

LEGAL SERVICES OF THE HUDSON VALLEY

**2023 – 2024
Report**

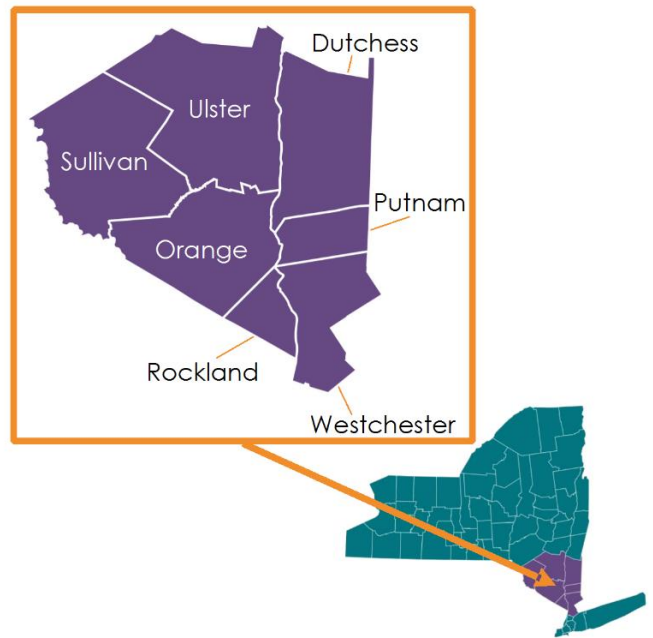
OVERVIEW OF ACHIEVEMENTS

During the IOLA year ending 3/31/2024, we conducted 20,242 intakes for low-income and vulnerable households from our seven-county service area. We made 8,391 non-case referrals for applicants ineligible for our services. Of the 12,728 cases we handled (from LegalServer, all cases open during the grant year in which legal assistance was provided), we closed 7,375 cases with legal assistance, conferring at least 10,663 distinct legal benefits (from LegalServer, all IOLA outcomes in all cases closed during the grant year) on 16,154 individuals. In the process, we saved more than \$73,656 in filing fees for our indigent clients. Volunteers provided 10,213 hours, with pro bono attorneys closing 348 legal cases. We newly employed LegalServer features to maximize efficiency, a restricted login for our volunteer attorneys to conduct their work and LegalServer’s clinic module to assign and schedule volunteer attorneys. Our inaugural summer housing fellowship program was a resounding success with paid fellows based in 8 of our offices.

We fully staffed a systematic change unit and joined with other amici in filing a brief in the SCOTUS case, *Tyler v. Hennepin County*, which held that counties taking equity from residents who lose their homes through tax foreclosure is an unconstitutional taking. We expanded our consumer law work, adding an economic justice attorney.

We also provided valuable advocacy and housing counseling services, inter alia, closing an additional 1,864 nonlegal cases not reflected above: Medicaid Long-Term Care advocacy that conferred over \$5 million in benefits, housing counseling, and SSI application filings.

Beyond casework, we provided legal information and education to an estimated 24,708 community members and their providers to foster knowledge and self-help through plain language and video legal guides shared with LawHelpNY and posted to our website, through legal education brochures, and through presentations.



Service Area: The Hudson Valley

Population Served: General Low-Income Population

Staffing Full Time Equivalents:

Total Staff: 216	Lawyers: 115
Paralegals: 50	Others: 51

DIRECT LEGAL SERVICES

Case Example #1, Housing: A senior client had trouble obtaining a loan modification because the servicer of the loan required the signature of a co-owner, who was listed on the mortgage but refused to cooperate and provide their signature. Years ago, the court determined that the servicer of the loan did not negotiate in good faith, because this co-owner was not required to sign two prior modifications in the past. Also, the servicer failed to tell our client that this other signature would be needed while the client started paying a trial modification. With our legal representation, the servicer finally agreed to drop the requirement for the co-owner's signature and offered a new trial modification that is affordable.

Case Example #2, Custody/ Family: Our client who suffered a very serious and long history of domestic violence sought assistance with her family offense and custody matters. The client's abusive partner and father of their two-year old child had kidnapped their child to an unknown location, had left no forwarding address, and was deliberately evading efforts to locate him. Up until this time, our client was the child's primary caregiver. We represented the client in the family offense and custody matters.

