Overview of Achievements, 2020-2021

The 2020-21 IOLA grant year coincided with one of the most challenging times in modern history. The Covid-19 Pandemic had an enormous impact on our work, our staff, and especially on our clients. Our work became more difficult and more important than ever. The Family Center's (TFC) Legal Wellness Institute (LWI) provides accessible, holistic, civil legal services to low income New Yorkers impacted by serious illness or disability, with a model designed to facilitate access for those facing many barriers. Our work ensures that our clients have income, safe and appropriate housing, health care, stable family relationships, and a plan for the future. Despite myriad challenges, this grant year we resolved 701 cases benefitting 1596 New Yorkers. This work gained our clients at least $184,550.03 in lump sum and retroactive awards and $22,430 per month in ongoing payments ($269,160 annually). We also saved clients $164,612.67 in lump sum discharges and payments avoided, plus $16,305 in ongoing monthly savings ($190,160 annually). We provided legal education to hundreds of New Yorkers at 22 virtual legal education presentations, provided referrals and pro se assistance to hundreds who called our legal intake line, and provided vital legal information to thousands more through online resources, including new online material on timely legal issues.

Numbers cannot capture hundreds of outcomes that do not easily translate to dollar values, like enforcing the right to disability accommodations or drafting and executing a will and designation of standby guardian for a single mother with metastatic cancer. Similarly, numbers do not fully reflect how our work this year ensured that many New Yorkers had access to justice when they otherwise would not. With our target population at high risk for serious Covid complications, protecting their health is of vital importance. But it quickly became clear that remote legal services do not work for many of our clients. Many cannot afford the technology (computers, printers, phone data, etc.) to meet or sign documents remotely; many clients’ disabilities or illness prevent them from using computers or even phones. They cannot afford to mail huge piles of papers, nor get to the post office to do so. So throughout the Pandemic, LWI has continued to travel to all five boroughs, following strict safety protocols, to see clients in person and ensure that they receive the legal assistance they vitally need.

Population Served: Low Income Population

Area Served: New York City Metropolitan Area

Total Funding: $ 1,080,800

Total IOLA Grant: $87,500

Staffing - Full Time Equivalents:

- Total Staff: 7.25
- Lawyers: 5.00
- Paralegals: 2.25
Elaine is 64 years old and lives alone in the Queens co-op where she grew up. Elaine has liver cancer and end-stage liver disease. She uses a wheelchair and an oxygen tank, and requires a home attendant to assist with daily activities and personal care. Elaine began working with LWI during the Pandemic, prompted by changing circumstances, including her declining health. She has worked with one attorney who has represented her with multiple legal issues across practice areas including Health Law, Income Maintenance, and Lifetime/Estate Planning. Because of her fragile health, it was not safe to meet with Elaine in person for long periods of time. We provided services through phone, email, video calls, and brief outdoor visits to exchange papers. Using these methods, we helped Elaine execute a Power of Attorney so that her son could help with her legal and financial affairs. Elaine lives on a modest fixed income, and her living expenses increased during the pandemic. When Elaine began to fall behind on maintenance payments for her co-op, we helped her answer a nonpayment petition and file a hardship declaration with the Housing Court to protect her from being evicted during the Pandemic. In early 2021, Elaine decided to sell her co-op and move to a more affordable apartment closer to her son, upstate. We advised Elaine extensively on the impact of the sale on her Medicaid eligibility, monitored progress on the sale, and helped her establish a Supplemental Needs Trust for the sale proceeds to ensure that she keeps her Medicaid and the home care that allows her to remain in the community. We then helped Elaine establish a Medicaid-approved Irrevocable Burial Trust for funeral and cremation expenses. Finally, in light of her health, we drafted and executed Elaine’s Last Will, to ensure that her property is distributed according to her wishes upon her death. With all of these issues so interconnected, having one attorney represent Elaine across each of these needs allowed for efficient resolution and ensured that all contingencies and consequences were planned for thoughtfully to avoid later problems.

