

# **CAMBA**

2022-2023

# OVERVIEW OF ACHIEVEMENTS

CAMBA/ CAMBA Legal Services (CLS), in partnership with the Legal Services for the Working Poor Coalition, provided direct legal service assistance to approximately 4,000 people this year. Direct legal services include legal representation and brief and counsel in the areas of consumer law, foreclosure prevention, housing, immigration, and services to crime victims including survivors of domestic violence. CAMBA Legal Services, along with its partners, provided community legal education, information and referral services, and pro se assistance to more than 5,000 people over the year. Collectively, the dollar benefit and savings to clients combined (including annualized ongoing monthly payments) is close to \$10 million. If successful, our impact cases could ultimately benefit all New York State consumers.

CLS continued to play an important role connecting community members and existing clients to a variety of assistance and services to support them. The COVID-19 pandemic has presented a number of new issues which disproportionately affected our clients and community. To address this, the agency played a pivotal role in connecting people to emergency food, reliable high quality health information and services, unemployment benefits, emergency financial assistance, public benefits, information on the eviction moratoria and the resumption of evictions, and updates on the status of the courts and other systems that were largely shut or slowed down, and were still in the process of reopening. CLS staff organically started returning to the office and over the course of this contract year, has resumed in person services targeted to those unable to access services in a remote environment. We have reopened the offices formally, while maintaining virtual services as well for those clients who prefer to access services in that way.



**Population Served: Low Income Populations**

**Total Funding: \$11,120,432.19**

**Total IOLA Grant: \$489,513.12**

**Staffing Full Time Equivalents:**

- Total Staff: 76
- Paralegals: 22
- Lawyers: 48.5
- Other: 5.5

# DIRECT LEGAL SERVICES: CASES

## Case #1, Mr.C:

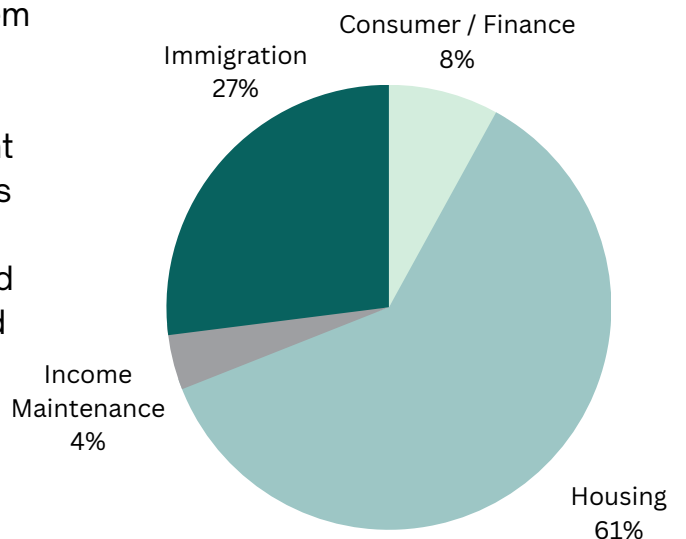
Mr. C, is a 61 year old Brooklyn resident who lives on public assistance. Mr. C was recently sued in a debt buyer lawsuit seeking to collect an alleged credit card medical debt. In late 2019, Mr. C was interested in getting dental implants but could not afford them on his income of just over \$10,000 per year. He found a dentistry grant program online, which referred him to a dentist in Queens.

During what was supposed to be an initial consultation, the dentist’s office pressured Mr. C into getting what was described as emergency dental work, gave him medications that made him drowsy and confused, and had him sign paperwork that they said was to apply for a dental grant. The dental procedures were not successful and Mr. C had to go to the emergency room to get them removed.

After the failed procedure, Mr. C learned that over \$11,000 in financing was taken out in his name, potentially through doctored paperwork. Despite disputes to the bank and state and federal regulators, Mr. C was sued for more than \$13,000 in early 2022.

CAMBA is representing Mr. C in the lawsuit, including challenging the debt buyer’s standing to sue and raising defenses and counterclaims under the federal Truth in Lending Act.

**14,189**  
people  
benefitted  
from  
**3,930** legal  
cases  
closed



**Cases by Legal Problem Area**

**Case #2, Ms. N:**

Ms. N – Ms. N is a resident of Staten Island where she lives with her husband and large extended family. CAMBA has worked with Ms. N for approximately five years to resolve extensive identity theft. Multiple bank accounts, personal loans, and more than ten credit cards were opened by an unknown person in Ms. N's name without her knowledge or permission, resulting in the theft of tens of thousands of dollars as well as four lawsuits against Ms. N.

CAMBA represented Ms. N in all four lawsuits and has negotiated the discontinuance of all four. Most recently, in March 2023, CAMBA negotiated the discontinuance of the last of the four cases by raising an unauthorized use defense under the federal Truth in Lending Act and submitting an extensive fraud affidavit and supporting documents. Because of CAMBA's exhaustive efforts this long saga is over and Ms. N can move on with her life.

