

# Legal Aid *matters*

## Nobody Except My Friends

### *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, Schenectady, Schoharie, Warren and Washington Counties, and the St. Regis Reservation.

### *executive director*

Lillian M. Moy

### *inside:*

**State Funding Update**  
 Legal services for the poor finally part of governor's budget . . . . . 8

**Justice For All**  
 Annual funding campaign grows by 30%, thanks to leadership . . . . 3

**Pro Bono Bankruptcies**  
 New clarification on "debt relief agency" status . . . . . 5

Imagine being 82 years old, living alone on a fixed income, having no living relatives to speak of, and then one day you discover you have no money in the bank. Worse, the person in whom you placed all of your trust had something to do with the disappearance of your life savings. And then, the bill collector calls—and you have nothing to give him.

That very thing happened to Albany resident Shirley Quinn, 82, last year. "I didn't know what to do," she said. "I didn't know who to turn to. I couldn't afford a lawyer," she added. But then she remembered a staff member who works at the senior complex she lives in. "I went to her and told her of my situation. And she was the one who recommended Legal Aid to me."

This story starts when Quinn put the name of a then-close friend on her checking account. "I have nobody in the world except my friends," she said. "So I told her that if I ever get sick, I want someone to pay my bills for me and if something happened to me, she would have the money to bury me." What Quinn didn't count on was what happened next. After her friend got a divorce from her husband Quinn received a bank statement indicating she had only five cents in her account. A teller at the bank informed her that someone took all of the money out of her savings and checking accounts—and that six checks bounced. "I never would have written (the checks) if I'd known," said the retired Albany School District payroll clerk. Her income consists of social security and retirement checks.

As this nightmare began to unfold, she called the five businesses to which the checks were made. "Two of them were very understanding—the other three

made me pay the penalty—I immediately opened a checking account so I could pay my bills with money that was in my purses."

But her efforts were too little, too late. A Long Island-based collection agency put a restraining order on her checking and savings accounts—which meant she no longer had access to her own money until she

agreed to pay other outstanding bills. Of course, she didn't know what had happened to her accounts until she tried to gain access to them. That's the way the laws are written in New York: you don't know your accounts

are tied up until you bounce a check, or the bank tells you. Collection agencies aren't required to notify you.

LASNNY staff attorney Ricja Rice said collection agencies "send a one-page letter to the banks that says pursuant to court order, this account is being restrained based on a debt owed." That's how customers find out, Rice said, "after the damage has already been done."

Rice soon picked up the case. To recover the accounts, "you have to get the bank statements and go back and forth with the collection agency," said Rice. "What you need to do is prove to the agency that the money in the bank account was all Ms. Quinn's not the friend's. It took

*continues on page 6*





FROM THE *executive director*

## Many Small Steps

First, my sincere thanks for the outpouring of support for our work in 2006. Through this year's Justice for All Campaign, chaired by E. Stewart Jones Jr. and G. Kimball Williams of McNamee, Lochner, Titus & Williams, P.C., we collected over \$175,000, a new record. Pro bono services provided by volunteer lawyers range from a simple one hour or less consultation to significant extended service on contested cases. Based only on cases closed through our PAI program, legal services with an estimated value of \$263,000 were contributed by our volunteer attorneys in 2006. In addition, the Society continues to benefit from the gift of pro bono services to support our own efforts as an institution. This year, the Society is especially grateful to Joanmarie Dowling and Dick Heffern at Bond, Schoeneck & King, PLLC, Sarah Delaney and Norma G. Meacham at Whiteman, Osterman & Hanna, LLP, Wayne Smith at the Towne Law Firm,

P.C. and, as always, Peter V. Coffey of Englert, Coffey & McHugh. Many thanks to all of you for your help in creating equal justice for all.

