Overview of Achievements, 2018-2019

Our staff and volunteers continued to provide high quality civil services to provide better coordinated and more cost effective services to clients.

- Our case work for individuals benefited 9,972 people on closed cases. We also represented 45 non-profit organizations in legal matters. In addition, we provided information and referral services to 2,573 more individuals.

- Our case work secured direct financial benefits of $117,538 (lump) and $47,323 (monthly), while also achieving indirect financial benefits of $2,759,597 (lump) and $275 (monthly) for our clients. Our work also saved taxpayers and estimated $6,126,751.

- We obtained or preserved unemployment insurance benefits for 35 people and prevented or delayed 1131 evictions (benefitting 3,128 people) and prevented 43 tax foreclosures (benefitting 81 people).

- We provided services in 1,140 immigration cases and closed 697 of them. IOLA’s support helped us continue to be the largest provider of free immigration law services in NY, outside of NYC.

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- Pro bono lawyers worked on 1,884 cases, of which 1,599 were closed during the period.

- We successfully completed our first full year operating a public defender style model for representing detained immigrants facing removal (deportation) hearings at the Federal Detention Facility in Batavia. At the end of the period, we were had increased our Batavia office staff to 17 and expect it to grow by at least two more during the coming grant year.

**Population Served:** Low Income Population  
**Area Served:** Erie and Genesee County  
**Total Funding:** $3,909,253.00  
**Total IOLA Grant:** $255,000  
**Staffing - Full Time Equivalents:**
- Total Staff: 40.60  
- Lawyers: 26.00  
- Paralegals: 8.60  
- Other: 6.00
Breakdown of cases by Legal Problem

Total Cases Closed 4,052 cases
Total People Benefitted 9,972 people

**Family:** Our client had been raising her grandson since he was born drug-addicted in 2009. After years of contested court battles, VLP’s help led to our client being granted legal custody of her grandson. Our client worried about what would happen upon her passing and wanted to ensure she could properly plan for her grandson. Working with a VLP attorney, our client decided to pursue the adoption of her grandson. As a result of VLP’s assistance, our client was able to adopt her grandson, giving her full parental rights and the ability to plan for her grandchild’s future.

**Immigration:** We represented a detained former politician from Uganda who suffered an assassination attempt, kidnapping, several brutal beatings, and torture in his native country. Our attorney was able to prove that the persecution the client suffered was on account of his political opinion and that the Ugandan government officials were responsible for the persecution. Our client received a grant of asylum.
Other Services...

Number of People Benefitted by Services Other Than Direct Legal Representation

<table>
<thead>
<tr>
<th>Service</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>40,724</td>
</tr>
<tr>
<td>Community Legal Education</td>
<td>39,053</td>
</tr>
<tr>
<td>Pro Se Assistance</td>
<td>1,327</td>
</tr>
<tr>
<td>Online Assistance</td>
<td>344</td>
</tr>
</tbody>
</table>

Other Legal Related Services: Overview

Our goals with other legal related services to individuals are to reach large numbers of people that are potential clients and provide them with enough education to help them determine whether they have a legal issue that they should seek an individual representation meeting. Our community legal education goal for the entire 2 year contract was to reach 4,000 people. During this year, our 53 live presentations reached 2,590 people. We also had community legal education videos viewed 34,530 times.

Other Legal Related Services: Examples

- To help educate the public about immigration issues, we produced a total of 10 short videos on immigration topics (5 in our Immigration 101 Series and 5 more in our Immigration 102 Series). These videos were produced with technical assistance from the Rise Collaborative and were released on social media, shown at events, and are available on our website at https://ecbavlp.com/vlp-videos/ These videos were viewed 34,530 times.

- Small claims actions are one of the unrepresented needs. We simply do not have the resources to represent people in these matters. To help meet the need, we teamed up with the Foundry Buffalo (a local grass roots organization) and presented a community legal education workshop on “How to Present Your Small Claims Case”.

- On November 9, 2018, two of our immigration attorneys met with approximately 35 farmworker members of the Alianza Agricola community group during their Friday night meeting in Geneseo. Our staff presented in Spanish about human trafficking and other types of exploitation we see often, with a focus on labor trafficking and other abuses that our audience may not have known about. Our staff also answered general immigration questions from the audience and attempted to combat misinformation about immigration law and procedure. The audience kept us busy with questions for over an hour. We were invited to return and hope to conduct a follow-up outreach session this summer.
Impact Cases

**Fremont v. Barr 18-2845; 2nd Circuit Appeal – Co-Counselling With Quinn Emanuel**

This case could impact all immigration proceedings arising in New York, Connecticut and Vermont and challenges the way people with mentally competency issues are dealt with in immigration court. In this case, (1) the client was previously confined to a mental institution for two years on an involuntary basis; (2) we submitted more than 100 pages of medical records demonstrating that he has schizoaffective disorder and “unknown psychosis”… (3) we submitted medical evidence confirming he was chemically sedated with a high dose of Halidol at the time of the hearing and (4) he testified as to the instructions the voices in his head give to him. Despite this evidence, the Immigration Judge found that there was **no indication of even possible** incompetency to proceed.

