

## ANNUAL REPORT 2015

# A Joint Letter from

# **Our President and CEO:**



Dear Friends:

We want to take this opportunity to thank VLP's staff, Board, volunteers, funders and everyone who has helped VLP to have another successful year. We could not have such a positive impact on the community without the support of each of you. The entire organization, and all of our clients, appreciate all that you have done.

During 2015, VLP staff and volunteers represented clients in 4,089 cases, benefitting 10,434 people. These numbers are up from 3,620 cases, benefitting 9,374 people in 2014. We also provided information and referral service to over 2,500 more people.

This work has been incredibly important for our clients and their families. We help keep families from becoming homeless, by defending against tax foreclosures and evictions. We help unaccompanied minors and immigrant victims of human trafficking receive fair treatment under the immigration law. We have protected our clients' financial stability by defending their right to unemployment insurance benefits and in reaching tax settlements with the IRS.

Our newest projects have grown in 2015: the Federal Court Pro Se Assistance Program and the Family Court Help Desk have reached more clients through the help of many new volunteer attorneys. The Say Yes Legal Clinics have added a 5th site at Adult Education Center, and our Immigration Program was awarded a new grant to create the WNY Immigration Assistance Center. In all of our work, VLP's staff and volunteers have delivered quality free legal services which had a genuine impact on our clients' lives, often helping them support and keep their families safe.

Thanks for helping us to provide all of this help to others. We look forward to an even more productive 2016, and to your continued support.

Kevin M. Kearney President Robert M. Elardo Executive Director/CEO

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# **2015 PRO BONO AWARDS**

## **2015 ANNUAL REPORT**

## LAW STUDENT

**JASON S. FLEISCHER** was a 2L at SUNY Buffalo Law School, who learned about opportunities during Pro Bono Week at the Law School in 2014. Shortly after, Jason



became a regular Friday volunteer intern at the AOM eviction defense program. He quickly earned a reputation of being very intelligent and hardworking, and was later accepted as a Summer Intern. Early on, Jason showed interest in many practice areas, and spent his time volunteering with the

Unemployment Insurance Program, AOM, the Family Court Help Desk, Low Income Taxpayer Clinic, Immigration, and Family Law. With each assignment, Jason continued to impress the VLP staff. Jason stood apart from our many other law student volunteers because of his desire to learn, and ability to understand and empathize with our clients. Moreover, Jason donated his time without receiving law school course credit. He exemplifies a dedication to VLP and our mission that is not often found in a law student.

#### **ATTORNEY OF THE MORNING**

**GREGORY DELLA POSTA, Esq.,** began volunteering at VLP as a newly admitted attorney in January 2015. Between January and July, Gregory served as our AOM volunteer 31 times and represented clients in 180 eviction cases. Mr. Della Posta was a reliable and valued volunteer attorney, often serving as the second AOM attorney when



the eviction docket became overwhelming. Gregory negotiated to save clients tenancies or to obtain extra time before moving so our clients did not become homeless. Mr. Della Posta also zealously advocated for our clients before the Court Referee, often getting the

petitions dismissed. While also volunteering his skills and time to Attorney of the Morning, Greg also volunteered with the Unemployment Insurance Program.

## **IMMIGRATION**

**LAWLOR F. QUINLAN III, Esq.** of Connors LLP attended annual CLE on removal defense, and immediately agreed to handle the deportation case of a long-term permanent resident who had come to the United States as a Vietnamese refugee.

Then, in April of 2015, with very short notice, Mr. Quinlan agreed to handle the second half of an asylum trial at the Immigration Court in Batavia, this involving a detainee who had been shot and left for dead by the gangs in his native Honduras. To



understand the gravity of this case, the gangs operate with impunity and even with law enforcement collaboration, and have that region of the world in a brutal stranglehold resulting in thousands fleeing to the U.S. for safety. Their consequent eligibility for asylum is a dynamic issue in asylum law today. Lawlor examined two volunteer expert medical witnesses in the case and conducted a reexamination of our client. He also proofread a pre-hearing brief, and had to quickly learn a difficult and evolving area of immigration law. He furthermore assisted in an appellate brief which resulted in a victory for the traumatized client after the Immigration Court had found him not eligible for asylum. Lawlor's compassion for the client, who had been viciously persecuted, and his commitment to the case were extraordinary.

## FAMILY COURT HELP DESK

**DANIEL S. JOHNSTON, Esq.**, who spent 37 years in the New York Courts, recently retired as the Chief Deputy Clerk of the Erie County Family Court, a post which he held for 27 years. Mr. Johnston was instrumental in getting the FCHD up



and running. He secured the initial space for the help desk. Mr. Johnston was a valued participant the collaborative in planning between the Family Court, VLP, and the SUNY Buffalo Law School. Since opening on September 16, 2013, over 1,800 low income clients have benefitted from critical limited scope legal advice, information

and referrals from more than 65 volunteer attorneys at the Family Court Help Desk. Dan has consistently gone above and beyond as a court administrator, always making sure that the needs of the FCHD were met. Dan recognized the needs of the Family Court Help Desk as it served significant numbers of clients resulting in reduced unnecessary court filings. He was a key player in obtaining new dedicated space within the Courthouse, which we will be moving into in early 2016. This new space will allow more room and comfort for law student interns, volunteer attorneys and help desk clients. Dan has always treated the FCHD staff, volunteers and clients with the utmost respect.

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## FEDERAL PRO SE ASSISTANCE PROGRAM

**CHARLES S. CARRA, Esq.** is a well-respected, veteran federal court litigator, who was asked by Chief Judge Richard J. Arcara in 2013 to act as the Senior Pro Se Staff Attorney for the Western District of New York in 2003. Mr. Carra

presently supervises the day-to-day operations of the Court's Pro Se Office and serves as a Pro Se Law Clerk to the Court. He was a key player in turning the idea of providing free legal assistance to se litigants in pro Federal Court into reality. He was a member of the original planning committee



and made sure that things got done so that the program could operate. Because of Chuck's attention to detail, legal skills, and knowledge of the needs of pro se litigants, the Pro Se Assistance Program, which launched in February 2014, is now an important part of our Federal Courthouse in Buffalo. Mr. Carra developed and presented at the inaugural CLE for interested Federal Court litigators. He is always generous in mentoring of law student intern volunteers. Since the Federal Court Pro Se Assistance Program opened, over 40 volunteer attorneys have assisted 239 low income clients who are navigating the complex Federal Court legal process on their own.

#### **Pro Se Assistance Program**

A Joint Program of the SUNY Buffalo Law School and the ECBA Volunteer Lawyers Project at the Robert H. Jackson Courthouse

Questions about Federal Court? ~ Can't afford a lawyer? ~ Free legal advice is available.

# Wednesday and Friday 11:30 a.m - 2:00 p.m.

A volunteer attorney, assisted by SUNY Buffalo Law students, is available to provide brief legal advice to unrepresented, financially eligible individuals in the U.S. District Court of Western New York. Located next to the Office of the Clerk, 2nd Floor Robert H. Jackson Courthouse, 2 Niagara Square, Buffalo, NY.



