

# **VOLUNTEERS OF LEGAL SERVICES**

2022-2023



# OVERVIEW OF ACHIEVEMENTS

Between April 1, 2022, through March 31, 2023, we provided free, civil legal services to low-income older adults and veterans, unemployed workers, immigrant youth, children and their families, mothers and parents currently in, or recently released from, women’s prison or jail, formerly homeless young adults, and under-resourced micro-entrepreneurs. IOLA funding has proved pivotal during this period of growth for our organization, when we re-launched programs, expanded our pro bono and community partnerships, and structured existing programs to reach more low-income New Yorkers than ever before. While this past year was a time of revitalization for many, it presented unique challenges for VOLS’ clients. VOLS’ legal programs reached underserved communities in New York City, inclusive of age, race, gender and LGBTQ+ identity, ability, veteran, and immigration status.

Our expert legal team provided direct representation and multiplied impact through partnerships with pro bono lawyers whom we recruited, trained, and supported. We maintain a network of over 150 community partners who provide referrals or work with VOLS to ensure our services are provided accessibly and meet critical legal needs. During the reporting period, VOLS closed 3,573 legal matters; provided services benefitting 4,863 low-income New Yorkers; won \$602,197.00 in financial benefits for our clients; provided community legal education to 7,797 community members; engaged 1,499 volunteers and secured 17,457 hours of pro bono legal and volunteer assistance. 35% of reported VOLS cases were handled with support from pro bono attorneys.

During the reporting period, VOLS worked to increase access to justice for New Yorkers with Limited English Proficiency (LEP), by developing and implementing a formal VOLS Language Access Policy, which fosters communication with clients in



**Population Served:** General Low Income Population

**Total Funding:** \$3,844,862

**Total IOLA Grant:** \$187,500

**Staffing Full Time Equivalentents:**

- Total Staff: 24
- Lawyers: 14
- Paralegals: 2
- Other: 8

in languages that they fully understand, so that we are able to provide the highest quality legal representation. We have also translated and maintained legal guides in many of the top spoken languages in New York City, many of which are made publicly available on our website or distributed through community outreach. We have led efforts to advocate for improved language access policies in state and city institutions, including with the New York State Department of Labor (NYS-DOL). VOLS increased access to justice for incarcerated mothers and parents who are seeking assistance with family law matters, such as to preserve and protect their parental rights, arrange care for their children, and plan for reunification. In June 2022, we relaunched our Incarcerated Mothers Law Project (IMLP) - paused due to New York State COVID-19 visitation restrictions - to provide virtual family legal services to this population who had otherwise been cut off from receiving family law legal services altogether. Then, in February 2023, VOLS IMLP was able to return to in-person meetings at Taconic Correctional Facility, a development that stands to significantly improve their access to justice regarding their family law issues even further. VOLS also experienced significant improvements in our legal service delivery across all of our projects when in June 2022, VOLS' office expanded to a larger space, allowing our legal team to resume in-person services at an even greater capacity. The new office has provided much-needed conference spaces for our attorneys to meet with clients, which help ensure the health, safety, confidentiality, and privacy of our clients. While we still provide remote legal services, the expansion has fostered greater trust and reduced communication barriers and has ultimately strengthened the presence of VOLS across New York City communities.

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## DIRECT LEGAL SERVICES: CASES

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### *Other - Senior Law*

M.C. is a Latinx woman who was a client of La Extensión Comunitaria para Adultos Mayores, an initiative of the VOLS Senior Law Project that serves Spanish-speaking and Latinx older adults. M.C. was referred by Goddard Riverside Community Center, which serves older adults in the Upper West Side of Manhattan. She has a grandnephew who she was very bonded to and wished to include in her life planning documents, alongside her relatives such as children and grandchildren. However, under intestate statutory rules, her grandnephew would not typically have received a role as an agent of her life planning documents.

