Overview of Achievements, 2020-2021

During the IOLA year ending 3/31/2021, Legal Services of the Hudson Valley conducted 11,858 intakes from our target population of low-income and vulnerable households in our seven-county service area, and made 2,753 non-case referrals for applicants ineligible for our services, while seamless moving to remote delivery through our advanced technologies. We closed 6,055 cases with legal assistance, conferring at least 7,652 different legal benefits on an estimated 12,342 individuals. Pro bono attorneys closed 155 of these cases. LSHV closed an additional 1,463 cases not reflected above, having provided time and non-legal assistance: (1) 176 with paralegals assisting and advocating in Long-Term Medical Care solutions; (2) 81 cases with detailed research supporting our complete and persuasive SSI SOAR applications; (3) 108 cases having provided STEHP housing counseling and assisting in locating rental arrears to stabilize permanent housing and prevent homelessness; (4) 1,096 legal cases in which privilege attached but because of changed facts, eligibility, conflict arising or clients not following up or deciding not to receive advice, no legal assistance was documented. We moved beyond case-work to disseminate legal information to an estimated 80,378 community members and their providers to foster knowledge and self-help through plain language and video legal guides shared with LawHelpNY and posted to our website, and virtual presentations over Zoom and live stream platforms.

We secured and successfully implemented the AG’s COVID-19 Tenant Legal Assistance Initiative, recruiting and training 129 attorneys from private law firms and bar associations that stand ready to assist our clients for our Housing Court project to avoid eviction. Seeing particular needs presented by the results of the pandemic, we trained 58 volunteer attorneys on providing trauma-informed services and standby guardianships. It was a banner year for utilizing our in-place technology, affording LSHV the ability to provide seamless, virtual legal assistance and legal information to our target populations and community service providers and participate in local and state task forces. The most significant improvement was the staff’s immediate and quick adoption of the use of cloud-based server SharePoint and Microsoft Teams applications. Our organization-wide effort to speed train and enable comfort with using these and other new technology allowed us to continue our work and access our records from our home locations while monitoring walk-ins at our office locations.

**Population Served:** General Low Income Population

**Area Served:** 7-County Area of SE New York

**Total Funding:** $19,849,903

**IOLA Grant:** $1,950,000

**Staffing - Full Time Equivalents:**

- **Total Staff:** 148.80
- **Lawyers:** 92.00
- **Paralegals:** 34.00
- **Others:** 22.80
Housing: Higher Court Appeal Saves Household from the Street During Pandemic:
During the pandemic with the city and justice courts closed to landlord-tenant proceedings except for certain types of dire emergencies, the courts did not consider a holdover case seeking to evict a tenant based on expiration of a lease to be an emergency. A landlord escalated his claim to the Supreme Court when ordinarily such a case would be heard in a local town or village court. The tenant had lost income as a result of the pandemic and the landlord was basing his claim on the termination of the lease contract. During the course of the case, federal and state governments set up protections from evictions for tenants who encountered these types of pandemic-related hardships. Nonetheless, the landlord filed emergency papers asking for the eviction to occur at a time when physical evictions were prohibited state-wide. Surprisingly, the Court ruled in favor of the landlord, and LSHV appealed. This appeal went to the second-highest court in the state because it had started in Supreme Court. LSHV usually defends cases in local courts and takes appeals to intermediate appellate courts when there is an error of law. The LSHV attorney for the tenant had to navigate an appeal in a court where we have never had a landlord-tenant case and with the challenges of court operations and our office functions working differently during a pandemic. Because of our valid legal arguments, the appellate court found that the court was wrong to ignore the rules proscribing evictions at the time the trial court ordered the eviction. It must adhere to the law which had been enacted while the appeal was being decided—sparing the household from an episode of homelessness during an injurious public health crisis.

