CAMBA/ CAMBA Legal Services (CLS), in partnership with the Legal Services for the Working Poor Coalition, provided direct legal service assistance to more than 3,000 people this year. Direct legal services include legal representation, brief advice as well as counsel in the areas of consumer law, foreclosure prevention, housing, immigration, and services to crime victims including survivors of domestic violence. CAMBA Legal Services, along with its partners, provided community legal education, information and referral services, and pro se assistance to approximately 7,500 people over the year. Collectively, the dollar benefit and savings to clients combined (including annualized ongoing ongoing monthly payments) well exceeded $7 million. If successful, our impact cases could ultimately benefit all New York State consumers, and the Calixto v. Balsamo case would benefit all tenants living in buildings where this law firm is the attorney of record.

Given the continued global Covid-19 pandemic, CLS continued to play an important role connecting community members and existing clients to a variety of assistance and services to support them around the many new issues the pandemic presented for them and our community, which was disproportionately affected by the pandemic. The agency played a pivotal role in connecting people to emergency food, reliable high quality health information and services, unemployment benefits, emergency financial assistance, public benefits, information on the eviction moratoria and the resumption of evictions, and updates on the status of the courts and other systems that were largely shut or slowed down, and are still in the process of reopening. CLS staff organically started returning to the office and over the course of this contract year, has slowly resumed in person services targeted to those unable to access services in a remote environment. We are now in the process of reopening the offices more formally, while maintaining virtual services as well for those clients who prefer to access services in that way.

**Population Served:** Low Income Populations

**Area Served:** New York City Metropolitan Area

**Total IOLA Grant:** $476,049.79

**Staffing Full Time Equivalents:**
- Total Staff: 68.5
- Lawyers: 45.5
- Paralegals: 19
- Other: 4
Direct Legal Services: Cases

Consumer/Finance:
Ms. T is a senior resident of Northern Manhattan who came to CAMBA after her savings account containing her social security was frozen. This was devastating to Ms. T, she had amassed a small saving of around $5,000, but mostly used the account to pay her monthly bills, including her rent. Ms. T’s account was frozen due to a judgment from 2005 that she never knew about. The plaintiff in Ms. T’s case was a debt buyer and the underlying creditor was Providian, a notorious marketer of “fee harvester” credit cards. Ms. T did not think she had a Providian card but because the debt was so old she was not sure.

Unsure what to do, Ms. T went to the Civil Court and filed an Order to Show Cause to vacate the default judgment against her. The debt buyer opposed Ms. T’s Order to Show Cause, and not knowing how to respond Ms. T came to CLS, who agreed to represent her. After reviewing the opposition CLS discovered that service was performed by a notorious process server who had his process serving license revoked for lying about service and that when the case was filed in 2005 the statute of limitations had already expired. CLS drafted supplementary papers pointing out these issues and the judgment was vacated and case against Ms. T discontinued. Ms. T’s bank account was unfrozen and her money was restored.

Ms. T’s case highlights many of the issue facing consumers. In spite of reforms and legislative victories, the mass of default judgements and years of bad practices by lenders, process servers, and debt buyers are still harming the lives of New Yorkers.
Consumer/Finance:
Ms. M is a 40 year old Queens resident who was going to school in the evening so she could find a better job. In early March 2022, Ms. M found out there was a consumer lawsuit against her when her bank account containing her recently deposited student loan and tax refund was frozen. Ms. M was a former CAMBA client and reached out to the consumer unit for assistance. Ms. M was deeply concerned that the freeze on her account would mean she could not pay her rent and that the freeze of her student loan would prevent her from finishing her last semester of school. After speaking with Ms. M about her situation we agreed to take her case. We also informed Ms. M that she was entitled to the first $3,600 in her bank account under New York’s exempt income rules and that she should go to the branch to get access to that money and to get a copy of the restraining notice. Ms. M went to the bank where she was told that instead of giving her access to her account that they would be closing it and sending her a check for the exempt amount. They also refused to give her the account restraint and information subpoena the freeze was based on.

