

2017

ANNUAL REPORT

ERIE COUNTY BAR ASSOCIATION
VOLUNTEER LAWYERS PROJECT, INC.





ANNUAL REPORT 2017

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ANNUAL REPORT 2017

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A Joint Letter from Our President and CEO:



Dear Friends:

2017 was a year of remarkable change and growth for VLP. We moved our main office to the Main-Court Building and are now just one floor up from the Bar Association of Erie County, our parent organization. That was obviously a big change, but far from the biggest VLP experienced in 2017.

Most significantly, VLP was selected to implement a public defender style immigration program at the Federal Detention Facility in Batavia. We are now part of a nation-wide movement to provide representation for all people facing possible deportation. During 2017, we opened a new office in Batavia, moved 5 staff (4 lawyers and an accredited representative) from the Buffalo office to the new Batavia office and hired 5 new lawyers, a law graduate, and a paralegal to help staff the new program.

During 2017, we also expanded our work in tax foreclosure defense, increased our representation of smaller not-for-profits, and began a program representing micro-entrepreneurs. We also created and implemented a new Housing Hotline to assist low income tenants facing the threat of eviction in any of the courts in Erie County other than Buffalo City Court (where our often copied Attorney of the Morning Program operates). In addition, we did the preparatory work for expanding our award winning Family Court Help Desk from Erie County into Chautauqua and Niagara Counties.

In addition to all of that movement and growth, we continued to provide the quality free civil legal services that VLP has become known for. We continued the important work of eviction defense, assisting the unemployed, handling family law matters, helping our clients resolve disputes with the IRS, and providing legal assistance to people affected by HIV/AIDS.

We have remained true to our basic mission: providing opportunities for lawyers in Erie County and Western New York to enhance and enrich their professional lives by making a difference in the lives of so many who might otherwise have no hope. Without the support of the bar—both financial, and in many thousands of volunteer hours—and the dedication of our staff, Western New York would be a less welcoming place. We owe deep and sincere thanks to all of you.

During 2017, VLP staff and volunteers represented clients in 4,247 cases, benefitting 10,203 people. Of these cases, local attorneys provided pro bono service on 2,361 cases, benefitting 6,063 people. We also provided information and referral service to over 2,500 more people.

In sum, 2017 was a very good year for VLP. We are honored, and thankful, to be part of such a worthwhile organization. And with your help, we hope to help more Western New Yorkers, provide more opportunities for volunteers, and help make our legal system a little easier to navigate. We hope you will assist VLP in this important work.

Best wishes,

Kevin M. Kearney
President

Robert M. Elardo
Executive Director/CEO

COMMUNITY RECOGNITION

2017 ANNUAL REPORT

BAR ASSOCIATION OF ERIE COUNTY AWARDS

REV. A. JOSEPH BISSONETTE PRO BONO AWARD

KEVIN M. KEARNEY, Esq. has a long and rich history demonstrating his commitment to pro bono. Over the years, he has provided over 500 hours of pro bono work on 70 closed cases. He also has 3 currently open cases.

Kevin began volunteering in 1993 by taking on a torts defense case. After successfully handling two torts defense cases, he began handling assistive technology cases. Basically, he would litigate to force Medicaid to supply equipment that had been deemed medically necessary for low income disabled people. After handling several of these cases, he went to the Appellate Division and obtained a decision which forced the Department of Social Services to change the way that they were handling these matters. He thus effectively helped untold numbers of disabled people, in addition to the 25 individual assistive technology cases that he handled.



Over the years, Kevin has continued to do pro bono work through VLP in a variety of subject areas. He has handled immigration matters, guardianships, and SSI disability cases. He has also volunteered at VLP's Federal Court Pro Se Assistance Program and at VLP's Say Yes Legal Clinics. At each of these limited scope programs, clients come in with a wide range of legal questions and the pro bono lawyer gives one time legal advice and direction. One nice feature of these limited scope programs is that the lawyer can set aside the specific hours and then be finished. Earlier this month, Kevin was volunteering at a Say Yes Legal Clinic and some people arrived late. Kevin gladly stayed an extra 45 minutes and provided them with important legal advice.