Family: Mother Reunited with Child After Two Years by Legal Pursuit of Abuser
When our client arrived home one day, her abusive partner walked out the door with their infant child and disappeared to an unknown location. Her life with the father of her child had become increasingly unbearable leading up to this tragic day. She had not gone to family court about the abuse she was enduring at the time her child was taken. In a panic, she went to law enforcement, to be told to go to law enforcement in a different state, and then to be told to take it up in her home state. She was informed during the process that because he was the father and there was no family court proceeding, there was nothing to be done. No one treated the disappearance of her child as the emergency that it was until she found LSHV. With family law experts on her side, she was able to use the court system to protect her rights, including the powers of the court to help her find her child. Even then, she faced one state saying it was another state’s problem, with the people in power not seeming to care that a mother could not find her child because he was with his father and stating other bizarre technicalities. The lawyers fighting for her combined courtroom procedure with dogged ingenuity and unflagging humanity, using financial disclosures available through the courts to ascertain information an investigator had failed to uncover that may indicate the abuser’s location. This financial trail provided hope, and while pursuing and losing that trail, LSHV was planning for the safety of the client and the well-being of the child at every step. We were able to connect a law enforcement officer across the country who treated this as the emergency that it was, and we communicated through the night to aid him in our joint search. That law enforcement officer was also sensitive to preventing physical danger or any traumatic experience for the child. As hope grew that the child could be found and returned peacefully, fear also grew that in the two years of relentless searching, the child had forgotten her mother. The perpetrators surrendered the child, who remembered and was reunited with her mother.
Other Services...

Number of People Benefitted by Services Other Than Direct Legal Representation

<table>
<thead>
<tr>
<th>Service</th>
<th>People</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>80,378</td>
</tr>
<tr>
<td>Community Legal Education</td>
<td>1,896</td>
</tr>
<tr>
<td>Pro Se Assistance</td>
<td>16</td>
</tr>
<tr>
<td>Online Assistance</td>
<td>78,466</td>
</tr>
</tbody>
</table>

Other Legal Related Services: Overview

GOAL: Complementing our direct case services with the goal to expand our reach to help as many households as possible, our attorneys and paralegals frequently speak at meetings and trainings held for low-income clients, consumers, special needs groups and community service providers. We seek to train consumers and local not-for-profit and government agencies. We work with our Development Department to secure television and radio spots for outreach and legal education purposes. Through our collaborative partnership with statewide LawHelpNY we expand our reach to a statewide population. We fully utilize the power of social media to capture the attention of individuals and groups by using Facebook Live/Livestream for legal education events. Pre-pandemic, we strategically set up court help desks to provide defendants entering the courthouse legal information to assist in pro se hearings. Moreover, our community engagement and training of local task force members provides exponential outreach arming providers with knowledge of when to refer their clients/consumers with civil legal problems.

SERVICE DELIVERY STRATEGY: LSHV formed “The COVID-19 Working Group,” a research and education team of LSHV staff attorneys to review changing pandemic orders, laws and court and administrative agency processes with the goal of quickly training the LSHV staff and organizing the development of 31 text and video legal guides in English and Spanish. Our Development Department formed a direct line of communication with the team so that LSHV could foster the broadest outreach possible to target populations for promoting and sharing Facebook Live events. Our training events are conducted alone and in collaboration with local not-for-profit and governmental agencies.

SPECIAL POPULATIONS AFFECTED: Our work benefits (1) our client community; (2) clients of community-based organizations, libraries and government agencies; and (3) diverse low-income households referred to our website seeking legal information on eviction and our other practice areas. We utilize our website for applicants requesting legal assistance to obtain self-help resources which are also posted on LawHelpNY.

TOTAL NUMBER OF PEOPLE SERVED: A minimum of 80,378 individuals were assisted from our Other Services reported this year. Having suspended our court help desks, we understood the most effective method of providing help was through our new English/Spanish legal guides in text and video formats posted on LawHelpNY and our website. Those 33 new guides and our others documented 78,466 views—a 40% increase over previous year’s statistics. That effort ran concurrently with our zealous promotion to providers to host or attend our Zoom legal ed presentations to inform themselves of the most updated information concerning the many changes in law during the pandemic, resulting in 1,896 attendees.
**Other Legal Related Services: Examples**


**SPECIAL POPULATIONS:** Veterans Family Law Boot Camp with NYSBA’s Committee on Veterans, [https://nysba.org/events/family-law-boot-camp-for-lawyers-what-you-need-to-know-when-representing-veterans-webinar/](https://nysba.org/events/family-law-boot-camp-for-lawyers-what-you-need-to-know-when-representing-veterans-webinar/)

**COMMUNITY PARTNERS ON PANDEMIC CHANGES IN THE LAW:** We trained over 900 provider-sthroughout our service area at various presentations. A sampling: Westchester Residential Opportunities, Nonprofit Westchester’s sponsored event in mid-July, “Three Things Nonprofits Should Prioritize in the wake of COVID-19;” Nonprofit Westchester’s sponsored event in late July, “Racial Equity – It’s a Matter of Life or Death; Rockland live webinar Kinship and COVID-19: Issues Kin Caregivers Face;” Spring Valley and Haverstraw Collaboratives; Rockland and Orange counties’ Continua of Care meetings; and the LGBTQ Center Orange County.
Impact Cases and Other Group Entity Representation: Narratives

