Overview of Achievements

From April 1, 2021 through March 31, 2022, Legal Aid Bureau of Buffalo (LABB) intaked 4,801 civil cases. Through our on-line application portal we received 142 of these intakes. Teams intakes are reported as intakes by phone. The on-line application portal went live in December 2021, and by the end of the grant year the number of completed online intakes was close to 100 per month, and the numbers have continued to rise. Only 233 of the applicants were rejected, and rejections were based solely on conflict of interest, income eligibility issues, the litigation was not within the 8th Judicial District, or their issue has been prioritized by another agency. Despite the tremendous spike in housing intakes once the moratorium lifted in January 2022, all intake areas remained open. LABB provided advice or representation to a total of 5,138 men, women, and children in 3,704 different cases in Western New York. Of these, 2,560 persons were assisted in general civil matters and 2,578 children were represented in Erie County Family Court. In addition, the Civil Unit provided hotline services for 2,674 people. Referrals were provided to 1496 people. Community legal education, primarily through our regular legal columns in community newspapers (30,500), was provided to over 32,082 individuals, and virtual pro se assistance was provided to 1,287 persons. Our on-line self-help materials were accessed by 116 people.

Outreach and offsite in person events remained curtailed during this year as a result of the COVID-19 pandemic. During the first three quarters of this reporting year, moratoriums, court closures and safety considerations heavily impacted our representation of individuals especially in housing matters, foreclosure matters, and in the representation of children through our Attorneys for Children in Erie County Family Court. As of the last quarter of this year, the moratoriums have lifted, and courts have returned full operating capacity, though there remains a backlog of cases in some courts, including the Housing Courts.

Population Served: General Low Income Population

Area Served: Erie County

Total IOLA Grant: $349,555.25

Staffing Full Time Equivalents:
- Total Staff: 45.32
- Lawyers: 22.04
- Paralegals: 14.5
- Other: 8.78
Direct Legal Services: Cases

**Housing/Family:**
Mr. Smith came to us in need. The mother of his children approached him when she lost her Section 8 Housing Assistance and asked him to allow her to move in temporarily. He agreed to let her stay for a short period until she found alternate housing. Our client reported that once she moved in, she “made up stuff” about him. She filed a Family Offense Petition and obtained an ex parte temporary order of protection based on the allegations she put in her petition. She filed criminal harassment charges against our client, and a criminal order of protection was issued. In effect, our client was put out of his house making him homeless.

We investigated the situation and determined there were definite credibility issues regarding the allegations made against our client. Our client was in dire need of assistance as he had now been homeless for over 9 months. The taxes, water and user fees on his home had not been paid during this time and were now past due. This made him concerned about the threat of foreclosure.

We worked with the billing authorities to arrange for time for him to bring current past due balances given the circumstances. We also requested an immediate trial on the Family Offense Petition and the criminal charges which were pending in Erie County Supreme Court, Integrated Domestic Violence Part. This was the quickest way to get our client’s homelessness issue addressed. After a one-day trial on both the civil and criminal cases, the Judge ruled in our favor, both cases were dismissed against him and our client was able to immediately return to his home. He made arrangements for the delinquent charges to be paid to save his home from foreclosure.
Family Case:
John Jacobs came to Legal Aid Bureau of Buffalo with a post-matrimonial matter. Months prior, Mr. Jacobs’ ex-wife filed a motion asking the court to hold him in contempt for nonpayment under the terms of a divorce settlement agreement that he entered into without having an attorney. Mr. Jacobs was facing a potential fine or even jail time, in addition to tens of thousands of dollars in money judgments. Mr. Jacobs’ wife was also seeking a full stay-away order of protection against him, which undoubtedly would have limited Mr. Jacobs’ ability to easily arrange visitation with the two children he shares with his ex-wife. Additionally, Mr. Jacobs had been underpaying child support and was overwhelmed by the arrears.

Before coming to Legal Aid, Mr. Jacobs attempted to communicate and negotiate directly with his wife’s attorney. However, Mr. Jacobs has attention deficit disorder and mental health issues and he struggled to keep his documents and thoughts organized enough to get anywhere in his negotiations with his wife’s attorney.

After working with our client and speaking with his ex-wife’s attorney, it became clear that Mr. Jacobs would very likely be found in contempt by the court. Defending against the contempt allegation would have forced him to testify and open himself up to being questioned under oath about issues that may have caused him additional negative legal exposure.