Kevin has also represented VLP pro bono when we have needed a lawyer. These have been some time consuming situations where we needed a skilled lawyer who was also tactful. Each time he was the perfect choice. He quickly learned the area of law, provided excellent advice to us, and put in the time to provide excellent legal work for us.

In addition to all of the above, Kevin has been instrumental in recruiting other Hodgson Russ lawyers to volunteer and he has spent untold hours as VLP's President of our Board of Directors for the past several years. This award recognizes Kevin M. Kearney's incredible dedication. As Father Bissonette made a lifetime commitment, this award named in his honor is truly a lifetime achievement award.



NYSBA PRESIDENT'S PRO BONO AWARDS

EIGHTH JUDICIAL DISTRICT

Lawlor F. Quinlan III is a trial attorney with a broad-based litigation practice in the firm Connors, LLP. He has successfully represented injured individuals, defended physicians in medical malpractice lawsuits, and represented individuals, corporations and municipalities in a wide variety of litigated matters. In 2003 he obtained a \$58.6 million verdict in favor of an injured athlete, the largest unreduced verdict in the history of Erie County.

In the past year, he worked on three complicated immigration cases. Two have been completed and he volunteered an amazing total of 252 hours on those two cases. His third is still ongoing and we do not have a report yet on his hours for that case.

We first met Lawlor when he attended our Immigration Program's annual CLE on removal defense. Despite never having handled an immigration case before, he immediately agreed to represent an elderly and disabled permanent resident who had come to the US as a refugee from Vietnam in 1993 after serving with the U.S. allied South Vietnamese armed forces during the war. This client raised two children in the U.S. and has a U.S. citizen grandson. He found himself in removal proceedings because of a minor criminal offense committed ten years earlier for which he received only a sentence of probation. Lawlor worked very closely with the family, even making home visits, to prepare for the challenging hearing. There were many hurdles to overcome in the case, including the need to communicate with the client through a translator and an unfavorable U.S. Supreme Court decision issued mid-way through the matter, yet Lawlor persevered on the case for two years. In the end, Lawlor prevailed and our client was not deported.



While this matter was pending Lawlor generously agreed to handle another case, stepping in at the last minute, involving the second half of an asylum trial at the immigration court in the Buffalo Federal Detention Facility in Batavia. This complicated case involved a young Honduran man who had been shot five times and left for dead at the side of the road by the violent gangs in his native country for denouncing their extortion. With only a couple weeks' notice, Lawlor examined two volunteer expert medical witnesses who confirmed the client's bullet wounds as well as severe PTSD; he conducted a re-examination of our client after proofreading a pre-hearing brief; and quickly learned a difficult and evolving area of immigration law. Although the government mounted a strong opposition to our client's case and we were initially denied asylum, Lawlor continued to represent the client on appeal. Lawlor's tremendous volunteer work eventually led to our client being granted asylum. Following our client's release after ten months of detention, Lawlor invited him to a steak dinner and bought him much needed clothing to start his new life. What our client craved most was a Coca-Cola. Lawlor's compassion for the client, who had been viciously persecuted in his native Honduras, and his commitment to the case were extraordinary. He dedicated over 100 pro bono hours on this matter, and undoubtedly saved our client's life.

For his work on these two cases, Lawlor was recognized in December 2015 with VLP's annual Immigration Pro Bono award.