In 2006, the Legal Aid Society closed a record number of cases, 6199, for our low income clients. Collectively, the hard work of Legal Aid staff and pro bono volunteers benefited 14,389 individuals. Our clients benefited from our services in a variety of ways: homelessness was prevented for families, safety obtained for victims of domestic violence and their children, and educational services improved for low income children with disabilities. In addition, approximately 13,140 individuals benefited from our programs of information and referral and community legal education, in person, in print and on the Internet. Look for our upcoming Annual Report which will highlight individual client stories and special projects at the Legal Aid Society.

I have just returned from the American Bar Association/National Legal Aid and Defender Association's Equal Justice Conference. I attended some exciting workshops on setting the highest possible standard of representation for services from legal aid agencies such as the Society. With other New York attendees, including the Hon. Fern Fisher, staff from the Office of Court Administration's Office of Justice Initiatives and Kristie Cinelli, our own PAI Paralegal, I learned of exciting innovations in the world of pro bono, self-help, and better serving our diverse clients. I was heartened by the keynote speaker, Paul Loeb, who reminded us that those who do the work of equal justice—our volunteers, our community supporters and our dedicated staff—must remember that "The Impossible Will Take A Little

*Legal Aid matters because...*

"...it changes lives and preserves ideals."

*Hon. Judith S. Kaye, Chief Judge, NYS Court of Appeals*

While." Loeb's speech about the many incremental steps it takes to perform an act of courage in the name of social justice was inspirational. Sharing hope and sustenance as we work, each in our own way, to create justice for all, is more important than ever. Please join me to sustain and celebrate our local heroes who support Equal Justice for All at our Sixth Annual Law Day Celebration at the Albany Law School on May 1<sup>st</sup> at 5:30 p.m. That evening, the Legal Aid Society will honor Albany Law School law student Shervon Small, Joanmarie Dowling of Bond, Schoeneck & King, PLLC, Peter V. Coffey of Englert, Coffey & McHugh, and the Nigro Companies. I look forward to seeing each of you there so that I can extend my personal thanks for your work towards achieving the impossible.

Sincerely yours,

## Legal Aid matters

### May 2007

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

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### Client Programs:

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

### Volunteer & Donor Programs:

Private Attorney Involvement Program (PAI)  
Justice for All Campaign  
Law Day Celebration  
Legal Aid Legacy Fund

# JFA Campaign: "A Banner Year"

LASNNY's 2006 annual fund drive was a tremendous success, surpassing all expectations, and smashing previous fundraising records, say participants. "This was a banner year—the campaign grew by 30%, collecting over \$175,000, thanks to the new firms, individual attorneys and coproprators who joined this year," said LASNNY's Director of Development, Deanne Grimaldi. LASNNY's Justice For All Campaign (by which firms contribute at the level of \$200 or more per attorney) has successfully signed up many capital region firms, including the 12 largest. Nigro Companies was the first non-law firm to make an annual commitment to the campaign. "Thomas J. O'Connor, the new managing partner of Hiscock Barclay, was instrumental in encouraging his firm to increase its JFA contribution to over \$10,000," Grimaldi said.

"Pro bono is in our tradition at Hiscock & Barclay and for 2007 we have redesigned our program to greatly enhance the opportunities for pro bono work among our attorneys. The reality is not all lawyers feel they are in a position to regularly perform pro bono services for many different reasons," said O'Connor. "They don't believe their skills translate well to serving poor clients. That being said, I've yet to meet a lawyer who does not feel a commitment to ensuring that indigent clients have access to legal services. The JFA Campaign gives lawyers the opportunity to meet this commitment."

"I've been absolutely delighted," with the program's progress, said G. Kimball Williams, of McNamee, Lochner, Titus & Williams, who co-chairs the JFA Campaign with E. Stewart Jones. Williams was quick to point out that his predecessor, Peter Coffey, of Englert, Coffey & McHugh "did the crucial spade work in first con-

ceiving the JFA Campaign and then getting it off the ground." It has been LASNNY's long-time goal to make its fundraising campaign more focused and efficient. A former LASNNY Board President, Williams said that in past years LASNNY's staff, board members and volunteers individually solicited donations from individual attorneys, with total annual donations of less than \$40,000.

