Overview of Achievements, 2018-2019

Nearly 6,000 cases for more than 13,000 individuals were handled to completion for the period from April 1, 2018 through March 31, 2019. Most of our cases involved threats to the basic necessities of human life. Our staff was able to prevent homelessness, obtain medical care for people with HIV/AIDS, cancer, and other illnesses, address discrimination against and obtain services for disabled persons, help senior citizens and disabled individuals retain home health care and avoid nursing home placement, and halt domestic violence. While assisting individual clients is the foundation of our work, these cases also benefited the entire community because, as a result of our efforts, we save the counties and state money through our SSI, public benefits, family law and housing work. More than 2.9 million dollars in federal Social Security benefits, public assistance and Medicaid were obtained by our staff on behalf of low-income and disabled individuals on Long Island. More than 2.2 million dollars were saved by New York State taxpayers through the avoidance of emergency shelter costs and by moving clients off welfare onto federal social security.

Through our trainings, partnerships and contacts with hundreds of Long Island social, religious and governmental organizations, we have assisted thousands of Long Islanders obtain knowledge to help their clients. For example, we assist elected officials to obtain essential services for their constituents; we work with health care workers to obtain medical care for clients. We join with mental and physical disability advocates to ensure that their clients’ issues are resolved thus helping them obtain employment and lead productive lives.

As part of the Justice for All statewide effort, we have provided leadership and staff in the creation and launch of the Community Legal Help Project. The services are housed at Suffolk libraries where a collaborative of several Suffolk-based legal service providers have joined to provide free legal education, consultations and referrals to community members who require legal assistance and information. The CLHP has assisted almost 1000 callers and visitors since its inception in August 2018. These calls are triaged to give phone advice and legal information, provide direct referrals, and/or make appointments for consultations, with the goal of expanding access to justice in Suffolk County.

Population Served: General Low Income Population

Area Served: Nassau And Suffolk Counties

Total Funding: $10,516,648.00

Total IOLA Grant: $1,082,500

Staffing - Full Time Equivalents:
- Total Staff: 90.70
- Lawyers: 60.60
- Paralegals: 14.05
- Others: 16.05
A paralegal in our Riverhead office recently won a significant victory on behalf of a family who faced displacement from a Department of Social Services (DSS) authorized homeless shelter. Their major transgression was an alleged failure to complete housing logs to document their weekly search for housing. As this is a requirement for receiving temporary housing, DSS used this as a basis for notifying the family that they must leave with no other recourse for safe shelter.

With such serious consequences at stake, the paralegal threw herself into investigating the facts of the case. In preparation for the Fair Hearing, she was unable to secure from DSS all the requested records as required by law. However, she did learn that DSS had never given the client instructions on completing the mandated housing search and never gave the client warnings about her failure to do so. After giving the client formal notice that her shelter housing was being discontinued, DSS’ referred the matter to Child Protective Services (CPS) as required. But the CPS referral came after the fact, and though intended to evaluate any impediments to her compliance or to determine whether there was a safe plan in place for the minor child, only a cursory assessment was completed.

In a favorable finding for the homeless family, the Administrative Law Judge decided that the client had never been given the required Independent Living Plan or warnings of a violation. The proper statutory evaluation by CPS was apparently no more than DSS “merely going through the motions of producing forms” The Fair Hearing decision directed that the family be permitted to remain in the temporary housing facility, averting an otherwise frightening outcome.
Mr. A. came to the Disability Advocacy Project approximately one month before his original hearing date and had not participated in any mental health treatment for many years. Mr. A. has a mental health diagnosis of schizoaffective disorder. After receiving an adjournment, his attorney began working with Mr. A. and his housing case manager to identify and obtain the necessary treatment.

Mr. A. relayed a history of trauma and mental health issues that he had combatted since childhood, coupled with ongoing issues with auditory hallucinations. He was living within a supportive housing shelter environment when he first came to us and he relayed that he often spent time outside in the woods near his home, speaking with the wildlife.

With the help of his attorney and case manager, Mr. A. began mental health treatment shortly before his hearing. While there was very little medical evidence of record, his attorney knew that he had significant ongoing mental health issues and feared that he may leave treatment if he faced a hearing on his own.

At the hearing, his attorney represented Mr. A. and advocated on his behalf with whatever information and records he had available to him. Mr. A. testified in court to his mental health issues, his physical ailments and his activities of daily life. Post hearing, his attorney was asked to complete a function report with Mr. A. and through an extensive function report interview with Mr. A., the widespread functional limitations and challenges he encountered daily were further highlighted and brought to the attention of the medical expert and the court. The medical expert asked to review the functional assessment agreed that Mr. A. was disabled and expressed that to the Administrative Law Judge on his case.

Mr. A. was awarded disability benefits and is able to continue treatment and living in a supportive environment.
Other Services...

