

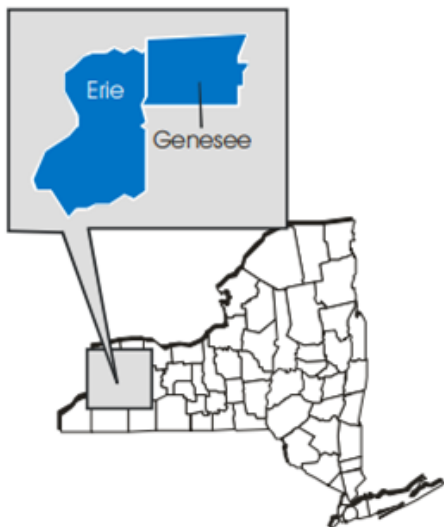
**ERIE COUNTY BAR
ASSOCIATION
VOLUNTEER
LAWYERS PROJECT**
2022-2023

OVERVIEW OF ACHIEVEMENTS

Our target population is low-income people and small not for profits/business organizations in Western New York (WNY). This period, we closed 3,841 cases. Moreover, we represented 53 non-profit/small business organizations. We provided services in 716 immigration cases and closed 343 of them. 157 pro bono lawyers worked on 436 cases benefiting 1,071 people and helping us leverage services for more clients. We launched a new immigration legal clinic housed in the Buffalo Immigration Court during morning master calendar appearances. The Buffalo Immigration Court hears cases for all of New York State outside of NYC, and we have been working with our partners in Syracuse (VLP of CNY) and Rochester (JustCause) to refer cases in which intake was completed in the legal clinic to pro bono attorneys in their catchment area.

We provided information and referral services to 3,203 individuals. Our case work secured direct financial benefits totaling \$369,259.90 (\$362,190.20 [lump] and \$7,069.70 [monthly]) for our clients, while also achieving indirect financial benefits of \$3,129,328.70 (\$3,118,592.20 [lump] \$10,736.50 [monthly]) for our clients. In addition, we were able to secure fee waivers totaling \$89,121.00 for our clients. Our work saved taxpayers an estimated \$5,776,009.28. Overall, our work benefited 9,743 people.

We have continued to improve our program capacity by continually tailoring our case management system, LegalServer, to our needs. We have refined our custom-built reports, implemented proactive data checking and clean up measures, and streamlined many of our processes and workflows. Moreover, we improved our capacity to recruit volunteers and to refer cases by hiring a new pro bono coordinator to support our Pro Bono Manager. We also improved our supervisory capacity by revamping our supervision structure



Population Served: Low Income Populations

Total Funding: \$5,018,840

Total IOLA Grant: \$362,972

Staffing Full Time Equivalents:

- Total Staff: 47.56
- Paralegals: 10.63
- Lawyers: 25.68
- Other: 11.25

DIRECT LEGAL SERVICES: CASES

Immigration:

Our client was charged as removeable for having two convictions for Aggravated Unauthorized Operation of Motor Vehicle which the government claimed were “Crimes Involving Moral Turpitude.” We contested the charge of removability. The Immigration Judge agreed with our argument and terminated removal proceedings. The Bureau of Immigration Appeals reversed the Immigration Judge's decision.

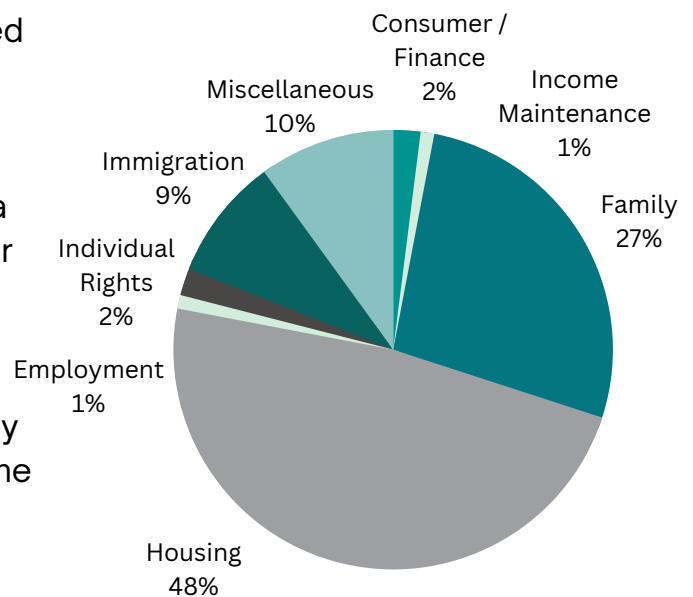
We determined that our client was eligible for cancellation of removal, and we assisted her in preparing the application, submitting evidence of her participation in substance use rehabilitation, and payment of her fines. The Immigration Judge agreed with us and granted the application for cancellation of removal.