"We used to call individual attorneys and send them solicitations"

he said. The new initiative, to have entire firms commit to contribute at a per-attorney level, has proven to be an enormous success. "The proof is in the pudding with the numbers we have been seeing since the JFA Campaign began" he said. "Moreover, the JFA Campaign is preventing a lot of aggravation for both the donors and the people making the individual solicitations. Once a law firm joins at the JFA leadership level, we don't have to drive people crazy calling each individual member of the firm."

The 2007 campaign begins in October.

## JUSTICE FOR ALL CAMPAIGN

**2006 Campaign Co-Chairs**  
E. Stewart Jones Jr. and G. Kimball Williams

**Advocates**  
*Individual gifts over \$250*

John L. Allen and Mary D. Allen	Peter V. Coffey	Amelia M. Klein	Eugene M. Sneeringer, Jr.
Frederick M. Altman	April A. Fredlund	John J. McGrath	Kimberly Steele
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Charlotte S. Buchanan	Christine Marbach	William Pozefsky	
David A. Bruso	Kellett	James Sevinsky	<i>Judge's names omitted</i>
	William & Jennifer Kenneally	Arthur J. Siegel	

**2006 Campaign Leadership**  
*\$200, or more, per firm attorney*

Arroyo Copland & Associates, PLLC	Englert, Coffey & McHugh, LLP	Lemery Grieisler, LLC <span style="background-color: #006666; color: white; padding: 2px;">new</span>
Bartlett, Pontiff Stewart and Rhodes, PC	Girvin & Ferlazzo, PC	Martin, Harding & Mazzotti, LLP
Boies, Schiller & Flexner, LLP <span style="background-color: #006666; color: white; padding: 2px;">new</span>	Goldberger & Kremer	McNamee, Lochner, Titus & Williams PC
Bond, Schoeneck & King, PLLC*	Gordon Tepper & DeCoursey, LLP	Nixon Peabody, LLP
Buckley, Mendleson & Criscione, PC	Harris Beach, LLP	O'Connell & Aronowitz, PC
Cannon Heyman & Weiss, LLP <span style="background-color: #006666; color: white; padding: 2px;">new</span>	Harris & Conway, PLLC	Rapport, Meyers, Whitbeck, Shaw & Rodenhausen, LLP
Capasso & Massaroni, LLP	Heslin Rothenberg Farley & Mesiti, PC <span style="background-color: #006666; color: white; padding: 2px;">new</span>	Rosenblum, Ronan, Kessler & Sarachan <span style="background-color: #006666; color: white; padding: 2px;">new</span>
Carter, Conboy, Case, Blackmore, Maloney & Laird, PC <span style="background-color: #006666; color: white; padding: 2px;">new</span>	Hinman Straub, PC	Towne, Bartkowski & DeFio Kean, P.C.
Couch White, LLP	Hiscock & Barclay, LLP*	Whiteman Osterman & Hanna, LLP*
Dreyer Boyajian, LLP	Iseman, Cunningham, Riester & Hyde LLP	Wilson, Elser, Moskowitz, Edelman & Dicker, LLC <span style="background-color: #006666; color: white; padding: 2px;">new</span>
E. Stewart Jones, PLLC*	Kerker & Gleeson, PC	Young Sommer Ward
	Kindlon & Shanks, PC	Ritzenberg Baker & Moore, LLC
	Lavelle & Finn, LLP	
	Law Office of Patricia Rodriguez	
	Law Office of Stephen Johnston	

*\*designates gifts of \$10,000 or more*

new **Corporate Leaders**

General Electric Foundation	Nigro Companies	Pfizer
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**Donate to our  
Justice for All Campaign  
ON LINE  
at [www.lasnny.org](http://www.lasnny.org)**