**Case #3, Ms. Q:**

Ms. Q – Ms. Q is a single mom of two children one of whom, her 6 year old son, is autistic. Ms. Q lives in Queens and works as an administrative assistant in a doctor's office. In late 2017, Ms. Q's hours were cut at work and she could no longer make payments on her car. Not wanting to have the car repossessed, Ms. Q called the finance company who told her that she could return the car and not owe anything. Ms. Q did just that and thought the matter was behind her.

5 years later in 2022, Ms. Q was sued in Queens Supreme Court. Not sure what to do she spoke to one of her co-workers who helped her research it, and directed her to the courthouse. Getting to the courthouse was very burdensome for Ms. Q, she was not able to get child care and she was stressed about the case and what would happen. Making things more stressful was that one of the ways Ms. Q's son's autism manifests is kinetic and he is unable to stay still. Ms. Q had no idea where to go or who to talk to. She finally found the right clerk, who brusquely told her she needed to keep her kid under control. This was all incredibly overwhelming but, eventually, Ms. Q was able to file an answer.

After even more research Ms. Q found CAMBA Legal Services, who agreed to represent her. A quick review of the complaint revealed that the debt was past the statute of limitations, and that all the stress and anxiety Ms. Q endured never should have happened. CAMBA Legal Services moved to have the case dismissed and is awaiting a decision.

# OTHER SERVICES: OVERVIEW

CLARO – In 2021 approximately 83,000 consumer lawsuits were filed in NYC Civil Court. No direct legal representation system could possibly serve all of the consumer cases that are filed in the NYC Civil Court, in given a year. This reality has led to the creation of the Civil Legal Advice Resource Office or CLARO.

CLARO program is designed to provide NYC residents, who have been sued in civil court with legal advice regarding their case. CLARO is citywide, administered by Fordham Law School, and staffed by law students and fellows. During COVID CLARO was remote, but with the return of high volume in-court appearances, CLARO had to return to in-person clinics to meet demand.

Through CLARO, the Consumer Law Project provided assistance to approximately 100 clients, and helped to provide another avenue for New York City’s consumers to find legal advice relating to consumer law issues.

## 2,568 People Benefitted from Services Other Than Direct Legal Services

### Number of People Benefitted from Other Services



## OTHER SERVICES: TECHNOLOGY

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CAMBA Legal Services continues to receive consumer law referrals through the Consumer Law Help Finder, which was developed in partnership with a number of other New York City providers and the Technology Working Group of the Task Force to Expand Access to Civil Legal Services. This portal uses technology to improve consumer law triage, screening and/or intake processes. The Covid-19 crisis made the portal vital, as traditional access points for consumer legal services had been shut down. At the advent of the crisis the providers convened to make sure the portal was as widely known as possible and to do everything they could to help consumers access it. Since that time, more consumers than ever have accessed our services through the portal, getting brief advice and full representation in the full spectrum of consumer cases.

LegalServer Database – Last year CLS upgraded its program wide database to LegalServer. This upgrade has allowed for better integration with the online portal, better case tracking across units, makes it easier to track outcomes, and serves as a cloud based document management tool with virtual case files. The upgrade allows CLS to more efficiently manage cases and record outcomes. The attorneys and paralegals have become more proficient in using the database and CAMBA has worked extensively with its in-house data, assessment, research, and evaluation (“DARE”) team to improve the database’s functionality and streamline its operation so it is more intuitive and responsive to the users.

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## OTHER SERVICES: TRAININGS

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Professional development is vital for both new and experienced attorneys. In CAMBA’s consumer unit training is centered on its supervisory model. Because consumer law is a smaller practice area city wide, there are fewer relevant trainings. A training on a subject like auto leases, for instance, may only happen once every two years. While these trainings are useful the long delay makes them of limited utility to an attorney representing a client with an auto lease issue right now. CAMBA addresses this in two ways. First, consumer attorneys attend the annual National Consumer Law Center consumer right litigation held in the Fall and the annual consumer skills training held in the Spring. These conferences have trainings on virtually every aspect of consumer law and are cutting edge, with discussion of new trends, policies, and strategy with providers from all over the country.

Second, the unit employs an intense direct supervision model where supervisors and staff attorneys work in collaboration on almost every case. CAMBA's Consumer Unit employs 2 supervising attorneys to 3 staff attorneys and a paralegal. This allows for supervisors to interact with staff on a constant basis and, to deeply review legal writing, to attend court dates, and to devote lots of time to discussing case strategy and relevant legal doctrine. This is enhanced by the experience of the supervisory staff which has a combined 20 years of experience handling consumer law cases in New York. CAMBA also has robust co-counseling relationships and seeks out co-counsel when dealing with new or complex issues. This allows attorneys to lessen workloads and get experience from providers who are outside the legal services realm.

The consumer unit also does a yearly training review to speak to staff about professional development needs and how to address them. This year those discussions resulted in a revamped training schedule for new hires that is more in depth, stretching over two weeks, and provides a more comprehensive view of consumer law and New York poverty law more generally.

