

# 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

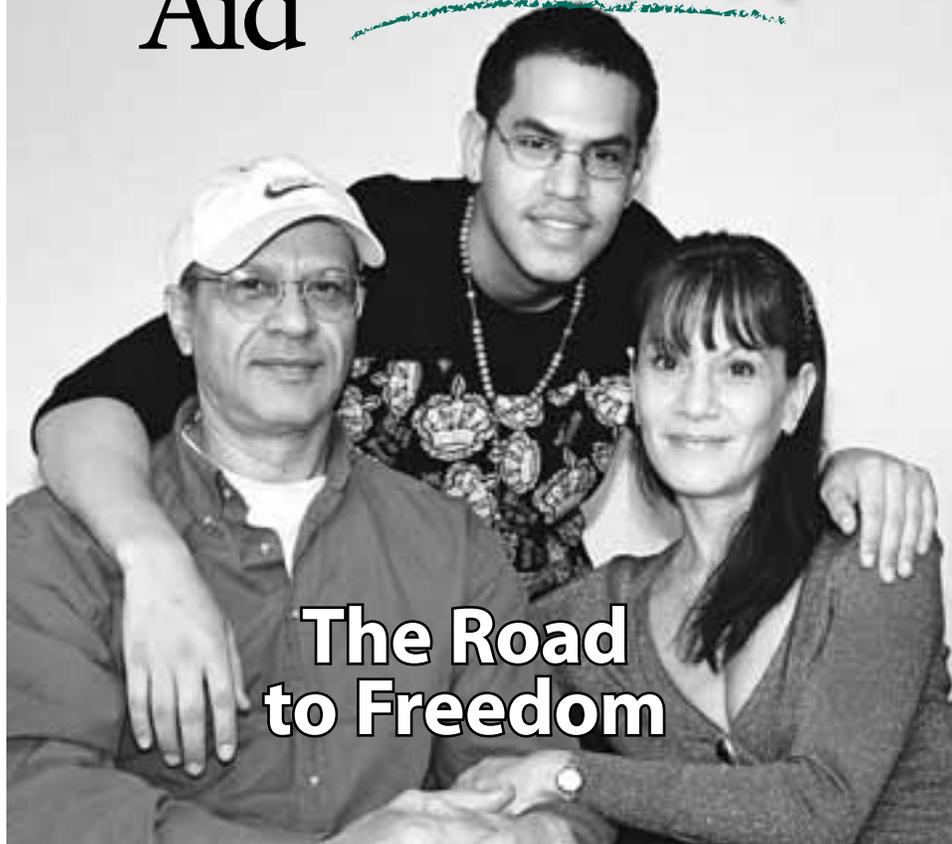
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## The Road to Freedom

**H**ope. That's what Samir and Gloria Fahr found when they came to the Legal Aid Society of Northeastern New York nearly four years ago.

Originally from Egypt, Samir is a naturalized United States citizen and has been in this country for 28 years. He met his wife Gloria in that great melting pot that is New York City. She was from Venezuela and had two sons; they had come to the United States as visitors and decided not to return home.

They were married July 20, 2005. However, even though Gloria and her sons Johan and Jonathan were eligible to apply for residency following the marriage, they never had the funds required to file the necessary paperwork to begin the process. As an undocumented immigrant, Gloria

was only able to work menial jobs, and her teen-aged sons were unable to work part-time jobs to contribute to the household income. The total cost for submitting paperwork for residency: about \$2,400.

Gloria was "skeptical" about turning to Legal Aid for help. "I had a friend from the Phillipines, and she kept telling me, 'Go, go! They will help you!' I didn't believe her," she recalls. "Then she came and picked me up and brought me to Legal Aid. I met Mr. Carlos [Schmidt], and he was very open and honest with us. He checked our paperwork and told us what we needed, then we started to save the money."

