

Legal Aid *matters*

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.

Serving the low-income and needy residents of Albany, Clinton, Columbia, Essex, Franklin, Fulton, Greene, Hamilton, Montgomery, Rensselaer, Saratoga, St. Lawrence, Schoharie, Warren and Washington Counties, and the St. Regis Reservation.

executive director

Lillian M. Moy

inside:

Justice For All

The 2009 Campaign kicks off at the hot new dalemiller 3

Divine Intervention

Pro Se clinics facilitate low-cost divorces 4

New Laws

Keep up-to-date with new legislation affecting Legal Aid issues. 7

Home Sweet Home— Assured



Kathleen Roberts at her home in Troy

Can a mortgage company foreclose on you even though you've made all your payments? It seems like a ludicrous question, but for Kathleen Roberts of Troy, it's all too real.

When Roberts's thirty-five-year marriage ended in divorce in 2002, she and her son, disabled daughter-in-law, and two grandchildren needed a place to live, fast. "I also wanted a place to call my own for the first time in my life," says Roberts.

She bought a house in a hurry and poured the modest amount of money she got from the sale of the house she'd shared with her ex-husband into making it livable. The mortgage payments ate up most of her monthly fixed income, but she called every month to find out the amount she owed, and paid it in full.

Until one day in October 2007, when Saxon Mortgage, which had purchased the right to service her loan when her first mortgage company went bank-

rupt, told her she was behind and owed them an additional \$1,000. They wouldn't accept her regular payments until this mysterious "back payment" was made, and when asked to explain

The mortgage payments ate up most of her monthly fixed income, but she ... paid it in full.

where it had come from, they never got back to her. Roberts sought out a housing counselor, who went over her receipts and confirmed that Roberts didn't owe Saxon anything. When Saxon served Roberts with foreclosure papers anyway in early 2008, she turned to the Legal Aid Society.

Her legal aid attorney, Glinnessa D. Gailliard, challenged Saxon to first prove that they owned Roberts' loan, a prerequisite to being able to foreclose on it. Since Roberts' loan had been

continues on page 7

Justice Gap 2009

The Legal Services Corporation, our primary funder, asked us to count the number of people who we are unable to serve. From mid-March to mid-May, Legal Aid Society staff counted the number of eligible clients we had to turn away at the door due to our limited resources. Based on this eight-week count, we estimate that we will be unable to serve a heartbreaking 8,676 eligible clients with problems that we generally assist with. In addition, there will be about 3,676 people who made it through intake, but who we were unable to serve fully, again, due to lack of resources. Demand for legal services has more than doubled since our 2005 count.

When we reviewed this data at a Legal Aid Society Board meeting, Board member E. Stewart Jones asked me what happens to those who cannot be served? The ABA study shows that while many try to resolve the problem on their own, the second most common result is to do nothing. Default judgments are taken, housing and property may

be lost, all without a fight. Many low income people do not even contact a legal services provider because they are unaware of our existence or they do not believe that the legal system can help. Stu noted during the Board meeting that "this is simply unacceptable."

In the face of this urgent demand, our own Senator Neil Breslin again stepped into the breach. I am extremely grateful for Senator Breslin's generous support for the Society's program of legal services. Senator Breslin, thank you for never waiving and for being the voice for those in need during this difficult time in the Senate. Thanks also to Senator Darrel Aubertine for his generous support of our work in St. Lawrence County. We are grateful to both of you for your support and pledge to use it to help close the justice gap.

For our part, we are seeking grant funding from many new sources. We are also extremely busy reporting on our work. In particular, our foreclosure prevention caseload has been extremely active and the reporting is arduous. Our empathy and thanks to

FROM THE *executive director*



the JHOs and judges who are handling these foreclosure settlement conferences. Their willingness to learn the intricacies of subprime lending and respond to the subprime crisis is appreciated.

As always, I welcome your suggestions and inquiries about the work of the Society. We will sponsor our first Thank You event for the Guardians of Justice, those who have made a commitment to the Legal Aid Society Legacy Fund in late September. And our Justice For All Campaign will have its kick-off reception on October 1. Both events are at Dale Miller and I hope to see many of you there.