# Equal Justice— Equal Distribution

**E**d Kaplan of Hunter, NY was just two years into his second career as a lawyer when he got a call from LASNNY asking for help with a matrimonial case involving a local woman whose husband was filing for divorce. To protect their privacy, we'll

## PROFILE: *PAI* volunteer

call them Susan and Michael. Michael was blaming Susan for the breakdown of their 24 year marriage. "What struck me was my client had become disabled and was literally being thrown away," Kaplan recalled. "The position of the husband's counsel was because Susan was disabled she was 'useless' to Michael, and as such was not entitled to equitable distribution or spousal support," he said, adding that the marriage had a history of domestic violence.

The case took about a year and a half before it was finally resolved out of court. "Our position was very clear from the beginning that Susan was entitled to the difference between her expenses and what she collected

from social security disability, equalization of social security benefits, equitable distribution of marital property and a percentage of Michael's pension, pursuant to Majauskas," continued Kaplan. "She was entitled to an equitable distribution of all marital assets—including the former marital residence—as well as therapeutic maintenance for a reasonable period."

## Susan had become disabled and was literally being thrown away

Ultimately, the court concluded that Michael had exposure to maintenance and equitable distribution. After a court-ordered appraisal of the house, the parties agreed to a significant lump sum payment to Susan.

Kaplan, whose office is in Hunter, is in his second career having spent a good part of his life working in New York



Ed Kaplan

City as a commodities broker. After the events of 9/11, Kaplan permanently relocated to his second home in Hunter. "I worked in those buildings most of my adult life," Kaplan recalls of the World Trade Center. "I lost a lot of friends there."

Kaplan shares his practice with Eugenia Brennan Heslin, someone whom he clearly looks up to—and who got him interested in doing pro bono work. "She's my partner in the practice of law, she has a very good soul and does a great deal of pro bono work," he said.

Lillian Moy, Executive Director of the Legal Aid Society, notes that Kaplan and Brennan are a model for a small, rural firm providing substantial pro bono service to their neighbors in need. "It's really a special sacrifice for a small firm to do the amount of pro bono work Ed and Eugenia do—from individual cases to our pro se divorce clinics. They are great!"

The Legal Aid Society nominated Kaplan & Brennan for the New York State Bar Association's President's Pro Bono Service Award for a Small to Mid-sized Law Firm and the firm will receive this well-deserved recognition on April 30, 2007.

## Thanks to the following attorneys who have accepted cases

*From November 1, 2006 Through February 28, 2007:*

- |  |   |   |  |
|--|---|---|--|
| <b>Albany:</b><br>Albany Law School (38)<br>Joseph Basloe<br>Brendan Baynes<br>Thomas Callaghan<br>Richard Cirincione<br>Richard Croak (2)<br>John Deily<br>David Duncan<br>Martin Finn<br>Michael Friedman<br>Dennis Irwin<br>Timothy Morrison<br>Michael O'Connor (11) | <b>Clinton, Essex, Franklin, Hamilton:</b><br>Cheryl Maxwell (3)<br>Stephen C. Prudente           | <b>Saratoga:</b><br>Dean Coon<br>James Cox (2)<br>James E. Doern (3)<br>Kimberly Hunt<br>Ronald Kim (3)<br>Alan Lecours (2)<br>Martin Pozefsky<br>William Reynolds<br>Stephen Rodriguez (3)<br>James P. Trainor | Schenectady County Bar Association (4)   |
| <b>Columbia:</b><br>Lisa Mills<br>Kevin Theimann   | <b>Fulton:</b><br>Allen Day<br>Edward Lomanto<br>Norbert Sherbunt<br>Edward Skoda<br>Peter Thaisz | <b>Schenectady:</b><br>Marilyn Bleser<br>Paul Callahan<br>Craig Cushing<br>Peter McHugh (2)<br>Ralph Nocera   | <b>St. Lawrence:</b><br>Gary Alford<br>Ramona Breen<br>Peter Lekki<br>Thomas Wheeler (2)             |
|  | <b>Montgomery:</b><br>Lisa Lorman<br>William Lorman   |   | <b>Warren:</b><br>Williams Bacas<br>John Caffry<br>Ilona Coyle<br>Matthew Ludemann<br>Michael Toomey |
|  | <b>Rensselaer:</b><br>Anthony Arcodia (2)<br>Marc Ehrlich (3)                                     |   | <b>Washington:</b><br>Alan Wrigley, Jr.  |