Instead of allowing Mr. Jacobs to be questioned under oath by his wife’s attorney and risking that the Judge impose sanctions for contempt that would have further financially crippled the client or even sent him to jail, we were able to negotiate with the ex-wife’s attorney and present a solution to the court. Mr. Jacobs agreed to admit he was in contempt. In exchange, the court agreed to suspend the contempt finding for one year, as long as Mr. Jacobs complied with the other terms negotiated, after which the contempt finding would be purged. As part of this settlement, we were able to avoid a stay-away order of protection being issued against Mr. Jacobs, allowing him easier access with his children. We were also able to keep his child support arrears out of the Child Support Collections Unit, where the arrears would have generated additional interest. Further, Mr. Jacobs had erroneously been paying his ex-wife the child support directly, and we were able to get $4,000.00 in direct payments credited towards the amount being collected by the Child Support Collections Unit. We also arranged a reasonable payment plan for Mr. Jacobs to comply with the terms of his divorce settlement agreement and avoid the entry of several money judgments subject to interest.
Other Services: Overview

The Reentry Project offered virtual and in-person workshops and clinics with the assistance of the following local community organizations: Federal Probation services; Ready, Set Work (Project Blue/Peace Prints); Parole Orientation; Say Yes Buffalo; Spectrum Human Services; Training to Work Program; Veterans One Stop; Service Link Stop; and Erie County Sheriff Community Reintegration at the Erie County Holding Center. Reentry Project members also provide educational sessions for community advocates and service professionals to raise awareness of pro se actions from which Reentry clients may benefit. Our Reentry Project reached 485 individuals this year. Attorneys at LABB also gave virtual assistance and training to Assigned Counsel Program, Jericho Road, Buffalo Public Schools, CASA, and various attorney and community groups and Erie County Committees, reaching an additional 815 individuals.

Number of People who Benefitted from Services Other Than Direct Legal Representation

<table>
<thead>
<tr>
<th>Service</th>
<th>Number</th>
</tr>
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<tbody>
<tr>
<td>Community Legal Education</td>
<td>32,082</td>
</tr>
<tr>
<td>Pro Se Assistance</td>
<td>1,287</td>
</tr>
<tr>
<td>Online Assistance</td>
<td>1,640</td>
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</table>

35,009 People Benefitted by Services Other Than Direct Legal Representation

Other Services: Technology and Other Innovations

Last year we completed development of a new Case Management System called LegalServer and went live with it on October 5, 2020. This is a web-based case management system that is accessible to attorneys remotely, when they are working from Court or some other off-site location. Since its initial installation we have customized the system to collect and report relevant client data. We continue to develop the system to collect data on clinics and outreach events. The system is highly adaptable, and management has been trained to use the system to monitor caseloads, case progress, and employee productivity. Additionally, we have begun to use the system to automate document production. We hold weekly meetings with IT personnel and unit managers to continue to enhancing the system.
Other Services: Technology and Other Innovations

A separate module is the LegalServer On-Line Applications which went live in December 2021. The module can be accessed through our website. Applicants can apply on-line giving sufficient information for LABB intake personnel to quickly check conflicts and income and to timely accept, reject or refer the case. The information the applicant supplies is transferred automatically into our LegalServer Case Management System to open the new case, eliminating the need for it to be input by an intake clerk. We continue to train on this system to learn the many other features it offers.

We went live with Laserfiche, a new Document Management System. This is also a web-based system for document retention. This reduces our need and associated cost for on-site physical storage space for our data. This system interfaces directly with our Case Management System which essentially makes it possible to access all client data remotely through one portal. The system has the capacity to store all client related case documents electronically eliminating the need and associated costs of physical storage space for our closed files. Over the next year, we will begin training to use encrypted exchange of documents, electronic signatures, and the other advanced features this system offers.

