Overview of Achievements, 2020-2021

The primary target population for our legal work is low-income people in Unit 7 and parts of Unit 6. The primary target population for our technology work is legal services advocates in New York State. In the last IOLA fiscal year, cases handled by the Western New York Law Center ("Law Center") benefited 1,268 people and our technology work benefited IOLA-funded organizations statewide. We obtained nearly $2 million in dollar savings to clients and $80,002 in direct dollar benefits to clients.

Over 28 volunteers contributed 1300 hours to our projects, mostly remotely because of the COVID-19 crisis. The Law Center continued its CLARO consumer project remotely and the Buffalo City Court provided us a secure room with wi-fi where people without the means to connect remotely could use our equipment to do so. Despite the virtual shutdown of the courts, our consumer programs eliminated $793,070 in consumer debt for low-income consumers.

We worked with the Law in the Digital Age Clinic at Columbia Law School to develop two online portals to assist clients. One is a Generational Wealth site where people can contact us for assistance in drafting wills. We know from our work with municipalities that generational wealth is tied to real property in low-income communities and this online clinic will help protect that wealth. We also developed an online bankruptcy portal where we can assist clients through online clinics with bankruptcy filings. In addition, we continued work with Columbia on our portal for low-income entrepreneurs and a portal for assisting communities with vacant and abandoned property.

Because of the NYS Pause, we conducted drive-through outreach events and used the press extensively to provide information to the community. We did a segment with a local TV station on "What the Western New York Law Center Wants You to Know" during the COVID pause. We also appeared multiple times with the Erie County Clerk on the "Conversations with the Clerk" show on WUFO, a radio station in Buffalo, to talk about our programs and to answer questions from callers.

Our CLARO consumer clinics moved online and we now hold two four hour sessions a week. Our foreclosure services have also primarily moved online and our clinics for low-income entrepreneurs are online five days a week.

We successfully litigated and negotiated several important cases. In Erie County, Neighborhood Legal Services, an LSC restricted program, brought to our attention a two to three month delay in food stamp recertifications that was causing people to go without benefits. Before filing a lawsuit, we wrote a letter to the Erie County Department of Social Services (ECDSS) and they met with us about the problem. ECDSS asked for 90 days to completely solve the problem and has already hired several people and has granted overtime requests to work on clearing the backlog. We extended federal court jurisdiction in a class action case against the Niagara County Department of Social Services for not processing public assistance applications in a timely way. Our settlement with Niagara County set up an expedited contact system to address any problems we find.

We continue to update the Online Resource Center to accommodate student involvement, and students are satisfying their pro bono requirements with that project while providing resources for legal services advocates. In addition, working through Columbia Law School, students access an online portal to earn pro bono hours for research on vacant and abandoned properties. We maintain the Online Resource Center and oversee updates with digested cases and administrative decisions for advocates statewide. In addition, we maintain and update statewide mailing lists such as the HousingNYC list with archived documents for advocates.

Population Served: General Low Income Population

Area Served: Western Region of New York

Total Funding: $2,867,773

Total IOLA Grant: $400,000

Staffing - Full Time Equivalents:

- Total Staff: 27.94
- Lawyers: 13.65
- Paralegals: 7.29
- Others: 7.00
**Consumer/Finance:** LA came to us with a frozen bank account from a judgment filed in 2009. She used this account for necessary family and medical expenditures, and this is where her daughter’s SSD was automatically deposited. Unfortunately, because these funds were commingled with her own funds, the entire account was frozen pending resolution of the judgment. We were able to bring the matter back into court by filing an Order to Show Cause and came to a resolution with the Plaintiff to settle the case for $1,500, much less than the amount owed due to accruing interest over the last 11 years. With the settlement, we were able to release LA’s account and allow her use of the funds for her daughter’s and family’s necessary living and medical expenses.