Our thoughts for good health and healing are with our dear friend, Mimi Netter. My best wishes to you for a wonderful Fall.

You can reach me at 518-689-6304 or lmoy@lasnny.org

REMINDER:

GUARDIANS OF JUSTICE

Recognition Event

Wednesday, September 23, 2009

By Invitation Only
518-689-6336

GIFTS

In Honor of:

Henda Strasser from Miriam Netter
Jim Kelly from his son Matthew Kelly

In Memory of:

Jeane Milligan from Anonymous

Client Programs:

- Children's Law Project
- Community Legal Education and Training
- Disability Advocacy Project
- Domestic Violence Legal Assistance Project
- Foreclosure Prevention Project
- HIV/AIDS Legal Consortium
- Homelessness Intervention Project
- Legal Aid Society Homelessness Project
- Nutrition Outreach & Education
- Owning is Power
- Protection & Advocacy for the Developmentally Disabled
- Protection & Advocacy for the Mentally Ill
- Saratoga Springs Homelessness Prevention Program
- Senior Legal Services Program
- Upstate New York Immigration Law Project

Volunteer & Donor Programs:

- Java and Justice
- Justice for All Campaign, Annual Appeal
- Law Day Celebration
- Legal Aid Endowment Fund
- Private Attorney Involvement Program (PAI)

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September 2009

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Saratoga Springs, NY 12866
(518) 587-5188, (800) 870-8343

JUSTICE FOR ALL CAMPAIGN

The Legal Aid Society of Northeastern New York Cordially Invites all Attorneys at Justice for All Campaign Leadership Firms...

\$225 or more per firm attorney
Albany County Bar Association
Anderson, Moschetti & Taffany
Arroyo Copland & Associates
Assaf & Mackenzie
Balzer & Leary
Bartlett, Pontiff, Stewart & Rhodes
Bond, Schoeneck & King
Buckley, Mendleson & Criscione
Cannon Heyman & Weiss
Capasso & Massaroni
Carlisle Carrothers & Clough
Carter, Conboy, Case, Blackmore, Maloney & Laird
Dreyer Boyajian
E. Stewart Jones Law Firm *
Englert, Coffey, McHugh & Fantuzzi
FitzGerald Morris Baker Firth
Friedman, Hirschen & Miller
Girvin & Ferlazzo
Goldberg and Gottheim
Gordon Tepper & DeCoursey
Greenberg Traurig
Hacker & Murphy
Harris & Conway

Heslin Rothenberg Farley & Mesiti
Hinman Straub
Hiscock & Barclay
Iseman, Cunningham, Riester & Hyde
Kindlon Shanks & Associates
Law Office of Elizabeth M. Walsh
Law Office of Geri Pomerantz
Law Office of Patricia Rodriguez
Law Office of Stephen Johnston
Law Offices of Jean Mahserjian
Law Office of Sherri L. Vertucci
Martin, Harding & Mazzotti
McNamee, Lochner, Titus & Williams
McPhillips, Fitzgerald & Cullum
Nixon Peabody
O'Connell & Aronowitz
Phillips Lytle
Rapport, Meyers, Whitbeck, Shaw & Rodenhausen
Reed & Vella
Rosenblum, Ronan, Kessler & Sarachan
Sneeringer, Monahan, Provost, & Redgrave
St. Lawrence County Bar Association

Thuillez, Ford, Gold, Johnson & Butler
Tully Rinckey
Whiteman Osterman & Hanna
Wilson, Elser, Moskowitz, Edelman & Dicker
Young Sommer Ward
Ritzenberg Baker & Moore
Firms under \$225 per attorney
Boies, Schiller and Flexner
Couch White
Harris Beach
Hodgson Russ
Lavelle & Finn
Law Office of Mark Schneider
Nolan & Heller
Roemer, Wallens & Mineaux

Corporate Leaders
General Electric Foundation
Nigro Companies
Pfizer, Inc.

Welcome to the newest firms to join the JFA Campaign in 2009:
Albany County Bar Association
Phillips Lytle
FitzGerald Morris Baker Firth
McPhillips, Fitzgerald & Cullum

...To a complimentary reception to Kick Off the 2009

JUSTICE FOR ALL

CAMPAIGN

Thursday, October 1, 2009

5:30 p.m. – 7:30 p.m.

