Fulfilling the Vision of Equal Justice

2004 marked a year of extraordinary expansion for the Legal Aid Society of Northeastern NY.

On January 1, 2004 the Society merged with North Country Legal Services and also assumed responsibility for Fulton, Montgomery and Schoharie Counties. The Society’s new service area ranges from the Catskill Mountains to the Canadian border. We are now the primary, and in some instances the sole, provider of civil legal services to the poor in 16 counties of northeastern New York.

Law Firm Giving Increases Dramatically

Paramount to building broad community support is the success of our new fund-raising campaign, Justice For All (JFA) which received over $130,000 in pledges. The campaign is striving for 100% participation by our region’s law firms. Our 2004 campaign co-chairs E. Stewart Jones and Arthur J. Siegel will re-join us to launch the 2005 campaign this fall.* (See insert).

Pro Bono Volunteers

Because of you and other attorneys like you who are passionate about justice, we were able to close 420 pro bono cases. In addition we referred 615 new cases to private attorneys on our Private Attorney Involvement panel, and to volunteer and assigned counsel in our various Pro Bono Divorce Projects.

Staff Success

LASNNY staff closed 5,421 cases and had 2,554 cases pending at the end of 2004. Through staff representation, LASNNY clients secured income, health care, housing and safety from violence.

Thanks for all you do to help us bring equal justice to Northeastern New York.

*For more info call 689-6336 or e-mail dgrimaldi@lasnny.org
With Fall upon us, our children are “going back to school.” At Legal Aid, we will have a class of new lawyers as we have not seen for some time. We are grateful to have hired some extremely experienced staff, including Louise Roback, the former director of the New York Civil Liberties Union, and Maura Hayes-Chaffee, our first Solicitor (previously admitted in New Zealand). By the time you read this, I expect that a number of other new lawyers will be joining us. For the first time in some years, we will be able to offer a full complement of poverty law classes from the History of the Legal Aid Society to Housing Law to Domestic Violence and indeed, all of the areas of poverty law in which we practice. Part of orientation for our new staff attorneys will be an introduction to our PAI Program, through which volunteers deliver free legal services to our low income clients. I am happy to announce that Elena Rich, our PAI Coordinator in the Albany office, will assume responsibility for referrals for Fulton, Schoharie and Montgomery Counties. Intake will be done by our staff in the Amsterdam office, including our newest attorney, Rachael Barrantes, a former assistant district attorney from Essex County. Elena will add referrals for the Amsterdam office to the hundreds she does each year for clients served by our Albany and Saratoga Springs offices. In addition, our part-time PAI Coordinators to the north, Linda LaRue and Becky Buchanan, continue to make referrals to volunteer lawyers in Clinton, Essex, Franklin, Hamilton and St. Lawrence Counties.

I am delighted that a number of our PAI volunteers were honored at this year’s New York State Bar Association’s President’s Pro Bono Service Awards Luncheon on May 2, 2005. Andrew Wylie received the President’s Pro Bono Service Award for the Fourth Judicial District. In addition, LASNNY collaborated with the Volunteer Legal Services Project of Rochester to nominate Nixon Peabody for the Large Firm Pro Bono Award. LASNNY joined the Albany County Bar Association in nominating Kara Leopold of Nixon Peabody for the Young Lawyer Award. We are delighted to see our PAI volunteers be recognized on a statewide basis.

For those who are reading this issue of PAI Briefs for the first time, enclosed is our PAI Registration Form. If you have not already done so, please take a few minutes to complete the form and mail it to the appropriate PAI Coordinator in Albany, Canton or Plattsburgh. All such forms can also be mailed to me and I will forward to Linda, Becky or Elena for referrals. It’s easy to be a PAI volunteer for the Legal Aid Society. You pick the cases that you want to accept, saying yes or no according to your schedule. You also pick the legal areas in which you want to practice—it can be something that you’re very experienced at or something that you want to get a little more experience doing. LASNNY will provide reimbursement for your out-of-pocket expenses (up to $200), secondary professional liability insurance, mentoring, office space or support services, free training and CLE credits for your pro bono service. I hope that you will take the time to provide much needed legal assistance to one of your low income neighbors in need.