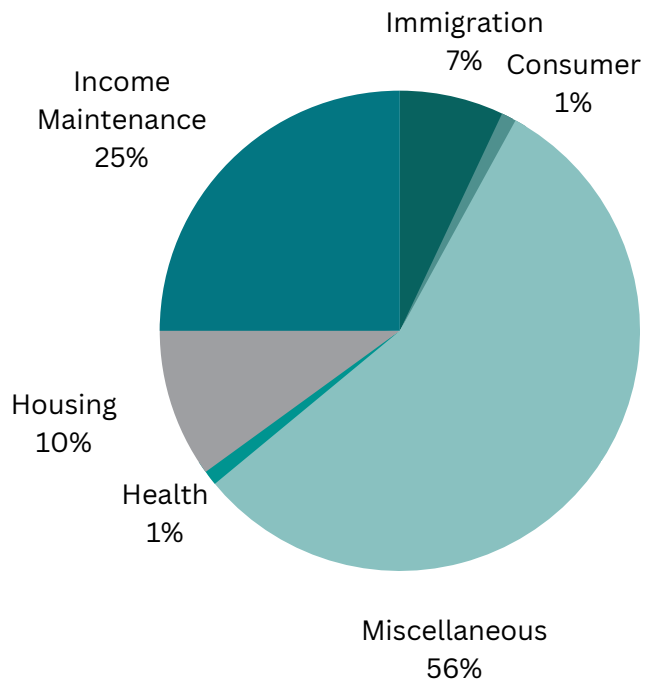
VOLS assigned two pro bono attorneys to assist M.C. in assigning her grandnephew to take on a primary role in her life planning documents so that he could care for her

at an equal level to her children in the event of incapacity. These pro bono partners, with support from VOLS, drafted and executed a Power of Attorney, Health Care Proxy, Living Will, Disposition of Remains form, and Last Will and Testament. VOLS was able not only to effectuate M.C.'s wishes, but also put her mind at ease that her grandnephew would be given the authority that their close relationship merited. We are happy to share that one of the pro bono attorneys from this case is actively working on another case within the La Extension Initiative, assisting a 73-year-old Spanish-speaking client on a matter regarding her Living Will and estate.

**Other - Transactional Law**

Business Outreach Center Network first referred Mona to VOLS. She had recently opened her natural hair salon, but an issue with the water line threatened to end her dream before it began. Mona needed legal assistance negotiating repairs and quickly saw that the cost of a lawyer was prohibitive. A first-generation immigrant, and the first person in her family to run a business in the United States, Mona said she had no support. VOLS Microenterprise Project (MEP) successfully secured The Mona Cut’s much-needed repairs and would go on to advise Mona about employment law and other legal matters critical to her growing business. Mona now employs a staff and is developing a product line for natural hair. VOLS’ pro bono attorneys have supported ongoing services for Mona relating to intellectual property for this product line.

**4,863**  
people  
benefitted from  
**3,573**  
legal cases  
closed



**Cases by  
Legal Problem Area**

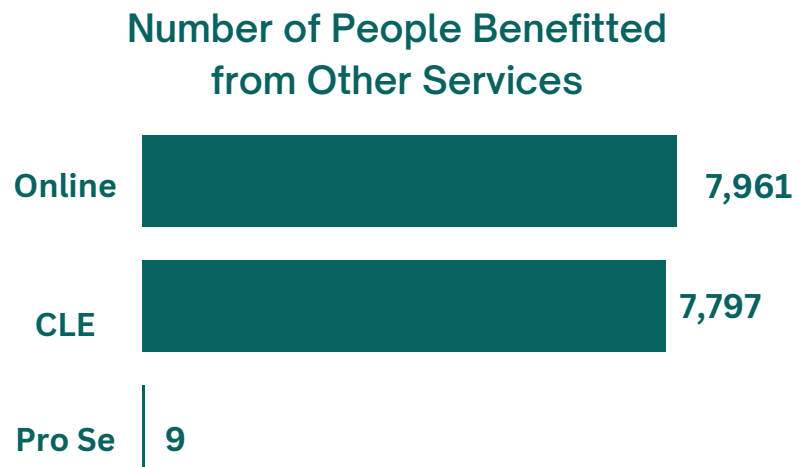
# OTHER SERVICES: OVERVIEW

During the reporting period, we continued to assist clients filing pro se Voluntary Administration or Small Estates Administration petitions in the Surrogate’s Court, assisting in 9 matters for pro se clients. With the arrival of tens of thousands of new immigrant families in New York City since August 2022, VOLS Immigration Project increased our support to immigrant arrivals filing pro se applications, with the goal of meeting the needs of new immigrant arrivals who are navigating the immigration system. Additionally, we continued to provide support through the VOLS SLP for New Yorkers who had lost a loved one during the pandemic and were trying to navigate either the probate or administration process in the Surrogate’s Court, through our “Guide to Voluntary Administration” and pro se assistance in completing court forms for clients.