*Legal Aid matters because...*

"Legal Aid gives a voice to those who are often not heard in our society."

*Mary Bintz, Senior Vice President, Bank of America*

## State Funding Update

*continued from back page*

Lillian M. Moy, LASNNY's Executive Director, enthusiastically agreed. "We are deeply grateful to the Assembly Majority and the support it has provided over these years without a partner in the Executive branch. But we have a tremendous 'justice gap' in this state that needs to be addressed collectively by the Executive and the Legislature."



## Pro Bono Opportunities

By Kristie M. Cinelli,  
PAI Paralegal  
for LASNNY

In 2006 we closed 370 cases and referred 230. A new year has come and it seems to be flying by. The need for assisting clients is ever present, as is the need for volunteers. Our mission remains the same and the dedication of our pro bono attorney volunteers is key in accomplishing it. "Charlie," 56 and alone, received an eviction notice from his landlord for failing to pay his rent. Unable to look to anyone for financial help, he called the Legal Aid Society to see if he could anything to keep his home of over 20 years. Luckily, we could refer him to an attorney who was able to work out a settlement with his landlord and get Charlie the public assistance he needed to stay in his home.

This situation is all too common, and without the efforts of our private attorney volunteers, people like Charlie would lose their home, and more often than not, have to move into temporary shelter until they are able to find some where else. Luckily, we were able to the deserved outcome and put a smile on Charlie's face.

*Special thanks to Brendan Baynes, Esq. and Alan Wrigley, Jr., Esq. for each taking a case like this ...*

"Ellie", a woman who was disabled, received a letter from Social Security

In a report sent to the Governor, New York's Equal Justice Commission (EJC) cited findings by the New York State Bar Association (NYSBA) which found that in the 1990s a mere 15 percent "of the legal needs of the poor in New York were being met."

Advocates say they will continue to turn to members of the Assembly Majority for increased resources, including big supporters such as the capital district's Ron Canestrari, who was

recently appointed Assembly Majority Leader. "Access to our justice system is one of the primary foundations on which this Nation was founded," said Assembly Majority Leader Ron Canestrari. "Funding for Legal Aid is a priority because of the moral obligation we have to ensure everyone has access to the system."

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As we went to press, Legal Aid learned that the budget continues essential funding to legal aid agencies, including LASNNY, for representation of low income individuals, children and victims of domestic violence. In addition, with support from the Senate (especially Senators John A. DeFrancisco, Dale M. Volker and Michael F. Nozzolio), the Governor, and in particular, Helene Weinstein, Ron Canestrari and their colleagues in the Assembly majority, \$8 million in new funding will be distributed competitively through the Office of Court Administration and the IOLA Fund.

Thanks also to Chief Judge Judith S. Kaye, Chief Administrative Judge Jonathan Lippman and Deputy Chief Administrative Judge for Justice Initiatives, the Hon. Juanita Bing Newton for their early work in jump-starting this budget success and to the New York State Bar Association and the Women's Bar Association of the State of New York for lending their considerable support to our struggle to increase state funding.

stating that she had been overpaid based upon her reported income in 2006. Apparently, her daughter-in-law who lived out-of-state had reported that she paid Ellie over \$7000 for babysitting her children so that she could get a tax credit on her tax return.