Family Law:

We represented a domestic abuse client in a divorce and obtained a judgment granting our client the marital residence and its contents; however, the husband refused to leave the house and the police would not remove the husband. We filed a family offense petition by order to show cause in Family Court and at the same time started the eviction process in housing court.

On the first family court date, we were able to negotiate a settlement of the family offense petition whereby the husband admitted that he voluntarily vacated the former marital residence and had no further claims to it. Ultimately, we were able to remove our client's ex-husband from the home and obtained a full stay away order of protection for the client – all within a short period of time.

9,743 people benefitted from 3,841 legal cases closed



Cases by Legal Problem Area

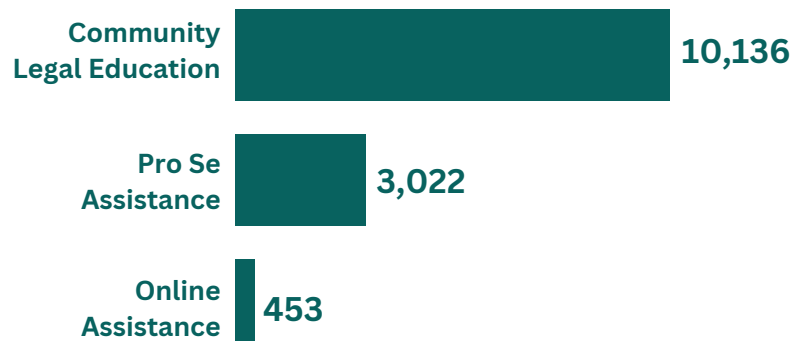
OTHER SERVICES: OVERVIEW

This period, we conducted in-person community education events for over 30 local organizations reaching 1,301 people. By way of example, we presented tax trainings for local organizations on the following topics: (1) The 2022 Tax Filing Season, Earned Income Tax Credit, Child Tax Credit, and Dependents (for the Hope Refugee Center); (2) Tax Issues Impacting Senior Citizens (for the Autumnwood Senior Center); (3) Taxes 101 (for the Afghan Community); (4) Taxes 101 for Special Immigrant Visa Holders and Asylum Interviews (for Journey’s End and the International Institute of Buffalo); (5) Taxes 101 and Immigration (for Jewish Family Services). In addition, we distributed an estimated 3,236 brochures throughout the Western New York Community. Moreover, we distributed program-specific flyers and materials to local organizations through material drop off events and mass mailings reaching an estimated 1,412 people.

In collaboration with our community partner, Say Yes Buffalo, we presented a series of four “Know Your Rights” trainings aimed at community members and potential clients on the following topics: (1) Wills and End of Life Planning; (2) Father’s Rights; (3) Housing law; (4) 2023 Tax Filing Season: What You Need to Know. The trainings are live streamed on our Facebook page and the recordings of the live sessions are posted to both our and Say Yes’ social media platforms as well as to our website. In addition, we presented a six-part virtual tax information series on the following topics: (1) Pay As You Go – A Guide to Withholding and Estimated Tax Payments; (2) Dependents and Tax Credits; (3) The Tax Collection Process; (4) Financial Wounds – How Domestic Violence Can Impact Your Taxes; (5) Identity Theft and Tax Preparer Fraud; (6) 2022 Tax Filing Season. Throughout the contract year, these trainings reached 1,464 people.

