

pa1 BRIEFS

Legal Aid

Fighting For Fairness
Promoting Justice!

our **MISSION**

The Legal Aid Society of Northeastern New York is a non-profit law firm that advocates on civil matters for low income people to secure their basic needs, protect and preserve their legal rights and provide equal access to justice.

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

Fulfilling the Vision of Equal Justice

Legal Aid Staff and PAI Volunteers help clients meet their basic needs and gain access to justice

Maria is a 32 year old mother of three, living with her husband and children. She is severely depressed and suffers from panic attacks that prevent her from working. When Legal Aid first interviewed her, she had not been out of the house in almost two weeks. At times she is so depressed that she cannot get out of bed to take care of her children, A PAI volunteer represented her at her SSI hearing, winning full benefits and health care for Maria.

Natasha left the father of her children when the relationship became abusive. She was homeless, be-

ing sheltered with her five children at a local motel. Legal Aid's paralegal helped her get settled in Albany and use her Florida Section 8 rent subsidy to find a permanent home.

“

I have [Food] Stamps now...I can buy some food I needed.

— a *Legal Aid client*

”

Unfortunately, the landlord pressured Natasha into making illegal side payments, over and above the Section 8 rent, threatening eviction if she refused. A Legal Aid lawyer stepped in to stop the illegal overcharges and fight for needed repairs.

A Legal Aid attorney represented **Terry**, a Florida woman whose husband served her with a New York divorce immediately after absconding with the couple's seven year old daughter. After a hearing in New York, the husband was ordered by the Court to bring the child to court so that she could be returned to her mother. The judge stayed at the courthouse into the evening so that he would be available to sign a warrant if the husband failed to return the daughter. Terry was reunited with her daughter that night and all New York proceedings were dismissed

“

I am so very grateful for your assistance. Knowing how busy your office must be, I was surprised and relieved that you took my case and acted so quickly. I was ready to give up several times, but knowing you were supporting me kept me going. Most important to me is how I was treated. You treated me as a person, a human being, not a lazy, stupid crook looking for a handout that I did not need. Thank you so much for that and for all your help.

— a *Legal Aid client*

”



Photo by Joan Heffler,
Creative Expressions
Photography

News from the Head... and the Heart

Dear Friends:

I have a lot of news to share — some from the head and some from the heart. First, the news from the head. I'm delighted to announce that the Legal Aid Society, together with our partners—ten community and faith-based domestic violence service providers—have been awarded a significant federal grant to serve survivors of domestic violence in our 13 most rural counties. This two-year grant will enable us to hire and transfer several attorneys to work out of each of our offices. Each Domestic Violence Legal Assistance Program (DVLAP) attorney will work closely with the local domestic violence service providers. Working with the Rural Law Center, "Best Practices" trainings will be offered to local attorneys to recruit new pro bono volunteers to assist in the effort to provide representation to victims of domestic violence. This funding will allow us to serve victims of domestic violence where

no such services have existed in years. We are delighted to start this project and look forward to your assistance in the next two years.

I also wanted to share with you a report recently issued by the Legal Services Corporation, *Documenting the Justice Gap in America* (find it on our site: www.lasnny.org). This report documents the tremendous gap between the need for legal services by low income people, and the level of existing resources. The Justice Gap Report confirms that the American Bar Association's finding—that only one of five low income people can have their legal needs met with existing resources—is the *minimum* statement of unmet need. The Report shows that thousands of low income people with legal problems never even call the Legal Aid Society. They are unaware that there is a legal solution to their problem or they know that the crushing demand for services would keep us from being able to go to court with them. A two-month study at our offices shows that amongst the limited number of low income people who actually call the Legal Aid Society about a legal problem, we are forced to turn away one low-income caller for every caller we can serve. Nationally, there is one lawyer for every 585 people in the general population. In Northeastern New York, there is one Legal Aid Society lawyer to serve 5,932 low income people. I hope you'll agree that we must do all we can to narrow the Justice Gap in Northeastern New York.

Which brings me to the news from my heart. Some years ago I facilitated a panel on the aftermath

of the *Grutter* affirmative action decision. Touching on issues of race and affirmative action is always sensitive—I urged the panelists to open their hearts to the audience, so that the audience might open their hearts to them. I decided that in this message, I would take the same risk.

