

**NEW YORK
COUNTY
LAWYERS
ASSOCIATION**

**2023 – 2024
Report**

OVERVIEW OF ACHIEVEMENTS

During this reporting period, the Pro Bono Programs of the New York County Lawyers Association (NYCLA) closed 2,695 direct civil legal assistance cases and benefitted 5,756 individuals from those cases. NYCLA's Pro Bono Programs target individuals living in the five boroughs of New York City, but many of our programs serve people with legal issues in any county in New York State. Our programs work with various populations, including people with criminal records, people who have been wrongfully or unfairly investigated by child protective service agencies, people with disabilities who have been denied crucial government benefits, people with consumer debt issues, and low-income New Yorkers who have inquiries involving housing, employment, or family law.

Because of our work, low-income individuals have realized a number of benefits, such as:

- Stopping or reducing debt collection activity through limited scope advice and representation, in our CLARO and Volunteer Lawyer for the Day Programs, helping alleviate \$1,428,848 in debt;
- Avoiding or reversing findings of child neglect by child protective services agencies, through our State Central Registry Project, thereby improving access to employment and other opportunities;
- Winning remands in the Southern District of New York for individuals with disabilities who were denied Social Security benefits, through our Social Security SDNY Project;
- Removing barriers to employment, housing, and civic participation for individuals with criminal records through the Reentry Initiative, including the Certificates Project;
- Empowering low-income individuals to effectively resolve legal concerns relating to housing, employment, family law, and tax law through our Legal Counseling Project.



Service Area: New York State

Population Served: General
Low-Income Population

Staffing Full Time Equivalents:

Total Staff: 4 Others: 1.4

Lawyers: 2.6

DIRECT LEGAL SERVICES

Case Example 1 (from our State Central Registry Project and Reentry Initiative)—

Categories: Family and Reentry: Mr. J sought assistance from NYCLA's State Central Registry Project to challenge an indicated report on the State Central Register of Child Abuse and Maltreatment. NYCLA took on his case and was able to get his report successfully sealed after a hearing, as it was found that the domestic dispute underlying the report was an isolated incident that had no bearing on his parenting or career.

In the process of reviewing Mr. J's case, it also became clear that he could benefit from services through NYCLA's Reentry Initiative as well, which provides civil legal help for people with criminal convictions. When he first came to NYCLA, he had a pending criminal matter related to the SCR report. Upon resolution of his criminal matter, Mr. J was eligible to receive a Certificate of Relief from Civil Disabilities at his sentencing, which would not have been possible without the early intervention and assistance from NYCLA. The Certificate and the sealing of his SCR report will significantly improve Mr. J's employment opportunities. Mr. J's cases exemplify NYCLA's holistic approach to free civil legal services.

Case Example 2 (from our Veterans Discharge Upgrade Project)—Category:

Veterans' Rights: Mr. S is a veteran who was able to achieve a fully favorable outcome on his case after eight years, during which he received pro bono representation through NYCLA's Veterans Discharge Upgrade Project.