#### <u>VLP "V.I.P."</u>

THE WESTERN NEW YORK CENTER FOR SURVIVORS OF TORTURE was established in 2014 has been essential to the work the Immigration Program does representing indigent victims of past persecution and torture who are seeking asylum in the U.S. This innovative and



invaluable program of Jewish Family Service of Buffalo and Erie County has assisted in four of our cases this past year by locating pro bono physicians and mental health professionals who thorough conduct physical and psychiatric forensic examinations. These procedures must be done in compliance

with the Istanbul Protocol and under the training of Physicians for Human Rights, in order to confirm by affidavit and through court testimony the past violence and trauma our clients have suffered at the hands of their governments, rebel groups and gangs. This evidence is usually decisive in our cases to establish past persecution and/or torture, and we are extremely grateful to: Jewish Family Services' Executive Director, Marlene Schillinger, and the center director, Pam Kefi, for having had the insight and motivation to create and run a program such as this one in Buffalo; and to Dr. Kim Griswold of UB Family Medicine, a WNYCST partner, for personally having examined several of our clients, even before the creation on WNYCST, for evidence of torture, including female genital mutilation, and testifying before the Immigration Court. We also acknowledge Journey's End Refugee Services, which has played a role in the development of WNYCST as the founding legal partner.

**MARC SHATKIN, Esq.** has been volunteering for VLP since 1994. In 21 years as a VLP volunteer, Marc handled 29

DIVORCE

cases spending over 407 hours representing our clients. Mr. Shatkin was the first VLP pro bono attorney to represent a same-sex divorce defendant, spending 35 hours on the case. Marc often represents clients whose case is in IDV Court. He gladly assists clients whose cases are complex. His constant commitment over the



years is worthy of recognition. He is a dependable, reliable volunteer who always answers our call for help.

**THOMAS A. STEFFAN, Esq.**, has been a valued VLP volunteer since 1997. He has spent over 248 hours working on 21 cases in 18 years. Volunteers like Thomas Steffan are

the backbone of VLP's mission. Tom shares his expertise in QDRO, bankruptcy, and divorce with VLP clients. Tom accepts challenging clients with difficult cases. He always has one or more active VLP cases at any given time. It is not unusual for Tom to spend between 30 - 50hours assisting a pro



bono client. Tom has quietly and professionally assisted our clients over the years.



VLP's award winners at the 8th Annual Champions for Justice Bash, November 2015

### **LAW FIRM COMMITMENT**

Honoring the original 5 local law firms who answered the call to staff the newly created VLP Say Yes Legal Clinics in Buffalo Public Schools.

# BARCLAY DAMON<sup>110</sup>

**BARCLAY DAMON LLP** was originally involved with the legal clinics as Hiscock Barclay LLP. VLP Board member and Barclay Damon partner, Robert Heary, assisted in the planning phase by introducing us to his Syracuse office partner, Susan Katzoff, who led the firm's Syracuse legal clinic involvement. Last year Hiscock Barclay co-adopted East High School, sharing the staffing with another firm. This year, Buffalo's 3<sup>rd</sup> largest law firm, Barclay Damon, generously adopted the Adult Learning Center and staffs this new legal clinic from noon to 2pm on Wednesday afternoons, serving a previously underserved population. Managing Directors James Domagalski and Peter Marlette welcomed the chance to make a difference in Buffalo by participating in the legal clinics.



HARRIS BEACH PLLC was the 2nd Buffalo law firm with a Syracuse office that VLP approached for help with the legal clinics. Tracie Lopardi, a Harris Beach partner, connected us with Anthony Marshall, a partner in their Syracuse office, who provided invaluable assistance and generously participated via Skype in our two kick off meetings, providing unique and important information to interested attorneys. Harris Beach coadopted East High School, and their attorneys are excited to partner with the Buffalo Public Schools, Say Yes and VLP to provide critical legal advice and assistance to those who need it most.





**HODGSON RUSS LLP** pro bono partner, Joshua Feinstein, immediately agreed to adopt a Buffalo Public School when he learned about the Say Yes Legal Clinic opportunity. Dozens of the firm's attorneys, many of whom are strong supporters of VLP in their pro bono services through AOM and individual case referrals, have made the time in their busy schedules to give back to the Buffalo community. Hodgson Russ attorneys meet with clients at School 54 every Wednesday afternoon from 3:30 to 5:30pm. The Hodgson Russ attorneys use their legal expertise to make a difference in so many people's lives. Hodgson Russ is a strong VLP supporter, provides consistent, reliable and skilled pro bono legal assistance, and generous financial support.



**LIPPES MATHIAS WEXLER FRIEDMAN LLP** partner Thomas Gaffney, listened with interest to Judge Scott, Anthony Marshall, and the others presenting at the Say Yes kickoff in October 2014. The firm initially agreed to participate on a limited basis. Following a training session by VLP, the firm attorneys agreed that they wanted a greater involvement, and adopted VLP's School 18 Dr. Antonia Pantoja Say Yes Legal Clinic. Now their attorneys take time from their busy schedules to spend Mondays afternoons from 3:30 to 5:30pm helping clients at School 18 on Buffalo's lower West Side.



**PHILLIPS LYTLE LLP** continues its rich tradition of pro bono legal services through its support of the legal clinics. William Brennan, the Pro Bono Partner and VLP board member for 10 years, along with managing attorney David McNamara, quickly agreed to adopt South Park High School, when asked to help. Phillips Lytle attorneys are helping students succeed, one family at a time, by meeting with clients at South Park High School onTuesdays from 3:30 to 5:30pm. Phillips Lytle attorneys provide consistently strong pro bono legal assistance for VLP clients in need through the Attorney of the Morning Program and individual case referrals, they contributed financially, and they continue to support the legal clinics.

## **COMMUNITY RECOGNITION OF VLP VOLUNTEERS AND STAFF**

#### **2015 ANNUAL REPORT**

#### New York State Bar Association President's Pro Bono Service Awards

#### **Eighth Judicial District Pro Bono Award**



John L. Trigilio, Esq. Trigilio Ciambrone Partnership John Trigilio is a prized volunteer with VLP's divorce cases and at our Family Court Help Desk because he is an experienced attorney who never

because he is an experienced attorney who never says no to us, even if the case is difficult. During this past year, John contributed in excess of 70 hours handling three very difficult divorce cases. Divorce cases involving domestic violence, child custody and visitation are often difficult to refer.

John is the exception. He welcomes our difficult cases and skillfully obtains a successful resolution for our clients. In addition, John volunteered 15 days at the FCHD where he provided much needed legal advice to 77 clients. John is one of VLP's best and most consistent attorney volunteers at the FCHD. Not only has he done a great deal of shifts, but he has done some of them on short notice when another lawyer had to cancel.