The end of the year brings many competing demands for time and financial support. At home, my two teenage daughters have greater needs for my time and financial resources than ever before. And, if anyone could say "I gave at the office," I guess it would be me. But as the Director of the Legal Aid Society, I could not ask you to do something that I am not prepared to do myself.

When I think about why I dig deep into my personal pocket to be a Justice For All Campaign leader, I think first of the clients I have represented. The prisoner whose child was adopted because he failed to pay child support while confined in a Georgia state prison—my case resulted in a portion of Georgia's adoption statute being found unconstitutional. I think of

continues on the next page

“

What [my lawyer] did made a huge impact on my family and myself. If not for her, my eviction probably would have gone right through and I would have had to move. Because of her, I had the chance to make things right. I am very grateful for that.

—a Legal Aid client

”

p·a·i BRIEFS

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Plattsburgh, NY 12901
(518) 563-4022, (800) 722-7380

10 Lake Ave., Saratoga Springs, NY
12866 • (518) 587-5188, (800) 870-8343

Bridging the Gap

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☑ If you're in one of the many law firms that is already a JFA leader ask your colleagues if their firm is a leader in the Justice for All Campaign. Giving by example and talking to our peers is a powerful tool for equal justice.

There will always be other demands on our charitable dollars. But in order to bridge the justice gap we must first bridge the giving gap to legal aid—and attorneys must be the first to visibly step up to the plate.

That is why the Justice for All Campaign acknowledges its most generous donors in the Business Review, Press, Bar Association newsletters our website and publications.

By boosting annual individual and law firm donations to the Legal Aid Society, beyond the current 4% of its budget and closer to the 15% of our neighboring colleagues, Legal Aid can provide civil legal service to everyone who cannot afford it....one client at a time.

Visit us at www.lasnny.org or contact Deanne Grimaldi at 518-689-6336 for a presentation or to make a pledge.

Sincerely Yours,



E. Stewart Jones
Campaign Co-Chair



Arthur J. Siegel
Campaign Co-Chair



Eleanor DeCoursey of Gordon, Tepper and Heather Behnke of Nixon Peabody—
Campaign Leadership

“

“There isn't enough room to tell you how I feel about your program. [my lawyer] literally saved me from losing everything I own. She also has no way of knowing, but she literally saved my life. God bless her and all of you.

—a Legal Aid client

”

News from Head and Heart

continued from page 2

the woman I represented in a small Justice of the Peace Court in rural Georgia—I won the right to keep a much needed federally subsidized apartment. I think of the low income

ber most often the clients who connected with me personally in some way—whether over children, clothing or current events, as well as about the legal merits of their case.



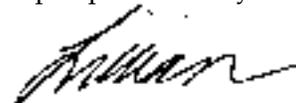
(L to R) Deborah Damm O'Brien, Bishop Howard Hubbard, Sr. Maureen Joyce and Lillian Moy. Lillian received the Housing Support Award from the Catholic Charities Housing Organization at their Annual Awards on November 8.

consumers whom I represented in obtaining relief from usurious interest rates or unfair mobile home sales practices. Like you, I remem-

And when I write my check, I think about how hard the staff at the Legal Aid Society work. I think of a young Legal Aid lawyer, a recent law graduate still awaiting her bar exam results, who regularly works weekends and nights. Most nights she is shoulder to shoulder with one of our most senior attorneys, also required to work long hours by the demands of her job as a Legal Aid manager. It is a privilege to work with my colleagues in service to the poor of our community. How could I not make financial support for our work one of my top spending priorities?

I hope that when your firm is asked to join the Justice For All Campaign, or you are asked to make an individual campaign leadership gift, that you will remember that your gift helps us to serve one more low income family to keep their housing, their safety, their children. My head tells me to say how cost effective we are, especially in light of our successes for clients. My heart tells me to say that I hope that you will take the special awareness you have of how a skilled and dedicated lawyer can change a person's life, and make support for lawyers who seek justice for the poor a high priority this year.

Thank you for the gifts of your time, talent and financial support. Best wishes for a healthy and happy holiday season and a prosperous new year.