Elkattawy v. Nmair

SYNOPSIS: Client sought our help in a holdover action brought against her after she complained to the building department about inhabitable conditions and started putting her share of the rent in escrow after the landlord failed to make the repairs as he represented to her. There was evidence of missing sheetrock, ceiling leaking, black mold, only one burner functioning on the stove and in November the landlord was not providing heat. The case went to trial.

MILESTONES: This is a first impression trial in a city Housing Court under the improved anti-retaliation housing law. The decision is pending.

IMPACTS: A favorable decision could impact an estimated 2,500 beneficiaries, for any tenant in unprotected housing who had admissible evidence of having made complaints about repairs.

Saw v. Cassanelli

SYNOPSIS: Client sought our help in a non-payment and holdover action, living in a room in the landlord’s house with the landlord’s family that also housed two other individuals. Numerous habitability issues prompted the client to bring the building department into the dispute.

MILESTONES: Motion to dismiss non-payment proceeding under new law prohibiting collection of rent when there is no certificate of occupancy.

IMPACTS: A favorable decision could impact an estimated 1,500-3,000 beneficiaries, based on the approximate 150 thousand rental units in Westchester and applying the findings of a NYT article on illegal apartments finding that 1% of apartments are severely overcrowded.

Gerber, et. al. v. Cella, et. al.

SYNOPSIS: Client sought our help in a foreclosure action brought against her after her note matured in 2009 and she made additional payments until 2015, after the statute of limitation.

MILESTONES: Mortgage foreclosure arguing acceptance of installment payments does not toll statute of limitations nor modify the contract.

IMPACTS: A favorable decision could impact an estimated 150 beneficiaries, A good decision would be applicable to instances where loan has matured and a balloon payment due, and on statute of limitation cases, whether due to maturity or acceleration.
**Trainings**

We offer a holistic array of training to our staff to equip them in many ways, with (1) understanding new research, law and court processes and how to strategically utilize them for best case results; (2) improving litigation skills, i.e., evidence training; (3) broadening practice area training, i.e., the intersection of eviction procedures and VAWA rights; (4) understanding the needs of targeted special populations, i.e., the needs of the elder, the veteran client or client in trauma; (5) a broad range of diversity, inclusion and belonging training to provide compassionate and culturally competent services to diverse cultures and populations and to promote strong bonds among the staff. As an accredited CLE provider, staff can earn a portion of their biennial requirements through some of our trainings. In addition to onboarding instruction for new members, our Board is also offered periodic training: (1) a Diversity, Inclusion and Belonging module; (2) a minimum of 4 presentations annually by staff to understand a certain practice area, the needs of the community or a special population; and (3) strategic planning coaching.

A select group of LSHV attorneys jointly worked to thoroughly research quickly changing law, general court and moratoria court processes and our staff was swiftly trained via Teams and Zoom on changes and strategies to protect our clients.

Shelter-in-place did not impede more complex nor broad, organization-wide trainings. Attorneys attended a two-day Evidence module via Zoom, complete with breakout rooms for different teams to resolve case scenarios. Our organization conducted our normally scheduled “All Staff Days” in May, with NITA best-practices training materials and concepts and in November, with a known speaker presenting to us on “Implicit Bias.”

**Technology**

The twelve months ending 3/31/2021 was a banner year for utilizing our in-place technology and afforded LSHV the ability to provide seamless, virtual legal assistance and legal information to our target populations and community service providers, as well as continued participation in local and state task forces. The most significant improvement was the staff’s immediate and quick adoption of the use of cloud-based server SharePoint and Microsoft Teams applications. Fortuitously, these installations and conversion were completed before the shelter-in-place order but prior to formal training. Our organization-wide effort to speed train and enable comfort with using these systems allowed us to continue our work and access our records from our home locations. Our VoIP phone system allowed immediate assignment to staff at home to assist with incoming calls to Central Intake. We utilized “Ring” for socially-distanced front-door response and drop boxes for document collections. We purchased additional Mi-Fi and laptops to ensure every staff member had internet access and could continue work. Our attorneys met frequently through Teams, and created video legal guides addressing the most pressing issues during the pandemic and also provided training through Zoom and Livestream.
Significant Collaborations