"I made sure that they met the income guidelines and explained the steps needed to gain conditional residency, the so-called 'green card,'" LAS Para-

*continues on page 7*



FROM THE *executive director*

## Highs and Lows

I'm happy to report that spring has brought new growth and projects to the Legal Aid Society. First, we are starting a new Foreclosure Prevention Project with a grant from the Office of Court Administration. These funds will allow us to hire an attorney who will specialize in defending foreclosures of subprime mortgage products. Working with the Empire Justice Center and local affordable housing counselors, Legal Aid will dramatically increase the level of legal services available to low income homeowners facing loss of their homes. With our new IOLA funds, we are starting a small in-house bankruptcy project, staffed by Legal Aid lawyer Joy Smith in our Saratoga Springs office. With funds from the Assemblyman Robert Reilly's Salary

Fund, we will commence "Java with Justice," a new community legal education program focusing on consumer law issues. Our hope is that we can better educate seniors and others at risk of consumer fraud over a cup of coffee. Java with Justice will give our private attorney volunteers with expertise in consumer matters the chance to speak to elders and others at these informal gatherings. And throughout the service area

### dramatically increase the level of legal services available to low income homeowners facing loss of their homes

we've renewed our commitment to providing representation in all manner of consumer law cases — as always, our goal is to protect our low income clients' income and assets, as well as preserve the assets of their neighborhoods. My thanks to the Office of Court Administration, the IOLA Fund and the Assemblyman Robert Reilly's Salary Fund for helping us respond to the urgent need for representation in consumer law cases.

As I finalize this message, it appears the state budget will continue to support our infrastructure so that we can build much needed projects like the ones described above. As we realize that revenue for the IOLA Fund will be reduced by the drop in federal interest rates and declining principle balances, state funding remains more important than ever. Thanks to our friends in the legislature, the New York State, Albany County and the Capital District Women's Bar Associations, our colleagues at the Empire Justice Center and The Legal Project and E. Stewart Jones for

joining with us to fight for continued state funding.

This year marks the 85th anniversary of the Legal Aid Society and the 30th anniversary of serving the North Country. So much of our history is reflected in the events of this anniversary year — the highs of responding aggressively to urgent client needs like the foreclosure crises and the lows of struggling with the state budget process so that

legal services can be available for our low income neighbors every year. Please join us as we celebrate our proud history of service to the community and many more years of changing clients' lives. We'll premiere our new video, Legal Aid Matters and honor many who helped make and maintain the Legal Aid Society as the voice for the poor and needy in Northeastern New York. I hope to see you all on June 5, 2008 at the Fort Orange Club in Albany.

### 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
- Update New York Immigration Law Project

### Volunteer & Donor Programs:

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

## Legal Aid matters

### May 2008

A regular bulletin published by the Legal Aid Society of Northeastern New York, Inc.

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



## 2007 Campaign Leadership

### \$200 or more per firm attorney

Arroyo Copland & Associates, PLLC  
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 Boies, Schiller & Flexner, LLP  
 Bond, Schoeneck & King, PLLC\*  
 Buckley, Mendleson & Criscione, PC  
 Cannon Heyman & Weiss, LLP  
 Capasso & Massaroni, LLP  
 Carter, Conboy, Case, Blackmore, Maloney & Laird, PC  
 Couch White, LLP  
 Dreyer Boyajian, LLP  
 E. Stewart Jones, PLLC\*  
 Englert, Coffey, McHugh & Fantauzzi, LLP  
 Friedman, Hirschen & Miller, LLP  
 Girvin & Ferlazzo, PC  
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 Gordon Tepper & DeCoursey, LLP  
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 Law Office of Elizabeth M. Walsh  
 Law Office of Geri Pomerantz  
 Law Office of Patricia Rodriguez  
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 Rapport, Meyers, Whitbeck, Shaw & Rodenhausen, LLP  
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 Rosenblum, Ronan, Kessler & Sarachan  
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 Wilson, Elser, Moskowitz, Edelman & Dicker, LLC  
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### \$100 or less per firm attorney

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 Napierski, VanDenburgh & Napierski, LLP  
 Roemer, Wallens & Minneaux, LLP

## 2007 Campaign Co-Chairs

E. Stewart Jones Jr. and  
 G. Kimball Williams

## Corporate Leaders

ABS Solutions  
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 General Electric Foundation  
 Nigro Companies  
 Pfizer, Inc.

## Leave a Legacy of Justice

Guardians of Justice have made provisions for the future of the Legal Aid Society of Northeastern New York, through their support of the permanent endowment fund. The Legal Aid Society of Northeastern New York Endowment Fund, held in perpetuity at The Community Foundation for the Capital Region, is imperative to securing justice in the future.