Desperate and afraid, Ellie did not know what to do as her only source of income was her monthly Social Security checks. Thankfully, she called the Legal Aid Society. We referred her to a private attorney volunteer and the attorney was able to get the daughter-in-law to file an amended return, withdrawing the tax credit. Ellie's Social Security checks remained intact, and more importantly, she received the justice she deserved.

*Special thanks to Thomas Callaghan, Esq. for handling a case like this...*

## Pro Bono Attorneys and Bankruptcies

The United States Trustee's Office for the Northern District of New York has recently posted on their FAQ web page a clarification that pro bono attorneys are not considered "debt relief agencies" under the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 ("BAPCPA"). See the text at [http://www.usdoj.gov/ust/eo/bapcpa/trustees\\_faqs.htm#dra\\_issue6](http://www.usdoj.gov/ust/eo/bapcpa/trustees_faqs.htm#dra_issue6).

Several local firms, concerned they might be held to be "debt relief agencies" under the BAPCPA, had stepped away from doing pro bono bankruptcies for Legal Aid clients. Through the efforts of long-time PAI volunteer, **Michael J. O'Connor**, of **O'Connor, O'Connor, Bresee & First, P.C.**, the Trustees Office has clarified that pro bono attorneys are in no danger of such a finding in this District. Our thanks to **Michael O'Connor**, the **Capital Region Bankruptcy Bar Association** and the **U.S. Trustees Office** for assisting us in providing much needed bankruptcy representation to low income debtors.

Contact Kristie Cinelli, Private Attorney Involvement Paralegal, at 689-6322 or [kcinelli@lasnny.org](mailto:kcinelli@lasnny.org) to volunteer for a pro bono bankruptcy case.

## Shirley Quinn

continued from page 1

me two or three weeks to actually get the accounts released because ... the friend's name was on the account. We had to prove by affidavit from the friend that all the money was Ms. Quinn's so they had to release the funds."

In about three weeks, Quinn's nightmare was over. Rice helped her recover all of her money, saving her from pursuing the matter in small claims court, or hiring an attorney she couldn't afford.

Rice said without the benefit of the LASNNY counsel, Quinn could have contacted the collection agency on her own, but the agency "would have wanted her to make a payment before releasing the account. If you're not aware of the law, you would just make a payment and worry about small claims court later—another process that might not be very friendly to Ms. Quinn," Rice added.

"I can't tell you enough about Legal Aid," said a very relieved Quinn. "They made me feel so comfortable, as though everything was going to be alright—and it certainly was, and I'll never be able to thank Ms. Rice enough, believe me."



### Farewell, Geri!

*Geri Pomerantz, Supervising Attorney in charge of Domestic Violence and HIV/AIDS projects, is leaving LASNNY after almost five years to go into private practice. A zealous advocate and trainer of other advocates for victims of domestic violence, she has been dedicated to representing victims of domestic violence in Albany, Fulton, Montgomery and Schoharie counties, devoted to improving the quality of representation of victims, and oversaw all Albany office pro bono and pro se divorce projects. We wish her the best of luck in her new venture.*

## Law is a Jealous Mistress

After graduating from Ohio's Lake Erie College over 30 years ago, LASNNY Board Member Jane Scott had a career decision to make: pursue a master's degree in Spanish, or go to law school. It was a question that was so vexing for her she came to rely on a familiar problem-solving device: a coin toss. As a second generation lawyer in her family, "I wasn't unhappy at all that it came out that way," she said.

### PROFILE: *board member*

Scott was inspired by her father, a lawyer and sole practitioner.

"He loved the practice of law; I admired him greatly and his commitment to the law. From my father I also knew that the law is a jealous mistress. I remember the phone calls he would get at 2 or 3 in the morning when people were in trouble," she said, recalling that her father was also a great believer in leveling the playing field for those who needed legal representation but couldn't afford it.