Light hors d'oeuvre
Wine and Beer

At Albany's spectacular new venue

dalamiller
TRAINING

30 South Pearl Street,
Albany, New York

email RSVP@lasnny.org by Sept. 18

Or call 518-689-6336
for further information

Dear Colleagues,

As co-chairs of the Justice for All Campaign we are writing to tell you what LASNNY accomplished, thanks to your support, and to ask you to renew your commitment by contributing to the 2009 Justice for All Campaign.

Founded in 2004 by area lawyers and firms, 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 more importantly helps fulfill our professional obligation as attorneys.

For clients like Kathleen Roberts, a retired state employee featured on the front page, the intervention by a Legal Aid attorney prevented her from losing the modest home where she and her two grandchildren reside. No one says it more definitively than Kathleen herself, "If it wasn't for the Legal Aid Society, I would not have my home today."

LASNNY has two significant challenges:

- meeting the overwhelming demand for legal assistance in an economy which has profoundly impacted low income people. **By 10 a.m. every weekday, Legal Aid's Albany office is forced to close down intake and turn away clients because they have reached capacity.** Based on a recent study conducted by LASNNY, they estimate that they will turn away about 8,676 eligible clients during the course of a year, due to lack of resources.
- attracting and retaining talented attorneys by increasing salaries that are currently below that of the public sector—LASNNY currently has 34 staff attorneys.

In 2008 many of you helped us meet the challenges facing Legal Aid. With this increased support, LASNNY:

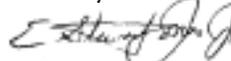
1. provided legal assistance to a remarkable number of poor and low income families and individuals – 55,709*
2. closed 7,329 cases at a cost of \$632 per case. This was an increase of over 1,000 cases from the previous year, with a lower cost per case.
3. 13 staff hired to serve more clients; and
4. increased starting attorney salaries to over \$40,000 and made its first disbursements from its loan forgiveness program to help alleviate the burden of law school debt for staff attorneys.

In short, the 2008 Justice for All Campaign made it possible for LASNNY to progress towards its goal of justice for all.

We now ask you to help us maintain this momentum.

Please send us your gift in the enclosed envelope or donate online at www.lasnny.org.

Sincerely,



E. Stewart Jones
Co-Chair



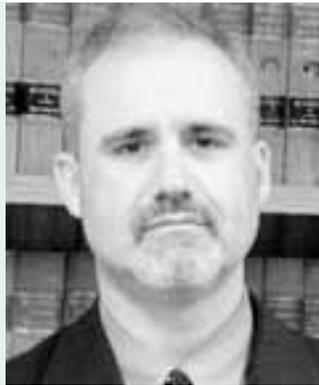
Thomas J. O'Connor
Co-chair

*Information and referral, advice, brief service, free representation and community legal education; in person, in print and on the internet.

Divorce Clinics “A Godsend”

Belinda Garcia was looking for closure, and her own name back. It shouldn't have been that hard. Her husband was incarcerated, and they both agreed that divorce was the best thing. Without money to hire an attorney, they attempted “pro se,” or self-represented, divorce. Easier said than done.

PROFILE: PAI volunteers



Todd Weber and Steve Vanier, who conduct the pro se divorce clinics in Franklin County.

“Uncontested divorce packets are so incredibly thick, so complicated, even for us!” says Tiffani Thomas, LASNNY paralegal who is organizing a round of pro se divorce clinics in Franklin and Clinton counties where attorneys walk participants through the process.

Garcia's husband tried to file twice and was denied both times on technicalities. That's when she sought out Legal Aid. She was income-eligible and qualified for the clinics, which only handle uncontested, uncomplicated divorces with no domestic violence or custody issues or assets to divide.

The clinics happen in two parts. At the first Franklin county clinic, held in June, participants had the benefit of two experts: Steve Vanier, a local attorney who has handled “well over a thousand” divorce proceedings, and Todd Weber, past Franklin County Bar Association president and Town and Village Court Counsel who reviews pro se divorce applications for the court. “They were

very good at explaining things,” says Garcia. “They answered any questions we had, took their time.”

