

Volume IV, Number 2 February-March 2010

## NEWS FROM THE EIGHTH JUDICIAL DISTRICT

By Amanda Warner

Eighth Judicial District ProBonoNY Coordinator

Toward the end of 2008, the Eighth Judicial District ProBonoNY Committee decided that it would be able to work more effectively with the District's eight diverse counties by establishing "Regional Subcommittees" to work on pro bono recruitment, support, and services in a more localized fashion. On December 18, 2009, the Allegany & Cattaraugus Counties ProBonoNY Subcommittee held its first meeting via telephone conference. The Subcommittee is made up of Allegany and Cattaraugus County court staff, local bar association representatives, legal services providers (including Committee member Amy L. Christensen, Executive Director of Southern Tier Legal Services, a division of Legal Assistance of Western New York), private attorneys, and a representative of the Rural Justice Institute at Alfred University. As the District's ProBonoNY Coordinator, I am also a member of this Subcommittee.

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## NEWS FROM THE SEVENTH JUDICIAL DISTRICT

By Linda Kostin

Seventh Judicial District ProBonoNY Coordinator

Rochester has one of the largest per-capita Deaf populations in the country and is a thriving home of Deaf culture and education. With tax season upon us, the Seventh Judicial District's Pro Bono Action Now Committee is pleased to be partnering with VLSP and the Empire Justice Center's Creating Assets, Savings and Hope (CASH) Program to present a series of tax workshops for low and moderate income members of the Deaf and Hard of Hearing community.

On February 22, fourteen people braved foul weather conditions to attend a workshop at the Rochester Recreation Club for the Deaf. In addition to answering specific questions pertaining to tax issues, presenters provided general

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During the December 18 telephone conference, the group discussed areas of greatest need in Allegany and Cattaraugus Counties, possible pro bono opportunities for lawyers, and initiating an organized pro bono effort in collaboration with Southern Tier Legal Services in early 2010 with a judicial letter campaign, much like that which proved successful for the Chautauqua County Subcommittee.

In other subcommittee news, the Large Firm Subcommittee, which was formed to enhance pro bono in Erie County, had its second meeting on February 11, 2010. Administrative Judge Paula L. Feroletto, the Eighth District Committee's judicial Co-Chair, and I gave an overview of the District Committee and its function, and of the motivation for establishing the Large Firm Subcommittee in 2009. The expectation is that this Subcommittee will enhance our ability to more comprehensively address firms' questions about pro bono work, assess their interests and capabilities, and effectively present an array of "good fit" pro bono opportunities for their lawyers—in existing pro bono projects

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information on available pro bono legal services.

Two additional workshops were held on March 24 at Advocacy Services for Abused Deaf Victims and March 30 at the Center for Disability Rights.

The Seventh District Committee wishes to extend its gratitude to attorneys at Harris Beach and Harter Secrest & Emery for their participation in this initiative.

On February 24, as District ProBonoNY Coordinator, I was pleased to have the opportunity to present remarks regarding pro bono opportunities throughout the Seventh Judicial District during the Bar Admission Ceremony for the Fourth Department, held in Rochester at the Hyatt Regency Hotel. I also staffed a table displaying pro bono information for each of the District's eight counties.

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administered through the Erie County Bar Association Volunteer Lawyers Project, Inc. ("VLP") as well as new projects of various types that will be developed in the future. The Large Firm Subcommittee will also provide a forum for Buffalo's largest firms to compare pro bono policies, projects, and opportunities and allow them to take active roles in initiatives to increase pro bono involvement at the firms.

The February 11 meeting largely focused on two free CLE trainings that the Eighth District ProBonoNY Committee and VLP co-sponsored in March, targeted specifically toward large firm lawyers as well as newly admitted attorneys. The Committee has decided to focus on recruiting large firm lawyers for eviction defense services through VLP's existing Attorney of the Morning program at Buffalo City Court and for representation at Unemployment Insurance Benefits hearings. Both volunteer opportunities offer lawyers excellent experience within a reasonably limited time commitment; and there is currently a great need for more pro bono work in both types of matters. The Committee hopes that both

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## **SIXTH DISTRICT ELDER LAW CLINICS:**