"When I was first offered the opportunity to go on a legal aid board I jumped at the chance because I saw with my private practice how they (legal aid) made equal access to the courts a reality in so many ways," said the western New York native. "They do a lot of good work—I have nothing but the greatest respect for the attorneys, paralegals and support staff, for the hard work they do." She said their efforts are "like plugging a dike."



There are not enough hours in the day or money to assist people who truly need help."

A 1979 graduate of Albany Law School, Scott went into private practice in Niagara and Erie counties for 13 years. She served as an officer and a board member for the then-Niagara County Legal Aid Society before it was consolidated. Her pro bono work at that point really opened her eyes to the deprivations poor and indigent people suffer—and the work that legal aid attorneys do to help them. "In Niagara," she said, "I would be in court and I would see landlords try to expel tenants. And the legal aid attorneys would be there pitching as hard as they could for their clients."

Afterward, she "followed a job" to the Capital District, knowing right away she wanted to serve on the LASNNY board, as a way to give her time to folks who need it. "Lillian Moy said I was the only person

who campaigned to be on the board," she laughed. That was 15 years ago. Now, in her 10th year as a LASNNY board member (nine of those years she served as board secretary) she'll be leaving the board by the end of 2007 due to board term limits. Moy notes that "Jane Scott is one of our most dedicated Board members—reads everything I send and comes prepared to help us make a good decision, no matter how thorny the issue."

"When my term is up, I'll leave with regret. I've enjoyed it immensely," she said wistfully. Her impending departure notwithstanding, she said her support for LASNNY will never wane. "If nothing more, I'll be writing checks," she said.

### Legal Aid Society Board of Directors

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James T. Towne, Jr., Esq.  
Sherri L. Vertucci, Esq.  
Joyce R. Zeitler, Esq.

## Making a Lasting Gift Available to All

We have all seen placards mounted in hospitals, universities and various non profits that acknowledge the generosity of a family foundation or philanthropist.

With the establishment of the Legal Aid Legacy Fund, the opportunity to leave a philanthropic legacy to fund legal services is no longer only the privilege of the wealthy. Legal Aid's Legacy Fund, due to be launched in the upcoming year, enables all of us to be philanthropists no matter how large or small our estates.

For many of us, the choices we make for the distribution of our estate is the final opportunity to leave a legacy for our loved ones and our cherished values. Likewise, many legal services and community organizations aspire to establish an endowment fund.

### enables all of us to be philanthropists no matter how large or small our estates

The Legal Aid Society was one of only six non-profits chosen to participate in the Community Foundation of the Capital Region's new Legacy Partnership. Kristen Frederick, the Foundation's Director, notes that "The Legacy Partnership Program supplies hands-on expertise in the form of an adjunct staff member to help capture dedicated future gifts for Legal Aid. The endowment that will develop as a result of these efforts over time will help them plan their future wisely and provide a continued source of income to them for perpetuity."

Keith St. John, an attorney for the state and a former LASNNY staff attorney, is the first person to make a legacy gift. St. John, who sits on the LASNNY board and is a former Community Foundation board member, was the catalyst for the program. "I believe that the Legacy Partnership Program is important because of the ability it affords people—long on community interest, but short on immediate financial resources—a

meaningful opportunity to be philanthropic and supportive of critical, unmet community needs," he said. He explained that with the support of a Community Foundation asset specialist, a donor can "rest assured knowing that his or her long term goal of community investment can be realized with the assistance of a committed and professional staff."

St. John is organizing the program together with the LASNNY board and LASNNY's Deanne Grimaldi. "This is a wonderful program because there is no pressure. We sit down over coffee, tell you about what the work we are currently doing, and how the Legal Aid Legacy Fund works. Then our Executive Director leaves, and you make the decision with your family," said Grimaldi. "Regardless of whether a donor chooses to support us in this new way, we still get to talk about the dynamic work we are doing in their community."