Last year, Lawlor agreed to take on another challenging asylum case involving an Iraqi Christian whom VLP met in January 2010 in the Buffalo Federal Detention Facility in Batavia. This client fled Mosul after his parents disappeared at the height of the violent war, and made a harrowing and costly trek to the U.S. with smugglers. VLP successfully obtained his release, and found him shelter with a Coptic Church in Western New York. Despite our client's clear persecution by Al Qaeda, the immigration judge and Board of Immigration Appeals denied our client asylum. With the assistance of three pro bono lawyers we obtained a positive result from the U. S. Court of Appeals for the Second Circuit, but needed a skilled trial attorney to handle the case on remand. Lawlor accepted the case without hesitation, representing the client on remand. He will establish at trial that our client, an Assyrian who speaks the ancient language of Jesus, Aramaic, is indeed a Christian, a doubt raised by the court below even though a Coptic priest had previously testified in his favor. Lawlor will not only examine the client at trial once again, but will also prepare and examine a volunteer expert on country conditions in Iraq and an expert on Christians in the Middle East. Without a doubt, he will devote countless pro bono hours to this case as well. He has already started by reviewing the extensive records of several prior proceedings. We are grateful to Lawlor for sharing his extensive trial experience with these clients.

Finally, Lawlor was also kind enough to refer one of his former colleagues to volunteer for VLP's Immigration Program. That attorney has already attended a training to represent a client in removal proceedings.

In this time of such uncertainty for migrants who have arrived in the U.S. seeking protection from persecution, pro bono attorneys with trial experience like Lawlor who are willing to handle adversarial removal proceedings are absolutely essential to ensuring that the most vulnerable in our communities have access to due process they deserve. Congratulations Lawlor F. Quinlan III.



NYSBA PRESIDENT'S PRO BONO AWARDS

MID-SIZED LAW FIRM

BARCLAY DAMON ^{LLP}

BARCLAY DAMON LLP, recipient of the New York State Bar Association 2017 President's Pro Bono Service Award for Mid-Size Law Firms, was honored for the breadth and scope of the firm's pro bono involvement and its active and successful promotion of pro bono service by firm attorneys. Their commitment to pro bono legal services is especially important for VLP and our clients.

We are grateful for the depth and breadth of support from Barclay Damon's Buffalo office in handling 156 pro bono cases over 453 hours. Barclay Damon attorneys represent VLP clients in ongoing legal matters involving Immigration, Not for Profit, Wills and Estates, Matrimonial and Family Law, Employment, Torts, and Civil Rights. They also provide important legal assistance for our limited scope programs, including Attorney of the Morning, Pro Se Assistance Program (PSAP), and Say Yes Legal Clinics.



Barclay Damon continues to be a strong supporter of our Attorney of the Morning eviction defense program (AOM), staffing the program one Friday a month. Seven of the firm's attorneys represented 50 clients, working to save them from imminent homelessness. Another limited scope program that enjoys Barclay Damon support is the Federal Court Pro Se Assistance Program (PSAP) that began in 2014. Robert Heary and Dennis McCoy, both Barclay Damon partners, were some of our first attorney volunteers.

Families of Buffalo Public School students are also touched by the generosity and skill of our Barclay Damon pro bono attorneys who have provided free limited scope legal assistance with the Say Yes Legal Clinics since the program began in 2014. In fact, Barclay Damon attorneys Robert Heary and Susan Katzoff provided key support to ensure a successful launch and continued growth of the Buffalo Say Yes Legal Clinic. Because of Barclay Damon's ongoing commitment, the Say Yes Legal Clinic at Buffalo's Adult Education Center is now open year round. The growing roster of Barclay Damon Say Yes Legal Clinic pro bono attorneys includes managing partners, James Domagalski and Peter Marlette, as well as the firm's newest associates.

Barclay Damon attorneys also provide important pro bono work with our Immigration Program. Since 1991, their attorneys have handled 44 Immigration cases for a total of 1203 hours.

Raymond McCabe, a 2016 President's Pro Bono Service Award Recipient for the Eighth Judicial District, continues to impress with his dedication to our clients in need.