We are grateful to those who have invested in our future by joining as members of the

### Guardians of Justice

Peter V. Coffey, Esq.  
 Amelia M. Klein, Esq.  
 Lillian M. Moy, Esq.  
 Miriam M. Netter, Esq.  
 Arthur J. and Ronnie Siegel  
 Keith C. St. John, Esq.  
 Samuel and Henda Strasser

Thanks also to the many staff and friends who made gifts in honor of Henda Strasser's retirement from The Legal Aid Society.

## Advocates

### Individual gifts over \$250

Anonymous	Ken Larsen & Leslie Thiele*
John L. Allen and Mary D. Allen	Timothy P. Morrison
Frank Bifera	Thomas J. O'Connor
David Blabey	Peter A. Pastore
Ira M. Bloom	George Pond
John R. Casey	Robert W. Redmund
Garrett DeGraff	Wayne Schneider
Richard C. Heffern	Arthur J. Siegel
Leonard A. Herman	Edward J. Trombly
Amelia M. Klein	

### Individual Gifts of \$250

Anonymous	John F. Maxwell
William J. Aram	John J. McGrath
James B. Ayers	Ira Mendleson III
Janet R. Axelrod	Lillian M. Moy
Jeffrey S. Baker	Miriam Netter
Mark Banchfield	Troy J. Oechsner
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Jack A. Howard	Wendy Wahlberg
Christine Marbach Kellett	Jerry Weiss
Janet Kerker	G. Kimball Williams
George H. Kleinberger	William & Amy Yates
Mark Lansing	Lawrence A. Zimmerman
Honorable Howard A. Levine	

*Sitting Judge's names omitted*

\* designates gift of \$10,000 or more  
 † sponsor of Equal Justice Works Fellow

# News from Canton

It's hard to believe that the Canton Office of the Legal Aid Society is celebrating the first anniversary of its pro se divorce clinic, started on March 23, 2007. Dick Gardner continues to instruct and provide general advice to eligible clients during our uncontested divorce clinics on the fourth Friday of every month. In the last year, we have helped over 33 clients. So far, approximately six of them have been able to obtain their final judgment of divorce.

In addition, the PAI program of St. Lawrence County continues to screen eligible clients for referral to participating volunteer attorneys in the areas of adoptions, bankruptcies, complex divorces, contested divorces, legal separations, and wills. There continues to be a tremendous need for our low income clients in the area of consumer law. We are seeking volunteers interested in representing low income clients in bankruptcy matters. Within the next few weeks, I will be sending out a mailing to all attorneys of St. Lawrence County asking for your assistance.

I also hope to organize a help desk in some of the local Town and Village Courts to provide advice when needed, and to educate clients in the area of Small Claims and Landlord Tenant matters. To get this project off the ground, I will need the assistance of local attorneys who are interested in advising at a help desk a few times



a year. You will help out a low income neighbor and earn CLE credit at the same time.

If you are interested in accepting a bankruptcy referral and/or advising at a help desk, please contact me at 386-4586 ext 14 or llarue@lasnny.org. Thank you!

Linda Larue, PAI Paralegal

## Thanks to the following attorneys who have accepted cases

From December 1, 2007 through February 29, 2008:

**Albany:**

- Matthew Barry
- Jerold Bartman
- Frank Brennan
- Guy Criscione
- Richard Croak
- Lawrence A. Hoch
- Leigh A. Hoffman
- Richard Kohn
- Leah Threatte
- Michael J. O'Connor (6)

**Columbia:**

- Barry Sack

**Rensselaer:**

- Tony Arcodia & Marc Ehrlich (3)
- Thomas V. Kenney Jr.
- Geri Pomerantz (8)

**St. Lawrence:**

- Gary Alford
- Gerald Ducharme

**Richard Gardner (3)**

- Verner Ingram
- Maureen McGraw
- Thomas Wheeler

**Saratoga:**

- James Cox
- Ronald Kim
- William Reynolds
- Doern & Rodriguez
- John Sutton

**Schenectady:**

- Schenectady County Bar Association
- John A. Fantuzzi (2)
- Lawrence Gordon
- Peter McHugh
- Laura Silva

**Warren :**

- Michael Toomey

### Java with Justice: Consumer Law Project

LASNYY is presented with \$5000 for its Java with Justice Project from the Robert P. Reilly Salary Fund which is operated by the Community Foundation of the Capital Region. The Java with Justice: Consumer Law Project will

train associates and retired attorneys to assist clients with the growing number of consumer problems. Java with Justice will feature informal yet informational meetings with clients over a cup of coffee, in a non intimidating setting.