### Number of People Benefitted by Services Other Than Direct Legal Representation

<table>
<thead>
<tr>
<th>Service</th>
<th>People Benefitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>51,769 people</td>
</tr>
<tr>
<td>Community Legal Education</td>
<td>46,114 people</td>
</tr>
<tr>
<td>Pro Se Assistance</td>
<td>4,133 people</td>
</tr>
<tr>
<td>Online Assistance</td>
<td>1,522 people</td>
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</table>

### Other Legal Related Services: Overview

The Legal Support Center for Advocates (LSCA) provides support services and technical assistance to community agencies and advocates on Long Island. The Center provides the information, consultation, and referral services necessary for lay persons and clients to advocate effectively in welfare and other poverty-related matters. LSCA’s services have included extensive outreach, community advocate and client training events, the dissemination of educational materials, participation in corporate-sponsored, court-sponsored and legislature-sponsored informational events, and a phone consultation service to community advocates. In addition, the publication and distribution of our agency newsletter, *Law Services News*, continues to be well received with new subscribers being added every week. Our E-News service, *Legal Lessons*, supplements the regular distribution of the newsletter. Our current combined mailing list for these publications includes over 7800 agencies and individuals in Nassau and Suffolk.

The Center operates a Helpline serving a wide range of advocates including social workers, case guidance counselors, pro bono attorneys, parish outreach workers, youth counselors, legislative staff, doctors, nurses and case managers throughout our community. Advocates from The Association of Mental Health and Wellness, Suffolk County medical clinics, Legal Aid, schools, churches, hospitals and even local government offices (County Legislative staff, Suffolk County Veterans, Department of Social Services) make use of the Center’s services. LSCA provided services on 988 calls from advocates in 2018-19, involving individuals and families with problems ranging from welfare, housing, access to medical care, consumer debt, Social Security, etc.

Community education remains an important focus for the program. The Legal Support Center, along with other Units in the program, conducted a total of 37 trainings reaching over 1189 advocate and client participants. Training collaborations with other agencies such as Catholic Charities, PSEG, and Touro Law School, add a greater dimension to the presentations. (See attached report)

The Community Legal Help Project: The Suffolk County Justice for All (JFA) Strategic Planning Project launched a library-based outreach initiative, the Community Legal Help Project (CLHP). The services are housed at Suffolk libraries where a collaborative of several Suffolk-based legal service providers have joined to provide free legal education, consultations and referrals to community members who require legal assistance and information. The CLHP has assisted almost 1000 callers and visitors since its inception in August 2018. These calls are triaged to give phone advice and legal information, provide direct referrals, and/or make appointments for consultations, with the goal of expanding access to justice in Suffolk County.
Other Legal Related Services: Examples

Legal Support Center for Advocates (LSCA):
An advocate for the homeless called LSCA about their clients who had put down a $4500 security deposit and signed a lease. They did not inspect the home in advance because they were desperate to move. When they arrived at the house it was roach infested and severely damaged. They were forced to remain in their current apartment because they had lost all their money for moving expenses. They tried to negotiate with the landlord, however he refused to address the problems and also refused to return the security. The LSCA advocate advised them to file a claim in Small Claims Court and to work with NYPIRG for guidance on preparing their case. Since they had fortunately taken pictures, they had evidence to present at the hearing. The clients were grateful to have a legal remedy to their situation with hopes of getting their security returned.

Website and Social Media:
During the government shutdown, several community agencies contacted the Director of Communications and Volunteer Services to express appreciation for the information that NSLS was posting on our website and Facebook page during the crisis. Information was also disseminated through our Legal Lessons e-mail service. There was widespread concern regarding the shutdown’s effect on federal benefits such as Food Stamps, HEAP and Section 8 benefits and our social media served as an important, up-to-date information tool.

Community Legal Help Project:
After a prolonged period of unemployment, a caller stated that he had found work at a substantially lower rate of pay. He sought a child support modification based on his changed circumstances, but was denied because he only presented evidence of his new salary. He had a consultation with a volunteer attorney who explained the legal requirements for a modification, and the procedure to present evidence of his diligent efforts to find new work commensurate with his salary history. He also received samples and forms to pursue his objection to the child support magistrate’s findings.

A woman who spoke primarily Spanish, met with a volunteer attorney in the CLHP for a consultation. She brought a divorce stipulation which her husband and his attorney were pressuring her to sign. Unrepresented by counsel, and with English not being her primary language, she was prepared to sign the stipulation. The volunteer attorney strenuously advised her that the agreement was completely inequitable and that she needed to retain an attorney. She was advised to call the Suffolk Pro Bono Project. Had she not had the consultation, she would have signed the stipulation and had her rights seriously compromised.
NSLS fosters the professional development of our employees through the efforts of a Professional Development Committee which comprises both management and staff. The committee meets throughout the year and plans a variety of training initiatives. The committee is currently working with the National Institute of Trial Advocacy to develop a two-day Appellate Advocacy program. It is an intensive training that emphasizes hands on learning experiences in a simulated case. The program will feature a communications expert who will teach a number of methods to capture and retain the attention of any adjudicator. Additionally, the committee is working with our social work unit to create a training to help staff identify and address vicarious trauma. Finally, during the last year, the committee also partnered with our social work unit to educate both new and current staff on how to deal with non-legal issues that arise in the course of representation. Issues such as a lack of food, transportation, shelter, money or proper medical treatment for a serious condition.
Technology

NSLS has begun the process of evaluating other Case Management Systems to move our data from the WNYLC Time platform to another provider. We are working with members of management and staff looking at options to make the best choice for NSLS. In conjunction with this move we are also looking at Document Management software. We anticipate that this will take several months of investigating products, choosing the one that best fits our needs and then the process of implementing, converting and training our staff could take additional months for completion of this project. We are also working with our outside IT support to assist us in making a choice that would work best for NSLS.