Thanks to the following attorneys who have accepted cases:

July 21, 2005 to November 10, 2005

Albany County

Albany Law School (31)
Ian Arcus
Gloria Arroyo-Copland
Diana Bangert-Drowns
Joseph Basloe
Michelle I. Benoit
John T. Biscone
Bixby, Crable & Stiglmeier
Ira Bloom (3)
Evan Bracy
Frank Brennan (2)
Kieran Broderick
Murray S. Carr
Frank Catalano
Daniel J. Centi
Gloria A. Copland
Richard Croak (3)
Christopher Curtin
R. Christopher Dempf
Christian Dribush
Dennis Feeney
Martin Finn
Stewart Finton (2)
Shawn D. Flaherty
Michael P. Friedman
David Goldin
Martin J. Goodman (2)
Gayle E. Hartz
Leigh A. Hoffman (2)
Daniel Hurteau (3)
Tara Jacobi
Valerie Kerker
Kristen King
Ira Mendleson
Sherri Moreno
Nestler & Gibson
Michael J. O'Connor (10)

Stephen W. Parker
Mark Pelersi (2)
Louis-Jack Pozner (2)
Stephen C. Prudente
Robert Randall
Michael Rhodes-Devey
Fernande Rosetti
Ann M. Sharpe
Joanne Shartrand
David M. Siegel
Donald H. Sommers
Justine Spada
Ruth H. Supovitz
David Swyer
Dominick Tocci
James T. Towne, Jr.
Michael R. Traynor
Megan Van Aken
Stephen Waite
Paul H. Wein
Richard White
E. Loren Williams
G. Kimball Williams (2)

Clinton, Essex, Franklin & Hamilton Counties

Maryanne F. Bukolt
Paul Hermann
Meredith A. Neverett
Jack Piller (2)

Columbia & Greene Counties

Eugenia Brennan (7)
Edward Kaplan (2)
James Kleinbaum
Joseph Warren

Rensselaer County

Dorothy Bruno (8)
Sharon Couch DeBonis
Marc S. Ehrlich
Sanford Finkel
William Fox
Jerome K. Frost
Joyce M. Galante
Sandra Gordon
David Gruenberg
Richard Hanft
Andrew C. Jacobs
Joseph L. Kay
David Levy
Pattison, Sampson, Ginsburg & Griffin

St. Lawrence County

Amy Casiuk
Maureen McGaw (2)
Cathleen O'Horo (2)
Stephan Vanier

Saratoga County

David F. DeVall (2)
James E. Doern (3)
Richard J. Herrmann
Jennifer Jensen (2)

Robert L. Katzman
John J. LaBoda, Jr.
Alan R. Lecours (2)
Thomas A. Mitchell (2)
John W. Sutton
James P. Trainor

Schenectady County

Tammy Arquette
Paul M. Callahan
Peter V. Coffey (3)
Dennis M. Englert (2)
John A. Fantauzzi
Kathryn McCary
Peter B. McHugh
Schenectady Co. Bar Assn. (4)
Wayne P. Smith

Warren & Washington Counties

William Bacas
Paula Nadeau Berube
John W. Caffry
Jennifer Jensen (2)
Joseph E. Nichols
Dennis Tarantino

A Special **Thank You**
from Elena Rich
PAI Coordinator



Elena Rich, our PAI Coordinator in the Albany office, is recovering from a recent accident. When she comes back to work, we'll be faced with closing down our 2005 cases. Therefore, PAI referrals are on hold for counties served from our Albany, Saratoga Springs and Amsterdam offices. Becky Buchanan and Linda LaRue will continue to refer clients and new cases in our North Country counties. If you have any questions, please contact Lillian Moy at lmoy@lasnny.org.

Funding:

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The Albany County Bar Association and
the Legal Aid Society

are Hosting the

11th Annual Holiday Party



Be Our Guest...

If you have handled a pro bono case for a Legal Aid client this year, please be our guest at the annual Albany County Bar Association/Legal Aid Society Holiday Party. Please register by calling Mary Maguire at 689-6307 or emailing her at mmaguire@lasnny.org by December 9. Legal Aid will pay for you to attend the party, but *please bring something for the Parsons Center wish list*. Thanks and we look forward to seeing you on December 15.