Creditors target those who are most vulnerable to their practices—it is our lowest income clients, the disabled, elderly or recently unemployed, that must turn to such unscrupulous creditors. For more information about the upcoming training contact Kristie Cinelli at kcinelli@lasnny.org.

*E. Kristin Frederick, President/CEO, The Community Foundation; Deanne Grimaldi, Director of Development at LASNYY; Assemblyman Robert Reilly.*



## Just Being Neighborly

It's the definition of being a good neighbor.

That's what attorney Justyn P. Bates considers his work for the Legal Aid Society. The Colonie resident and Troy native has been a PAI attorney for the Legal Aid Society for about a year and a half, and he says for him it's a win-win situation.

"It's a great opportunity for both the attorney and the client," he says. "I tend to do consumer issues, tax issues, debtor/creditor issues. Each

client is a little different. When you get to know the client, you always find the person behind the problem. There's something interesting in every case."

Often he finds that clients don't need complicated legal help; rather, he finds they simply need to figure out what their options are. "The old cliché of 'a stitch in time saves nine'



PROFILE: *PAI volunteer*

is often applicable," he explains. "If you can help a client avoid pitfalls in a situation, or help him or her discover what avenues are available to solve a problem, the issues can be minimized or prevented."

As an example, he has had to conduct "legal research" for a client, with the aim of determining who is actually trying to collect a debt. "You speak to recording after recording," he notes, "and it can get very frustrating. You have to figure out how to track down a person."

Bates works for the New York State Department of Education and finds that his volunteering with Legal Aid "has its own rewards" as opposed to the public sector work he does on a daily basis.

He is currently working with an elderly woman in the Capital District. She has no support system—no family or friends to help her solve a complex problem. "In today's day and age, we cherish our individuality," he says, "but sometimes it means we have no one to turn to."

A graduate of Siena College and Albany Law School, Bates is committed to the Capital District. "Legal Aid has given me the ability to reach out to my neighbors," he says. "What we do for them is what we do for all of us."

## Our Newest Staff Member

Hi everyone! My name is Tiffani Thomas, the most recent addition to the "family" at the Legal Aid Society of Northeastern New York. I am one of two Private Attorney Involvement (PAI) Paralegals, working closely with Kristie Cinelli whom you already know, covering Saratoga, Rensselaer, Clinton, Warren, Washington, Franklin, Hamilton, and Essex counties.

I'd like to tell you a little bit about

myself. I initially earned a degree in Marketing. Like many working Americans (and paying the first of two student loans), I realized that my first choice wasn't quite right for me. I headed back to college and earned a second degree in Paralegal Studies. I then began working for The New York State Bar Association in their Lawyer Referral and Information Department. There I realized how rewarding it is to help someone in need and I found what I really wanted to do: work with low income people to give them what every person deserves—the right to justice. Having gotten my feet wet at the NYSBA, I was eager to apply my education to do just that—so here I am! I have been given a wonderful opportunity at the Legal Aid Society and am eager to begin the journey with all of you.

I look forward to meeting each of you and know that together we can make a difference in the lives of others. You can reach me at 689-6334 or [tthomas@lasnny.org](mailto:tthomas@lasnny.org).



## Trainings:

### Ethics for Domestic Violence Practitioners

3 CLE Credits

Join us for one of the two upcoming trainings sponsored by LASNNY and the Rural Law Center.

**May 30, 9am – 1pm:**  
Saratoga Springs Public Library

**June 13, 8:30am – 12:30 pm:**  
Greene County Courthouse

**Free** for LAS pro bono attorneys. To register, call the Rural Law Center at 518-561-5460 or 866-324-1183.

*Legal Aid matters because...*

*"it is crucial to the courts' mission to dispense justice equally and fairly."*

*Todd Weber, Immediate Past President, Franklin County Bar Association*

Joyce Rice Zeitler:

## Making a Difference

Greenville attorney Joyce Zeitler has plenty to keep her busy.