We continue to use our video conferencing for program and unit meeting. Remote access is still available in our Nassau County courthouse but not in Suffolk County, but with the implementation of a new Case Management System (Internet based) all staff will have access to our system from remote locations.

We continue to work with the Office of Court Administration Access to Justice Task Force. A member of our staff is on the New York State OCA Access to Justice Task Force and participates in the monthly webinars and phone conferences. It provides us with an opportunity to learn and share technology with other legal service providers.

NSLS is also in the process of moving our Cloud Backup from E-vault to Storage Craft. This process should be completed in a few weeks.

Our intranet continues to provide up to date and useful information to all staff.

We added a paralegal to the Legal Support Center for Advocates to maintain and update our website, social media and Intranet and to assist in disseminating important legal information to the community through our newsletters and e-blasts. During the past year our website was completely redesigned in house with improved features and new content.

Social media: Through our website, Facebook, Twitter and Linked-In pages we keep the community apprised of our current services and announce new initiatives and projects. We also use an email service (Constant Contact) to educate and provide legal updates to our mailing list participants totaling 3200 (sign up is available on our website), pro bono attorneys, and community partners.

We continue to update our Symantec Endpoint Protection and Malwarebytes Endpoint Security on our network to prevent cyberattacks. Our outside IT support is looking at a possible newer product that will provide both virus and malware in one program. Once information has been put together we will review it and make a decision as to any changes we will make in this regard. All our case handlers are provided with Westlaw passwords and access to legal research. We have also added the Westlaw Drafting Assistant to our policy and it will be installed on all workstations for staff with Westlaw accounts.
Significant Collaborations

Some of our most important collaborations are with the two local bar associations. Bankruptcy matters are addressed by our Bankruptcy Clinics in both Nassau and Suffolk Counties, run with the cooperation of the respective bar associations and the participation of their members. In 2018-19, 148 low-income clients received help from these projects, 88 of them obtaining bankruptcy relief.

Our Volunteer Lawyers Project, with the active participation of the Nassau County Bar Association’s Senior Attorney Committee, operates a highly successful Landlord/Tenant Attorney of the Day Project in Nassau County, in which volunteer attorneys represent low income tenants facing eviction in the Nassau County District Court. In 2018-19, this project helped to prevent 242 evictions and delayed 447 evictions.

Last year, we reported on our leadership role in the Suffolk Access to Justice Strategic Planning Project. Several collaborative projects arose from that in 2018-19, most notably the Community Legal Help Project, for which we provide permanent staffing and management. The CLHP and its accomplishments are described at length elsewhere in this report.

At the end of the 2018-19 year, Nassau County initiated its own Access to Justice Strategic Planning process, and NSLS staff have already begun serving in leadership roles and on various committees.

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 residing in the community but requiring managed home health care are able to get the help they need. ICAN staff - including our two attorneys - advocate on behalf of these most vulnerable of clients, with Managed Health Care Plans and with Medicaid, and represent them at administrative hearings. As part of ICAN, our attorneys participate in weekly conference calls with other ICAN staff throughout the state, coordinated by CSSNY, to discuss emerging trends and common problems and to develop strategies designed to address these issues statewide. The concerted efforts of the ICAN mean that our attorneys are having a positive impact not only on their individual clients (194 during the 2018-19 year), but on important health care issues statewide.

We refer clients who are not eligible for our services due to their immigration status to the Long Island office of the Empire Justice Center and CARECEN, and also refer to Empire Justice those clients who have issues we know they are reviewing for impact litigation.
Pro Bono Volunteer Involvement

The VLP and PBP have special family law panels made up of pro bono matrimonial attorneys, 116 who were actively involved in cases. About 71 matrimonial cases were closed during the contract period. All the cases involved full representation by a pro bono attorney in a divorce. In cooperation with Touro Law School, the Suffolk Pro Bono Project continues to refer 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.

Our Self-Help Child Support Project provides information, advice, brief service, and referrals to unrepresented litigants in Suffolk. Pro bono attorneys provided services to 264 child support litigants who required assistance in filing their petitions and information regarding the proceedings.

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 are held bimonthly and typically have about 15 clients in attendance in each county. We closed about 146 bankruptcy cases during the time period.

The Community Legal Help Project, is a significant achievement in addressing the justice gap. It is operated almost completely by volunteers and law students, coordinated by one NSLS staff attorney and a part time paralegal.

In response to NSLS’ perceived gaps in services, the Suffolk Pro Bono Project has recently launched an SSI/SSD Application Project, a 17-A Guardianship Project and a Citizenship Project. These recent volunteer initiatives seek to meet the needs of the indigent and disability community while creating new opportunities for attorneys that involve unbundled services.

Pro Bono Statistics

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Sources Of Funding

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