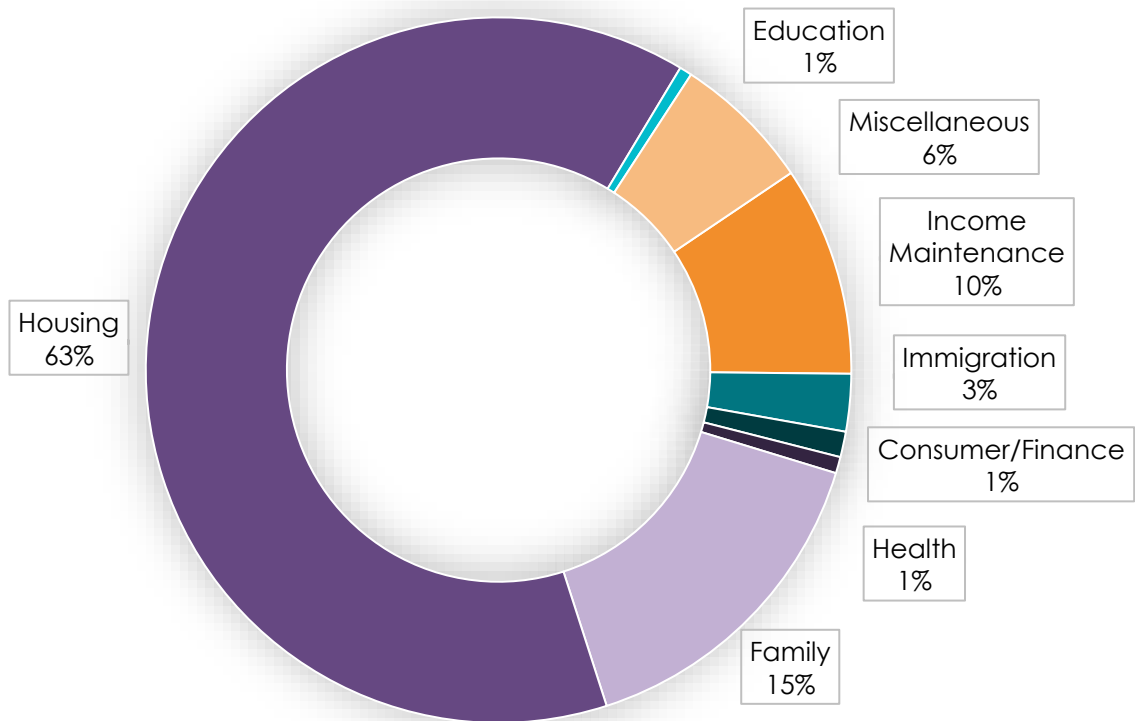
In the custody matter which lasted more than three years, our attorney used many avenues to locate the father and child, working with multiple local and state police departments in New York, Connecticut, Georgia, and California, the FBI, the Department of Social Services, and assistant DAs in Westchester and Putnam counties.

We also collaborated with nonprofits such as the National Center for Missing and Exploited Children and later received court permission to hire a private investigator. We subpoenaed the father's records from his Pension Fund and determined he was residing in another state. We succeeded in convincing the Court to issue a warrant for the father. We assisted the client in obtaining a temporary custody order and orders of protection for her and her child, registered those OPs in the other state, and coordinated with the Sheriff's Office to facilitate the return of the child to our

16,154
people
benefited
from

7,375
legal cases
closed

CASES BY LEGAL PROBLEM AREA



client, after two years of separation. For the next 6 months, the father appeared virtually at court and continued to litigate the case with different attorneys. In preparing the case for trial, our attorney subpoenaed and reviewed numerous documents, and prepared several witnesses, including the client, investigators, a Child Protective Services caseworker, and the client's grandmother. We successfully asserted that no visitation should take place between the child and abuser because of the unacceptably high risk to both the client and the child's safety. The father did not appear for the first day of the trial (or at any point thereafter) and the Court had us proceed with our case.

At the end of the trial, the judge granted sole physical and legal custody of the child to our client, a 5-year full stay away order of protection to our client, and a full stay away order of protection on behalf of the child to be in effect until the child's 18th birthday.

OTHER LEGAL-RELATED SERVICES

Our networking efforts lead to discussion and opportunities for training other providers' staff and their clients in identifying legal issues and those steps that can be taken to avoid litigation. It fosters referrals when it is time to call us for our services. Attorneys and paralegals frequently speak at community meetings (outreach) and trainings (community legal education), this year reaching 3,913 individuals through such events, whether virtual or in person (not including trainings or continuing legal educations for other attorneys and legal services providers). Pro Se Assistance was provided to 215 individuals; 24 assisted at court help centers, 167 through self-help printed materials, and 24 through verbal assistance at our offices (listed under 'Other'). We reach an even greater number of households with our online self-help legal guides, shared with LawHelpNY, our own website and our social media outlets, logging over 20,000 views. Our front desk receptionists and intake paralegals are trained to refer ineligible applicants to other providers.