Not only does she have her own private law practice specializing in real estate, trusts, estates and small business matters, she is also the mother of four very active sons ranging in age from 15 to 23. She spends a great deal of time getting the two who are still living at home where they need to go. When she has a spare moment for herself, she enjoys going to the YMCA in Delmar to work out as a way to relieve tension and stay fit.

So why would she commit even more time, serving as a board member for the Legal Aid Society for nine years?

### Legal Aid Society Board of Directors

Jeffrey Baker, Esq.	Cathy Lawrence
John Caffry, Esq.	Ann Leigh
Gene Chatterton	Michael Levato, Esq.
Eleanor DeCoursey, Esq.	Timothy Morrison, Esq.
Richard Gardner, Esq.	Sandra Robinson
Stephen Johnston, Esq.	Keith St. John, Esq.
E. Stewart Jones Jr., Esq.	Andrew Schrader, Esq.
Karen Kenison	Paula Slater-Hurd
Ronald J. Kim, Esq.	Sherry L. Vertucci, Esq.
Amelia M. Klein, Esq.	Joyce R. Zeitler, Esq.

“So many people can’t afford to pay an attorney privately,” she explains. “They are intimidated by the system or simply don’t understand their options. As an attorney, I can offer legal assistance to individual clients through the Legal Aid program, and being on the board allows me to have input into the direction being taken by the entire organization.”

As an example, she cites Legal Aid’s need several years ago to move from offices in downtown Albany. “We needed to explore all options for a new location,” she says. “It was a very interesting process. We had to consider many factors, for example, whether to rent or buy. The staff needed a decent place to work, and

it had to be convenient for clients. The purchase price also had to be affordable for Legal Aid, and often downtown locations were too expensive, and parking was difficult.”

The board chose the current location based on a number of factors, including affordability and accessibility to bus lines, she notes. “Clients need to be able to find us, or our services are not helpful to them.”

In addition to her work on the board, she looks forward to working on an individual basis with Legal Aid clients. “I have worked on some divorce cases, mostly uncontested,” she says, “This has been particularly rewarding, since helping women and men out of difficult marriages represents a step in moving their lives forward. Normally, the divorce itself isn’t that complex to process, and the parties are so grateful that someone is paying attention to help resolve their problems so that they can move on in their lives.”

She enjoys the personal nature of



**“To our clients, it makes all the difference in the world.”**

contact with clients as well. “Their lives can change through simple solutions that may have seemed impossible to them,” she points out.

Her two older sons—ages 23 and 22—were born while she was attending Albany Law School. “Both of them were, fortunately, born during school breaks,” she says. The oldest one is a Cornell graduate, while the second one completed college at Ithaca College, where her 17-year-old son will also go in the fall. That will leave her with a relatively “quiet” house—only a 15-year-old at home.

“Joyce has been a dedicated Board member and PAI volunteer,” says Lillian M. Moy, the Society’s Director.”

As she completes her third term on the Legal Aid board, she hopes another attorney from Greene County will eventually take over what she describes as this “rewarding” position. “I am excited about the work that we’ve done and will continue to do,” she says. “To our clients, it makes all the difference in the world.”

### 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, Bank of America, 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, Law Firms and private contributors through the Justice for All Campaign.

## 85 Years of Justice

continued from back page

afford to pay. Miner's wages, on the other hand, often were the result of board members passing the hat among themselves to see how much they could collect.

The office in 1923 lacked many of the necessities of a law firm. There was no money for filing cabinets, so files were arranged on the floor and window sills. Miner called it "an organization of the heart."

Attorney Arthur Harvey succeeded Miner as the lead attorney for the Legal Aid Society. During the Depression, he represented hunger marchers in Albany; in 1947, in one of his most famous cases, he was instrumental in forcing authorities to allow activist-singer Paul Robeson to perform at a local junior high school. Harvey presided over

### Legal Aid Board Chairs 1980 to present

Anne Viglione  
Harry "Skip" Meislahn  
Roger Kiley  
Miriam "Mimi" Netter  
George F. Carpinello  
Thomas Kenney  
Richard C. Heffern  
Philip H. Dixon  
Keith C. St. John  
G. Kimball Williams  
Arthur J. Siegel  
Peter V. Coffey  
Jeffrey S. Baker

Legal Aid's growth within Albany with receipt of its first federal funding, in 1966 from the Office of Economic Opportunity.