#### Law Student



#### Shelby Maroselli, Esq. Volunteer Lawyers Project

During her 3 years in law school, Shelby Maroselli had a tremendous impact on pro bono legal services for low income individuals and families residing in Buffalo. She started at VLP as a Summer law student intern in 2012. At VLP, Shelby was quick to take on as many assignments as possible, including: client intake, document preparation, drafting wills, conducting research assignments,

working on Unemployment Insurance Benefit hearings and appeals. Shelby returned to VLP in 2013, where she played a pivotal role in the development of VLP's Family Court Help Desk. She brought our vision into reality, working tirelessly to develop, refine, and launch the FCHD in September 2013. Shelby was the first intern at the FCHD. Her work with the help desk enabled VLP to provide free limited scope legal services to over 1,800 people. At the FCHD, Shelby worked with over 65 pro bono attorneys, and mentored at least 25 of her law school classmates. A conservative estimate of Shelby's impact at VLP alone in 2013 would be 488 hours. In 2014, Shelby provided well over 350 hours of pro bono services. Her commitment to helping persons living in poverty access the civil legal system is extraordinary. Shelby graduated law school in 2015 and is currently VLP's Family Court Help Desk Coordinator.

#### Mid-Sized Law Firm



#### Hodgson Russ LLP

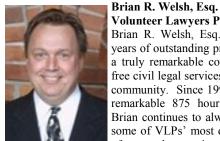
Under the skilled guidance of pro bono partner, Joshua Feinstein, Hodgson Russ LLP continues the firm's commitment to pro bono. In 2015, more than 30 firm attorneys worked on 140 cases. The firm tened with eviction through the AOM

assisted 55 clients threatened with eviction through the AOM program. 8 of the firm's attorneys volunteer at the Pro Se Assistance

Program in Federal Court. Hodgson Russ partner Jodyann Galvin was one of the first people approached to assist in creating the PSAP. Hodgson Russ was the first firm to adopt a Buffalo Public School as part of the Say Yes Legal Clinic program. The firm's pro bono contributions also include substantial financial assistance which enables VLP to continue to provide high quality free civil legal services to low income people.

#### **Bar Association of Erie County Awards**

#### Rev. A. Joseph Bissonette Pro Bono Award



**Volunteer Lawyers Project Board Member** Brian R. Welsh, Esq. has provided over 25 years of outstanding pro bono service to VLP, a truly remarkable commitment to providing free civil legal services to those in need in our community. Since 1991, Brian has donated a remarkable 875 hours on 49 closed cases. Brian continues to always be there to take on some of VLPs' most difficult divorce clients, often on short notice. Most importantly, the

clients who Brian has helped report that he treats them with the utmost respect and compassion. Brian also volunteers by training other lawyers to handle VLP family law cases. He is the recipient of 4 individual VLP Pro Bono awards. In addition, Brian was largely responsible for Siegel, Kelleher and Kahn winning both the VLP Pro Bono Award for Divorce Representation and the New York State Bar Association President's Pro Bono Award for Law Firms in 2005. He has been an active and dedicated member of VLP's Board of Directors since 2001. Brian's lifetime service to VLP is truly extraordinary, and truly deserving of the third annual Rev. A. Joseph Bissonette Pro Bono Award.

#### Law Day Justice Award Family Court Help Desk & Federal Pro Se Assistance Program



At the BAEC's annual Law Day luncheon on April 29, 2015, VLP's Family Court Help Desk (FCHD), the Pro Se Assistance Program in Federal Court (PSAP), and the SUNY Buffalo Law School Pro Se Civil Litigation Support Practicum received the prestigious Justice Award. The Justice Award

recognizes an individual or program whose efforts have substantially contributed to the improvement of the Justice System. One nominator remarked that, "These two pro se help desks and the coordinated effort of those partners who make these desks possible is a tribute to western New York's unique ability to draw from our collegial bar, the will and skill to do great things. Helping those in need to navigate an intimidating and complex justice system is the surest way to improve the communities' faith in a system and to assure access to justice."

# The following attorneys provided pro bono legal services through VLP on at least one case during 2015. Many thanks to each of you.

#### 2015 ANNUAL REPORT

Abbarno, Anthony Abbate, Salvatore P. Adams, Eugene P. Addelman, David R. Aloi, Cheryl Anderson, Leigh E. Anderson, Ryan Andreozzi, Randall P. Anthis, S. Lee Apa, Jill A. Aquino, Mark Arcuri, Kristin Langdon Argenio, Modesto A. Arthurs, Christina H. Augustine, Anne Baase, Jeffrey F. Barrett, Michael Barth, Philip C., III Baum, Holly Beckage, Jennifer A. Beebe, Lydia Bengart, Steven B. Bennett, Dianne Bennett, Ericka Bestine, Katherine Blackhall, Jennifer Borowski, Matthew Bostick, Kenneth, Jr. Bosworth, Allison Bouquard, Leah Brady, Daniel Brady, Michael Braun, Beverley Brechtel, Christopher Brennan, William J. Brenner, Barbara Brenon, John G. Britt, Jason Brock, David Brockway, Bryan

Brown, Denise Brown, Gillian Brown, Marc W. Brown, Michele Brunea, Chris T. Brydges, Thomas E. Bucki, Craig R. Buckley, Elizabeth F. Bundt, Melissa Buscaglia, Elizabeth Buscaglia, Kara Bussi, Nicholas C. Cacciato, Louis M. Calabrese, Kyle Callocchia, Frank Callocchia, Keri Cantone, Peter Cantwell, Earl K., II Cantwell, Earl K., III Cardarelli, Antonio Casey, Thomas J. Cavagnaro, Melissa Chan, Mary Chen, Joanna Chiari, Gerald Christophersen, Wendy Ciambrone, Elizabeth Ciccarelli, Patricia Cimasi, Michael Cisneros Vilchis, Brenda Ciurczak, Diane Codjovi, Jamie L. Coheley, Marissa A. Cohen, Kenneth A. Colaiacovo, Emilio L. Colaiacovo, Kimberly Collins, Timothy Colucci, Elisabeth Cominsky, Roger Condon, Kevin C.

Conklin, Robert Connell, Mary Anne Consoli, Dannine Cook, Stephanie Copeland, Jessica Coppola, Lisa A. Cottrell, Carla Crandell, Patrick Crawford, Ryan Cross, Kevin J. Cummings, Ryan Curran, Patrick Davis, James P. Davis, Mark C. De Marco, James C. De Prima, Gina Marie De Rose, Elise M. Deck, Jillian Degnan, Kristen Della Posta, Gregory Deuschle, Thomas A. Devine, Andrew Di Pirro, Elizabeth Dickinson, Joanna Dickinson, Sheila Digati, Thomas Dinsmore, Emily Donatelli, Alan Donathen, James D. Dorliae, Cecile Mathis Downey, Anne F Dubs, Joshua Dukmen, Kyle Dutta, Reena Dwyer, Benjamin Eagan, Gayle Emerson, Laura Eraca, Nancy Estridge, Valdora Evans, Anne C.

