### Overview of Achievements

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. Our model is designed to facilitate access for those facing many barriers and our work ensures that clients have income, safe and appropriate housing, health care, stable family relationships, and a plan for the future. The ongoing pandemic during the 2021-22 IOLA grant year presented unique challenges and circumstances, but also unique opportunities to make a difference in the lives of low income New Yorkers through civil legal assistance. This grant year we resolved 805 cases benefitting 1672 New Yorkers. This work gained our clients at least $115,285.44 in lump sum and retroactive awards and $32,264.10 per month in ongoing payments ($387,169.20 annually). We also saved clients $23,535 in lump sum discharges and payments avoided, plus $80,607.50 in ongoing monthly savings ($967,290 annually). Many of these savings will last for years. We also provided legal education to hundreds of New Yorkers through live 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.

These numbers cannot capture hundreds of outcomes that do not easily translate to dollar values, like explaining, drafting, and executing a power of attorney and health care proxy for a person with developmental disability, allowing them to maintain their autonomy and independence; or securing a divorce for a person who has not seen their spouse in more than two decades and wants to marry their long-term partner. 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. We continued to bring our services to clients in-person, in their homes and other locations throughout the NYC community, providing access to justice for those who cannot leave their homes or travel and those who cannot engage in the remote legal services offered by many other NYC legal services providers.

### Population Served: Low Income Populations

### Area Served: New York City Metropolitan Area

### Total IOLA Grant: $87,500

### Staffing Full Time Equivalents:
- Total Staff: 7
- Lawyers: 5
- Paralegals: 2
Direct Legal Services: Cases

Typical Cases:
Evelyn is an 88-year-old woman with severe dementia and diabetes with many complications. She lives with Juanita, her 68-year-old daughter. With their income consisting only of Evelyn’s Social Security Survivor’s benefits through her late husband’s work record and Juanita’s Social Security Retirement benefits, they could not afford to pay for homecare. But Evelyn’s income was too high for her to qualify for Medicaid. If Evelyn had to pay a spend-down into Medicaid, she and Juanita could not afford to pay their rent and other bills. Luckily, Evelyn had executed a power of attorney appointing Juanita as her agent a few years ago, before her dementia had worsened, allowing Juanita to plan for Evelyn’s Medicaid eligibility.

We helped Juanita submit an application for Medicaid on behalf of Evelyn along with medical records establishing Evelyn’s conditions and a request that HRA find Evelyn disabled. We completed documents for Juanita to set up a pooled Supplemental Needs Trust account for her mother and then submitted the trust documents to Medicaid for approval and rebudgeting to remove Evelyn’s spend-down. We helped Juanita set up monthly transfers so that a portion of Evelyn’s Social Security benefits would automatically go into her pooled trust account and so that the trust would pay Evelyn’s portion of rent each month. As soon as Evelyn’s Medicaid was active, we advised Juanita about how to request homecare for Evelyn. Thanks to our work with Juanita on health and income maintenance matters, Evelyn now has Medicaid coverage that pays for 12 hours of homecare each day, so she is safely at home instead of in a nursing home. Medicaid coverage has also reduced Evelyn’s out of pocket medical costs, saving her money and allowing her to live more comfortably.

1,672 people benefitted from 805 legal cases closed

Cases by Legal Problem Area

- Family: 25%
- Housing: 16%
- Income: 30%
- Health: 8%
- Individual Rights: 3%
- Miscellaneous: 15%
- Consumer: 2%
- Other: 1%
Direct Legal Services: Cases

David is an 18-year-old with a severe intellectual disability. He is nonverbal and has extremely limited ability to understand verbal language or complex concepts. David has always lived with his mother, Assiatou. Assiatou is divorced from David’s father, who left when David was 2 and had not been heard from since. David’s District 75 school recommended that Assiatou petition for guardianship and referred her to LWI.

After preliminarily determining that David was an appropriate candidate for Article 17A guardianship, we referred Assiatou for the necessary psychological and psychosocial evaluations and physician court forms, which confirmed that guardianship was appropriate. We completed a diligent search for David’s father, then filed a petition and supporting documents, along with a motion to dispense with service on the father, who could not be located, in Queens Surrogate’s Court.

Meanwhile, Assiatou had to decrease her work hours to care for David during the pandemic and they now owed $4000 in rent arrears. We helped Assiatou complete a hardship declaration and submit an ERAP application. Assiatou had applied for SSI on David’s behalf but, despite David’s clear eligibility, the claim had been denied. Her request for reconsideration was also denied. We requested an ALJ hearing and gathered medical and school records. Because this evidence clearly established David’s disability, and because the wait for an ALJ hearing could be years, we submitted an On the Record Request with a brief to the ALJ, which was granted just a few months later. The Surrogate’s Court granted the motion to dispense with service on David’s father and after a virtual hearing, issued letters of guardianship and a decree appointing David’s older siblings as his standby guardians.