Community Legal Education: We provided several targeted CLE's throughout the year focused on Knowing Your Rights (KYR). Some examples include a presentation at Yonkers Riverfront Library, coordinated by Mount Vernon United Tenants, Democratic Socialists, and the statewide RTC coalition, where we answered questions after the presentation and spoke individually to several participants. Our Yonkers staff conducted another presentation to Family Services Society of Yonkers about SSI/SSD and hosted their Fall "Lab" at Pace Law School, where students explored designing a tool to facilitate information about/implementation of New

215

people
benefited
from

**Pro Se
Assistance**

3,913

people
benefited
from

**Community
Legal
Education**

20,580

people
benefited
from

**Web-Based
Assistance**

York's limited scope, unbundled representation and appearance for underrepresented New Yorkers. In preparation for this event, we planned a syllabus and, as part of our process in understanding clients' specific legal issues, arranged interviews with legal experts, practitioners, intended users, and other stakeholders. We also assigned readings to students and had them conduct research on the underlying challenges, in particular practitioner/expert interviews (which are critical in helping the students understand the legal issues), implications, and systems in our community where this rule/issue/law operates.

Our Foreclosure Unit continued to educate our clients regarding the relief options under the CARES Act and other federal and state laws. As servicers on their loans have not been providing sufficient information about these options, we've continued to consult with our clients to make sure they fully understand their current options. In March, we presented to an audience of pro-se litigants on how to file a Request for Information. In July, we attended the Mount Vernon Protect our Homes event hosted at Westchester Community College, where we presented about our services to attendees and educated the community on the housing resources available to homeowners facing foreclosure.

Staff across all of our offices dedicated outreach and CLE's towards connecting and educating our communities and providers. Our Kingston office held an in-person presentation about tenant/housing rights at SUNY New Paltz University and People USA (for their staff to relay this information to clients). At both events we provided slides and handouts, and later did follow up sessions to the students/community at Suny New Paltz. On two occasions, our White Plains office met with their Westchester multi-disciplinary group which consisted of attendees from the District Attorney's office, among others, to discuss cases and brainstorm ways to assist vulnerable seniors in our community. Our Elder Unit staff presented legal topics to students at Pace's sponsored Disability Rights Clinic at their campus. Then a KYR presentation was given, attended by the White Plains mayor. Our mission was for these events to become a quasi-needs assessment, where those in attendance may identify emerging issues and barriers. Our staff in our other offices, specifically those in our Family Defense Unit, held many KYR presentations throughout this IOLA year, all of which we are very proud of.

IMPACT CASES

Impact Case Example: The Appellate Division, 3rd department, upheld our position on cross-appeal that the Kingston Rent Guidelines board was authorized to order 15% rent reductions and the two other guidelines it adopted regarding rent setting upon adoption of ETPA in Kingston. This directly affects over 1,200 families and indirectly affects all communities in the state that have or will adopt ETPA. Ulster County Court heard appeal of housing court cases involving subsidized housing with positive result; appeals of local housing court cases in the Third Department are extremely rare and we have met resistance to the county courts even hearing these appeals. As the lead author of an amicus brief regarding code enforcement, we demonstrated the state-wide nature of the problem, resulting in the decision that recognized the need for change in the law to protect tenants.

All Impact Work

- *Hudson Valley Property Owners v City of Kingston et al – ETPA rent setting appeal*
- *N.V. v Westchester County & NY state – lack of records to support disqualification for benefits*
- *Orange Couty v Green Acres – prevented manufactured home seniors from displacement*
- *H.M. v Chestnut Apts – affirmative case for unlawful eviction and destroying belongings*
- *Torres v Hudson Pointe – affirmative case for attempted unlawful eviction*
- *Conde v Vargas, human rights proceeding – won housing discrimination case*
- *Mattei et al v Audubon Living – affirmative rent overcharge complaint*
- *MTGLQ Investors v Mazza – successful defense applying new foreclosure law*
- *Lee v Ellenville Senior Housing – successful appeal, first from that court*
- *Kaal Rock v Joan Killmer – Asserted rights under local good cause eviction law*
- *U.S. Bank v Helen Dallas – Favorable decision on appeal*