Eyre, Kara Falvey, Julie Fay, Patricia A. Feal, Sophie Feinstein, Joshua Fennell, Thomas J. Fenster, Sarah E. Ferdman, Michael Fernandez, Noemi Feroleto, John P. Filbert, Shannon Fitzgerald, Patrick T. Fiut, Jeffrey Flaherty, Amy Flannery, Jennifer Fleming, Andrew P. Flynn Kozara, Abigail Flynn, Terrance Foit, C. Kenneth Foley, Gabrielle Fortin, Claire Friedfertig, David Friedman, Richard J. Fuhrman, Shannon S. Gabriele, Vanessa Gaffney, Thomas Galvin, Jodyann Gannon, Joseph T. Gargano, Bernadette Garvey, Kathleen Gaughan, Dennis C. Gaughan, Kevin Geene, Logan Gelber, Ross Genovese, Giovanni Gibbons, Kenneth W. Gibbons, Kevin Gioia, Horace A. Glynn, Eric Godsoe, Karyn

Goldsman, Mark Graber, Timothy Graziano, Robert Greene, Alvin M. Grieco, Charles D. Guerra, Joseph M., III Gugino, Randy H. Gupta, Sheela Gwitt, Brian Hagen, Matthew Haney, Adam P. Hapeman, Scott Hargesheimer, Elbert, III Harrington, Jeffrey Hartman, Daniel Hasiotis, Georgette Hazeldean, Susan Heary, Robert Hemenway, Amy Herdzik, Matthew B. Jr. Herman, Audrey Rose Hickey, Darice L. Hilburger, Michael Hines, Patrick Hoffman, Nicholas Hoffman, Rebecca Hogan, Susan S. Holmes, Elizabeth Hoppe, Bernadette M. Horn, John Ieraci, Frank Ilecki, William Ireland, Katie Ivansic, Gregory T. Jaworski, Myriah Jay, Hope R. Joerg, Theodore Johnson, Ryan Kamble, Tara N. Kassman, Tracey

Katz, Eileen Kearney, Kevin M. Kellogg, Leslie Kelly, Daniel P. Kennedy, Stephen Kernan, David H Kim, Minryu Sarah Knoer, Robert E. Lamarre, Colleen Kolaga, John Kolken, Matthew Koren, Bruce Kevin Kristoff, Karl W. Kruger, Julie Lafferty, Riane F. Lamarque, Stephanie O. Lane, Jr., Robert Latta, Chelsea Lazarus, James A. Lenhardt, Clayton Leonard, Gram Leslie, Craig Lestak, Christopher Link, Richard Little, Brendan Lochner, Thomas Longo, Frank Longo, Mark J. Lopardi, Tracie Lovallo, Timothy R. Lowe, Amanda Lucinski, Ryan Lugo, Alexandria MacPherson, Scott Maguire, Daniel Mancinelli, Anthony Mannillo, Jeffrey Mantharam, Marybeth Margulis, Randy S. Marotto, Melanie C Marra, Catherine Marranca, Mindy Marrero, Rachel K. Marszalkowski, Michael Martin, Eileen

Mattingly, Christopher McAllister, Bruce McCabe, Raymond McCoy, Dennis McCready, Maureen A. McDonald, Kathleen McKeegan, Joanna McKenna, Lindsay M. Mclean, Siana Meadows, Sherree Melber, Brian Michalek, Daniel Midgley, Elizabeth Mikienis, Christopher Milbrand, James Miles, Todd Miller, Andrew Miller, Sarah Moar, Stacey Modica, Francine E. Montani, Oriana Monte, Elaina Moran, E. Megan Morrisroe, Richard Morton, Melissa Mucklewee, James M. Mueller, Deena Muggia, Frank C Murchie, Nevin Murphy, Ryan Murrett, John C. Mussell, Jessica Nagel, Catherine Nesbitt, Lindy Nichols, Jon Allon Nisengard, Michael Nogueras-Trummer, Lynette Nosenchuck, Sharon Nuchereno, Leah O'Connell, Bridget M. Offermann, Francis Oppenheimer, Laurence B. Osgood, Sharon Anscombe

Oswald, Phillip A. Palmieri, Matthew R. Parker, Matthew Parlato, Lucian Pawlowski, Neil Pelkey, Matthew K. Perley, Michael Personius, Rodney O. Pharr, Robyn G. Phillips, Gary M. Phillips, Margaret L. Pochepan, Paul M. Polowitz, Steven H. Powell, Becky Marie Prince, Tyson Pullen, Seth Pusatier, Stephen F. Quinlan, Lawlor Quinn, Courtney Ramos, Joshua Ranni, Sarah Reer, Michael Reich Lynch, Jessica N. Reich, Shari Jo Reinoso, Bruce Richards, Jeremy Riedel, George Jr. Risman, Michael B. Rittling, Amy Habib Roach, Patrick Roberson, Shatorah Robinson, Edward C. Robshaw, Nora B. Roman, Lori Rosciglione, Maria Roshia, Marylou K. Rosno, Matthew Ross, Paulette E. Roux, Gerard R., II Rupp, R. Anthony, III Same, Jeffrey Sanchez, Jack Sandison, Trish Sarfraz, Amil Sarkovics, David Sauer, Barbara A.

Saykin, Aaron Schaeffer, Dennis K. Schaus, Barbara Scherer, Matthew Scholand, Gregory P. Schulefand, Keith Schultz, Eric Schulz, Paul Schwach-Miecznikowsk, Michelle Schwartz, Sharon J. Sciandra, Stephanie Scinta, Denis Scinta, Joseph Sciortino, Michael A. Sciremammano, Frank Shah, Jennifer A. Shahram, Nadia Shatkin, Marc Sheldon, Patrick Shonn, Daniel D. Jr. Sigeti, Kristopher Skompinski, Lauren Smith, Mark Smith, Marnie E. Smith, Victoria Snyder, E. J. Sommers, Crosby Sperrazza, Daniel J. Stadler, Joseph Stearns, Ryan Steffan, Thomas Stephenson, Robert Stergion, Jennifer Stewart, Gregory Stiller, Douglas Stoessel, Sara Stulmaker, Mark Stutz, Natalie Suozzi, Paul Suttell, Lauren Svisco, Rosa S. Szczygiel, Christopher Tanbakuchi, Sarah Tedesco, Michael J. Telford, Charles

Terragnoli, Joel Tesseyman, Jr., Francis Thibodeau, Pamela Tommaney, Elizabeth Torres, Jr., Francisco Townsend, Bradlee W. Trigilio, John L. Tubbs, Elliott, III Tucker, Ayoka Turkovich, William S. Van Dette, James M. Varavenkatarman, Radhika P. Vasilion, Peter P. Venkova, Vera Vesper, Jessica Violante, Marten Virginia, Mary E. Walker, Regina Wallace, Monica Ward, Dennis E. Watt, Margot Weinrieb, Pieter Weishaar, Michael Weiss, Jeffrey Welsh, Brian Wettlaufer, Catherine White, Benjamin T. White, J. Ryan Whittemore, David Wiens, Wallace Wieser, John D. Wile, Jonathan B. Wilson, David Wisniewski, Benjamin Wojtan, Gary J. Woll, Richard Woodward, Laurence Wright, Jeri Xu, Mengyi Yale-Loehr, Stephen Young, Daniel Zajas, J. Grant Zarcone, Kelly Zelman, Arnold

# **PRO BONO ACTIVITY & TRAINING**

## 2015 ANNUAL REPORT

"It all comes back to meaningful work and the opportunity to live one's integrity by advocating for deserving people who faced their misfortune with nothing but courage, fortitude and gentle tenacity." -Lisa Coppola, Esq.