13,611 People Benefitted from Services Other Than Direct Legal Services

Number of People Benefitted from Other Services



OTHER SERVICES: TECHNOLOGY

This period, we built and implemented our Online Intake Legal Server site. In addition, we upgraded computers and purchased several laptops and iPads to be used on site at remote clinics. We took advantage of LegalServer's SMS functionality to send text messages directly to clients through their case and utilized LegalServer's external form functionality to send electronic forms to clients and volunteer attorneys

OTHER SERVICES: TRAININGS

We are dedicated to fostering the professional development of our board and staff. To that end, we encourage staff to attend all continuing legal education (CLE) programs that are relevant to their practice at VLP. We have a membership with the "Practising Law Institute" and staff can access hundreds of on-demand and live CLEs on a wide range of topics whenever they choose. This period, our staff attended over 175 CLE presentations. In addition, all our staff completed an annual sexual harassment training and an annual diversity and inclusion training on both personal and professional allyship.

Our Diversity and Inclusion Committee works hard each year to get additional training opportunities out to staff members by holding quarterly discussion groups where a pre-determined topic is raised through a short article and a podcast and then staff are invited to discuss. This period, our Diversity and Inclusion Committee hosted discussion groups on the following topics: (1) Afro-Latinos, Intersectionality, and the treatment of Afro-descendants within the Latin/Hispanic Community; (2) Juneteenth and Pride Month; (3) Inclusion for People with Disabilities; (4) Immigrant Xenophobia. This initiative is targeted at all staff.

Moreover, we encourage staff to lead training courses within their area of expertise. This period, we hosted various internal trainings for staff on a variety of topics including legal writing, using LegalServer, and vicarious trauma.

This period, we developed a comprehensive training program for new staff to master our case management system, LegalServer. This entails one-on-one in-person training and follow-up to ensure new hires are competent utilizing LegalServer. This initiative is targeted at all new staff.

IMPACT CASES

Negriell v. Garland, 21-6638 and Negriell v. Garland 22-6312:

We represent a client in his petition for review before the Second Circuit Court of Appeals. He was placed in removal proceedings after sustaining a statutory rape conviction under N.Y.P.L. §130.25(2). At issue is whether this conviction is a “crime of child abuse” that would render him removable under 8 U.S.C. §1227(a)(2)(E)(i). We are arguing that it does not. In *Esquivel-Quintana v. Sessions*, 581 U.S. 385 (2017), the Supreme Court articulated a federal age of consent law as it pertains to sexual intercourse, and that age is sixteen. N.Y. Penal Law punishes behavior that the federal law would not.

In addition, N.Y. Penal Law contains no mens rea requirement whereas a crime of child abuse does. As such, we are arguing that a conviction under N.Y. Penal Law §130.52(2) is not categorically a crime of child abuse under federal law and thus, our client should not be found removable under this ground of removability. We were joined by the American Immigration Lawyers Association, who filed an amicus brief in support of our position. The outcome of this matter will undoubtedly impact other individuals in our client's position.

This period, we assisted a local nonprofit organization whose mission is to “celebrate Hispanic arts, culture and heritage, nurturing a spirit of community and intergenerational learning, while contributing to the growth and vibrancy of our city and region.” The organization sought our assistance creating a cultural institute dedicated to the preservation and celebration of Hispanic arts and culture in the heart of the Hispanic Heritage District in Western New York. Specifically, to construct a thirty-two thousand square foot building featuring a theatre, event space, café, media center, learning labs, and much more that will serve as a central hub for the community. We assisted the organization in negotiating the land purchase. It is estimated that this organization will assist over one thousand people annually.

We also assisted a local educational and nutritional program that was created to help people that are kidney transplant recipients. The mission of the organization is to provide community health screenings, education, and a food pantry specific to the dietary restrictions of transplant recipients. We assisted the organization in obtaining tax exempt status, New York State Charities Bureau registration and in drafting their bylaws. It is estimated that this organization will assist over three hundred transplant recipients.

2 Impact Cases were worked on during this past year

PRO BONO VOLUNTEERS

Recruitment: Our recruitment strategy involves the following: VLP CLEs: We create and host trainings on various topics and offer them to attorneys free of charge in exchange for accepting a pro bono referral.