- *Matter of overcharge complaint of Waverly Arms – Found a city resolution*
- Beneficial Homeowner Service Corporation v Raymond Horan et al appeal
- Ramsey v City of Newburgh – Federal case seeing equity following SCOTUS
- Copeland v Westchester Department of Community Mental Health and Human Development Services of Westchester – Filed in federal court overdue process violations
- Matter – due process in supportive housing programs, prepare for federal litigation
- Matter – due process in housing code condemnations, prepare for federal litigation
- Clements v State, amicus – adequacy of housing code enforcement
- Esgro Chemical v Banks, amicus – proper standard for relief from money judgment
- Pusatere v Albany, amicus – leave from Court of Appeals on legality of good cause eviction

TECHNOLOGY

With the help of Just-Tech, we completed significant SharePoint projects, including migrating our files from our on-premise server to SharePoint online, creating a “Wellness” SharePoint site to promote our employees’ health and well-being, and creating an extranet for some of our teams who needed the ability to share documents externally. We ensured that the migrated files related to cases were integrated with our case management system, LegalServer.

We adopted cloud-based versions of our bankruptcy filing software for our Foreclosure Prevention Unit. The above enhanced security, increased collaboration and efficiency, and promoted a reduction in costs.

We kicked off a thorough cybersecurity risk assessment project, with a highly experienced and regarded vendor. Penetration testing has been completed, and we are working with our managed services provider on remediation and reviewing and revising our cybersecurity policies. We launched the use of cloud-based software “Cerenade” for immigration applications. With the help of a vendor, integrating “Cerenade” with LegalServer has resulted in time-saving efficiency as our users can simultaneously populate several forms at once and assemble and track workflow.

The Pro Bono Unit now uses LegalServer’s Clinic Module to schedule clinic clients, assign appointments and provide pro bono attorneys access to resources and materials. This has centralized clinic procedure, making the schedule and documents readily available to everyone. Moreover, now using SharePoint External Sites, the Pro Bono Unit can securely provide our volunteers with access to case documents and training and onboarding materials. The latter

allows us to modify and add documents that volunteers can access by clicking the link without the need to redistribute the link each time.

Our Foreclosure Prevention Unit's access to new software, LendingPatterns, has enhanced our ability to assess and litigate lending discrimination, particularly redlining and reverse redlining. It allows us to meet our DEI goals of litigating discrimination that violates Civil Rights and Human Rights.

IOLA TECHNOLOGY GRANT

LSHV is extremely appreciative of these supplemental funds which enabled us to achieve a long-standing technology goal of migrating our files from our on-premise server to SharePoint online with the help of Just-Tech. We used the funds to pay for Just-Tech's related services and for six months of Legal Server's SharePoint integration monthly fee. Having now implemented SharePoint online for file maintenance, we are positioned to move forward with our next technology project which will consist of the preliminary work and then implementation of Intune, Autopilot, and Azure AD, all of which will lead to decommissioning of our on-premise server and print servers and upgrading our computer imaging process. Enhanced security, increased efficiency, and reduction in costs will be realized.

PRO BONO VOLUNTEERS

Our highlight this year has been our Pro Bono Virtual Housing Advice Clinic, popular with volunteers because we provide extensive training, mentorship, and supervision for volunteer attorneys to provide direct legal assistance in an entirely virtual, limited-scope setting. This format is desirable for transactional and corporate law attorneys, and retired attorneys. Outside of clinics, when our volunteers have subject matter expertise, they are assigned to cases in their practice area. When assigned to other areas, we train them in person, virtually, or with pre-recorded material. We offer a pre-recorded asylum video training that has produced volunteers for an asylum pilot project we started with various large law firms and one of their corporate clients.

We subscribe to Paladin, an online platform that connects our opportunities with large law firms and corporations throughout New York and the country.

Our own website contains a Pro Bono Opportunities page. We direct outreach by connecting with new firms that have a relationship with our attorney Board members.

We also meet with attorneys at various bar association events to promote the pro bono program. With the many memberships held by the Pro Bono Director and Coordinating Attorneys, we meet attorneys throughout the state for recruitment. We are a host organization for the Attorney Emeritus Program (AEP). Using the AEP online portal, we post opportunities and engage with interested retired attorneys.

We have hosted interns, Pro Bono Scholars (five), and law students and law graduates (54), deploying them among our Housing Advice Clinic, 50-hour program, and semester/summer internships office work, in addition to two paralegal interns and two social work interns who supported our work. Continued relationships with law schools and their career services and public interest departments are key to developing future attorney volunteers. We are an approved placement for Pace Law externs and have interest from Pace volunteers for a Consumer Debt Defense Clinic we are organizing.