Under the leadership of attorney Larry Klepper, the Society grew and took on more diverse cases. However, in the early 1980s, when the organization faced massive federal funding cuts, Klepper fired himself so that there would

be more money to cover the cost of providing direct legal assistance to the poor.

In 1982, after drastic cuts in federal funding, the Legal Aid Society of

**"...it has been the sole means of restoring to indigent poor, thousands of dollars of their own right, which not only enables them to be self supporting, but self-respecting."**

—Ruth M. Miner  
President, Board of Directors  
From the 1933 LAS Annual Report

Albany consolidated operations with local legal aid societies in Schenectady and Rensselaer Counties, as well as adding Saratoga, Warren and Washington Counties, forming the Legal Aid Society of Northeastern New York (LASNNY). The Society became a regional law firm for the first time. Under the leadership of Harry "Skip" Meislahn and Mimi Netter, the Society's board grew to include representation from local law firms with an interest in ensuring justice for all.

**To be completed next issue**  
For the entire article plus more photos, go to [www.lasnny.org](http://www.lasnny.org)

## The Road to Freedom

legal Carlos Schmidt explains. "They needed legal residency for Gloria and her two sons, Johan and Jonathan. They had started the process but had interrupted it for a year because they could not afford both legal representation and the filing fees."

Samir, who works in sales, says he is "very grateful" for the help they received from Legal Aid. "It means freedom to me," he says, "freedom for my family."

It also means that Johan, when he graduates from Guilderland High School in June, will have the opportunity to attend college and apply for financial aid. Without residency status, he might have faced deportation back to Venezuela upon completing high school. "I can have a job, I can



go to college, I am able to do whatever I choose to do," he says.

Their conditional residency lasts for two years, Schmidt explains, because the law requires that the marriage is indeed a "good faith" one and not one of convenience. The next step is to apply for the conditions to be removed.

But now that Gloria, Samir and Johan are all working, their incomes mean they no longer qualify for Legal Aid assistance. That's fine with them, although they have formed what they consider to be a lifelong friendship with "Mr. Carlos," whose

continued from page 1

patience, persistence and knowledge of the process helped them to achieve their goal.

"You know how many people in our situation are afraid to come here, who think that this is a government agency, that they might get in trouble if they come here?" Gloria asks. "It's not that way at all. I am so grateful for my friend who insisted that I come here. Without her, we would still be struggling to survive.

"We visited Venezuela recently," she recalls, "and when we landed in Miami, I said, 'I am home, I am an American!' This is really a dream come true, a better life for my sons, my husband and me."

## Justice with Jazz

Celebrating 85 Years of Legal Aid

June 5, 2008

5:30 to 7:30 pm

Fort Orange Club, Albany



Honorees:

Miriam M. Netter

G. Kimball Williams

RSVP envelope  
enclosed

## Justice for All:

### *Legal Aid Society of Northeastern New York Celebrates 85 Years*

March 28, 1923 might have seemed like an ordinary day for some residents of Albany.

But for those who faced legal problems and couldn't afford to hire private attorneys, it was a turning point in the city's history—it was on this day that the Legal Aid Society of Albany became a reality.

Those were the days before Medicare, Medicaid, and even welfare as we know it today. People without money had little recourse to address legal issues that might be responsible for taking what meager property or wages they had.

Sixteen directors—six of whom were women—had the vision to form the Albany Legal Aid Society as it sought to “assist persons without means in the pursuit of any civil remedy, and to promote measures for their protection.” They were leaders from the political, commercial, religious and legal



communities. Men such as Albany Mayor Hackett, Bishop (then Reverend) Joseph Scully, attorney Charles J. Tobin, Times Union Reporter Leo M. Doody, Edmund N. Hyuck then President of the Chamber of Commerce, and Julius Illich.

Ruth M. Miner, who came from a prominent area family, served as the Legal Aid Society's first attorney. A graduate of Albany Academy for Girls, Wellesley College, and Albany Law School (class of 1920), Miner worked part-time for \$50 per month. Her secretary earned \$12 per week, the source of which was often the 25 cents charged each client who could

*continues on page 7*



*Lawrence Klepper, Ruth Miner and Arthur J. Harvey*