In 2015 VLP continues a proud history of skillfully matching our clients' legal needs with our pro bono attorneys' interests, experience and availability in assigning cases.

We assist our volunteer attorneys in meeting their 50 hour pro bono aspirational goal through full representation of a client's case. We continue to work closely with law student volunteers, providing internship, externship and other volunteer opportunities to meet their required 50 hours of pro bono service for admission to the bar.

We also offer a variety of limited scope legal assistance programs such as VLP's Attorney of the Morning Eviction Defense Program in Buffalo City Court, the Pro Se Assistance Program in Federal Court, the Family Court Help Desk, and the Say Yes Legal Clinics.

In 2015, **VLP issued 156 CLE certificates** for attorneys who attended our 10 free CLE trainings. These trainings equipped our pro bono attorneys to competently represent a Volunteer Lawyers Project client.



Mayor Byron Brown proclaimed **October 25th to 31st Pro Bono Week** in Buffalo in recognition of the hard work that pro bono attorneys undertake for clients in Buffalo and surrounding areas.



In 2015, VLP hosted two Pro Bono Scholars, Jeff Donigan and Anne Modica. The Pro Bono Scholars program, a first of its kind initiative, provides a select group of third year law students with a 12 week long, full-time externship providing pro bono service. Jeff and Anne quickly became valued members of the VLP family.

During their 500 hours volunteering at VLP from March to May, and working pursuant to a Law Student Practice Order, Jeff and Anne conducted valuable legal research, represented clients in court, advised clients in limited scope clinics, and talked about VLP's services at outreach events, shadowed our staff and volunteer attorneys.

Jeff Donigan was invited to provide oral and written testimony at the **Chief Judge's Hearings** on **Civil Legal Services** in Syracuse, NY in September 2015.



# FAMILY COURT HELP DESK

2015 ANNUAL REPORT

# SPOTLIGHT ON FCHD

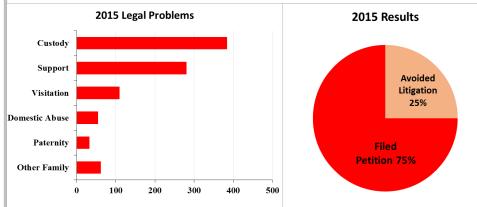
A client visited the Family Court Help Desk seeking advice about obtaining custody of her 16-year-old daughter. The client was deaf and living at Buffalo City Mission. She was confused about the court process, the role of the Attorney for the Child, and how to go about arguing her case. Because the client was deaf, she had a difficult time receiving assistance and information.

Neither the law student intern nor the Volunteer Attorney understood sign language, so they developed a method of communication in which they typed messages back and forth on a laptop in order to interview and advise the client.

The Volunteer Attorney spent an hour with the client answering all of her questions, explaining the process and procedures of court, how to get a courtroom translator, the strengths and weaknesses of her case, and how to best argue best interests of her child. "[the Help Desk] teaches skills that are essential to practicing attorneys, like client interaction and issue spotting, which cannot be conveyed through traditional classroom teaching methods." -law student intern

At the Family Court Help Desk in Erie County Family Court, clients can speak to an attorney prior to their court appearance or to filing their petition. In 2015, with the assistance of **66 volunteer attorneys** and **25 law students**, the Help Desk served **925 clients**. Overall, our volunteers gave over **1,500 hours** of their time at the FCHD.

Our goal is to help inform unrepresented litigants of the Family Court process and rules. We also hope to reduce the number of unnecessary petitions, and to improve the quality of proper petitions filed. Clients are provided with personalized case advice and general information that helps the them navigate Family Court more effectively. This information includes: referrals to legal service organizations, information about the Assigned Counsel program, and what to expect regarding the court process and procedures.



By partnering with SUNY Buffalo Law School, the Help Desk is provided with eager law student interns each semester through the Pro Se Civil Litigation Support Practicum. In recognition of the Help Desk's impact on the Buffalo community, it was awarded Bar Association of Erie County's Justice Award in 2015.

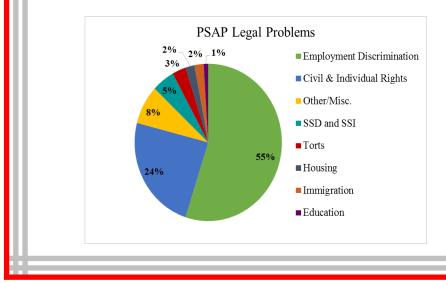
# **PRO SE ASSISTANCE PROGRAM**

## 2015 ANNUAL REPORT

"[PSAP] was incredibly valuable because we got the "real life" lawyer experience being right in the courts and interacting with clients, something you don't get in the classroom." - law student intern

The Pro Se Assistance Program (PSAP) continues to work toward narrowing the access to justice gap in the US District Court for the Western District of New York (WDNY). VLP partners with the WDNY, SUNY at Buffalo Law School, and the Federal Bar Association's WNY Chapter, to provide free limited scope civil legal assistance to low income litigants. An unrepresented low income client navigating the complex Federal Court system on their own can visit the PSAP on Wednesdays & Fridays from 12PM-2PM to meet with a skilled federal court volunteer attorney and discuss their case.

The attorney provides the client with much needed legal advice concerning the substantive and procedural requirements of their case. Clients are able to effect proper service, draft better complaints, respond to discovery demands, and understand and prepare for mediation. Our **39 volunteer attorneys** provided free limited scope legal advice to **121 clients** on **79 days** of clinic operation during 2015.



# SPOTLIGHT ON

# PSAP

A client needed help understanding the next step in her employment discrimination matter that had been going on for two years.

She wanted to know how to file a written deposition because she could not afford the cost of an inperson deposition. Our volunteer attorney reviewed her materials, talked in detail about her case, and told her about Rule 26 motions to Compel and Rule 30 EBT on written questions.

The client was confused after doing internet research. At the PSAP our skilled volunteer attorney was able to explain what the client needed to do in a way that was reassuring and easy to understand.

The client left that afternoon feeling empowered and able to handle the next step of her litigation.