With the start of the pandemic, LSHV has pursued collaborations to promote our services so people know when and how to refer, and to offer carefully researched legal education to community-based organizations, government agencies, private bar organizations, legislators and their staff about changes in law and court processes. The private bar and law firms are especially effective as volunteers for our Housing Court project, allowing us to provide more clients with direct representation in eviction cases. We actively partner with LawHelpNY, sharing new and updated legal guides in plain language in English and Spanish so that a broader audience is served. We have started a collaboration with Westchester DSS to build on our current collaboration with FSSY, to identify kinship households to provide them with the legal education and legal assistance they need to meet their families’ needs. After researching and producing the many legal guides on COVID-19, we succeeded in training more than 100 Westchester community service providers through virtual delivery on Housing and COVID-19. Fifty-eight attorney enrollees sourced through local bar associations were trained on topics that are pertinent to crisis afflicted populations through our Breast Cancer Advocacy project, the same project that also produced relationship-building presentations with White Plains Cancer Center, NY Presbyterian Hospital, The Cancer Support Team, MHA Westchester, the YWCA of Central Westchester and the Westchester Women’s Agenda. Our bar association and law firm relationships allowed us to collaborate and train 129 volunteers on COVID-19 housing law and our court projects. Partnering with our local victim services providers, we provided holistic civil legal services to crime victims: Family Services in Dutchess, WestCOP Victim Services in Westchester, Center for Safety and Change in Rockland, Crime Victims Services in Ulster, Fearless! in Sullivan and Orange, and RDAC, MHA, RISE, HRC and DSS in a federal project we lead in Orange and Sullivan counties. Moreover, we are active members of the Continua of Care in Orange, Sullivan, Ulster, Westchester, Dutchess and Rockland counties to identify trends in risk of homelessness and develop intervening solutions. We are members of many regional and state task forces throughout our service area, meeting with many other legal services providers, community service providers and government agencies to contribute the observations of our practice and work jointly to propose steps to assist with significant negative trends affecting our target populations.
Pro Bono Volunteer Involvement

ACHIEVEMENTS: LSHV’s Pro Bono Unit logged 5,765 volunteer hours during a pandemic year. This is a notable achievement as the beginning four months were consumed by courts, law firms and sole-practitioners adhering to a shelter-in-place orders, and next in creating a new paradigm for operations that sought to minimize in-person appearances and the risks to public health from COVID-19. Moreover, with a quick adaptation to our available technologies, we were able to train and enroll many new attorneys during this year and institute relationships with new law firms for Housing Court projects. Our Pro Bono Director participated in 3 NYBA/OCA task forces on the pandemic for Unemployment, Child Support and Housing on best methods to engage pro bono assistance with challenges of virtual court appearances.

RECRUITMENT: Our Pro Bono Unit succeeded in enrolling new, law firms in training/enrollment for our Housing Court project: Cuddy & Feder; Keane & Beane; Finkelstein, Blankinship, Frei-Pearson & Garber; Gerber, Ciano, Kelly & Brady; and Sive, Paget & Riesel. Over the 12 months ending 3/31/2021, LSHV and its clients benefitted from two rounds of totaling 8 Pro Bono Scholars from Pace Law, C.U.N.Y. Law and Cardozo School of Law. We continue recruiting volunteers for bankruptcy and divorce in our catchment area.

TRAINING: We’ve had successes with large audience virtual trainings. Recent grads and alumni of Pace Law, numbering 50, attended LSHV training on COVID-19 housing law changes. With the added resources of LSHV’s AG Tenant Legal project, we trained 129 attorneys to assist in pandemic related risk of eviction, including local bar members. We conducted Trauma-Informed Delivery and Standby Guardianship trainings of pro bono attorneys through our JALBCA supported project.

DEPLOYMENT: During the COVID-19 pandemic, LSHV’s focus centered on recruiting for housing matters to prepare pro bono attorneys to assist us in meeting the pressing need to assist our service area in housing court matters. During the summer of 2020, we continued one Pro Bono Scholar in a Fellowship position we secured for elder law practice in upper counties. Our large NYC law firms can easily accommodate our housing court case assignment through the present court format of virtual appearances.

Pro Bono Statistics

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<td>Others:</td>
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Sources Of Funding

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<td>State Funding</td>
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<td>Other</td>
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