Nassau/Suffolk Law Services Committee
2021-2022

Overview of Achievements

Nassau Suffolk Law Services Committee, Inc. (NSLS) closed 3,675 cases benefitting 6,688 people during the period from April 1, 2021 through March 31, 2022. Most of our cases involved threats to the basic necessities of human life. Our staff was able to prevent homelessness, obtain medical care for ill and disabled people, obtain special services for disabled persons, help senior citizens and disabled individuals retain home health care and avoid nursing home placement, and halt domestic violence. We obtained nearly $1,000,000 in monetary awards and settlements for clients, as well as ongoing benefits amounting to over $50,000 a month.

The number of closed cases reported has been somewhat depressed by the impact of the Pandemic, but the number of cases handled during the report period is over 2,700 cases higher than that number. Since the beginning of the Pandemic, the operation of the courts has been unpredictable: physical access to the courts has been at times prohibited, at times strictly limited and at times virtual, depending on the levels of infection in New York State or its localities, and sometimes even dependent upon the whim a particular judge. This slowed the progress of cases through the court system. For eviction cases (at approximately 40%, comprising the largest proportionate share of all case types handled by NSLS) other factors and additional procedures added significantly to the protracted nature of the cases. Eviction moratoria were extended multiple times, hardship determinations became required for application of the moratorium and ERAP funding was made available to pay arrears and prevent eviction. Through it all, our staff provided representation to tenants by assisting them to access ERAP funds to prevent eviction and maintaining their eviction moratorium rights by establishing hardship. We also intervened in illegal evictions, which became more prevalent as the eviction moratoria continued. While such legal representation successfully maintained the clients in their housing, it did not bring the underlying eviction case to a final resolution in most instances. Therefore, the number of closed cases remained low during much of this report year, although the number of active cases did not.

Population Served: General Low Income Population

Area Served: Nassau and Suffolk Counties

Total IOLA Grant: $1,459,642

Staffing Full Time Equivalents:
- Total Staff: 92.62
- Lawyers: 57.03
- Paralegals: 16.31
- Other: 19.28
Direct Legal Services: Cases

Consumer/Finance:
Ms. C. was a student at a state-funded college attached to a state-funded hospital. The school required her to go to the hospital emergency room after an incident occurred. Thinking that her father’s out-of-state health insurance would not cover her, she did not provide her insurance information. She was later billed by the hospital for the services she received, but she had insufficient income and resources to pay the bill. She was then sued by the NYS Attorney General for the debt.

When she came to NSLS for help, our attorney worked on several fronts to assist the client, including settlement negotiations with the Office of the Attorney General (OAG) and investigating retroactive health insurance coverage as an option. Our staff attorney asked the try to bill the health insurance company and requested an extension of time to answer the complaint. Several additional extensions were granted while the state sought payment from the health insurance.

Finally, since the state had not yet been able to obtain payment from the health insurance company, our attorney assisted the client to complete forms and provide documentation for an application to discontinue the action based on medical and financial hardship. The favorable result was that the parties signed a stipulation of discontinuance ending the action against the client and preventing this young adult client from shouldering medical debt before she was even out of school.
Direct Legal Services: Cases

Housing/Eviction:
The extended eviction moratoria offered opportunities to assist tenants who were poised to lose their housing under judgments and warrants issued before the pandemic to actually turn their situations around and save the housing. One such tenant was Ms. B., who had retained NSLS to represent her in a pre-COVID eviction proceeding in which the landlord alleged the client was a nuisance. Our client had made numerous complaints to the landlord regarding cigarette smoke that seeped into her apartment from other tenants. Smoking is prohibited in the building. The landlord alleged there was no smoke. A settlement was reached in which the client agreed to vacate the premises by a certain date several months after the date of the stipulation, but she was unable to locate alternate housing by the agreed-upon date, due to the arrival of the pandemic. She was not evicted during the ensuing months, due to the federal and state moratoria on evictions. During this period, we remained in touch with Ms. B., advising her on completing and submitting a hardship declaration in order to maintain her rights under the moratorium and advising her to minimize her interaction with the landlord and her neighbors.

When New York lifted the eviction moratorium, our client was entitled to a hearing to determine if the alleged nuisance was ongoing and persistent. Our office handled the hearing, arguing that the landlord failed to meet its burden of proving that the nuisance continued. The judge agreed and dismissed the proceeding. Our client was extremely grateful that she could stay in her home and no longer had the burden and fear of eviction hanging over her.

