he took on a few years ago saying, “A Schenectady woman with a severely handicapped child was facing eviction. Her apartment was disgusting through no fault of her own, it should have been condemned. It was a slum landlord situation.” Fortunately Mathew was able to secure a positive outcome for his client. He says, “It was really nice to be able to help her and her family move on with their lives.”

Mathew is passionate about legal equitability, saying, “I think it’s very important that everyone has equal access to the justice system which includes adequate representation.” He continues, “Unfortunately a lot of people can’t afford legal help, but that’s where LASNNY comes in.”

Mathew believes that adequate legal representation for an otherwise pro se litigant is often a win-win for both sides. “I have found that the legal process goes much smoother for both parties when they are both represented,” he says.

A graduate of Union College and Albany Law School, Mathew joined McNamee immediately after finishing law school. After working there for about one year, he moved to Boston to practice law while his wife was in graduate school. Mathew and his family eventually settled back in the Capital District and at that point, he rejoined McNamee. Mathew and his wife, Kate, now live in Menands with their two daughters, Cameron and Eliza.

Mathew also serves on the board of the Albany County Bar Association and was recently named as a “Rising Star” by the Upstate New York Super Lawyers Magazine. When it comes to his role on the board, Mathew says he is most excited about contributing to strategic planning and broadening the reach of the organization. He says, “I enjoy being on the board because it is hands-on and I am working with a very dedicated group of people both on the board and within Legal Aid. We are all committed to moving LASNNY to an even better place.” He continues, “I think the future is very bright for Legal Aid and, more importantly, the people it serves.”

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Helping LASNNY Move Forward

Matthew Barry, one of LASNNY’s newest board members, is already helping to shape the future of the organization. Mathew, a shareholder at McNamee, Lochner, Titus, & Williams, P.C. focuses his practice on commercial lending, real estate, and commercial litigation matters. It was through his firm that Mathew first became involved with LASNNY. “I’ve been involved with Legal Aid since I joined McNamee,” he explains. “McNamee’s support of the LASNNY goes back several decades,” he says. Mathew began by taking on landlord-tenant cases for Legal Aid that eventually led to an interest in joining the board. Mathew says he wanted to broaden the scope of how he could help LASNNY, and becoming a board member seemed like the natural next step. Mathew attributes his involvement with the Legal Aid Society to Harry “Skip” Meislahn and Kim Williams, former partners of McNamee who are now of counsel at the firm. “They were both chairs of the board for LASNNY and, to this day, they remain steadfastly dedicated to the organization as does the rest of the firm,” Mathew says.

Mathew enjoys taking on pro bono cases, most often representing clients.

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