5,756

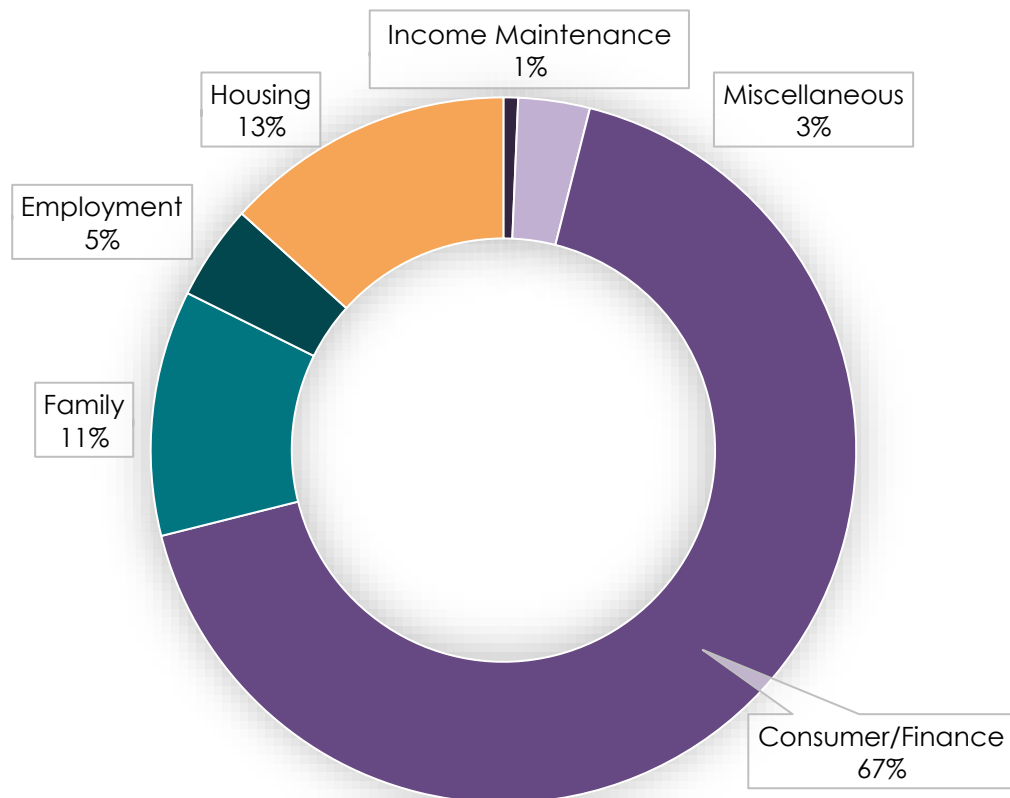
people
benefited
from

2,695

legal cases
closed

This program helps veterans with less-than-honorable discharges from the military to upgrade their discharge status. A less-than-honorable discharge can limit access to benefits and carries a stigma, and often can be unfairly assigned due to mental health issues. Mr. S served in the Marine Corps for three years before a series of personal tragedies, including the service-related deaths of two friends, led to incidents of misconduct. He was later diagnosed with PTSD.

CASES BY LEGAL PROBLEM AREA



As a result of the pro bono assistance he received, he was able to get his discharge status upgraded to Honorable. He is now eligible for VA education benefits and services through the Montgomery GI Bill program.

OTHER LEGAL-RELATED SERVICES

NYCLA’s Pro Bono Department provides Community Legal Education as a form of outreach for our programs and to educate the public about their legal rights. During this reporting period, we conducted 13 outreach programs which served a total of 530 individuals. 8 of these events were virtual, and the remaining 5 were hosted in person by community partners (some with hybrid options). These programs included both legal clinics to provide direct services, and educational presentations. Some of these presentations focused on information about our programs to connect more people with our legal services, while others included Know-Your-Rights presentations on various legal topics.

The majority of these presentations were for members of the public, but some were aimed at staff of community organizations or members of the legal community.

Know-Your-Rights Presentations: During the reporting period, we started a new partnership with Pursuit, an organization that provides fellowships to help adults from underserved backgrounds launch careers in technology, with the goal of improving opportunity and increasing diversity in the tech sector. We provided four Know-Your-Rights presentations about employment law and landlord/tenant law to two cohorts of Pursuit fellows. These presentations were designed to meet the needs Pursuit had identified among their fellows, especially for people with criminal convictions, one of the groups Pursuit aims to improve opportunities for through their program.

These presentations not only equipped fellows with an overview of their legal rights as job applicants, employees, and tenants in New York City, but also connected them with our services. A number of fellows followed up to receive individual legal assistance after these presentations, or referred people they knew to NYCLA.

Reentry Initiative Trainings: During the reporting period, we provided trainings through our Reentry Initiative to staff at two community organizations that work with people with convictions, The HOPE Program and Project Renewal. The HOPE Program is a longtime partner with our Reentry Initiative, while Project Renewal is a new partner. These trainings explained the services of our Reentry Initiative, and focused on employment law and the rights of people with criminal convictions in the workforce. These trainings had two main goals: to better equip staff members to help the clients they work with in their organizations, and to spread awareness of our programs so these staff can make effective referrals and connect clients to our services.