Community legal education is core to VOLS' model of program development and delivery. Our “Know Your Rights” presentations further empower the public and our clients to better understand the broader context for their legal concerns. In 2022-23, we conducted trainings, workshops, and presentations that reached 1,034 community members. VOLS’ self-help, legal educational materials were downloaded from our website 7,961 times.

Presentations during the grant period were provided both virtually and in-person, with increased ability to return in-person. Many presentations were conducted for VOLS’ community-based organization (CBO) partners who promoted them to their constituents and members. VOLS has also continued to produce legal information guides and resources in English, Spanish, and other commonly spoken languages in New York City.

**15,767**  
people  
benefitted from  
Services Other  
Than Direct  
Legal Services



## OTHER SERVICES: TECHNOLOGY

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VOLS continues to collaborate with our pro bono partners to use innovative technology to reach our clients in an accessible manner. For example, during the reporting period the VOLS Immigration Project worked with the law firm Simpson Thacher & Bartlett LLP using their ACCESS platform to conduct a virtual DACA renewal clinic that allowed clients to meet one-on-one with attorneys in breakout rooms. This platform has since been used by other VOLS projects, including the Unemployed Workers Project in order to conduct virtual unemployment insurance intake clinics that give clients the opportunity to meet directly with legal staff and pro bono volunteers. We continue to be a leading voice on the use of technology to enhance pro bono work, as highlighted in our presentation in May 2022 at the Equal Justice Conference on Chat Bots, Collaboration Platforms and Intake Portals. We presented alongside two of our pro bono partners, Simpson Thacher & Bartlett LLP and Kirkland & Ellis LLP, on how legal services can use virtual pro bono clinic platforms to better serve low-income clients in virtual settings.

A further improvement in our use of technology that has improved our service delivery include the utilization of American Sign Language video remote interpretation services, which have allowed us to better serve hearing impaired clients.

## OTHER SERVICES: TRAININGS

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VOLS strongly encourages and supports the cost of professional development for our staff, including attorneys, paralegals, and non-legal staff. We cover membership dues in Bar associations and professional organizations when appropriate, as well as participation in Continuing Legal Education programs including free access to all PLI programs. VOLS' staff members are frequently invited to participate in various speaking engagements at law schools, universities, local, state, and national bar associations, PLI, and at conferences across the country. The topics include substantive areas of law, ethics, cultural competence, veterans' justice, and pro bono best practices. Many of our attorneys are members of the New York State and New York City Bar Associations, and they are active members of relevant sections/committees.

VOLS has also continued to develop our in-house CLE and training program as we work towards becoming an accredited New York State CLE provider. In June 2022,

we hosted a CLE titled An Introduction to New York State’s Unemployment Insurance Benefits, which was led by VOLS staff and attended by VOLS’ pro bono partners, Board members, and staff. Other topics of CLEs we conducted, which were attended by VOLS staff and pro bono partners, throughout the reporting period have included Applying an Equity Lens to Pro Bono; Language Access Pro Bono Matters; Ethics in Pro Bono Practice; Life Planning Documents for Low Income Seniors; Unprecedented Times: Immigration Remedies for Our New Neighbors; Pro Bono Practice: Serving Aging and Disabled Clients – Overcoming Implicit Bias, Assessing Capacity and Accommodating Disabilities; and Enforcing Family Court Orders for Incarcerated Mothers.

Additional training for VOLS’ staff and pro bono attorneys included discussions surrounding cultural humility and language access, which incorporate concepts around language equity and justice for our clients. We also hold monthly Legal Team meetings, led by our Legal Director, where we focus on the professional development of our legal staff.

## IMPACT CASES

### *Melendez v. City of New York*

VOLS filed an amicus brief in the South District of New York (SDNY) supporting the City of New York’s defense of two laws enacted by New York City Council in May 2020, the Commercial Tenant Harassment Law and the Personal Guaranty Law, which provided critical relief to small business owners at a time of unprecedented need during the pandemic. The Harassment Law expands the definition of harassment to include threats by a landlord on the basis of a commercial tenant’s status as being impacted by COVID-19. The e Guaranty Law temporarily suspends certain business owners’ personal liability for commercial rent

obligations from March 7, 2020, to March 31, 2021. These laws potentially protect a quarter of a million small business owners. VOLS also filed an amicus in support of the

**706,155**  
beneficiaries  
were affected by  
**2**  
Impact Cases

constitutionality of the laws when the matter was initially filed in the SDNY and when the matter was appealed to the 2nd Circuit Court of Appeals in 2021. The 2nd Circuit had reversed in part the lower court's ruling which had upheld the statutes and remanded the matter for a hearing at the SDNY. Unfortunately, the SDNY judge reversed their earlier ruling and found the laws to be an unconstitutional infringement on the contract clause of the Constitution. It is unclear whether the City will be pursuing an appeal.