**Housing:** Client owned a home with his wife. He was on the mortgage with her but did not sign the financial note. His financial hardship began when his wife had to stop working after suffering a traumatic brain injury. It took two years for her to be awarded disability benefits. Shortly after she began receiving disability she was diagnosed with stage 4 lung cancer resulting in her passing approximately two years later leaving her husband with substantial medical bills. His finances were further hurt after he loaned a substantial amount of money to a family member who never repaid him. In 2017 he fell behind on his mortgage payments. He tried on his own to get a modification and assume the loan but got nowhere. The Law Center began representing him in the mandatory settlement conference phase of his foreclosure lawsuit in the fall of 2018. For a full year in the settlement conference part the mortgage servicer refused to work with the Client. The case moved forward to the order of reference stage in the fall of 2019. The Law Center opposed the order of reference on the basis of lack of good faith negotiations, among other issues. After the Judge held conferences for another year finally in November 2020 the mortgage servicer offered the client an affordable loan modification and assumption as well as removal of several thousand dollars of attorney’s fees that were included in the arrears.
Other Services...

Number of People Benefitted by Services Other Than Direct Legal Representation

<table>
<thead>
<tr>
<th>Total</th>
<th>1,903,221 people</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Legal Education</td>
<td>1,830,796 people</td>
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<tr>
<td>Pro Se Assistance</td>
<td>1,203 people</td>
</tr>
<tr>
<td>Online Assistance</td>
<td>1,621,605 people</td>
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</table>

**Other Legal Related Services: Overview**

We convene several community groups, now through Zoom because of COVID-19, and those groups engage the community in issues affecting our clients. The groups include the Buffalo Niagara Community Reinvestment Coalition and the Vacant and Abandoned Property Initiative. We have informational materials online to help people and host the Online Resource Center, a brief bank resource, and host and moderate many legal listservs, such as the Housing NYC list for NYC practitioners and the Article 81 Guardianship Advocacy and Discussion Group which is open to guardians, legal advocates, court examiners, court evaluators, and other Article 81 service providers.

**Other Legal Related Services: Examples**

We worked through the Buffalo Niagara Community Reinvestment Coalition on a Community Benefits Agreement (CBA) with KeyBank to invest in the Buffalo community. The bank made several promises to the Coalition and to State and Federal regulators in the CBA as part of their merger with First Niagara, including an agreement to offer an interest free checking account to low-income consumers. KeyBank never provided those accounts although they advertised their existence. We brought a complaint about this to the NYS Attorney General’s Office and provided documentation of the claim through our Coalition members. To settle the claim, KeyBank agreed to pay $5 million to the State of New York Mortgage Agency to be used for down payment assistance for low-to-moderate homeowners in New York State and agreed to provide $145 million in low-interest loans to low-to-moderate homeowners in New York State. Most of this relief will come to Western New York.

We were successful in working with several community partners such as PUSH Buffalo and the Partnership for the Public Good in getting the Buffalo Water Board to extend the moratorium on water shutoffs in the City of Buffalo, to turn water back on for residents whose water had been shut off and to offer deferred payment agreements to residents who were behind on their water bills. The Water Board had been shutting off water for 80 homes a week and this kept the water turned on during the COVID-19 crisis.
Other Services

Significant Collaborations

- Buffalo Niagara Community Reinvestment Coalition
  
  CLARO - Civil Legal Advice and Resource Office

- Erie County Zombie Foreclosure Task Force
  
  Small Business Clinics

- Foreclosure Project
  
  Online Resource Center

- Columbia Law School

- SUNY Buffalo Law School

As the HOPP grantee from the NYS Attorney General's office, we coordinate foreclosure efforts with the Center for Elder Law and Justice and the Legal Aid Bureau of Buffalo, in a five County area and jointly conduct intake of new cases. The Law Center takes half of the cases and the other agencies 25% each.