Participants filled out their paperwork, had it reviewed for completeness, and immediately walked upstairs to the clerk's office to file. (Serving a spouse before filing is one of the most common mistakes, notes Weber, and it invalidates the whole proceeding.)

Participants also got a certificate of indigency, which allowed the hefty filing fees to be waived. After filing, they were ready to serve their spouses; the second clinic takes place in August. After the time period for any response has passed they will complete the process.

The clinics are a godsend for clients who have been stuck in bad marriages merely because they couldn't navigate the tricky and inflexible fine print. But that's only the beginning. Incorrect divorce filings create a huge backlog in the court system, notes Vanier. Helping pro se clients through clinics with private attorneys also frees up Legal Aid attorneys to devote more of their time to the more difficult cases that need personal attention. “Pro se divorce clinics are cost effective — good for the clients and good for the courts,” says Lillian Moy, LAS Director.

Of course, it's the clients who are most important to Thomas. “When they call just to say thank you, you know you've done something good,” she says. “They want [their divorce] to be done. They are the easiest group to work with.” She already has more participants interested in the first Clinton County clinic,

scheduled for August, than there are spaces.

Garcia is among the grateful ones. “I'm looking for the end of a not so happy place,” she says, and thanks to the pro se divorce clinic, it's finally on its way.

In Memoriam:

Bill Byron

Bill Byron, former President of the Legal Aid Society recently passed away at age 92. He was pressed into service in the late 60's by Governor Nelson Rockefeller to head up a reorganization and revitalization of LAS due to his extensive management skills as Rockefeller's Associate Commissioner of Mental Hygiene. Bill was the only non-attorney to head LAS in its 85 years.

At a time when LAS was foundering, Governor Rockefeller pushed for equal access to the legal system in the aftermath of *Gideon v. Wainwright* as well as the increasing civil unrest and sense of disenfranchisement burgeoning in the 60's. In Bill, Rockefeller found a kindred spirit interested in extending available legal services to the poor and disadvantaged.

Among Bill's many accomplishments as President of LAS was finding a permanent home for the Society. Bill visited with Mayor Corning seeking the City's assistance with finding a suitable location. After identifying property on Columbia Street, then subject to a pending tax foreclosure proceeding, LAS was outbid at the tax auction. Learning of this unfortunate occurrence, Mayor Corning found a defect in the process and when next placed for auction, LAS was the only bidder. Finally LAS had its first “home”.

Thanks to Jim Towne for this article



Notes from the PAI Desk

Greetings all! We have some very exciting news and events to share. With the help of the

local court system and our pro bono volunteers, Legal Aid has brought pro se divorce clinics to Clinton and Franklin Counties. We'd like to thank Todd Weber, Town and Village Court Counsel, Steve Vanier, of Poissant, Nichols, Grue, and Vanier, PC, Wanda Murtagh, Franklin County Clerk, Kip Cassavaw, Deputy Clerk of Franklin County and everyone in the Franklin County Clerk's Office for all of your help in making the Pro Se Divorce Clinic in Franklin County such a success.

We have a pro se divorce clinic scheduled in Clinton County on August 24th in Plattsburgh at the

Government Center on Margaret Street. Cheryl Maxwell, Esq., a local, solo practitioner in Plattsburgh will conduct the clinic. We're continuing our traditional pro se clinics as well and in August, we have a pro se divorce clinic scheduled at the Rensselaer County Supreme Courthouse. Kathryn Dell Esq., from The Law Firm of Kathryn Dell, will conduct that clinic.

Keep your eyes open for upcoming trainings as well. On September 24th in Canton and on September 25th in Plattsburgh, LASNNY and Empire

Donate NOW to the 2009 Justice for All Campaign online at www.lasnnny.org or use the enclosed envelope

Justice Center are holding trainings on "Representing Homeowners at Mandatory Settlement Conferences".

Be sure to check our website www.lasnnny.org soon for additional information about these trainings as well as upcoming announcements for National Pro Bono Week, which is October 25th – 31st.