Cherise is a 42-year-old Harlem resident who has a long term chronic illness. Her 12-year-old daughter, Tanya, was born with a congenital heart condition. Cherise came to LWI seeking assistance with a Family Law issue, but it turned out she needed help with Income Maintenance and Health Law issues as well. When Tanya was born, Cherise was married to Tanya’s father, but the two split up not long after Tanya came home from the hospital. Cherise has been raising Tanya on her own ever since, with inconsistent financial help from Tanya’s father. Cherise came to LWI for help filing a divorce against her estranged husband. An LWI attorney helped Cherise secure a separation agreement that afforded her full residential custody of Tanya as well as substantial child support. We filed for divorce on Cherise’s behalf, and asked for the separation agreement to be incorporated into the divorce judgment. Cherise was awarded a final judgment of divorce in the fall and has been receiving child support since then. She told her attorney that accomplishing this legal goal was one of the few bright spots for her in a very difficult year.
The Family Center

Number of People Benefitted by Services Other Than Direct Legal Representation

<table>
<thead>
<tr>
<th>Service</th>
<th>People</th>
</tr>
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<tbody>
<tr>
<td>Total</td>
<td>3,243</td>
</tr>
<tr>
<td>Community Legal Education</td>
<td>759</td>
</tr>
<tr>
<td>Pro Se Assistance</td>
<td>62</td>
</tr>
<tr>
<td>Online Assistance</td>
<td>2,422</td>
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We share our expertise on legal issues affecting seriously ill and disabled New Yorkers in a variety of ways beyond our direct client representation. These include community legal education, pro se assistance, and online outreach. Though typically our community legal education events are held in the community at locations throughout the five boroughs, this year we created and led online legal education presentations for a wide variety of audiences on a range of relevant topics. We conducted 22 of these virtual presentations on substantive legal topics, in addition to a number of virtual meetings and presentations with community providers and potential clients that focused more on outreach about services than on substantive legal issues. Nearly half of this year’s education events this year were presented in Spanish for a Spanish monolingual audience. Each presentation includes specialized materials and slides prepared with the specific audience in mind.

As discussed above, the Pandemic impacted our ability to offer onsite legal clinics and large legal events, at which we typically offer brief legal services or pro se assistance. Instead, we provided pro se assistance on an individual basis to people who called our intake line to whom we could not provide full representation. We provided pro se assistance to 41 people in this manner, with long phone calls in which LWI staff explained how to complete forms; what types of documents they would need to gather; how to go about filing the necessary paperwork; and other vital information for people who may need to interact with the legal system without representation. 21 other people received printed self-help material, forms, and instructions by mail or email. While we were not able to reach the same number of New Yorkers for in-person services and pro se assistance, we did reach thousands of people (well in excess of our annual online outreach goal) through our online educational and self-help material, including new content on timely topics.
Other Legal Related Services: Examples

In July 2020 and then again in February 2021, we gave a Zoom presentation for patients in a Spanish-language cancer support group. Both presentations focused on tenants’ rights, with specific information on the myriad changes and new programs put in place because of the Pandemic. The February program provided an update on the current status of housing law, housing court, and tenant protections in light of the ongoing Pandemic. Each online event was presented in Spanish by LWI staff members and each was attended by 20+ group members. Through these events, patients learned about eviction moratoria, rent arrears and rent relief programs, hardship declarations, and other topics key to ensuring their ongoing housing stability.

In May we created and hosted a Zoom presentation for staff of SUNY Downstate’s STAR Clinic on the topic of Advance Directives with particular emphasis on their relevance during the Pandemic, and Pandemic-related procedural changes, such as remote witnessing and notarization. The event was attended by 40 clinic staff members, including social workers, case managers, nurses, and other healthcare providers. This presentation allowed them to have more informed conversations with patients on these important and timely issues.

With so much happening and changing over the past year, we knew that many New Yorkers were looking for information. Information about how they could protect and plan for themselves and their families, and about changes to the law and what that meant for them. Because we are unable to hold larger events throughout the NYC community to discuss these issues, we put renewed attention into creating timely and informative self-help materials online. Last year we added two new downloads. In response to the uncertainty and anxiety created by the Pandemic in addition to heightened fears relating to racist policing, unprecedented political division, and ongoing protests, we created an easy-to-read guide to how certain simple advance directives can be used to plan for unfortunate events like illness, injury, and arrest. We also created an overview of the American Rescue Plan, the types of assistance it may provide to lower income New Yorkers and how to access some of the benefits it created. We are currently working on creating additional materials.
Trainings

TFC has a strong commitment to professional development to ensure that all staff have the knowledge and skills necessary to partner effectively with our clients. TFC’s agency-wide orientation was recently redesigned and significantly improved by a subcommittee with representation from all TFC departments and staff levels. New LWI staff, interns, and volunteers receive training in all our practice areas; important legal ethics topics and how they arise in our work; how to complete high-quality and compassionate intake interviews; documentation and record-keeping requirements; and more. After orientation, new LWI staff members are assigned cases of increasing complexity with close monitoring by supervisors. Professional development and training opportunities are discussed regularly during supervision with each staff member, and all staff are required to participate in ongoing education including CLE in relevant practice areas and legal skills, as well as non-CLE training in issues that affect our work and our clients. In addition to covering CLE costs, TFC staff receives an annual education benefit that can be used for classes, training, and certifications that will enhance their work. Staff are also encouraged to participate in associations, coalitions, and committees. Nearly all LWI attorneys attend NYSBA’s Legal Assistance Partnership Conference each time it is held. We are members of the NYS Legal Services Coalition and participate in Coalition meetings and events.