Legal Clinics: In addition to these staff presentations, NYCLA also held two legal clinics with The HOPE Program and the Center for Appellate Litigation as part of our Reentry Initiative: Certificates Project. These clinics provided legal consultations to individuals with criminal convictions to help determine their eligibility for Certificates of Relief from Civil Disabilities or Certificates of Good Conduct. Clients whose consultations found them to be eligible continued to receive individual assistance with their applications after the clinic.

530

people
benefited
from

**Community
Legal
Education**

IMPACT CASES

NYCLA v. State, No. 156916/2021, 2022 WL 2916783 (Sup. Ct. N.Y. Cty. July 25, 2022) Appellate Division Case Number: 2022-03908:

New York County Lawyers Association (NYCLA), in collaboration with other Bar Leaders filed a lawsuit in June 2021 against New York State and New York City to improve the compensation provided to attorneys who serve the indigent as assigned counsel pursuant to Article 18-B of the County Law. The lawsuit highlights the pay inequities for assigned counsel in New York State and calls for an end to the violation of the constitutional rights of children and indigent adults to meaningful and effective legal representation by the 18B and AFC panels in family and criminal court proceedings.

On July 25, 2022, Supreme Court Justice Headley granted NYCLA’s motion for a preliminary injunction to raise assigned counsel pay in the five boroughs of New York City to \$158/hour, retroactive to February 2, 2022, the first wage increase for assigned counsel in nearly 20 years. The court found “that severe and irreparable harm to children and indigent adult litigants would occur without an injunction” and said protecting their constitutional rights is of “paramount importance.” New York City appealed the retroactivity of the rate increase to February 2, 2022.

During the reporting period, NYCLA responded to the City’s appeal in the Appellate Division-First Department. NYCLA is happy to report that the First Department rejected the City’s challenge to the retroactivity portion of the original order, and no further appeals were pursued.

At this time, NYCLA conservatively estimates 1000 direct beneficiaries of this lawsuit, however the ripple effects on the lives of children and indigent adults will be in the tens of thousands.



TECHNOLOGY

During the reporting period, we expanded our use of our case management system, LegalServer. The most significant expansion of this system is our further implementation of online intake forms to cover more of our programs, including the new Civil Appeals Pilot Project. This platform has facilitated the process of tracking case data and volunteer assignments, and securely storing documents.

The NYCLA website was recently fully updated, which included sections about our Pro Bono Programs. We updated our program descriptions and included access to online intake forms on the NYCLA website, so members of the public can submit forms directly in order to receive assistance from those programs. We worked to ensure that these resources would be easily accessible to members of the public during the website-updating process. The 2023 Technology Grant assisted with this update.

IOLA TECHNOLOGY GRANT

The New York County Lawyers Association is thankful to the IOLA Fund for the 2023 Technology Grant, which allowed us to invest in four key areas:

Technology Equipment: NYCLA purchased new laptops and related equipment for all Pro Bono Department staff, a crucial upgrade in light of recent technological issues faced with hardware and the fact that NYCLA runs a hybrid office. This would have been an eventual necessary expense, however the technology grant allowed us to make the upgrade sooner and in a more responsible fashion (i.e. not waiting until a laptop breaks down, which can affect workflow). In addition, NYCLA invested in WiFi travel hotspots for all Pro Bono Department staff, in order to provide a secure internet connection during work travel (such as to conferences, or when making presentations at community partners). This expense would not have been possible without the grant.

Penetration Testing & Cybersecurity Training: NYCLA used a portion of the grant to invest in cybersecurity penetration testing for the organization, which is allowing us to work with our information technology vendor to assess any vulnerabilities in our systems. While NYCLA has been in discussions to conduct a penetration test, this grant allowed us to conduct it sooner, and begin planning for an incident response plan. The company that provided the penetration testing also provided cybersecurity training to staff.

Cybersecurity Insurance: NYCLA used a portion of the grant to invest in its cybersecurity insurance coverage.

Website Maintenance: NYCLA used a portion of the grant to invest in its website maintenance, a key source of information and referrals for our pro bono volunteers and clients.