Eventually, CAMBA and Ms. M were able to call the branch with the levy department on the phone and they informed the bank that they had to give Ms. M the restraint and information subpoena. After reviewing the information in the restraint it was determined that the restraint was served in December at which time the account could not be restrained because of the exemption limit. Instead of voiding the restraint as required by law, the bank kept it open waited until Ms. M had more than the exemption limit in her account and froze it. This practice as well as the practice of closing the account both violate New York’s Exempt Income Protection Act. Because the underlying case was from 2004 it was impossible for Ms. M to get any information about the case as the court file could take up to a year to arrive. After unsuccessfully advocating with the bank concerning the illegal restraint, CAMBA filed an Order to Show Cause that highlighted the bank’s non-compliance and requested that the account be released before the hearing as it was improper in the first instance. The Court granted this relief and Ms. M’s account was immediately released. Ms. M’s case is still pending, but CAMBA’s advocacy was able to ensure she got her account released. CAMBA’s advocacy did not stop with Ms. M’s individual action, CAMBA has raised the bank’s non-compliance with the New York Attorney General who is concerned that banks are not complying with New York’s exemption rules.
Remote CLARO – In 2018 approximately 100,186 consumer lawsuits were filed in NYC Civil Court against New York City residents. No direct legal representation system could possibly serve all of the consumer cases that are filed in the NYC Civil Court, in given a year. This reality has led to the creation of the Civil Legal Advice Resource Office or CLARO, which, during COVID, has become remote. The remote CLARO program is designed to provide NYC residents, who have been sued in civil court with legal advice regarding their case. CLARO is citywide, administered by Fordham Law School, and staffed by law students and fellows. Through remote CLARO, the Working Poor Coalition provided assistance to approximately 40 clients, and helped to provide another avenue for New York City’s working poor to find legal advice relating to consumer law issues. The Coalition has also been heavily involved in further developing a CLARO Program focused exclusively on domestic violence survivors. This program not only provides legal services, but also works to develop best practices in service delivery to this vulnerable population. We are working on staffing clinics directly in shelters again.

Collectively, the Consumer Law Project provided pro se assistance to 249 individuals in a variety of matters. These one on one services were provided at each of the sites in a combination of ways including by email, phone, and in person.

| Number of People who Benefitted from Services Other Than Direct Legal Representation |
|----------------------------------|----------------|
| Community Legal Education        | 5,162 |
| Pro Se Assistance                | 249   |
| Online Assistance                | 155   |

5,566 People Benefitted by Services Other Than Direct Legal Representation
Other Services: Technology and Other Innovations

CAMBA Legal Services continues to receive consumer law referrals through the Consumer Law Help Finder, which was developed in partnership with a number of other New York City providers and the Technology Working Group of the Task Force to Expand Access to Civil Legal Services. This portal uses technology to improve consumer law triage, screening and/or intake processes. The Covid-19 crisis has made the portal vital, as traditional access points for consumer legal services have been shut down. At the advent of the crisis the providers convened to make sure the portal was as widely known as possible and to do everything they could to help consumer access it. Since that time, more consumers then ever have accessed our services through the portal, getting brief advice and full representation in the full spectrum of consumer cases.

Legal Server Database – This year CLS upgraded its program wide database to Legal Server. This upgrade allows for better integration with the online portal, better case tracking across units, makes it easier to track outcomes, and serves as a cloud based document management tool with virtual case files. The upgrade allows CLS to more efficiently manage cases and record outcomes.

Other Services: Trainings

CAMBA’s consumer unit training is centered on its supervisory model. Because consumer law is a smaller practice area city wide, there are fewer relevant trainings. A subject like auto leases, for instance, may only happen once every two years. While these trainings are useful the long delay makes them of limited utility to an attorney representing a client with a breach of auto lease issue right now. For this reason, CAMBA’s Consumer Unit employs 2 supervising attorneys to 3 staff attorneys and a paralegal. This allows for supervisors to interact with staff on a constant basis and, to deeply review legal writing, to attend court dates, and to devote lots of time to discussing case strategy and relevant legal doctrine. This is enhanced by the experience of the supervisory staff which has a combined 20 years of experience handling consumer law cases in New York. CAMBA also has robust co-counseling relationships and seeks out co-counsel when dealing with new or complex issues. This allows attorneys to lessen workloads and get experience from providers who are outside the legal services realm. The consumer unit also does a yearly training review to speak to staff about professional development needs and how to address them. This year those discussions resulted in a revamped training schedule for new hires that is more in depth, stretching over two weeks, and provides a more comprehensive view of consumer law and New York poverty law more generally.
Impact Cases

**Autovest v. Rosine Weems**
Ms. Weems was sued by Autovest, a debt buyer that purchased defaulted auto finance contracts. Autovest sued Ms. Weems after the four years statute of limitations under the Uniform Commercial Code (“UCC”) expired. CAMBA represented Ms. Weems and moved to dismiss, arguing the UCC applied to car sales and the case was time barred. The court agreed and dismissed the case. The decision not only created good precedent but brought to light Autovest’s broad practice of suing after the statute of limitations has expired. It is anticipated that this decision may affect approximately 1,000 New York State consumers.