He was then forced to testify and his sometimes incoherent answers were expressly used against him to determine he did not have a credible claim. He was ordered deported and this Petition for Review challenges not just his individual treatment but the entire system that the agency has set up regarding mental competence. We filed this appeal to the 2nd Circuit in February 2019 and are in the early stages of litigation.

**George-Garcia v. Searls et al; WDNY Class Action – Co-Counselling with Hodgson Russ.**

Non-criminal immigration detainees are currently subject to the following process: (1) they are arrested without a warrant for alleged civil immigration violations, (2) that arrest is not reviewed by any kind of judge, (3) they are detained for long periods in essentially a federal high security prison, (4) there is no guaranteed right to a lawyer, (5) when they finally get to a bond hearing (which could be **months** after the arrest), the government is not required to prove a thing. Instead, the burden is on the detainee to prove why they deserve the privilege of their liberty. This warrantless detention also deters individuals from meeting this wrongly imposed burden since they lose access to their proof.

This lawsuit seeks to rectify the current interpretation of the law and will argue that it is unconstitutional to shift the burden of proof from the United States government to the detainee. We continue to work with Hodgson Russ LLP in preparing this complex class action case, which would impact the majority of individuals detained in the Buffalo Federal Detention Facility.
We had 277 staff attendances at 84 different training events. This included sending 4 attorneys to the NY Legal Assistance Partnership Conference in Albany and having 18 immigration staff attend a two day training focused on Removal Defense for NYIFUP Providers with trainers from around the state. We sent two immigration newer lawyers to Baltimore for a multi-day CLINIC/National Trial Advocacy Network trial skills training and another to Wilmington, North Carolina for an Advanced Immigration Law Seminar on Humanitarian Options. Our two staff attorneys that work under a grant from the NYSDOH AIDS Institute traveled to Albany for an HIV Symposium. We sent a young staff attorney to a 5 day Young Lawyers Section Trial Academy trial advocacy training at Cornell. We also sent our new Deputy Director and Supervising Attorneys (in the role for about 1 year) to a Performance Management Leading People 2 day training on making the transition from peer to supervisor. The Deputy Director also attended a 3 day MIE/Civil Voices for Justice training in Los Angles on messaging and fundraising. She and our Social Media/IT Administrator attended the Statewide Civil Legal Aid Technology Conference. We also sent our Tax Attorney and his Supervising Attorney to the 4 day Low Income Taxpayer Conference in Washington, D.C. In addition, 5 staff members and 2 Board members participated in some or all of a several month long Story Growing training series designed to help us with better messaging. This effort led to a new logo, a newly designed website, and numerous videos (our Immigration 101 & 102 series and client testimonials).

In addition to sending people for training in other locations, we also provide training in our office. Our staff has free access to Practicing Law Institute on-line web trainings and we encourage all staff to take advantage of the opportunity. We also brought in trainers on Diversity and on Vicarious Trauma. In addition, this year we began an Employee Assistance Program which in addition to numerous other services for staff members, we are receiving a series of 10 trainings on self-care and other employee centered topics.

Early last year, we started to clean up our website, make it more client focused, and easier to navigate. We have completed this by using a new WordPress theme on the website which gives it a clean and professional look. At the same time, we focused on driving traffic to our website with Google AdWords campaigns focusing on helping client and volunteer opportunities. Our ads have been shown 21,079 times between 4.1.18 and 3.31.19 and have directed over 450 people to our website.