### ***NYCHA Power of Attorney Policy***

VOLS previously represented a tenant in a NYCHA building who was unable to complete paperwork needed to transfer her to an accessible apartment due to hospitalization. The tenant had a properly executed New York Statutory Short Form Power of Attorney granting agency to her daughter to handle both housing and benefits matters on her behalf. When the agent approached NYCHA about completing the paperwork on the principal's behalf she was refused. She was informed that according to the NYCHA Management Manual, NYCHA's policy would only honor a Power of Attorney where the principal was mentally incapacitated. This policy is contradicted by the New York General Obligations Law which mandates that third parties must honor powers of attorney and makes no reference to the mental capacity of the principal. Sadly, our client passed away before she was able to get relief, but VOLS sent a demand letter to NYCHA pointing out the illegality of their policy. NYCHA's attorneys readily agreed that they needed to change their policy after reviewing our letter, and agreed with our position that the policy was too narrow and contrary to the New York General Obligations Law. They indicated that they are in the process of updating their policy and thanked us for bringing this issue to their attention. They noted that the process of updating the policy could take time, but that NYCHA staff and the first line of managerial support at the various housing units had been informed of this proposed policy change and would begin to follow it immediately. In the interim, if the same issue arises, NYCHA attorneys said that we could reach out to them to resolve the situation. There are over 300,000 residents living in NYCHA housing and this policy change has the potential to impact them all.

## **All Impact Cases**

**Amicus brief submitted in *Melendez v. City of New York*, No. 20-5301 (SDNY)**

**Article 78 proceeding seeking to compel the NYS-DOL to produce materials in response to a Freedom of Information Law (FOIL) submission.**

**Challenge to New York State Housing Authority (NYCHA) policy on honoring properly executed power of attorney forms**



# PRO BONO VOLUNTEERS

VOLS enrolled 1,499 volunteers including lawyers, law students, legal interns, and pro bono scholars. They contributed 17,457 hours of service. Through trainings and presentations, we have engaged lawyers, law students, and paralegals who received training on discrete areas of the law, VOLS’ services, and policy changes.


We engage law students through internships, the Pro Bono Scholars program, law school clinics, National Pro Bono Month activities, and the VOLS Pro Bono Advocates Council (PBAC). VOLS PBAC brings together emerging private bar leaders from private law firms and corporations in New York City who have a shared commitment to pro bono legal services and is an ongoing source of thought leadership on pro bono volunteerism. PBAC members take pro bono cases and promote pro bono within their firms. We have also continued to expand the resources in our Pro Bono Library in order to recruit, train, and support volunteer attorneys working to serve VOLS clients.



**813 Attorneys volunteered 14,808 hours**

**36 Law Students volunteered 2,239 hours**

**14 Other Volunteers volunteered 410 hours**

Each  icon is equal to 86.3 volunteers.  
 Attorneys are represented through the Green Figure.  
 Law Students and Other Volunteers are represented through the Grey Figure.

# SIGNIFICANT COLLABORATIONS

VOLS collaborated with 80 law firms, companies, and law schools whose volunteers provide pro bono representation, as well as with more than 150 community organizations (including, older adult centers, schools, hospitals, or small business support centers) that help us identify clients and work with us to provide holistic services. We regularly provide assistance, including policy update presentations and training to social workers and staff at partner sites. Our collaborations have also led to successful community outreach materials, including a pamphlet the SLP produced with CUP.

# SOURCES OF FUNDING

Volunteers of Legal Services received  
**\$3,844,862**  
 in total funding this past year

<b>Foundations</b>	<b>\$1,107,550</b>
<b>IOLA Grant</b>	<b>\$187,500</b>
<b>City and County</b>	<b>\$419,597</b>
<b>Fundraising</b>	<b>\$1,027,464</b>
<b>State Funding</b>	<b>\$133,905</b>
<b>Other</b>	<b>\$968,846</b>
<b>Total</b>	<b>\$3,844,862</b>