### **Partnering to Bring Unbundled Legal Services to Rural Counties**

By Suzanne Myette

Sixth Judicial District ProBonoNY Coordinator

The Broome County Bar Association, Broome County Office for the Aging, and Legal Aid Society of Mid-NY have co-sponsored a "Senior Legal Clinic" in Binghamton for the past three years. The program has been a very successful partnership in both serving elderly citizens of our community and engaging Broome County attorneys in pro bono service. Each year, approximately 20 attorneys typically volunteer in the program for 3 hours, offering half-hour consultations to citizens aged 60 or over on a variety of legal issues concerning seniors—not limited to Estate Planning and Administration, Health Care Proxies, and Powers of Attorney, but including as well Landlord-Tenant, Real Estate, Grandparents' Rights, and Debt Collection/Bankruptcy. Some individual attorneys offer extended pro bono service beyond the clinic to clients who qualify for free legal services.

The structure and success of Elder

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of these training programs will help firms boost their attorneys' pro bono involvement.

"How to Handle an Eviction Proceeding" was held on Tuesday, March 23, 2010, from 12 to 2 p.m., in the Ceremonial Courtroom, Erie County Hall, 92 Franklin Street, Buffalo. Lunch was provided to attendees prior to the training, generously sponsored by Hodgson Russ, LLP. Trainers included Committee member Hon. Henry J. Nowak, Jr., Buffalo City Court Judge; Mark A. Doane, Esq., Buffalo City Court Attorney Referee; Grace Andriette, Esq., Supervising Attorney in the Housing Unit at Neighborhood Legal Services, Inc.; and Committee member Robert M. Elardo, Esq., Managing Attorney at VLP. Attendees will receive 2 free CLE credits in exchange for their commitment to handle at least two Attorney of the Morning shifts over the course of a year.

"Handling Unemployment Insurance Hearings" was held on Thursday, March 25, 2010, from 12 to 2 p.m., also in the Ceremonial Courtroom, Erie County Hall, 92 Franklin Street,

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Law Clinics in the larger counties can effectively be replicated on a smaller scale, and this type of partnership works well in the rural counties as a means to both reach rural clients and involve rural attorneys in pro bono service. Last year, the Sixth Judicial District ProBonoNY Committee, with the assistance of the NYSBA Elder Law Section Sixth District Delegate, Alyssa Barreiro, established partnerships with Offices for the Aging in Tioga and Otsego Counties, as well as LASMNY and LAWNY, and—together with members of those counties' respective bar associations—conducted three successful rural Elder Law Clinics.

In all three clinics, five to seven attorneys volunteered for approximately three hours, offering free half-hour consultations to about 35 senior citizens, while some attorneys also offered extended pro bono representation to qualifying clients beyond each clinic. Much positive feedback was received from clients after each of the events, as well as from the attorneys and OFA personnel.

The Sixth District Committee intends eventually to co-sponsor Elder

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Buffalo. Lunch was provided to trainees prior to the program, generously sponsored by Rupp, Baase, Pfalzgraf, Cunningham & Coppola LLC. Trainers included Hon. Marcella M. Seaburg-Brackett, Senior Administrative Law Judge at the Unemployment Insurance Appeal Board, and Tracie L. Covey, Esq., a local attorney who volunteers to handle pro bono unemployment insurance hearings for clients referred by VLP. Attendees will receive two free CLE credits in exchange for their commitment to handle at least one unemployment hearing referred by VLP in the coming year. Large Firm Subcommittee members were asked to post fliers about these CLE programs in common areas at their firms and to circulate an e-mail (that we drafted) encouraging their lawyers to attend.

We are very pleased that, in total, 60-70 attorneys attended the two CLE programs, providing significant additional volunteers for both of these important pro bono projects.

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Law Clinics in each of its counties (eight of which can be considered rural). We have recently formed a new partnership with Madison County OFA and the Madison County Bar Association to implement the model in Madison County in June or early July, and we hope to initiate the same in Delaware County in early fall. Planning is already underway for Second Annual Elder Law Clinics in Tioga and Otsego Counties. Elder Law Clinics are a very practical (and inexpensive) means of forming partnerships to bring equal access to justice to many residents of the rural communities of our Districts.