2015 SUNY Buffalo Law School Pro Se Civil Litigation Support Practicum Students

# **ATTORNEY OF THE MORNING**

## 2015 ANNUAL REPORT

# SPOTLIGHT ON

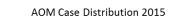
## AOM

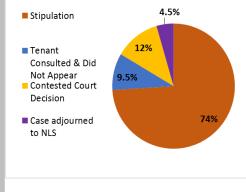
A single mother of four whose sole income is supplemental security income (SSI) for herself and her disabled son was being evicted after missing just one month of rent.

She showed up to her court date prepared to represent herself, and was not expecting any legal assistance.

Our volunteer attorney of the morning negotiated with the landlord on her behalf and was able to get our client until the end of the month with no money due to the landlord.

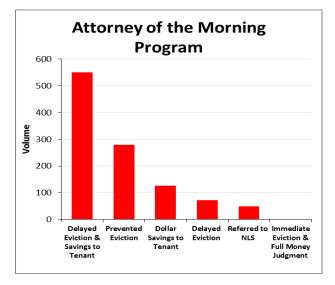
The client needed the extra time to ensure a new residence for her family and was able to keep her rent money towards a deposit and first month's payment for a new home.





"It will make you feel way better because at the beginning you are lost, you don't know much about rights, legal rights... but once you have somebody there that guides you and has the time to sit with you and help you with your problems like [VLP Attorney] did...you feel like 'I got this' "

2015 marks the 25th year trained volunteer attorneys, assisted by VLP staff and student volunteers, represented low income clients facing eviction in Buffalo City Court through our Attorney of the Morning Project (AOM) on Mondays, Wednesdays and Fridays staring at 9AM. This highly successful program, replicated across the country, helps vulnerable families in our community avoid homelessness.



Clients consult with a volunteer attorney who assists them in negotiating a settlement with their landlord or in arguing their case in front of the hearing officer in **over 1,000 cases in 2015**. AOM is also a valuable experience for our volunteer attorneys, providing them the opportunity to negotiate with opposing counsel, and argue before the court. Law student interns also gain from the experience of performing client intake and observing volunteer attorneys.

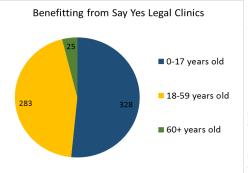
# **CRLS & SAY YES TO EDUCATION**

## 2015 ANNUAL REPORT

"Without the Say Yes Clinics there would be no where I could think of to get help, because I cannot afford an attorney not even to get a question answered."

**CRLS:** VLP partners with the Legal Aid Bureau, Neighborhood Legal Services, Legal Services for the Elderly Disabled and Disadvantaged of WNY, The Western New York Law Center, Journey's End Refugee Services, and VIVE to run the Coordinated Refugee/Asylee Legal Services Project (CRLS) funded by the John R. Oishei Foundation. The CRLS Project provides culturally and linguistically appropriate legal services to Refugee and Asylee communities and provides civil legal services for income qualified refugees, asylees and asylum seekers.

**SAY YES:** The Say Yes Buffalo Legal Clinics officially launched on in January of 2015 and operated until May, reopening in October and running for the rest of the calendar year. In the eight months that clinics ran in 2015, **97 volunteer attorneys** and 2 paralegals provided service at a total of **109 clinics**, assisting in **184 cases**, affecting **636 people**.



32 of our clients were non-English speaking and required translation services. Custody/visitation, divorce, housing, and support were the most asked about areas of law encountered at the Say Yes Legal Clinics. These statistics show how crucial this program has become to the community, ensuring that families of children in Buffalo Public Schools have a place to obtain the necessary legal advice they deserve in order to maintain their a balanced home

life. Clinics are held Mondays - Thursdays at different Buffalo Public Schools, each adopted by our partner law firms who staff them weekly.

## **SPOTLIGHT**

## ON

## CRLS

An Eritrean refugee contacted VLP after being part of a tax preparer fraud scheme that affected over 1,000 Buffalo based immigrants and refugees. Her tax preparer, now a convicted felon, prepared her 2012 return to include education credits to which she was not entitled.

Recently, she became sick and was unable to work. The IRS expected her to pay back the \$2,000 credit she received, which she could not afford. VLP submitted an offer-in-compromise on her behalf, offering \$50 to satisfy the whole liability.

The IRS reviewed her situation and accepted the offer, and the client paid the amount and is now debt free.

# **DIVORCE & BANKRUPTCY**

**2015 ANNUAL REPORT** 

# SPOTLIGHT ON BANKRUPTCY

A VLP client, who is a cancer survivor, was undergoing treatment for a second type of cancer and found herself facing Erie County Tax Foreclosure.

At the time, she was only working part time, while also caring for a disabled child and could not keep up with her bills.

Her home had substantial equity and was modified to accommodate the disabled child. Bills had piled up, and some were reduced to judgment and filed as liens against the home.

VLP was able to provide a volunteer bankruptcy attorney to remove the judgment liens from the home, discharge much of her debt and temporarily stay the County Tax Foreclosure sale.

In the meantime, the client was able to obtain full time employment and is now in a position to either work out her tax issue, or if necessary, sell the home and recover a substantial amount of equity. "[VLP Representation] gave me an opportunity for a new start."

**BANKRUPTCY:** We see many individuals and families who are in need of a fresh start, facing the loss of their homes or garnishment of an already insufficient income.

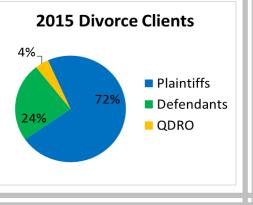
Our bankruptcy volunteer attorneys do an outstanding job representing our clients in bankruptcy proceedings to protect their property and their income. Many clients who do not earn enough to be garnished still come in for an appointment with our Supervising Attorney and learn more about the bankruptcy laws and what their rights are as consumers.

In 2015, VLP provided assistance in 160 bankruptcy cases.

**DIVORCE:** VLP has a long history of representing people seeking as well as defending a divorce. VLP assists low income clients who fall through the gaps created by other programs' rules.

Divorce is a subject matter where we always have a long list of clients waiting to be referred to a pro bono attorney. VLP has a group of attorneys committed to handling pro bono divorces, relieving a great deal of stress for both the clients and the VLP staff.

VLP provided assistance in **295 divorce cases** in 2015.



# **TAX FORECLOSURE**

## 2015 ANNUAL REPORT

"Thank you for helping me to keep my house. I appreciate [VLP Staff Attorney] getting me a deal."

Each year, the City of Buffalo puts thousands of properties on an In Rem Tax Foreclosure list. The properties can be foreclosed upon if they have arrears in property taxes, sewer tax or user fee (for garbage collection). Old water bills that had been the previous cause for an In Rem action could also land properties on the list.