TFC hosts a thorough orientation for all new Board members to learn in detail about our agency, mission, work, clients, and finances. Each year, TFC hosts a full-day Board retreat that encompasses a review of governance and fiduciary responsibilities, as well as in-depth fundraising training. TFC staff present at each Board meeting and directors provide an annual review so that the Board stays informed on work. This past year, our Board and our entire agency staff have been ongoing receiving anti-racism training from a nationally recognized expert, Dr. Wizdom Powell.

Technology

Over the past year, we have made significant upgrades to our client database system, Evolv-CS, which is used by all agency departments. Evolv records all client contact and demographic information, allows us to log our time, matters, services, and notes, and records case outcomes and benefits. One major improvement this year was moving our Evolv system to a secure, HIPAA-compliant cloud server, so that staff no longer had to log into the database through our in-office network. We also made system upgrades to facilitate supervision and case monitoring. Finally, we worked with our in-house Quality Assurance Manager and our consulting software experts to create additional reports utilizing the vast amount of data contained in evolv so that we can more easily and accurately track our legal work and our impact.
Significant Collaborations

As a legal office housed within a multidisciplinary organization, we are fortunate to have a built-in partnership with the other programs within our own agency. TFC provides dozens of non-legal services and programs to low-income New Yorkers, many of whom are coping with serious illnesses or disabilities. These services include a licensed mental health clinic, individual and family counseling, supportive and health education programming for people living with HIV, and many specialized interventions for children and adults who have experienced trauma. In 2020 TFC launched a Certified Community Behavioral Health Clinic (CCBHC) which provides comprehensive services to New Yorkers facing severe and co-occurring mental/behavioral health disorders. Our colleagues in other TFC departments frequently identify clients of their programs who are experiencing legal problems and refer them internally for assistance through LWI. This referral process goes both ways. We often identify ways in which our legal clients could use additional, non-legal support and are fortunate that we can connect many of our clients with these services within our own agency.

Because our work focuses on those affected by serious illness and disabilities, we often collaborate with healthcare providers and other organizations serving these populations. We present at and receive referrals from hospitals and hospice programs around the city. We also frequently partner with community and support organizations serving clients who are seriously ill or disabled, including cancer patient support organizations, supportive housing providers, adult day health centers, and others.
Pro Bono Volunteer Involvement

This grant year, we were fortunate to have assistance from six highly qualified volunteers, interns, and pro bono attorneys. During the summer, we hosted two law student interns, from Brooklyn Law School and from Hofstra Law School. Both interns worked remotely due to the Pandemic, under close supervision of LWI staff. During the fall we were joined by another law student intern, from Pace School of Law, in addition to a foreign-qualified attorney who was looking to provide pro bono assistance. This attorney has provided well over the required 50 hours for NY bar admission and continues to provide research, drafting, and other forms of help on complex cases. Law student interns help with a variety of client-related work, including client intake, document review, legal research, drafting motions and petitions, and advocating for clients with various administrative agencies.

One attorney in private practice provided pro bono support to our attorneys on a complex client matter that involved a real estate asset. Similarly, a CPA provided pro bono support to attorneys on tax, valuation, and pension issues relating to a negotiation for equitable distribution and maintenance for a divorce case in which our client’s spouse has significantly higher income and multiple pensions and retirement accounts.

We note that while we continued to receive a high number of applications from people interested in volunteering their time with LWI, we have worked with fewer volunteers this year than in past years. Unfortunately, because of the complexity of onboarding, training, and supervising volunteers while working remotely, it was not practicable to work with as many volunteers as we typically do, but having hosted 19 volunteers over the two-year grant period, we nearly met our two-year goal of 20 volunteers.

Pro Bono Statistics

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<tr>
<th>Category</th>
<th>Volunteers</th>
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<tr>
<td>Others</td>
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<td>2 Hours</td>
</tr>
<tr>
<td>Law Students</td>
<td>3 Volunteers</td>
<td>700 Hours</td>
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</table>

Sources Of Funding

- **IOLA Grant:** $87,500
- **Foundations:** $412,000
- **State Funding:** $406,300
- **Other:** $175,000
- **Total:** $1,080,800