Outside training is also an important part of our commitment to staff development. Leap, a coalition of non-profit civil legal services providers, which all coalition members are part of, organizes monthly trainings on a variety of topics, leveraging the expertise of a wide variety of providers. There are regular consumer law trainings organized through CLARO. CAMBA staff also participate in a host of trainings conducted by other agencies and training entities, including LSNYC, PLI, CNYCN, Community Service Society, the City and State Bar Associations, etc. We are always looking for relevant trainings and conferences to build the capacity of our teams.

Lastly the housing unit has been refining its onboarding trainings for new staff as there has been so much hiring in the Right to Counsel era. This is a robust 2 week training period with many different staff taking the lead in conducting the different modules to bring new staff up to speed on the latest in housing law, policies and protocols, public benefits and other types of financial assistance, and the nuts and bolts of housing court.

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# IMPACT CASES

Below is an example of the work we provide on Impact Cases.

## ***Capital Equity Management v. Raphael Dema:***

In 2019, Mr. Dema appeared pro se to attempt to vacate a default judgment against him. The lawsuit was from 2004 and was filed by a debt buyer for a credit card Mr. Dema does not believe he had. Mr. Dema was allegedly served while he was living in Nigeria, and only discovered the judgment when he returned to the country a number of years later. Even though he was not living in this country, the court found that he did not have a proper service defense.

After the decision, Mr. Dema was directed to CAMBA who agreed to handle his appeal. In March of 2023, the appellate term issued an order reversing the lower court, holding that Mr. Dema had affirmatively proven he was not properly served, vacating the judgement and dismissing the case without the need for a traverse hearing.

This decision is important because there are tens of thousands of default judgments based on improper service. Many Civil Court judges, like the one in Mr. Dema's case, are resistant to revisiting old judgments. This decision makes clear that not only should old judgements be revisited but vacated and dismissed when service is properly challenged.

**1,003**  
Beneficiaries  
were affected  
by 4 Impact  
Cases

## All Impact Cases:

- ***Capital Equity Management v. Raphael Dema***
- ***Stephen v. Coinbase Inc. et. al.***
- ***Ramnarine v. Citibank***
- ***Calixto v. Balsamso Rosenblatt, P.C. et. al.***
- ***Esgro Capital Management v. Banks Amicus Brief***



# PRO BONO VOLUNTEERS

CAMBA Legal Services, TakeRoot Justice, and NMIC have developed strong relationships with numerous private pro bono attorneys. Coalition members work with pro bono counsel on a wide variety of cases. Chiefly, coalition members collaborated with pro bono counsel on impact litigation. Impact litigation is often extraordinarily labor intensive. It would not be possible for coalition members to undertake these cases, and at the same time satisfy the coalition's primary goal of providing direct individual representation to consumers. For this reason, co-counseling cases with private attorneys is vital. This year coalition members co-counseled numerous cases with private counsel, including a number of complex federal cases. Coalition members also work with private pro bono counsel on individual actions in areas of the law in which they are less familiar. This allows coalition members to gain experience in these areas and build capacity. These joint efforts include working with pro bono counsel on federal Fair Debt Collection Practices Act cases that resulted in significant financial recovery for our clients.

Coalition members also receive assistance from law school student interns. These interns assist with legal research and writing as well as partnering with coalition members on larger projects. The Consumer Unit hosts a fall intern from Cardozo Law School's Consumer Field Clinic and two summer interns. The Housing Unit hosts two law student interns each summer. Students spend time working with staff attorneys doing research and writing, client interviews and attending court appearances. The work the interns do is significant, for example the opening appellate brief in *Capital Equity v. Rapheal Dema* - discussed in the impact section - was initially drafted by a fall consumer intern. We also have a retired attorney who volunteers weekly to process SCRIE/DRIE applications. Additionally, we have three Attorneys Emeritus volunteers who support the Housing Unit with trial preparation assistance, conduct trainings, and provide case consultations.



**4 Attorneys volunteered 520 hours**

**5 Law Students volunteered 950 hours**

# SIGNIFICANT COLLABORATIONS

In addition to the coalition itself, which is a collaboration community based organizations, the New York City consumer law community as a whole is very collaborative. The consumer advocates hold meetings where cases, trends, and legislation are discussed. Even with the advent of Covid, the community has continued to meet remotely. Through these meetings coalition members have developed strong relationships with other New York City consumer law providers that have resulted in referrals, joint legislative advocacy, and numerous co-counseled cases. One example of this is the NYC Domestic Violence and Consumer Law Working Group, which CAMBA co-leads. The working group brings together legal and social services advocates to holistically address the intersection of domestic violence and consumer debt.

Also, as discussed in the training section, Leap, a coalition of legal services non-profits, that all coalition members are part of, organizes monthly trainings on a variety of issues, sharing in house knowledge and expertise with each other. This has been particularly useful given the programmatic growth in the housing unit with the implementation of Right to Counsel.

# SOURCES OF FUNDING

**CAMBA received \$11,120,432 in total funding this past year**

<b>City and County Funding</b>	<b>\$8,036,494</b>
<b>State Funding</b>	<b>\$2,189,425</b>
<b>IOLA Grant</b>	<b>\$489,513</b>
<b>Federal Funding</b>	<b>\$400,000</b>
<b>Other Funding</b>	<b>\$5,000</b>