301attorneys volunteered **6,170** hours**54**law students volunteered **3,258** hours**7**other volunteers volunteered **78** hours

SIGNIFICANT COLLABORATIONS

Our managers and staff are members of various task forces throughout our service area and state, which creates synergies that lead to collaborations and new projects, providing greater access to justice. Rental arrears are of the utmost importance in obtaining favorable outcomes in eviction proceedings.

Our most significant collaborations in packaging settlements are with our community partners Bridge Fund, WRO, Cluster, Catholic Charities, Family of Woodstock and others. Our Pro Bono Unit strengthened its collaboration with the 9th Judicial District's Access to Justice Pro Bono Subcommittee, the Westchester Courthouse and Elisabeth Haub School of Law at Pace University ("Pace Law") to organize a Consumer Debt Clinic starting in spring/summer 2024 for volunteer attorneys to provide direct legal assistance to litigants.

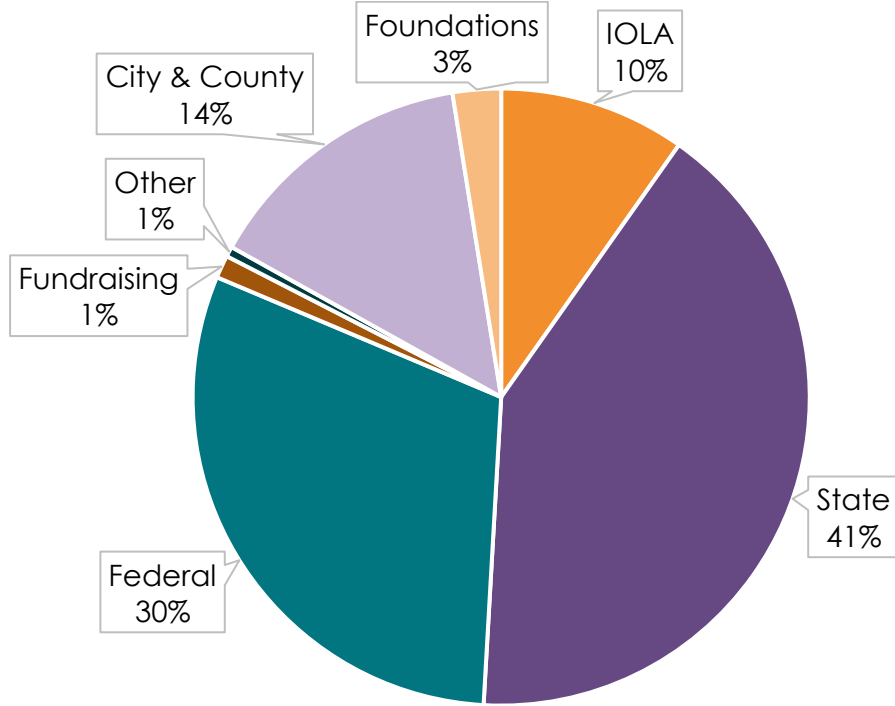
We have further strengthened our relationships with Fried, Frank, Harris, Shriver & Jacobson LLP and Pace Law, all of which are integral to the success of our biweekly Pro Bono Virtual Housing Advice Clinic, along with two corporate firm volunteers.

We have collaborated with three legal services organizations, representing most of the State, on code enforcement court cases, and began regular meetings on code enforcement and protecting tenant belongings during evictions or condemnations. When our Systemic Change Unit represented two tenant organizing groups in litigation, several other groups joined an amicus brief in support. We filed an amicus brief on behalf of three tenant organizing groups in a different litigation. We have worked with tenant organizing groups on know-your-rights presentations and planning for multi-tenant litigation in large buildings in two different cities. We also participated in a roundtable with the Director of the Consumer Financial Protection bureau and other local advocacy groups.

We partnered with Neighbors Link, a nonprofit organization, who assisted us to organize a Pro Se Asylum Application Clinic, set to start in April 2024. We will cross refer across different practice areas with them, and with My Sisters Place (MSP), Fearless, Community Voices Heard, Dutchess County Department of Family and Children Services for referrals on SSI denials, Open Door medical centers, and WestCOP for veterans, along with many more.

CIVIL LEGAL SERVICES FUNDING

\$ 32,381,434



IOLA Funding	\$3,165,000
City & County Funding	\$4,658,841
State Funding	\$13,320,563
Federal Funding	\$9,856,886
Foundations	\$819,735
Fundraising	\$388,134
Other Funding	\$172,275