Parsons Child & Family Center 2005 Holiday Wish List

December 15, 2005

5:30–7:30 PM

The NEW Hampton Inn, Downtown Albany

The celebration of special occasions, such as major holidays and birthdays are often very difficult for adolescents in residential care. Each child deserves special attention and the number of children continues to rise. Therefore, Proceeds benefit Parsons Child & Family Center. The program and services that Parsons offers to our community at large, we felt would be a very worthy recipient of our "Holiday Party." *Admission will be \$15 plus a "Gift" for all those attending. Children under 12 are free.* Parsons has provided us with a "Wish List" and we provide this to you only as a guide. Please be sure that your "Gifts" are new and unwrapped.

Wine, Soda and Refreshments will be available.

Santa and his elf will be Distributing Gifts to the Children.

Please make checks payable to: Albany County Bar Association.
Please fill out the form below and mail with check to: Albany County Courthouse, 16 Eagle St., Room 315, Albany, NY 12207, no later than December 12, 2005

For further information contact the ACBA at (518) 445-7691.

I (we) [Names of Attendees] will be attending the Holiday Party

I will be bringing _____ children, ages _____.

Enclosed please find a check in the amount of _____.

I will be unable to attend, however please accept my donation of _____.

Accessories

Sturdy back packs/duffle bags
Watches (men's, women's, children's, and athletic)
Jewelry (hoop earrings)
Jewelry boxes

Apparel

Bathrobes (youth & adult sizes)
Infant sleepers
Sports-themed T-shirts & sweat-shirts (Adult L, XL, 2XL)
Snow suits
Winter coats (youth & adult sizes)
Wool hats and gloves

Electronics

Clock radios/alarm clocks
Hand-held electronic games
CD players
Computer games
Gameboy Advance SP® & games
Leap Frog® learning games
Nintendo Gamecube® & games
VideoNow® player & games
X-Box® & games

Health and Beauty

Men's cologne
Men's hygiene products
Bath & beauty products
Hair brushes & accessories
Infant care products (diapers, lotion)

Hobbies

Arts and crafts items (crayons, paper, pens, pastels, paints, paint brushes, etc)
Magic items/kits
Model airplanes/cars

Household

Bed pillows
Infant bedding

Comforters, blankets & sheets (twin size)

Miscellaneous

Books
Batteries (AA)
2006 wall calendars
Diaries/journals/stationery
Wrapping paper

Music and Movies

CDs (top 40—no parental advisory)
DVDs (rated G and PG)
Musical instruments (drums, guitar, electronic keyboard)

Sporting Goods

Baseball caps with sports logos
Baseballs & Baseball gloves
Basketballs, footballs, kickballs, soccer balls & volleyballs (authentic and Nerf®)
Fishing poles & accessories
Helmets, elbow & knee pads (Adult)
Rollerblades
Sleeping bags (character)

Toys

Action figures (dinosaur, Spiderman)
Baby dolls (multi cultural)
Barbie dolls (multi cultural)
Board games, Yahtzee®, UNO®
Easy Bake Oven®
Harry Potter®
Infant/pre-school educational toys
Farmhouse animals
Kinex®
Legos® (all types & age groups)
Lincoln Logs®
Puzzles (toddler, 3D & adult)
Remote control cars and trucks
Yu-Gi-Oh® cards

**Holiday
Party**
December 15
Complimentary for
Legal Aid
PAI volunteers
See page 5

**Phone Bankers
Needed!**
1 2 3
**December
6, 7, 8, 2005**
8 9 10
**JUSTICE
FOR ALL**
Annual Campaign
register at:
dgrimaldi@lasnny.org
22 or 689-6336 24

Bridging the Justice Gap: *The Justice for All Campaign*

Dear Colleague

We are pleased to once again chair the Annual Justice for All Campaign, a campaign that represents the core values of our profession; access to justice and fairness.

- The major tenet of the campaign is that whether you are a partner, associate, solo practitioner, public interest attorney/state attorney, in-house counsel, PAI volunteer or judge you can make a donation to the campaign. Without you, and the credibility of broad attorney participation, we cannot secure support from the community at large to bridge the justice gap.
- If you are in a law firm make sure that your firm is calculating its gift at the leadership level of \$200 or more per attorney. If not we can arrange to meet with the partners at your firm. Even solo practitioners can gain recognition on behalf of their practice at the leadership level.



E. Stewart Jones, Stephen Coffey, Donald Boyajian, JFA Board Members at the Campaign Kickoff reception October 6.

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