PRO BONO VOLUNTEERS

Our recruitment, training, and deployment of pro bono attorneys, law students, and other volunteers are tailored to each of our programs and are essential to how we provide legal services. We use our #NYCLAMission Newsletter to highlight our volunteers and programs, and as a recruitment tool. We also have regular cohorts of law student externs each semester, and are a host organization for the Pro Bono Scholars Program. During the reporting period, 12 externs and 6 Pro Bono Scholars worked on our programs. 6 of the externs were students at George Washington University School of Law and worked with NYCLA as part of the GW in NY Program. We are also a host organization for the Attorney Emeritus Program and 6 AEP volunteers were active during this reporting period, including 2 new volunteers.

The Social Security SDNY Project has a recorded webinar training available on our website to any interested volunteer. This program is pitched to law firms or other attorneys seeking experience in federal litigation, particularly in the Southern District of New York. The State Central Registry Project has a recorded webinar training available to any interested volunteer. We have success assigning cases to a variety of attorney volunteers. We also use this program for recent law graduates who are interested in earning their 50 hours of pro bono, since the time commitment is less intensive than traditional litigation. The Legal Counseling Program offers trainings in the areas of Housing, Family, and Employment Law. This program is a good fit for solo/small firm practitioners or AEP attorneys. Our Reentry Initiative provides training from the Pro Bono Director and the supervising staff attorney. New volunteers are able to observe and assist experienced volunteers in consultations with clients before moving on to conduct consultations themselves.

During the reporting period, NYCLA partnered with Jones Day and the IRS to provide a training for tax attorneys on Interpreting and Responding to IRS Notices. This was offered for CLE credit and participants were connected with opportunities to volunteer with our US Tax Court Project and Legal Counseling Project.

148

attorneys volunteered 1,826 hours

32

law students volunteered 2,233 hours

8

other volunteers volunteered 337 hours

SIGNIFICANT COLLABORATIONS

Reentry Initiative: In our Reentry Initiative, we work closely with community organizations that serve individuals with criminal records. These organizations, which include The Doe Fund, The HOPE Program, and The Center for Appellate Litigation, refer people to our programs and partner with us to hold virtual, hybrid, and in-person events to provide services to their constituents. We held one virtual legal clinic during the reporting period with The HOPE Program, and a hybrid legal clinic with the Center for Appellate Litigation. We also provided staff trainings at The HOPE Program and Project Renewal.

Law Firms: For our programs that provide full representation, including the Social Security SDNY Project, the State Central Registry Project, Project Restore, and the Veterans Discharge Upgrade Project, we work closely with law firms whose attorneys regularly take on these cases. These law firms include Patterson Belknap Webb & Tyler LLP, White & Case LLP, Seward & Kissel LLP, Barton LLP, and Akerman LLP.

Legal Counseling Project and Member Resources: We have a collaboration between our Legal Counseling Project and Member Resources, which connects labor organizations with counseling in housing and family law for their members. We have also helped develop educational materials for Member Resources and their clients.

Office of Pro Se Litigation: Our Social Security SDNY Project has a longstanding partnership with the Office of Pro Se Litigation at the Southern District of New York, which includes our program flyer in the materials sent to pro se litigants when they initiate an appeal in the SDNY. The law firm Lansner & Kubitschek screens cases for this program, and provides substantive assistance to volunteer lawyers.

Bronx Legal Services: Our main partner for the State Central Registry Project is Bronx Legal Services, which collects intake information and provides us with case documents and narrative descriptions in order to match clients with volunteer attorneys for representation. When necessary, Bronx Legal Services attorneys, along with NYCLA staff, provide substantive help to volunteer attorneys.

Pursuit: During this reporting period we started collaborating with a new partner, Pursuit, an organization that seeks to create long-term systemic change in the technology sector. We’ve provided multiple Know-Your-Rights presentations on topics relevant to Pursuit fellows to help connect them to our services and equip them with basic legal knowledge.

CIVIL LEGAL SERVICES FUNDING

\$ 264,752

IOLA Funding	\$97,800
Foundations	\$4,500
Fundraising	\$6,000
State Funding	\$137,836
Other	\$18,616