Many thanks to all of the attorneys who have volunteered their time and efforts. We always hope more attorneys will assist clients on a pro bono basis. To inquire about pro bono opportunities at The Legal Aid Society, please contact Tiffani Thomas at (518) 689-6334 or tthomas@lasnnny.org, Kristie Cinelli at (518) 689-6322 or kcinelli@lasnnny.org, or Linda Larue at (315) 386-4586 ext. 14 or llarue@lasnnny.org.

Tiffani Thomas
PAI Paralegal

Thanks to the following attorneys who have accepted cases

From April 1 through July 31, 2009:

Albany County:

Matthew Barry
Jerrold Bartman (3)
Lawrence Becker
Sharon Beilinson
Richard Cirincione
Guy Criscione (3)
Richard Croak
Christian Dribush
Sanda Dumars
Amy Earing (2)
Stewart Finton
Daniel Hurteau (2)
Kristen King
Kerri-Ann Lawrence
Matthew Mann
Ira Mendleson
Michael J. O'Connor (7)
Michael Rhodes-Devey
Ellen Roach
Neil Rivchin
Carrie Smith
Leah Threatte
James Towne, Jr.
Kenneth Varley
Richard Weiskopf
Thomas Welsh (3)

Clinton County:

James Clute
Cheryl Maxwell (8)
Meredith Neverett
Mark Schneider

Columbia County:

Columbia County Bar Association (2); Juliette Crill - Chair of Pro Bono
Barry Sack

Franklin County:

Judith Pareira
Stephen Vanier (5)

Greene County:

Eugenia Brennan (5) "Pro Se Divorce Clinic"
Edward Kaplan (2)
Joseph Warren

Rensselaer County:

Ehrlich & Arcodia, P.C. (6)
Thomas Kenney, Jr.
Judith Norish

St. Lawrence County:

Neil Bhatt
Ramona Breen
Richard Gardner (19) "Pro Se Divorce Clinic"
Verner Ingram
Maureen McGaw
Cathleen O'Horo (4)

Saratoga County:

Linda Berkowitz
Doern & Rodriguez (2)
Ronald Kim
Alan LeCours
Martin Pozefsky
William Reynolds
James Trainor

Schenectady County:

Peter McHugh (4)
Edward Salvo
Greg Schaaf
Schenectady County Bar Association (12) "Pro Se Divorce Clinic" & Individual Referrals;
special thanks to David Burke & Richard Antokol
Laura Silva

Schoharie County

Robert H. Cohen

Warren County:

Michael Dezik
Leah Kelly

Assigned Counsel Program

(Judicial Assignment)
(A)= Albany;
(R)=Rensselaer

John Arpey (A)
Charles Assini, Jr. (A)
Diana Bangert Downs (R)
Lisa Brown (A)
Tamara Cappellano (R)
Jo Ann Coughtry (A) & (R)
Paul Devane (R)
Brian Donohue (R)
David Goldin (A)
Lisa Gordon (A)
Michael Friedman (A)
Gerald Leary (A)
George McHugh (A)
Jeremiah Manning (A)
Philip Miller (A)
Kevin O'Brien (A)
Daniel Persing (A)
Geri Pomerantz (R) x2
Michelle Rosien (A)
Florence Richardson (A)
Jo Ann Shartrand
David Swyer

Serving the greater good: John W. Caffry

John Caffry remembers well one of the first pro bono cases he took for LASNNY, about 20 years ago. Not only was he able to help prevent his client from being wrongfully evicted from her home, he brought and won a counter-claim against the landlord for keeping hazardous materials in the building.

PROFILE: *board member*



Knowing the importance of making that kind of representation available to those “who wouldn’t otherwise be able to

protect their rights” has kept Caffry involved with Legal Aid for nearly his whole career (he interned with Legal Aid offices in Alaska and Philadelphia during law school). His pro bono work in landlord-tenant and bankruptcy cases won him a Distinguished Service Award from LASNNY in 1996. “It’s wonderful to

have John on the Board — he knows the value of pro bono and the importance of providing representation to low income residents,” said Lillian Moy, the Society’s Director.

Serving the greater good keeps Caffry busy. A large part of his practice with his Glens Falls-based firm Caffry & Flower is environmental law, representing citizens and advocacy groups. He has co-chaired the New York State Bar Association’s Committee on Adirondacks and Forest Preserve, served on the Glens Falls/Queensbury Joint Committee on Smart Growth, and been active in a range of roles with the Adirondack Mountain Club for over two decades.

