

THE DAILY RECORD

WESTERN NEW YORK'S SOURCE FOR LAW, REAL ESTATE, FINANCE AND GENERAL INTELLIGENCE SINCE 1908

Fourth Department recognized for 'pro bono' service

BY DENISE M. CHAMPAGNE

The Appellate Division, Fourth Department, was recognized Monday at a Law Day luncheon hosted in Albany by the New York State Bar Association.

Presiding Justice Henry J. Scudder accepted the 2011 President's *Pro Bono* Service Award from President Stephen P. Younger on behalf of the 22-county Fourth Department.

The state bar annually presents service awards to recognize outstanding *pro bono* initiatives and contributions by individual attorneys, law firms, law students, law school groups, in-house counsel and government offices.

"The association is extremely pleased to recognize the leadership of the Hon. Henry J. Scudder ... for developing and implementing the first and, to date, only *pro bono* policy for appellate court attorneys and staff," Younger said.

Justice Scudder, said NYSBA Media Writer Brandon J. Vogel, developed and implemented the state's first *pro bono* and volunteer services policy for appellate court attorneys and staff. The policy encourages appellate court attorneys to set a goal of at least 20 hours of *pro bono* service as recommended by Rule 6.1 of the New York State Rules of Professional Conduct.

"The policy also calls attention to the fact that government lawyers can play an active and meaningful role in the delivery of *pro bono* services," Vogel said.

In 2010, court attorneys provided free legal assistance to 106 low-income members of the greater Rochester community through participation in clinics and consumer hotlines offered by the Volunteer Legal Services Project of Monroe County Inc. Clients received advice in domestic violence divorces, child custody, debt, tax and wills issues at the *Pro Se* Divorce, Alternative for Battered Women, Family Law and Wills clinics.

Appellate Division staff have also provided coverage on the VLSP consumer hot line and Justice Scudder, members of the court and its legal staff have served as presenters at continuing legal education programs devoted to ethics and have recruited *pro bono* attorneys throughout the Fourth Department.

The luncheon, at the State Bar Center, immediately followed Law Day ceremonies at the New York State Court of Appeals.

Co-chairing the event with Younger of New York (Patterson Belknap Webb & Tyler LLP) was Judge George Lowe of Syracuse, U.S. Magistrate Judge for the Northern District of New York and co-chair of the President's Committee on Access to Justice.

"As lawyers we have a duty and responsibility to better our communities and help our neighbors," Younger said. "The recipients of our President's *Pro Bono* Service Awards have answered the call with genuine concern, dedication and generosity. The state bar is thrilled to recognize the work of this year's honorees. I congratulate each of them on a job well done."

In addition to honoring attorneys representing 12 of New York's 13 judicial districts, the awards are given to a young lawyer practicing law for less than 10 years or under the age of 36, a senior lawyer, a large law firm, a mid-size law firm, a small law firm, an in-house/government counsel, a law student and a law school group.

Winners include:

The Fifth Judicial District (Herkimer, Jefferson, Lewis, Oneida, Onondaga, Oswego counties): John Powers of Syracuse (Hancock & Estabrook), a West Point graduate, helped implement a Veteran's *Pro Bono* Project and Legal Clinic which has helped 55 veterans from 21 counties with their legal needs.

Seventh Judicial District (Cayuga, Livingston, Monroe, Ontario, Seneca, Steuben, Wayne, Yates counties): Shaleeya B. McFadden of Rochester (Harter Secrest & Emery) donated more than 492 *pro bono* hours to five immigration cases in 2010. Three cases involving "Special Immigrant Juvenile status" and permanent residence for children who fled countries to escape abuse and neglect from their parents. McFadden quickly secured permanent residence for each child, resulting in continued foster care funding for each child until age 21.

Eighth Judicial District (Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, Wyoming counties): Michael Anton Sciortino of Buffalo (SUNY Buffalo) volunteered with the Erie County Bar Association Volunteer Lawyers Project through its Attorney of the Morning Program 25 times. He represented 146 clients who were faced with losing their home in 2010. In 2011, he has represented another 22 clients and is expected to serve as the AOM 11 more times before July 2011.

Young Lawyer: Angela C. Winfield of Syracuse (Hiscock & Barclay), a blind attorney who volunteers with the Onondaga County Bar Association's Eviction Defense Clinic, appearing monthly in Syracuse Housing Court.

Senior Lawyer: Since retiring from the Madison County bench in 2001, Judge Hugh C. Humphreys of Utica has been the Legal Aid Society of Mid-New York's most active volunteer, providing 4,000 hours of service over a 10-year period. He staffed LASMNY's Utica Pro Se Divorce Clinics helping more than 120 people get a divorce. He also has been co-chair of the Sixth Judicial District's Pro Bono Action Now Committee since 2007. Under his leadership, the committee has recruited nearly 230 attorneys, conducted six legal education seminars, and hosted nine clinics where 359 individuals received *pro bono* services.

Mid-Size Law Firm: In 2010, the Buffalo law firm Phillips Lytle LLP and its 174 attorneys collectively donated 3,300 hours in *pro bono* services to low-income and disadvantaged families, and various non-profit organizations, totaling more than \$833,000 in legal services. Cases involved immigrants held at the Buffalo Federal Detention Facility in Batavia, prisoners' rights, and tax matters.