Our representation in housing law, family law and income maintenance matters provided significant stability for Assiatou and David. As David’s guardian, Assiatou can more effectively advocate for his special education needs and make medical decisions. ERAP funds paid off their rent arrears, preventing a nonpayment case and eviction, and with David’s SSI, they can pay their full rent each month.
Other Services: Overview

We share our expertise on legal issues affecting seriously ill and disabled New Yorkers in a variety of ways beyond our individual client representation. These include community legal education, pro se assistance, and web-based assistance. Though typically our legal education events are held in the community at locations throughout NYC, because of the pandemic, most of our legal education presentations this grant year were held online, generally via Zoom. However, following strict safety protocols, we are cautiously returning to in-person events. Towards the end of this grant year, we led one such event, described more in the following sub-section. In addition to our one in-person event, this grant year we conducted 15 interactive online legal education events for patient support groups, professional staff at other community organizations, and other audiences, presenting on a variety of topics, from housing rights for New Yorkers with disabilities, to end of life financial planning, to an overview of legal and benefits issues affecting New Yorkers living with HIV. Through our in-person and online community legal education events this grant year, we provided important legal information to 170 New Yorkers. Six education events this year were presented in Spanish or in both Spanish and English. Each presentation includes specialized materials and/or slides prepared with the specific audience in mind.

As discussed above, the pandemic impacted our ability to hold in-person legal clinics and large legal events, at which we typically offer legal education, brief services, and/or pro se assistance. Instead, we provided pro se assistance on an individual basis, primarily to callers to our intake line for whom we could not provide representation, but also to some ongoing clients who had legal needs in other areas. We provided pro se assistance to 64 people in this manner, often with long phone calls, emails, or letters 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.

| Number of People who Benefitted from Services Other Than Direct Legal Representation |
|--------------------------------------------------|-----------------|
| Community Legal Education                        | 210             |
| Pro Se Assistance                                | 64              |
| Online Assistance                                | 3,053           |

3,327 People Benefitted by Services Other Than Direct Legal Representation
Other Services: Technology and Other Innovations

During the grant year, we upgraded our client management database, Evolv, to a newer version, which has a more user-friendly interface and can be accessed securely and remotely through a web browser. These upgrades make it easier for staff to track and report their work. While we continue to use and upgrade Evolv, during the grant year, we began work towards selecting a new legal services data and case management software system to better meet the needs of our department. We hope to implement a new system in the next grant year.

Other Services: Trainings

To ensure that all staff have the knowledge and skills necessary to partner effectively with our clients, TFC has a strong commitment to professional development. All new TFC staff go through an agency-wide orientation that was recently redesigned and improved. New LWI staff, interns, and volunteers receive training in 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; cultural humility; trauma and vicarious trauma; and a number of other topics important to our work. As discussed above, we are currently working to improve our orientation and training program and materials for new LWI staff and volunteers. After orientation, new staff members are generally co-assigned to cases with existing staff and then assigned cases of increasing complexity with close monitoring by supervisors. Professional development opportunities are discussed regularly during supervision, and all staff are required to participate in ongoing 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 provides an annual education benefit that can be used for classes, training, and certifications that will enhance staff’s work. Staff are also encouraged to participate in associations, coalitions, and committees. Nearly all LWI attorneys attend NYSBA’s Partnership Conference each time it is held. We are members of the NYS Legal Services Coalition, as well as the NYC Health and Housing Consortium.

TFC hosts a thorough orientation for all new Board members to learn about our agency, mission, work, clients, and finances. TFC hosts an annual 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 our work. This past year, our Board and our entire agency staff have continued to receive anti-racism training from a nationally recognized expert, Dr. Wizdom Powell.
Pro Bono Volunteer Involvement

This grant year, we were assisted by seven volunteers. During the summer, we hosted four law student interns, from St. John’s University School of Law, NYU School of Law, Yale School of Law, and Brooklyn Law School. Interns worked a full-time schedule during the summer, on a hybrid basis, with some remote work and some work in-person in our office or out in the community. During the fall, we were joined by an LLM student at NYU School of Law, and a recent JD graduate of NYU School of Law, both of whom provided more than 50 hours of assistance. Finally, a foreign qualified attorney who began volunteering with us in 2020 continued to provide research and other support for a number of client cases during 2021 and early 2022. These volunteers helped 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. Interns and volunteers are recruited through a variety of means: we regularly attend NYU’s Public Interest Career Fair where we meet with and interview many law students interested in public interest work; we have relationships with a number of local law school career services or public interest offices, who refer potential interns and externs. Our volunteer opportunities are listed on probono.net and our own website. Finally, it is not uncommon for past interns and volunteers to recommend working with LWI to others. All volunteers go through intensive training that covers confidentiality, ethical issues, and practical issues about how to work in our office, in addition to substantive trainings in our practice areas and relevant skills.

1 Attorney volunteered 25 hours

5 Law Students volunteered 1,279 hours

1 Other Volunteer volunteered 52 hours
Significant Collaborations

As a legal office housed within a multidisciplinary organization, we are fortunate to have built-in partnerships 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, specialized interventions for children and adults who have experienced trauma, and a Certified Community Behavioral Health Clinic, which provides mental health care, substance use treatment, and other supportive services for 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 organization. Finally, we provide education and training on relevant legal issues for our colleagues in other TFC programs. During this grant year, this included a presentation for TFC staff about pandemic-related housing protections and programs that could benefit their clients.

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 receive referrals from and work with providers at 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. We often provide legal education events for clients, patients, and/or staff of these partner organizations.

Sources of Funding

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