Indeed, he had to clear some room in his schedule when he was invited to join LASNNY’s board last year,

The Legal Aid Society has a nutrition outreach program. For more information visit our website (under “Special Programs”) or contact (800) 462-2922 ext 327

Funding:

The Legal Aid Society of Northeastern New York is funded by grants from the Legal Services Corporation, the U.S. Department of Justice, the Interest on Lawyer Account Fund of the State of New York, U.S. Department of Housing & Urban Development, New York State Legislature, NYS Office of Temporary & Disability Assistance, NYS Division of Criminal Justice Services, NYS Department of Health, NYS Commission on Quality of Care and Advocacy for Persons with Disabilities, Albany County Department for Aging, Fulton County Office for Aging, St. Lawrence County Office for the Aging, Washington County Office for the Aging, St. Regis Mohawk Tribe Office for the Aging, City of Saratoga Springs, City of Albany, Bank of America as trustee for the Frederick McDonald Trust, New York State Bar Foundation, United Way of the Greater Capital Region, Legal Aid Society of Rochester, Albany Law School, Nutrition Consortium of the State of New York, The Community Foundation for the Capital Region’s Sara Huntington Catlin Memorial Fund, Greenberg Traurig Fellowship Foundation, Assemblyman Robert Reilly Salary Fund, Equal Justice Works, NYS Unified Court System, Office of Court Administration, NYS Division of Housing and Community Renewal, NYS Division of Banking, Law Firms and private contributors through the Justice for All Campaign.

Legal Aid Society Board of Directors

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Jondavid DeLong, Esq.	Nicholas Pignone, Esq.
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Amelia M. Klein, Esq.	Joyce M. Zeitler, Esq.
Cathy Lawrence	

but Caffry says he was honored to be asked and happy to make time for such an important role. “It’s important to the justice system itself,” he says, “that everybody has these options available to them and it’s not just for those who can afford it.”

Gretchen W. Zeh

The Legal Aid Society mourns the passing of Gretchen W. Zeh in April 2009. As the receptionist at the LASNNY office in Saratoga Springs from 1980 to 1996, she was central to the work of the office and a stalwart support for the staff and clients.

Gretchen was an extraordinary individual with a love of life, family and friends, music and the arts, travel and, of course, a glass of good red wine. Her motto was “Never hurry, scurry or worry.” She cherished her family, especially her beloved husband Walter and their three sons, daughters-in-law and grandchildren.

Gretchen loved people and actively helped many in need. She was instrumental in addressing the scourges of illiteracy and poverty with her work with Literacy Volunteers and as staff member of the Legal Aid Society. Fortunate are we who had an opportunity to know Gretchen as both a colleague and friend. She will be missed by many.

NEW LAWS

Power of Attorney Law

New York has changed its Power of Attorney Law. Any power of attorney signed before September 1, 2009 valid at the time it was signed will still be good. However, a power of attorney created after September 1, 2009 must comply with the new law.

Changes in the new law include:

- the power of attorney must be signed by principal and agent before a notary public;
- the power of attorney contains specific information to the agent about what they can and cannot do and, by signing the power of attorney, the agent accepts their legal responsibilities.
- the principal can designate a “monitor” in the Power of Attorney and, if a monitor is designated, the agent must respond to a request from the monitor for a record of all transactions done on the principal’s behalf.
- in order for the agent to make major gifts or transfer property in excess of \$500, the principal must make a “statutory major gifts rider” in the Power of Attorney. There must be two disinterested witnesses to the statutory major gifts rider.

Exempt Income Protections Strengthened

The New York State Exempt Income Protection Act (EIPA), passed in 2008, took effect on January 1, 2009. Currently, state and federal laws exempt certain income from debt collection so that creditors cannot seize income such as Social Security, disability benefits, pensions, public assistance, child support and veterans’ benefits. While some protections already applied to those with exempt income, the EIPA amended the New York Civil Practice Law and Rules in order to strengthen the protections given. Essentially, the EIPA closed the loophole that permitted judgment creditors to restrain bank accounts containing exempt income.