If you have suggestions for improving our PAI Program, as always, I look forward to hearing from you. Enjoy the Fall!
Amy Klein

Board Member Amy Klein describes herself as an “accidental lawyer,” mainly because when she was an employee of the benefits trust department at the Bank of New York, the only post graduate education she envisioned for herself was an MBA. “It was pretty clear to me I needed an advanced degree,” she said, noting that the bank supported employees by helping to subsidize a continuing education. But apparently, people she rubbed shoulders with every day thought she was misplacing her talent. She said lawyers working for the bank’s outside counsel were so impressed with her work that they saw one future for her: a career in law. They said she had “natural ability.”

And it just so happened that a senior partner of this very firm was a Fordham University alumnus who convinced her to take the LSAT and apply to the school—she did both, just under deadline, and on a lark. “I did this thinking I would fail,” she said, but, “surprise, surprise, I got in.” And for the years that followed, she worked days at the bank and went to law school at night.

That was 20 years ago.

She said she wanted to practice employee benefits law, and that is exactly what she did. Amy said her work centers on representing employers to be sure they are keeping intact their benefits plans. “I help employers to make sure they follow the rules,” she said, in what is a very complex environment. And in this day and age when Americans continue to monitor their pension plans and other investments with concern, this is no small task.

“I deal with some very hot button issues,” she said, “Will Medicare continue to be there? Will our benefits stay? What are we doing for retirees? How much are people saving or not saving?” These are important questions, she said, which affect each and every one of us.

Amy uses her expertise in this field when she provides LASNNY itself with pro bono work. She writes its retirement plan “so they can use their resources elsewhere.”

She takes particular pride in the central role she is playing together with the National Volunteer Fire Council in writing federal legislation that will help ease the burden volunteer fire fighters sometimes experience when they take time away from family and career to protect fellow community members in times of emergency. “I’m writing proposed changes to the federal tax code so that when they stop being a volunteer they’ll have a little nest egg. That’s very gratifying for me, given how much volunteers do for their communities. This will help give them something other than just a plaque for their years of service.”

Amy got involved in LASNNY not too long after she moved into the Capital District region in the mid-1990s. “One of my colleagues asked me to go to a phone-a-thon for Legal Aid,” a call she answered right away, not only because it would give her an opportunity to meet others in her profession (unlike Amy, so many attorneys in the area already knew each other, having graduated from Albany Law), but because she did pro bono in New York City before moving to Delmar. “When I was downstate there was an associates campaign for the Legal Aid Society called ‘One Day’s Pay for Justice,’ and that was something that just made so much sense to me.” She helped write wills and health care proxies and guardianships for AIDS patients. “I made a commitment then that I would get involved in pro bono work. So when I came up here and was asked to go to the phone-a-thon, I was more than happy to do it.”

For her part, LASNNY Executive Director Lillian Moy has been very pleased with Amy’s work. “She has been indispensable, first by representing us and now as a member of our Board,” she said. “I’m absolutely thrilled she’s working with us.”

Of her decision to be on the Board, Amy said, “of course, it helped that Lillian compelled me to join, because once you’re in, you’re in,” she laughed. She has served on the board for just over a year.

Amy, 48, has lived in Delmar for the last 10 years with her son Alex, 14, and her 11-year-old daughter, Jessica. She’s a member of the Syracuse-based firm of Bond, Schoeneck & King, and works in its Albany office.

Snapshot

In 2004 we assisted 70 participants in commencing divorce cases at our successful pro se divorce clinics.
**Kara Leopold:** Young Lawyer Award

A native of Pennsylvania, Kara Leopold, the recipient of the New York State Bar Association President’s Pro Bono Service Award for a Young Lawyer, said pro bono work has been a highlight of her five-year law career. As an undergraduate, she volunteered at Shriner Children’s Hospital and worked at a lawyer’s office, where she was fascinated by the way pro bono work can deliver meaningful results.

After graduating from law school at Columbia Law School after working for a then lesser-known US Senator by the name of Harry Reid. “It’s great to see him now in his leadership role,” she said.