**Fritz v. LVNV Funding, LLC**
Ms. Fritz sued LVNV Funding and their attorney for trying to enforce a judgment against her that was vacated almost a decade prior. As part of the lawsuit Ms. Fritz sought evidence of how often LVNV had enforced on vacated or non-existent judgments. LVNV fought tooth and nail not to provide this information. At the end of the day, however, the Court ordered LVNV to produce all the lawsuits filed against it as well as to conduct and internal review for consumer complaints about the issue. The decision not only helps Ms. Fritz, but it serves as a roadmap for other consumers seeking pattern and practice evidence as well as creating a better understanding of LVNV’s practices.

**Capital Equity Management v. Raphael Dema**
In 2019, Mr. Dema appeared pro se to attempt to vacate a default judgment against him. The lawsuit was from 2004 and was filed by a debt buyer for a credit card Mr. Dema does not believe he had. Mr. Dema was served while he was living in Nigeria, and only discovered the judgment when he returned to the country a number of years later. Even though he was not living in this country, the court found that he did not have a proper service defense. This ruling runs afoul of the rules relating to service of process. After the decision, Mr. Dema was directed to CAMBA who agreed to handle his appeal. If Mr. Dema’s appeal is successful it will impact consumers by making clear that a consumer must actually be living at the address where service is alleged.
Pro Bono Volunteer Involvement

CAMBA Legal Services, TakeRoot Justice, and NMIC have developed strong relationships with numerous private pro bono attorneys. Coalition members work with pro bono counsel on a wide variety of cases. Chiefly, coalition members collaborated with pro bono counsel on impact litigation. Impact litigation is often extraordinarily labor intensive. It would not be possible for coalition members to undertake these cases, and at the same time satisfy the coalition’s primary goal of providing direct individual representation to consumers. For this reason, co-counseling cases with private attorneys is vital. This year coalition members co-counseled numerous cases with private counsel, including a number of complex federal cases. Coalition members also work with private pro bono counsel on individual actions in areas of the law in which they are less familiar. This allows coalition members to gain experience in these areas and build capacity. These joint efforts include working with pro bono counsel on federal Fair Debt Collection Practices Act cases that resulted in significant financial recovery for our clients.

From March through June 2021, CAMBA hosted a pro bono scholar. This program, created by the Chief Judge Lippman, allows a law student to devote their final semester to full time pro bono work. CAMBA and the legal clinic and Fordham Law School worked together to supervise the scholar, who managed a caseload of approximately 4 full and 3 brief cases. Coalition members also receive assistance from law student interns. These interns assist with legal research and writing as well as partnering with coalition members on larger projects. The Housing Unit hosts two law student interns each summer. Students spend time working with staff attorneys doing research and writing, client interviews and attending court appearances. We also have a retired attorney who volunteers weekly to process SCRIE/DRIE applications. Additionally, we have three Attorneys Emeritus volunteers who support the Housing Unit with trial preparation assistance, conduct trainings, and provide case consultations.

4 Attorneys volunteered 520 hours

6 Law Students volunteered 1,050.50 hours
Significant Collaborations

In addition to the coalition itself, which is a collaboration community based organizations, the New York City consumer law community as a whole is also very collaborative. The consumer advocates hold meetings where cases, trends, and legislation are discussed. Even with the advent of Covid, the community has still met remotely. Through these meetings coalition members have developed strong relationships with other New York City consumer law providers that have resulted in referrals, joint legislative advocacy, and numerous co-counseled cases. Most recently, CAMBA Legal Services and Fordham University Law School’s Consumer Law Clinic collaborated on an appeal to the Appellate Term of the Second Department, addressing the requirements for proper service when a defendant is out of the country.

Also, as discussed in the training section, Leap, a coalition of legal services non-profits, that all coalition members are part of organizes monthly trainings on a variety of issues, sharing in house knowledge and expertise with each other. This has been particularly useful given the programmatic growth in the housing unit with the implementation of Right to Counsel.

Sources of Funding

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<th>Source</th>
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<td>State Funding</td>
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<td>Other</td>
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