Other Services: Overview

The Legal Support Center for Advocates: The Legal Support Center for Advocates (LSCA) provides support and technical assistance to community agencies. LSCA’s services include training, educational materials, events sponsored by the private sector, courts and elected officials, and a telephone hotline for advocates. Our agency newsletter email updates, Legal Lessons (published 16 times during the report year), provide legal updates and information about services available from Law Services. This year many of our updates concerned COVID-related issues, and each typically went to between 3,000 and 4,200 individuals, depending upon the targeted audience, for a total of 54,645 publications mailed or emailed. Our current combined mailing list for these publications includes over 4000 agencies, advocates and other interested individuals.
Other Services: Overview

The LSCA Helpline serves advocates including social workers, guidance counselors, parish outreach workers, youth counselors, legislative staff, doctors, nurses and case managers. In 2021-2022, LSCA provided services on 411 calls from advocates seeking guidance on how to assist a client with a legal problem.

Community education remains a program focus. LSCA and other program units conducted or presented at 32 mostly virtual trainings reaching over 880 advocate and client participants. Collaborations with agencies such as PSEG and local public libraries enrich the trainings. We expect that virtual trainings will continue to feature heavily in our community legal education efforts, as they are easier for people to attend.

The Community Legal Help Project: The Community Legal Help Project (CLHP) is a library-based outreach initiative NSLS coordinates on behalf of the Suffolk County Access to Justice Committee. The services were housed at Suffolk libraries where a collaborative of several local legal service providers joined to provide free legal education, consultations and referrals to community members who require legal assistance and information. While the CLHP suspended its operations in July 2020 because of the pandemic and related budget and staffing constraints, the CLHP was rejuvenated in July 2021.

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

<table>
<thead>
<tr>
<th>Service</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Legal Education</td>
<td>55,848</td>
</tr>
<tr>
<td>Pro Se Assistance</td>
<td>411</td>
</tr>
<tr>
<td>Online Assistance</td>
<td>20,773</td>
</tr>
</tbody>
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77,032 People Benefitted by Services Other Than Direct Legal Representation
**Other Services: Technology and Other Innovations**

During the reporting period, we continued to make substantial improvements to our website to address the need for legal information during the pandemic. NSLS authored COVID-19 resources which were, in the previous reporting year, provided in the form of expandable FAQs (Frequently Asked Questions) were continually updated to reflect the latest changes. To modernize our website and make it one hundred percent ADA compliant and user friendly, we hired website consultants to redesign our website. We began the process of website consultation at the end of 2021 and our new website was launched in March 2022. We are continually working on having downloadable FAQs for all legal resources, including resources that are not COVID-19 related resources.

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**Other Services: Trainings**

NSLS fosters the professional development of our employees through the efforts of a Professional Development Committee (PDC) which comprises both supervisors and staff. In addition to the training provided in-house, with the help of the PDC, we also send our attorneys to various national and statewide conferences. We usually send 25-30 staff members to the biennial NYSBA Legal Partnership Conference which, unfortunately, did not take place this past year because of the pandemic. Staff did, however, attend virtual trainings and conferences. One such conference was conducted by the National Organization of Social Security Claimants Representatives (NOSSCR). The conference dealt primarily with issues facing social security advocates at various levels of representation from the hearing level to federal court.

The Practicing Law Institute has many excellent Continuing Legal Education trainings geared to a legal services practice, and provides them to our staff free of charge, making PLI a good source for staff training.

This past year, many of our Supervising Attorneys took an excellent course provided virtually by the Shriver Center on Poverty Law Training entitled Supervising for Quality and Impact.
Pro Bono Volunteer Involvement

NSLS operates two pro bono projects, the Volunteer Lawyers Project (VLP) in Nassau and the Pro Bono Project (PBP) in Suffolk, each working closely with the Bar Association of the respective county. Each project has a special family law panel made up of pro bono matrimonial attorneys, with a combined total in the hundreds. These cases involve full representation by a pro bono attorney in a divorce. In cooperation with Touro Law School, the Suffolk Pro Bono Project continues to refer uncontested cases to the law school’s Pro Se Divorce Project. This cooperative effort has been very successful in meeting the need for divorce representation in these less complicated cases.

During this report year, our staff gave presentations at 9 mostly virtual trainings for attorneys, some sponsored by the Nassau County Bar Association, the Suffolk County Bar Association or other organization and others sponsored by NSLS. Housing (especially evictions and ERAP funding for landlords and tenants) was naturally the topic for most of these trainings, since the practice underwent frequent changes during this time. The target audience was current and potential volunteer attorneys and NSLS staff, as well as landlords’ attorneys – to make sure they understood that ERAP funds could benefit both their clients and ours. The trainings were attended by 387 attorneys. Our staff also made presentations on Family Law.

Our Self-Help Child Support Project provides information, advice, brief service, and referrals to unrepresented litigants in Suffolk County Family Court.