After graduating from law school, being admitted to the bar, and joining the law firm of Cravath, Swaine & Moore, LLP, in New York City, she relocated to the Capital Region with her husband, David. She was then fortunate to join Nixon Peabody when she arrived. “I was given a chance to do pro bono for Nixon Peabody,” she said, indicating that pro bono work is so fulfilling to her, “I think mostly because you actually know your work directly affects someone.” Kara points to the case for which she recently won the President’s Award—helping a woman from another country fight a custody and divorce case.

The woman was a mother of three who was abused by her husband. The family had relocated to the Albany area from another country. Because she did not have a job of her own, she was financially dependent on her husband. “For safety reasons, she and her children, who were also abused, fled back to her native country,” said Kara. “But the husband took advantage—a provision in the Hague Convention that compelled his wife to return to the U.S. with the children. Despite the danger they faced, the husband’s petition was successful and she was forced to come back.”

The woman reached out to LASNNY, the pro bono program of the New York State Bar Association. Nixon Peabody, this case had a happy ending. “She got a money settlement, full custody of her children, tuition for the eldest child, and they were able to return home,” she said.

“If I hadn’t done my job, we might not have gotten the result she got,” she said. The thing about pro bono work, she says, is, “we’re not fighting just over money or contracts, but over things like whether someone can keep their family together.”

**Nixon Peabody:** Large Firm Award

At Nixon Peabody, pro bono work is an integral part of the firm’s culture and commitment. The firm’s pro bono work today includes counting pro bono hours as billable, setting a 50-hour per year standard for the firm’s attorneys, protocols to ensure adequate supervision and services to the neediest in the community, and ensuring that the firm gathers the data necessary to evaluate its pro bono efforts—in writing for its associates, partners and legal communities to see,” LASNNY Executive Director Lillian Moy pointed out. “When the new pro bono policy was launched, partners in both the Rochester and Albany offices invited local pro bono providers to their offices to describe the benefits of working with us.”

During a period of mergers since 1999, there was internal debate among the principals of the firm over how pro bono work should be tracked and organized. “Each firm had a significant and impressive history of doing pro bono work but came at it from different cultural perspectives.” As a result, about a year ago the firm put together a committee that issued “a policy changing the structure of pro bono work so we could take advantage of the fact that we’re a large firm, and making us more aggressive in getting pro bono cases.”

The Bar Association became aware of Nixon Peabody’s work and asked Dan to do a presentation on pro bono policies and how to organize pro bono work within a firm. “In every office there are now pro bono partners who organize this activity and watch over the partners and associates who do the work,” said Dan, “and the firm has hired a pro bono partner whose sole responsibility is for pro bono work in each of the firm’s 15 offices.”

In 2004, the Albany and Rochester offices alone contributed a total of 830 hours in direct pro bono services to the poor. Nixon Peabody attorneys and judges…will tell you that pro bono was always something they did without even questioning it.”

**Andrew J. Wylie:** 4th Judicial District

S Some 17 years after graduating from law school at Creighton University in Omaha, Nebraska, and joining with his father, Robert P. Wylie, to form the firm Wylie & Wylie, Andrew J. Wylie today is running for District Attorney in Clinton County. “It’s something I’ve wanted to do for the past six years,” said Andrew. Andrew is running “because this is the right time to make this move.” He points to his experience in criminal defense and matrimonial law as a strong base from which to launch his campaign.

Andrew still practices with his father, who, at 75 years of age, continues to work with the firm. His father, who is his chief mentor, impressed upon him the importance of doing pro bono work. “My father always said that you need to do it,” said Andrew, who indicated that his father did a great deal of pro bono work and assigned counsel work during his career. “When you talk to the older generation of lawyers and judges, they will tell you that pro bono was fortunate and something they did without even questioning it. Unfortunately today you’re not going to find too many attorneys who will step up and do pro bono, and give back to the community.

Andrew is someone deeply committed to family and community—not to mention pro bono work, which is why he was given the NYSBA Pro Bono Service Award for the Fourth Judicial District. Lillian Moy notes that when the Legal Aid Society announced its

“the older generation of lawyers and judges…will tell you that pro bono was always something they did without even questioning it”

merger with North Country Legal Services, “Andy immediately volunteered to take six pro bono matrimonial cases every year.”