**People owing as little as \$201 could lose their home** through this process and end up homeless. VLP brought a team of people to County Court the week before the sale was scheduled to occur. We worked cooperatively with other legal services providers to assist low income owner occupiers and their families. We interviewed clients and opened files both at the office in preparation for, and at the Courthouse. VLP was able to negotiate stipulations which **saved 39 homes in 2015.** 

In 2015, VLP helped 6 clients to negotiate payment **arrangements before their court dates**, so those clients did not even have to come to County Court. We performed intake for 15 clients who then met us at court, and helped 18 more who did not previously call but stopped by our table for help on their court dates.

VLP's work on these cases keeps families from becoming homeless. This not only saves the families, but also preserves neighborhoods by keeping owner occupiers in homes that their families have often owned for decades or even for generations.

# SPOTLIGHT ON TAX FORECLOSURE

An older client was facing tax foreclosure of his property. VLP represented the client previous years and had been able to negotiate a payment plan for the client.

In 2015, he was facing foreclosure again due to an outstanding water bill, which the City of Buffalo was no longer issuing foreclosures for going forward.

The client called VLP with enough time for our Supervising Attorney to reach out to the City's Attorney and try to either drop the foreclosure, or work out a deal ahead of time.

Even though his property was being foreclosed upon over a water bill, negotiations alone were not enough to secure his house.

Due to the pressing nature of this case, VLP staff secured a volunteer attorney who immediately agreed to file bankruptcy for the client in time to save his house.

Because this case had to be rushed, VLP staff even drove the client to the volunteer attorney's office, which was beyond the reach of public transportation.

The bankruptcy was filed and the client kept his property.

# **IMMIGRATION PROGRAM**

**2015 ANNUAL REPORT** 

## **SPOTLIGHT**

# ON IMMIGRATION

A young woman who had come to the U.S. through an arranged marriage, and received permanent residence through the marriage, was referred to our program by the Western District of New York Human Trafficking Taskforce and Alliance.

As soon as she arrived in the U.S., her new husband and mother-inlaw had begun horrifically abusing her. Her husband beat her severely and her mother-in-law attempted to force her into prostitution.

When our client resisted, her mother-in-law terrorized her by repeatedly locking her in a garage for hours with no food, drink, or light, and by threatening to burn down the house with our client locked inside.

Fortunately, local police rescued our client when her sister called requesting they check her welfare, which they were only able to perform after they obtained an exigent circumstances exception to enter the property without a warrant.

We helped our client remove the two year condition on her permanent residence without the help or involvement of her husband or mother-in-law, so that her future in the United States is secure. "I will never be able to repay you for what you've done for me, but I am sure that God will."

VLP's Immigration Program recruits, trains and mentors pro bono attorneys to represent both detained and non detained non-citizens in removal proceedings, focusing primarily on asylum cases and waivers for long-term permanent residents. We also handle select naturalization cases.

The Programis funded by the U.S. D.O.J. Executive Office for Immigration Review, via the Vera Institute of Justice, to conduct legal "know your rights" orientations and pro se workshops to men and women detained by U.S. immigration authorities for removal.

The Immigration Program is also funded through Neighborhood Legal Services, to represent non-citizen survivors of domestic violence and human trafficking so that they may obtain special relief under U.S. immigration laws. Given our work, we serve on the WNY Human Trafficking Task Force and Alliance along with law enforcement agencies and other organizations.

Through a contract with the U.S. Department of Health and Human Services, we represent unaccompanied minors who are in foster care to obtain permanent residency through special immigrant juvenile provisions of the law.

In 2015, the Program received a grant from the NYS Office of Indigent Legal Services and in collaboration with the Legal Aid Society of Rochester, we provide training, technical assistance and other legal support to attorneys who provide mandated representation in criminal and family court proceedings so they can fully advise their noncitizen clients of immigration consequences of their cases.

# **POSITIVE INDIVIDUALS & FAMILIES**

## 2015 ANNUAL REPORT

"[My VLP Staff Attorney] did a tremendous job. This staff attorney did research of the issue and kept following up with me. She was aggressive and resolved the issue in an assertive manner. Thank you so very much."

The Positive Individuals and Families Project serves people living with HIV/AIDS in all eight (8) counties of Western New York.

Funded by the New York State Department of Health, the project has a special focus on creating end of life plans and care and custody plans for individuals and families facing HIV/AIDS. In partnership with Neighborhood Legal Services, the project also provides generalist civil legal services covering such topic areas as: health care issues, family law, discrimination, confidentiality, debtor/creditor issues, housing issues, public benefit issues, and tax issues.

Through a new partnership with Erie County Medical Center, the Positive Individuals and Families Project is better serving its clients by providing a seamless web of legal and supportive services. Because ECMC is the only designated AIDS hospital in Western New York, VLP's partnership with ECMC gives us a unique advantage to serving those affected by HIV/AIDS in Western New York.

Attorneys in the Positive Individuals and Families Project are also very involved in community outreach and provide training to community members and service providers on HIV Confidentiality Laws, HIPAA, and other issues surrounding HIV status and disclosure.

## SPOTLIGHT ON POSITIVE INDIVIDUALS & FAMILIES

A 21-year-old client who was born with HIV and living with CDC defined AIDS was in and out of the hospital for the past few months and wanted to learn about what would happen to her 3-year-old son if she was no longer able to care for him.

VLP staff conducted an intake at client's home, she was too weak to leave. A few weeks later, VLP was contacted by client's case worker advising that client was in the ICU and was in need of a Standby Guardianship be put into place immediately.

VLP then executed the Standby Guardianship during client's final hospital visit. The client was intubated and unable to verbalize so VLP staff communicated with her through pen and paper.

We worked closely with the client's case manager and since her passing, we have now been working with client's mother to help ensure that the child remains with his maternal grandmother.

This representation went beyond executing documents, it involved providing comfort to a dying young woman, working as a team with medical case management, and following through with the family in the form of continued representation after the client's passing.

# **UNEMPLOYMENT INSURANCE**

2015 ANNUAL REPORT

# SPOTLIGHT ON

## UIB

VLP represented a Claimant who had been discharged from her position at a retail/ wholesale clothing store due to attendance reasons. The Claimant, a single mother, was experiencing attendance problems due to child care needs of her 6-year-old son.

The Claimant's child had disabilities, and although he was receiving some special education services in school, he was still frequently acting out in his classroom. As a result of his behavior, the Claimant's son was removed/suspended from school multiple times.

The Employer was unhappy that the Claimant had missed work to care for her son, and discharged her because she was unable to guarantee that her son's behavioral problems, and consequently her attendance, would improve in the future. In short, she was discharged for anticipated future absences.

At the hearing, VLP was successful at showing the Claimant's absences were due to a circumstance outside of her control, and that potential future absences were not a circumstances rising to misconduct under the law.

She was allowed benefits and received more than \$1,800 in retroactive money.