For many years, our Bankruptcy Clinics have been held in both Nassau and Suffolk Counties. Participants are provided a personal consultation with a bankruptcy attorney for possible referral to a pro bono attorney for full representation in a Chapter 7 bankruptcy. The clinics -suspended during the pandemic and instead referring cases directly to volunteers - are usually held bimonthly and typically have about 15 clients in attendance in each county. Nonetheless, volunteer attorneys handled 39 bankruptcy cases this year.

**1,283 Attorneys volunteered 2,288 hours**

**99 Law Students volunteered 309 hours**

**86 Other Volunteer volunteered 285 hours**
Pro Bono Volunteer Involvement

In addition to matching clients with volunteer attorneys for on-going representation, we have continued our Landlord/Tenant Attorney of the Day Project, which is made possible by the efforts of volunteer attorneys. The Attorney of the Day Project in Nassau County places our volunteer attorneys in the District Court four days a week where they are assigned to a respondent in a landlord/tenant case for representation on that day. A modified version of this project has operated during the pandemic, but the full project is now resuming. A fuller description is in the Collaboration section.

We also utilize pro bono attorneys to screen prospective clients by phone and to interview clients in order to evaluate potential pro bono divorce cases. Another panel of pro bono attorneys has agreed to provide mentorship to less experienced volunteer attorneys.

NSLS participates in the Pro Bono Scholar Program and regularly involves law student volunteers in its various Projects. Other volunteers, paralegal students, social work students and community volunteers, assisted staff attorneys with cases and performed administrative duties, or conducted phone screenings.

Our Community Legal Help Project hosts many law students who are either looking for a semester internship or their 50-hour pro bono requirement. The students are essential to the program and assist with intake, setting up appointments, doing legal research, and assisting the volunteer attorneys with note taking during the client consultation. We have received great feedback from the students and many of the students stay longer than their required 50 hours.

The COVID-19 Tenant Legal Assistance Volunteer Lawyer Project, which we reported on in last year’s GAR, continued this year until it was discontinued statewide in September 2021. Nonetheless, volunteer attorneys recruited through that program continue to help us to meet the legal assistance needs of Suffolk County tenants.

Significant Collaborations

Some of our most important collaborations are with our two local bar associations. In both Nassau and Suffolk Counties, we run Bankruptcy Clinics with the cooperation of the bar associations and the participation of their members. Although the clinic model was suspended during this report year due to the pandemic, nonetheless, 45 low-income clients obtained bankruptcy relief with the help of volunteer attorneys associated with the clinic.
Significant Collaborations

Our Volunteer Lawyers Project operates a highly successful Landlord/Tenant Attorney of the Day Project with the Nassau County Bar Association's Senior Attorney Committee. In this program volunteer attorneys represent low-income tenants facing eviction in Nassau County District Court. While the moratorium on evictions for most of the report year meant that fewer eviction cases were handled overall in 2021-2022, nonetheless 53 such cases were resolved with the involvement of volunteers of this project, and increased activity in the courts since the moratorium was lifted is leading to greater activity in the Project, as well.

We continued to play a leadership role in the Suffolk Access to Justice Committee, with NSLS staff chairing the housing subcommittee that coordinated legal service providers, the private bar and community-based organizations in Suffolk in addressing the housing moratorium, and pandemic-related eviction. We provided staffing and management for the Community Legal Help Project.

Two NSLS staff attorneys, funded in part by a NYS Department of Health grant through the Community Service Society of New York (CSSNY), provide legal assistance as part of the Independent Consumer Advocacy Network (ICAN). ICAN assures that individuals who require managed home healthcare get the help they need. ICAN staff advocate on behalf of these most vulnerable of clients with Managed Health Care Plans and Medicaid. Our attorneys participate in weekly conference calls with ICAN staff throughout the state to discuss emerging trends and develop strategies to address these issues statewide. As a result, our attorneys are having a positive impact not only on their individual clients, but on important health care issues statewide.

NSLS participates in the legal subcommittee of the Long Island chapter of Volunteer Organizations Active in Disasters (VOAD) and has used the meetings to alert other members to our availability to serve clients affected by the pandemic as well as to educate the organizations assisting in disaster response efforts about the frequent changes in the law as a result of the pandemic. We also worked with the New York State Bar Association, FEMA, and Pro Bono Net on their Hurricane Ida response. NSLS formalized its long-term partnership with Empire Justice Center by subcontracting with them under our new NYS Tenant Assistance Program (ERAP) grant to assure persons not eligible for representation by NSLS due to federal regulations could still obtain legal assistance in eviction cases. In our partnership with The Safe Center Long Island, NSLS is the subcontractor in an effort to combat elder abuse. We are also working with the Transgender Legal Defense and Education Fund on their Name Change Project and other mutual referrals.
Sources of Funding

- IOLA Grant: $1,459,642
- City and County Funding: $260,169
- State Funding: $5,642,975
- Federal Funding: $3,531,744
- Other: $102,300

Total: $10,996,830