“Pro bono gives you a sense of pride that you’ve helped people who can’t afford legal services,” he said. At a time when attorneys
November 2, 2004 to July 20, 2005

Albany County
F. Stanton Ackerman
Ainsworth, Sullivan, Tracy, Knauf, Warner & Ruslander, PC
Albany Law School (30)
Aaron R. Anderson
Ian Arcus
Gloria Arroyo-Copland
R. Linn Baker (3)
Brendan F. Baynes
Lawrence Becker
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Sarah Lewis Belcher
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George Sarachan
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Arthur J. Siegel
Robert Senska
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Justine L. Spada
Carol Stiglmeier
David Swyer
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Dominick Tocci
William A. Toomey, Jr.
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Kenneth G. Varley
Stephen Waite
Victoria Walter
Frederick Wander (3)
Paul H. Wein
Richard H. Weiskopf (5)
Joanne M. White
Richard White
G. Kimball Williams
April Wilson

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Mark Fluery (2)
William Fox
Jerome K. Frost
David Fryer
Joyce M. Galante
Sandra Gordon

Schenectady County
Tammy Arquette
Michael Basile
Michael Chenel
Peter V. Coffey (3)

Snapshot
In 2004, our Albany and Saratoga offices continued to deliver high quality advice and brief services through our telephone intake system. Our intake attorneys and paralegal in those offices closed 1,463 cases in 2004.

Thanks to the following attorneys who have accepted cases:

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F. Stanton Ackerman
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I would like to give a special thank you to our entire pro bono panel of attorneys who, year after year, continue to faithfully take pro bono cases on behalf of our clients. Over the past eight years as the Coordinator for our Private Attorney Involvement Program, I have been amazed and impressed with the work that our volunteer pro bono attorneys do for our clients.

When first taking this position on, I had real concerns about my ability to place my clients’ cases. I was worried and a little intimidated about having to call attorneys and ask them to take a case. As time went by, I learned that I had inherited a wonderful panel of attorneys who were dedicated to their professional responsibility to provide legal services for the public good and who were warm, receptive and easy to talk to. Prior to becoming the Coordinator, this program was run by Rosemary Keneston, the PAI Coordinator who put this panel together and worked with our volunteers for many years. Imagine my surprise and gratitude when these same attorneys were still willing to do pro bono even after Rosemary left.

When I attend the New York State Bar Association’s Pro Bono Coordinators Network meetings, I am proud to say that we have a very dedicated panel of pro bono attorneys in the Capital District area who have made my job very enjoyable and rewarding. It’s a great feeling to be part of assisting the neediest clients in our community to obtain and maintain housing for their families, get representation for family court matters, consumer problems, Social Security benefits, unemployment insurance benefits, Medicaid, Medicare, Unemployment Insurance Benefits and many other matters that are basic to their families’ survival.

So I want to take this opportunity to say Thank You to our PAI volunteers—without your support, the Legal Aid Society of Northeastern New York could not begin to meet the needs of the poor and needy in our communities. The gift of your time and talents has a major impact on the lives of our clients.
Kara Leopold

their kids.” “That kind of work is incredibly rewarding,” she said.

LASNNY Executive Director Lillian Moy said Kara could serve as a role model to young attorneys considering pro bono work. “She provided invaluable assistance to that family, without which who

Andrew Wylie

who are willing to do pro bono work are sometimes hard to come by, those who can do the work are “filling a void.” People need representation, he said, whether they have the money or not.

Among Andrew’s career highlights include gaining a not guilty verdict for a client who was tried two previous times for serious sexual assault crimes resulting in a hung jury.

For the past eight years Andrew has been heavily involved in the Plattsburgh Youth Soccer Association, where he was the past president for three years. He also created a Premier Travel Program for this group, which gives local kids the opportunity to travel to places all over the state and New England, and participate in soccer events there. Andrew and his wife Natalie have five children: Alexander, 14; Henry, 5; Jack, 3; Peter, 2; and finally, Isabelle, who was born in July.