Other Services: Trainings

All LABB employees staff regularly participates in CLE’s, webinars, trainings and workgroups. Interns and volunteers are invited to attend these trainings as appropriate. Programs include case law updates, trial techniques, updates on substantive areas of the law, and education on how to better understand your client. Typical examples of these programs are Practices and Trends in the Era of PINS; 4TH Department Attorneys for Children Case Law Update; Ensuring School Stability for Court-Involved Children; Trial Skills; The Interstate Compact on the Placement of Children; Integrating the Science of Brain Development with AFC Practice; Promoting Racial and Gender Equality; Family First Prevention Services Act; Special Immigrant Juvenile Status (SUS); Trauma Informed Interview Tacts; NYS Permanent Commission on Justice for Children: Older Youth in the Courts Series; Planning for the Family when a Client faces Incarceration; LL/T Law During Covid; Mental Hygiene Law and Access to Medical Records in Criminal, Civil, and Family Law; CRYPTOCURRENCY: How to Find it/Track it in Divorce Litigation; Tourette Syndrome, OCD, ADHD, and Autism; New York Immigration Coalition’s Spring Overview of Immigration Law; Subsidized Housing; Confronting Family Violence in Western New York and Beyond; Fetal Alcohol Spectrum Disorder & Courts; NYS Implementation of Family First Prevention Services Act Pt 1; COVID, school & Disability; The American Rescue Plan’s Targeted Education Funding to Support Students with Disabilities; Applied Educational Neuroscience in the Classroom; What FC Prevention advocates Should Know About Bankruptcy; No Safe Place: Recognizing Intimate Partner Violence; CAFA & Bail Reform; Providing Foreclosure Prevention Services to People with Disabilities.
Impact Cases

David Arakelian, et al, v. Lawrence K. Marks in his official capacity as Chief Administrative Judge of the Courts of New York State, and The State of New York. This was an Action for Declaratory Judgment brought under CPLR 3001. The suit was filed in November 2021 by 37 landlords seeking a finding that the residential eviction moratorium was unconstitutional. The goal was to have the action dismissed. Legal Aid Bureau of Buffalo, Inc. prepared an Affidavit supporting the dismissal of the case setting forth the adverse impact such a finding would have on the low-income tenants of Erie County and throughout Western New York. Neighborhood Legal Services, Center for Elder Law and Justice, Western New York Law Center, Volunteer Lawyers Project, and Legal Aid Society prepared similar affidavits in support of dismissal. The case was dismissed. According to the research we presented in the Affidavit, based on the number of evictions that were filed since the pandemic and stayed from pursuant because of the moratorium 13,090 low-income households in the County of Erie that benefitted from the dismissal of this case.

Lawyers For Children, The Legal Aid Society, and Legal Aid Bureau Of Buffalo, Inc., v. Office Of Children And Family Services and Shelia J. Poole, in her official capacity as Commissioner of Children and Family Services. This is an Article 78 Proceeding, in which LABB is a Plaintiff, brought to annul Host Home regulations adopted by OCFS in December 2021. The action is brought on the basis that OCFS lacks the authority to promulgate and implement such regulations, inasmuch as they create from whole cloth a scheme for out-of-home placements that go beyond the existing legislative framework; the plaintiffs further assert that the regulations fail to guarantee children and parents the assistance of counsel or any of the other protections built into New York’s existing legal framework governing parents’ voluntary placement of children in foster care. During the last quarter of this reporting year, the litigation was being prepared for filing. It was initiated in mid-April 2022 in Rensselaer County Supreme Court and oral argument is scheduled for June 13, 2022. The ultimate impact of this litigation is unknown at this time.
Pro Bono Volunteer Involvement

We hosted 29 individuals through our internship program this past grant year. Of these, 3 were attorneys, 11 were law students, and 15 were college or paralegal students. Altogether, volunteers accounted for 4,442 hours devoted to client casework.

In the Civil Legal Services Unit host internships for attorneys, law students, and all other students (from college to high school). Interns are assigned client uncontested divorce cases. The intern is provided with the opportunity to develop skills in client communications, drafting pleadings, filing documents (electronic and paper). Interns learn and work hands on with the legal concepts and rules codified the Civil Practice Laws and Rules, Domestic Relations Law, and the New York Codes Rules and Regulations. In addition, interns are teamed up with Civil Unit Attorneys to work on litigated matters. Law School interns receive Practice Orders. Projects and assignments include preparing documents and attending court appearances, hearings and trials in Supreme Court, City Court and Family Court.

The Attorneys for Children Unit at the Legal Aid Bureau of Buffalo hosts internships for law students to work with our team of lawyers, social workers and child advocates in the representation of children and youth (infants through age 21) in child welfare proceedings and juvenile defense work in Erie County Family Court. Interns will have the opportunity to participate in direct client representation, to attend virtual Family Court proceedings and to conduct legal research and writing. They may also be assigned to work on projects that support the Unit’s work in community-based systems-reform initiatives to achieve justice for children. Funding may be available for a limited number of internships. Applicants are encouraged to seek outside funding and fellowship opportunities.

LABB has full-time and part-time internship opportunities year-round.