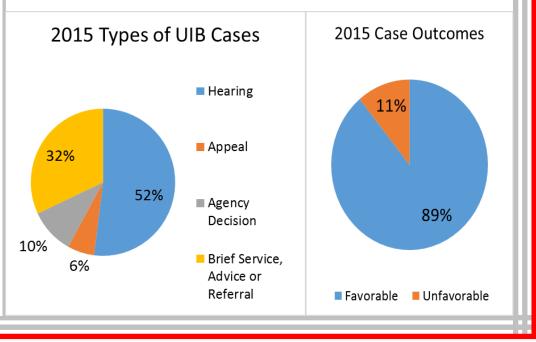
"[it] put my mind at ease knowing I had legal representation"

VLP's Unemployment Insurance Benefits program serves individuals throughout Western New York in obtaining or maintaining their entitlement to receive unemployment insurance benefits (UIB). The program is primarily funded by a grant from the Office of Court Administration.

We help clients during the application process for benefits, as well as with direct advocacy with the New York State Department of Labor. Representation during these preliminary steps is offered in an attempt for clients to be found eligible for benefits without the need for a hearing. We also handles select unemployment appeals.

## In 2015, we won **\$137,303 retroactive benefits** for our clients.

Additionally, in 2015, we expanded the program to provide representation to clients in wage and hour claims and have been successful in obtaining **\$2,750 in unpaid wages** for our clients.



# TAX

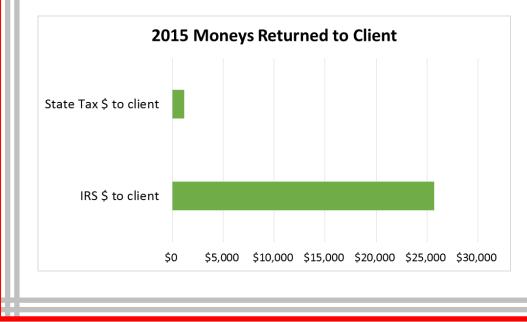
## 2015 ANNUAL REPORT

"I want to thank you [VLP Attorney] for your expertise in tax law, your help and your patience with this case!!!

VLP provides representation and consultations to low income, refugee, and immigrant taxpayers throughout Western New York. Furthermore, the tax clinic provides educational presentations and outreach to organizations that work with targeted populations in the region.

In 2015, VLP received increased funding from the IRS Low Income Taxpayer Clinic (LITC) Program to expand its tax clinic. As a result, VLP hired a dedicated staff attorney to handle cases inhouse along with the many volunteer attorneys that already represent taxpayers, and increased the service area for VLP tax cases to the twenty (20) western counties of New York State.

VLP represents taxpayers at all stages of a federal tax controversy, from examination through court proceedings. Also, VLP has begun participating in the Tax Court Calendar Call, with the staff attorney being available to advise pro se litigants and make appearances in Tax Court if necessary. VLP's Tax Clinic closed cases resulted in **over \$100,000 in decreased tax liabilities.** 



SPOTLIGHT ON TAX

A taxpayer called VLP seeking assistance with a Revenue Officer planning to visit his home the next day on a Field Collection visit.

The client had approximately \$70,000 in back taxes owed as a non-filer. The Revenue Officer left a Summons for Taxpayer to appear in 30 days at the local IRS office.

VLP was able to help the client through various methods, including:

- 1. Researching the extent of the taxpayer's liability
- 2. Preparing the necessary forms
- Collaborating with the Buffalo Federation of Neighborhood Centers to get our new client's last nine (9) income tax returns prepared
- 4. Applying the foreign earned income exclusion to decrease the taxpayer's liability down to \$0.

VLP was also able to get the client thousands of dollars in refunds to which he was entitled.

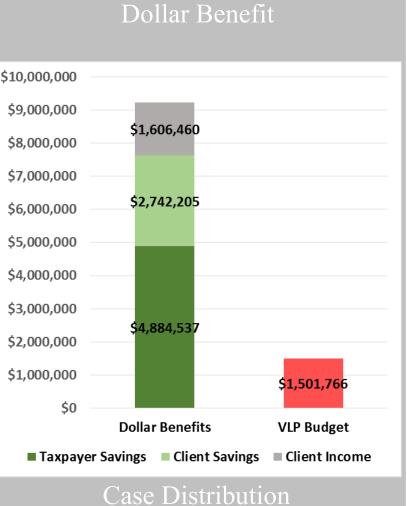
# THE VALUE OF PRO BONO

In 2015, pro bono lawyers provided nearly \$1.1 million in free legal services to VLP clients, in addition to \$1.5 million of services provided by VLP staff.

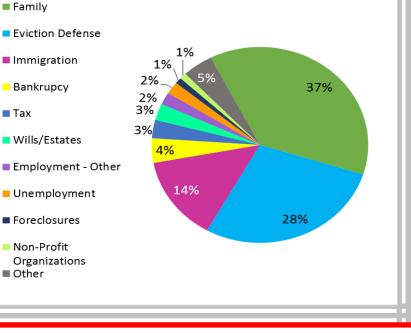
Together VLP staff and pro bono counsel created over \$9 million in benefits to clients and taxpayers.

In this manner, pro bono services allow VLP to exponentially increase the benefits to the clients and the taxpayer, proving Volunteer Lawyers Project a very

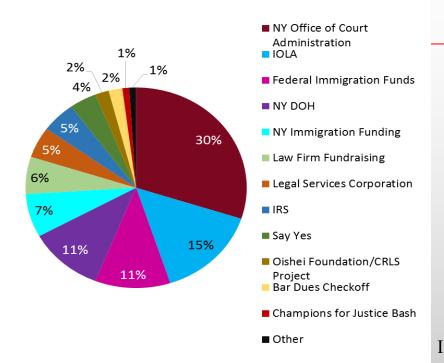
worthwhile investment.



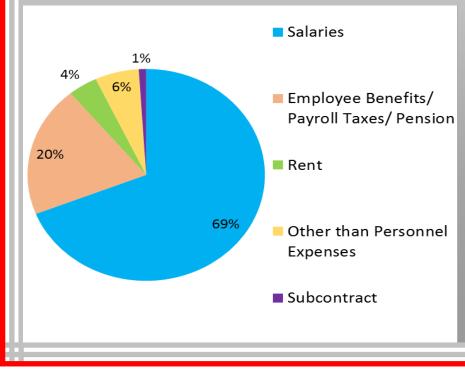




# Revenue \$1,561,669



Expenses \$1,501,766



# FUNDING GENEROUSLY PROVIDED BY

NYS Office of Court Administration (OCA)

NYS Interest On Lawyer Account (IOLA) Fund

US Department of Justice

NYS Department of Health

Vera Institute of Justice

Legal Services Corporation

Neighborhood Legal Services

International Institute of Buffalo

Internal Revenue Service

NYS Office of Indigent Legal Services

Say Yes Foundation

John R. Oishei Foundation

United Way of Buffalo and Erie County

Evans Devereux Memorial Fund

Bureau of Refugee & Immigration Assistance

Law Firm, Corporate, and Individual Contributions

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**2015 ANNUAL REPORT** 

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