Outreach to Students: We attend and present at various events at UB Law School to teach students about the value of pro bono practice and how to get involved with VLP. In addition, we host internships and externships for students. Partnerships: This year, we partnered with an organization known as “We the Action” to promote federal pro bono opportunities nationwide. Training: We host CLE trainings, mentorship programs, and provide on-demand CLEs. Deployment of

Volunteers: Our volunteers include attorneys, law graduates, law students, and undergraduate students. They help coordinate our limited scope projects, conduct client intakes, work on case files, and represent clients. LegalServer is used to track our pro bono attorneys, their preferences, assigned cases, volunteer hours, etc.

Significant Achievements: This period, we sponsored a six-part training series for the U.S. District Court, Western District of New York, to increase the number of attorneys on the Court's pro bono panel. The cases marked by the Court for pro bono assistance are then referred through VLP to pro bono attorneys. Finally, this period we hosted our first defensive asylum immigration training in the Buffalo Immigration Court that included an orientation of the court by a sitting Immigration Judge.



202 Attorneys volunteered 2,814 hours

26 Law Students volunteered 2,417 hours

37 Other Volunteers volunteered 2,808 hours

Each  icon is equal to 26.5 volunteers.

Attorneys are represented through the Green Figure.

Law Students and Other Volunteers are represented through the Grey Figure.

SIGNIFICANT COLLABORATIONS

Western New York Eviction Prevention Project (WNY EPP): We partnered with Neighborhood Legal Services (NLS), the Center for Elder Law and Justice (CELJ), Western New York Law Center (WNYLC), and legal Aid Bureau of Buffalo (LABB) to create the Western New York Eviction Prevention Project. This project provides eviction defense representation to tenants in Erie, Niagara, Orleans, Wyoming, and Genesee Counties. This program will provide legal representation to thousands of tenants who previously had little to no access to legal services.

Afghan Asylum Project: We have been working with the five resettlement agencies in Buffalo to help the six hundred Afghans who were brought to Buffalo after the fall of Afghanistan.

OVS Civil: We subcontract with the Center for Resolution and Justice and fellow subcontractor the Center for Elder Law and Justice on a grant to provide civil legal services to crime victims. Through this collaboration, we are providing matrimonial and family law services to individuals who have been the victim of a crime. This period, we worked 148 cases for crime victims and closed 68 cases.

ONA Pro Bono: We have partnered with the Volunteer Lawyers Project of Central New York, Legal Aid of Rochester, and Just Cause to provide pro bono representation in non-detained immigration cases. In March 2023, we hosted a CLE and trained seventeen pro bono attorneys on how to handle a defensive asylum claim. UB School of Social Work: We worked with the University of Buffalo's School of Social Work to obtain a social work intern for our Department of Health program serving individuals and families with HIV.

NYS Legal Services Coalition: VLP's CEO was elected to the Executive Board of the New York State Legal Services Coalition. The Coalition is comprised of over 40 legal services organizations statewide and has been advocating for increased funding for civil legal services as well as for legislative issues of importance to our organizations including the push to remove notarization requirements for civil cases and the right to counsel in eviction proceedings.

VCAN Working group: VLP's CEO has been participating in the 8th judicial district's Virtual Court Access Network Working Group. The Court has funded five remote sites in rural areas throughout the 8th judicial district to provide secure access to court proceedings via teams in areas where there is decreased access to broadband. The working group is poised to launch its first site in Wyoming County this year and VLP will be utilizing the site to launch a fully virtual Family Court Help Desk in Wyoming County.

Response to the May 15th mass shooting at TOPS in Buffalo: VLP has partnered with the Center for Elder Law and Justice, Neighborhood Legal Services, WNY Law Center, Legal Aid Bureau of Buffalo, and the Center for Resolution and Justice to provide services in the Jefferson Avenue area of Buffalo where the mass shooting occurred on May 15, 2022. All partners have agreed to provide targeted know your rights trainings at the Resiliency Center that was established after the shooting. All partners have also agreed to do intake clinics following the presentations. VLP presented with the VITA tax program in March about free tax services.

SOURCES OF FUNDING

ECBAVLP received **\$5,018,840** in total funding this past year

State Funding	\$3,675,893
Federal Funding	\$648,643
IOLA Grant	\$362,972
Other Funding	\$143,146
Foundations	\$131,351
Fundraising	\$30,894
City and County Funding	\$25,941