3 Attorneys volunteered 343 hours

11 Law Students volunteered 2,752 hours

15 Other Volunteers volunteered 1,347 hours
Significant Collaborations

The Reentry Project concentrates on employment, financial well-being, family reunification, and a range of barriers faced by individuals who have a criminal record. Client planning regularly involves these organizations: NYS Department of Labor; NYSDMV; US Attorney’s Office; Federal Public Defenders; Cazenovia Recovery; Northland Workforce Development; Restoration Society; Buffalo Employment and Training Center; Peace Prints; The Community Foundation; Houghton College; Buffalo Steps to Success Academy; NYS Department of Corrections and Community Supervision; the Buffalo Community Supervision Orientation Project; Service Link Stop; Old First Ward Community Center; and the Community Health Centers of Buffalo and Niagara Falls.

The Family Justice Project partners with The Family Justice Center; Cattaraugus Community Action; Center for Psychosexual Health; and Every Person Influences Children.

The Education Law has established a large network of community partners including Buffalo Public Schools; Erie 1 BOCES; NYS Technical and Education Assistance Center for Homeless Students (NYS TEACHS); Erie County Department of Probation; Oishei Healthy Kids; Parent Network of Western New York; Say Yes to Education in Buffalo; Catholic Charities New Directions; Endeavor; Baker Victory Services; Gateway-Longview; Erie County Restorative Justice Coalition; Family Voices; Families Child Advocacy Network (Families CAN); APIC (Accessing Psychiatric Intermediate Care); Erie County DSS; Child Protective Services and Children’s Services; Adoption Unit and Independent Living Unit; NYS Office of Persons with Developmental Disabilities (OPWDD); NY START (NY Systemic, Therapeutic, Assessment, Resources and Treatment); and the NYS Office of Children and Family Services (OCFS).

The Veterans and Military Families Project works primarily with the following organizations: The Veteran’s One Stop Center; County of Erie Veterans Services; Buffalo Veterans Treatment Court; Catholic Charities; and Spectrum Health and Human Services.

The New American Project, which includes the Coordinated Refugee/Asylee Services Project, relies heavily on well-integrated community collaboration. Our main community partners are RAHAMA - Resources and Help Against Marital Abuse; ACCESS of WNY, Inc.; Journey’s End Refugee Services, Inc.; Neighborhood Legal Services, Inc.; The Erie County Bar Association Volunteer Lawyers Project, Inc.; Center for Elder Law & Justice; The Western New York Law Center, Inc.; Burmese Community Services, Inc.; BestSelf Behavioral Health, Inc.; Karen Society of Buffalo, Inc.; Iraqi American Society, Inc.; Bhutanese-Nepali Community of Buffalo, Inc.; Jericho Road Community Health Center; Hope Refugee Services; Sister Care Center at Response to Love Center; Buffalo Chin Community, Inc.; Zomi Innkuan Buffalo NY Inc.; Afghan New Generation; Buffalo Public Schools; School of Social Work, University at Buffalo; School of Medicine, University at Buffalo; The City of Buffalo Office of New Americans; International Institute of Buffalo, Inc.; Jewish Family Services, Inc.; Catholic Charities of Buffalo; and Hispanics United of Buffalo.
Significant Collaborations

The Foreclosure Prevention Project of Western New York involves central intake distributed among three legal providers with the housing counseling covered by certified housing agencies. The other members of this collaborative effort are Center for Elder Law and Justice; Western New York Law Center; Belmont Housing Resources; Buffalo Urban League; Westside Neighborhood Housing Services; and Consumer Credit Counseling Services of WNY.

The Eviction Prevention Project of WNY involves central intake distributed among five legal providers handling eviction defense focused on the rural communities in Erie, Niagara, Genesee, Wyoming and Orleans Counties. The other members of this collaborative project are Neighborhood Legal Services, Inc.; Volunteer Lawyer Project, Center for Elder Law and Justice; Western New York Law Center.

The Housing Unit partners with The City of Buffalo, The Town of Amherst – Planning Department, Erie County – Environment and Planning; Neighborhood Legal Services; Center for Elder Law and Justice; and Housing Opportunities Made Equal, Inc.

For Holistic Services, new collaborations have made by registering with UNITE US and ALLCO, which provides an online system for connecting health, social services, and legal providers.

Sources of Funding

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<tr>
<th>Source</th>
<th>Amount</th>
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<tr>
<td>IOLA Grant</td>
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<tr>
<td>Foundations</td>
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<td>State Funding</td>
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<td>Federal Funding</td>
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<td>Other</td>
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<tr>
<td><strong>Total</strong></td>
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- **State Funding**: 89%
- **IOLA**: 7%
- **Federal**: 2%
- **Foundations**: 1%
- **Other**: 1%