As our staff grew and as machines wore out throughout the year, we added 7 new desktop computers and 2 laptops to our Buffalo office and 3 “thin clients” computers and 1 laptop to our Batavia office. In the fall of 2018, we began to explore the options of utilizing a new case management system that was more user friendly, cloud based, and would allow our organization to do client intakes via our website. The front runner is Legal Server. As this would be a major time investment and expense, we are proceeding with caution.
Other Services

Significant Collaborations

Neighborhood Legal Services (NLS) and VLP work closely together. Each of us provides subcontracted funding to the other. With the hiring of Lauren Breen as the new Executive Director of NLS, this collaboration has gotten even stronger. VLP has a strong collaboration with the International Institute of Buffalo (IIB) to serve non-citizens, with IIB providing social services and VLP providing legal services for low income immigrants that are victims of human trafficking and/or domestic violence. This work has also involved collaborations with the YWCA of Niagara, Family & Children’s Services of Niagara Passages Program, PathStone of Orleans County, the YWCA of Genesee County, the Worker Justice Center of New York, the Victim Resource Center of the Finger Lakes, and the NYS Migrant Education Program.

The Bar Association of Erie County is a sponsor of VLP. The Bar President-Elect sits on our Board, the Bar Board appoints most other members of our Board and the Bar provides other in-kind support. The Minority Bar and the Women’s Bar also appoint members of our Board.

Local legal services providers share information about the cases that they handle and VLP maintains, updates and distributes referral lists to a variety of local sources of client referrals.

VLP collaborates with the Legal Aid Society of Rochester to operate the WNY Immigration Resource Center. This collaboration trains and provides technical assistance to public defenders and assigned counsel representing low income non-citizens in criminal or Family Court matters throughout the 7th and 8th Judicial Districts so they better understand the immigration implications of their cases and can adequately advise and represent their non-citizen clients. This effort is funded through a contract with the NYS Office of Indigent Legal Services.

VLP and NLS work cooperatively to cover all landlord tenant matters in Buffalo. VLP, Center for Elder Law & Justice (CELJ), the WNYLC and the Legal Aid Bureau of Buffalo (LAB) work jointly defending on tax foreclosures. VLP, NLS and LAB work cooperatively to cover matrimonial and family law cases. This includes setting complimentary priorities and referring cases to each other (especially when one program has a conflict of interest). VLP collaborates with Say Yes Buffalo and the Buffalo Public Schools to provide our Say Yes Legal Clinics in 6 Buffalo schools. Seven of the largest law firms in Buffalo are partnering with us in this initiative.

VLP is in the process of again updating the Referral Lists for Legal Services in Erie County. This process involves the cooperation of all local providers of legal services an gets widely distributed to legal services programs, the Courts, and social service agencies to refer clients to the correct place for legal help.
Our program is acutely focused on volunteer involvement. We involved 449 attorneys in pro bono representation of 1,884 of our clients and benefitting 4,841 people. (1599 of these cases were closed) We have a pro bono attorney panel which takes traditional pro bono model referrals for individual clients and small not for profit groups. Other attorneys volunteer with our limited scope projects, including our Attorney of the Morning Program (eviction defense at Buffalo City Court), 2 Family Court Help Desks, Federal Court Pro Se Assistance Program, Housing Helpline, and Say Yes Legal Clinics in 6 schools. With all of these models, we screen the clients for eligibility and the cases for merit. We also follow up with the pro bono attorneys to track the case progress and to look for issues that the attorneys might need help with. We provide training, mentors and technical assistance. We also utilize 10-15 volunteers at any given time as “in-house volunteers”. These volunteers include attorneys, law graduates, law students, paralegals, college students and high school students who volunteer in our office. They help coordinate our limited scope projects, conduct client intakes, work on case files and represent clients. We worked with the 8th Judicial District Pro Bono Committee (which is Co-Chaired by the Administrative Judge for the 8th Judicial District) and other providers to raise the level of awareness of pro bono and to recruit pro bono attorneys throughout the 8 county district.

We hosted the Champions for Justice Bash, a fundraiser celebrating the important work of the volunteers and staff of VLP in improving access to justice in WNY. The event helped to raise awareness of our services, build good will, raise funds and was a lot of fun. At a pre-bash “Pro Bono Awards Reception”, VLP Pro Bono Awards were presented to 9 individual lawyers, 2 law firms, 1 Judge, and 2 community partners for their outstanding pro bono efforts. The awards were presented by the President of the Bar Association of Erie County and the Administrative Judge for the 8th Judicial District. We also created a young professionals board called the Rising Champions for Justice to create a bridge to younger lawyers as potential volunteers.

### Pro Bono Statistics

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<tr>
<th>Source</th>
<th>Volunteers</th>
<th>Hours</th>
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<tbody>
<tr>
<td>Attorneys</td>
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<td>Law Students</td>
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<td>Others</td>
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### Sources Of Funding

<table>
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<tbody>
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<td>Iola Grant</td>
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<tr>
<td>Other</td>
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</tr>
<tr>
<td>Total</td>
<td>$3,909,253</td>
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</table>

![sources-of-funding-chart]