Further, those who do not have exempt income receive certain protections under the EIPA.

Under the EIPA, when a bank account contains exempt funds which have been directly or electronically deposited within the last 45 days, the first \$2,500 is protected from restraint. For all other accounts, so for those who have accounts that do not contain exempt income, the first \$1,716 in the account is protected from restraint (this amount is equal to 8 weeks of pay at 30 hours per week at the minimum wage rate, which is currently \$7.15 per hour in New York state.)

Other substantial protections apply as well, and will certainly afford those with exempt income, as well as low-income workers with non-exempt income, greater protections and, accordingly, greater peace of mind. For more information and to read the law in its entirety, see <http://public.leginfo.state.ny.us> (search the year 2008 for either S6203 or A8527).

Protections for Renters in Foreclosed Properties.

On May 20, President Obama signed into law the “Protecting Tenants At Foreclosure Act of 2009” (S896, P.L. 111-22). The law applies to all residential foreclosures and protects only “bona fide tenants,” not foreclosed upon homeowners or their families. An immediate successor in interest to the property is required to give all tenants at least 90 days notice to vacate. Tenants with a lease may stay until their lease expires. If there are less than 90 days remaining on a lease, or the new owner will occupy the property as a primary residence, the tenant gets 90 days notice to vacate. The contract between a public housing authority and prior owner continues for Section 8 tenants until the 90 day period or lease term expires. Less protective state laws are preempted. The law sunsets on Dec 31, 2013.

Home Sweet Home

continued from page 1

bundled into a Wall Street security owned by another company, with yet another company serving as trustee, Saxon couldn’t prove ownership—and they didn’t try. The foreclosure



Roberts (right) with her son, daughter-in-law and granddaughters.

was dismissed last November. Of course, says Gaillard, even if they could have showed they owned the loan, they had no basis for foreclosure. Ms. Roberts’ counterclaim for wrongful foreclosure is still pending.

Thanks to the Legal Aid Society, Kathleen Roberts says “Although my journey is not over, I know that my house cannot be taken away tomorrow due to foreclosure. If it wasn’t for the Legal Aid Society, I would not have my home today.”

Legal Aid matters because...

people matter — regardless of their position, status or income.”

—Mary Seeley, Executive Director, Equinox, Inc.

**Join us as we Kickoff
the 2009**
**JUSTICE
FOR ALL**
CAMPAIGN
Thursday, October 1st
5:30–7:30 p.m.
At the area's hottest new venue
dale miller
the art of dining
RSVP@lasnny.org by Sept. 18
*Complimentary for all members
of JFA leadership firms*

Dated Material—Please Expedite



Privilege, Challenge, Satisfaction

To Ed Laird, the practice of law is not just a thirty-plus year career full of intellectual challenge and the satisfaction of helping people; it's a privilege, a privilege that comes

past president of the Defense Research Institute of Northeastern New York and Trial Lawyers Association.

of funding our work so that our low income neighbors will have access to a lawyer."

PROFILE: *justice for all leadership*

with the responsibility to "provide zealous representation, not only to our clients, but also to our system of justice."

Laird, a partner with the Albany firm Carter, Conboy, Case, Blackmore, Maloney & Laird, P.C., specializes in representing health care workers and product manufacturers. He has been elected as a Fellow of the New York Bar Foundation and is the



Ed Laird is one of the newest members of the Justice for All Board, representing Carter Conboy

A graduate of SUNY Oswego and Western New England College School of Law, Laird came to the Capital District to work for Carter Conboy, where he has spent this whole career. Over the years, he has taken many pro bono cases for Legal Aid, as part of his belief that "every individual should have access to the civil justice system." Lillian Moy, the Society's Director notes "We're honored to have Ed join the Board to Fund Equal Justice. He knows the importance

Laird is honored to take part in the Justice for All campaign, reaching out to fellow attorneys to encourage them to contribute money and time to Legal Aid's work. "Every attorney needs to contribute in some meaningful way to the promotion of civil and criminal justice," he says. "I believe if each citizen has confidence that they have access to our system of justice and will be treated fairly, it helps every one of us."

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