St. John, who has a strong commitment to pro-bono work, said ensuring that LASNNY had a reliable revenue source has long been among his top priorities.

"I hope my gift serves as a catalyst for others who might otherwise not realize their ability to make a charitable

contribution to Legal Aid because of their financial circumstances," the 49-year-old Cornell Law School graduate said. "I'm hopeful this sort of philanthropy gives the Society a more secure financial footing to ensure the

### Thanks to Key Bank for their support of the Legacy Partnership

delivery of much needed legal services and access to equal justice for all people, regardless of socioeconomic background or status."

The Legal Aid Legacy Fund has yet to be officially launched—but LASNNY will be making an announcement in the coming months and offering informational sessions, said Grimaldi.

*Legal Aid matters because...*

"...there are many in our community who wouldn't find their way without their knowledge, expertise and guidance."

*Mary Seeley, Equinox, Inc.  
(Executive Director)*

### 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 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 Northeastern New York, Legal Aid Society of Rochester, Albany Law School, Nutrition Consortium of the State of New York, Bank of America, Law Firms and private contributors.

Sixth Annual

# Law Day Reception

Tuesday, May 1, 2007  
 Albany Law School

Honorary Chair,  
 Judge Howard A. Levine

2007 Honorees

Attorney: Peter V. Coffey

Community Advocate: Nigro Companies

Associate: Joanmarie Dowling

ALS Student: Shervon Small

Reservations: contact Deanne Grimaldi at  
 689-6336 or dgrimaldi@lasnny.org.

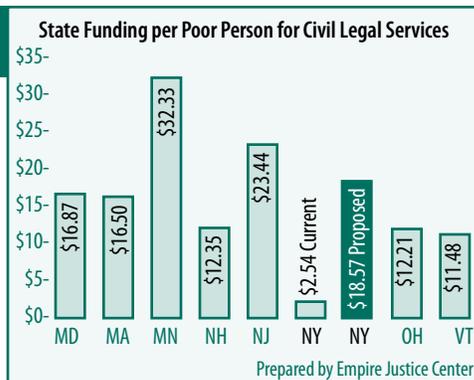
## State Funding Update

Even though New York remains one of the nation's most populous and influential states and takes a more progressive view on social and legal matters, when it comes to providing adequate funding for legal services for those who need it, the State has lagged woefully behind others. When civil legal services were funded, it was done on an ad hoc basis; governors in the past simply have not included the funding in their budgets, forcing advocates to lobby members of the State Legislature every year.

Until this year, New York's funding rate for legal services on a poor person basis falls near the bottom nationwide, at \$2.54. This compares to \$32.33 in Minnesota. Even Texas does better than New York at \$2.80. New York's inexplicable struggle over funding becomes even more puzzling and tragic when you consider that our state was the birthplace of providing legal services for the poor 137 years ago.

Advocates for the poor who need legal services have had to turn to the sympathetic ears of the State Assembly's Majority, whose members have always insisted that whatever budget was finally approved, would include money for this important endeavor. That's why advocates were thrilled that Governor Eliot Spitzer included more than nine million dollars in his executive budget proposal, making their job a little easier. "We want to laud the Governor for putting us in the executive budget for the first time" said LASNNY's Director of Development, Deanne Grimaldi.

The group behind the big push for augmented State funding is the Empire Justice Center (EJC). The Governor's decision to fund civil legal services for the poor is the result of "an ongoing effort to secure state-wide funding," said Anne Erickson, Executive Director of the EJC. The new funding, she said, will "definitely



be the beginning of a new way to fund legal services for New York in which there will be an institutionalized way of bringing the state to the table as a funding partner."

Erickson said things were looking promising when working with the Governor's transition team, "we knew people were hearing the message. This is a down payment on where New York needs to go—we're advocating for \$50 million—and we had \$9.6 in the executive budget."

*continues on page 5*