CLARO is a walk-in clinic conducted at several locations in Erie, Niagara, Chautauqua, and Wyoming counties. During the NYS Pause, we conducted the clinics online, but we expect to resume the clinics when community centers reopen. The one offsite that we have maintained during the NYS Pause has been in cooperation with Buffalo City Court. The Court provides a room where people can access our equipment, enabling people without technology to gain access to our online programs. We draw on the private bar and law students to help us with our CLARO consumer clinic, our small business clinics, and our foreclosure program. We also use AmeriCorps members throughout the office on all our programs. Law students and faculty at Columbia Law School and SUNY Buffalo provide resources to the program by working on online training materials for our volunteers. Community credit counselors also provide help for visitors who need credit reports and counseling, and the BFNC Hope Center normally provides space for our sessions in the community.

The Online Resource Center is collaboration between the Law Center, the Empire Justice Center, the Legal Aid Society and NYLAG. Many other individual advocates also contribute pleadings and information to the resource center, and law students contribute and receive credit towards their 50-hour requirements of pro bono service. The Online Resource Center has various sections where advocates can search for fair hearings and cases and they can view online trainings at the site and receive CLE credit for the trainings. The resource is heavily used by legal services attorneys across the state.
Impact Cases

Buffalo Niagara Community Reinvestment Coalition

The work of this Coalition of community groups we convene in enforcing the Community Benefits Agreement with KeyBank resulted in $5 million for down-payment assistance for low to moderate homebuyers in NYS and an agreement to lend $145 million to low to moderate income homebuyers over the next five years, with half of those funds going to Western New York. The bank also agreed to waive some fees for originating those loans. In a recent call with NYS Housing and Community Renewal, the Law Center was acknowledged and thanked for changing the landscape of home buying for low-income NYS residents through this effort.

ECDSS - SNAP (Food Stamp) Delays

The Erie County Department of Social Services (ECDSS) fell months behind in processing food stamp recertifications, causing people to stop receiving food stamps. The Law Center sent a letter asking to meet before resorting to litigation and ECDSS met with us. As a result of the meeting, ECDSS asked for and received permission from the County to bypass a hiring freeze and hired 14 new SNAP employees, took 28 employees with SNAP experience from within its department and assigned them to SNAP, authorized overtime to clear up the backlog, and pended future applications only to verify residence and income. Erie County receives between 4500-5000 new applications for food stamps each month, and this effort affects many people.
Pro Bono Volunteer Involvement

We use volunteer attorneys and law students in our CLARO and Small Business Clinics, and other volunteers in our reinvestment coalition. Both volunteer attorneys and law students are helping us with a project involving Buffalo Water Authority policies in dealing with unpaid bills. We also use law students to do online property research through a portal developed by the Law in the Digital Age Clinic at Columbia Law School, as well as in the Online Resource Center, where students digest fair hearing opinions. We co-counsel cases with the National Center for law and Economic Justice and volunteer attorneys from NYC help with those efforts.

The CLARO volunteers are trained in person and through a portal developed by the Columbia Law Students. The online portal for property research has online training videos for students seeking to satisfy the pro bono requirements imposed by the Office of Court Administration and separately by Columbia Law School.

Volunteers contributed 1300 hours to our efforts. The volunteers contribute significantly to our consumer clinics and are particularly helpful in the Small Business Clinics we run for low-income entrepreneurs. The groups that volunteer through our Community Reinvestment Coalition and the Erie County Zombie Task Force also contribute valuable time. The work through Buffalo Niagara Community reinvestment Coalition resulted in an investment of $5 million in homebuyer assistance in NYS, the opening of two new bank branches in a low-income minority neighborhood, and the work of the Erie County Zombie Task Force resulted in addressing vacant properties and in municipalities and bringing the Law Center’s foreclosure and consumer services into community centers throughout the County.

### Pro Bono Statistics

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<tr>
<th>Category</th>
<th>Volunteers</th>
<th>Hours</th>
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<tbody>
<tr>
<td>Attorneys</td>
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<td>35 Hours</td>
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<tr>
<td>Law Students</td>
<td>24</td>
<td>855 Hours</td>
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<tr>
<td>Others</td>
<td>2</td>
<td>410 Hours</td>
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### Sources Of Funding

- **IOLA Grant**: $400,000
- **State Funding**: $1,239,553
- **Federal Funding**: $534,209
- **Other**: $694,011
- **Total**: $2,867,773