In addition to providing the "boots on the ground" for our clients, Barclay Damon provides much needed, generous financial support for VLP, as a "Partner Firm" in our law firm fundraising campaign. Much of the credit for our ability to call upon Barclay Damon attorneys to volunteer is attributed to Pro Bono Partner Robert Heary who coordinates the pro bono activities of the firm's 86 Buffalo office attorneys. Bob practices what he preaches, regularly volunteering at the PSAP and Say Yes Legal Clinics. He is a valued member of VLP's Board of Directors who spends an untold number of hours advising VLP on management and personnel issues without ever seeking recognition.

The work by Barclay Damon attorneys has been instrumental in affording access to justice to low income people in Buffalo facing the loss of essentials of life. This prestigious award recognizes their pro bono leadership role in the Buffalo legal community, through their attorneys' pro bono legal work, commitment to the VLP Board of Directors, and continued financial support.



National Association of Pro Bono Professionals

TANYA NEIMAN PRO BONO PROFESSIONAL OF THE YEAR AWARD

VLP's Executive Director/CEO, Robert M. Elardo, Esq., received the prestigious Tanya Neiman Pro Bono Professional of the Year Award at the 2017 ABA/NLADA Equal Justice Conference in May 2017. This award honors the memory of Tanya Neiman, former director of the Volunteer Legal Services Program of San Francisco. It is presented annually at the ABA/NLADA Equal Justice Conference to a Pro Bono Professional who has "demonstrated a steadfast commitment to civil pro bono services delivery, provided exceptional service, and achieved outstanding results." George T. Lewis III, Chair of the ABA Standing Committee on Pro Bono and Public Service, and Sharon Goldsmith, President of the National Association of Pro Bono Professionals, presented Elardo with this national award.



2017 VLP PRO BONO AWARDS



ECBA Volunteer Lawyers Project (VLP) and The Center for Elder Law and Justice (CELJ) honored their dedicated volunteers, law firm supporters, and community members at an Awards Reception immediately preceding the **10th Annual Champions for Justice Bash** on Friday, November 17, 2017 at the Hotel@ Lafayette in Buffalo, NY.

Hon. Gerald J. Whalen, Presiding Justice of the Appellate Division Fourth Judicial Department, kicked off the Awards Reception, expressing his gratitude for the significant commitment of all the award winners toward achieving the ideal of justice for all. BAEC President **Melinda G. Disare** closed the Awards Reception by delivering inspirational remarks about liberty and justice for all.

CHAMPION FOR JUSTICE AWARD

KATHERINE S. BIFARO, Executive Director of the Bar Association of Erie County (BAEC), was honored with the Champion for Justice Award, the highest award given jointly from VLP and CELJ. **Ms. Bifaro**, who retired from the BAEC at the end of 2017, was a tireless supporter of legal services organizations and initiatives throughout her distinguished career at the BAEC. **Ms. Bifaro's** efforts were instrumental in enabling us to provide increased free civil legal services for our clients.



VLP "VIP"

JOSHUA DUBS, Esq. is the perfect example of how a single attorney can make a huge difference in the lives of our clients. Since 2009, when **Mr. Dubs** came to VLP as a newly admitted attorney, he has volunteered over 376 hours representing 462 clients in cases involving landlord/tenant issues, wills, power of attorney, name change, guardianship, custody and visitation, and divorce. During 2017, he spent over 64 hours representing 100 clients. He always has an open case or two or three. His commitment to the AOM program remains solid, both as a court volunteer and an instructor for our CLE programs. He says the work he does in his private practice pays the bills, but his volunteer work with VLP "feeds the soul".



ATTORNEY OF THE MORNING

MICHAEL C. CIMASI, Esq., maintains a busy law practice but has committed time to volunteer at our Attorney of the Morning (AOM) program. Since February 2014, shortly after his Bar admission, **Mr. Cimasi** volunteered over 111 hours representing 194 clients. During 2017, he volunteered over 46 hours at AOM, representing 80 clients. A dependable and dynamic volunteer, **Mr. Cimasi** is patient, kind, and skilled at fully explaining the legal process to clients facing homelessness. We could not ask for a more devoted volunteer than **Michael C. Cimasi, Esq.**



COMMUNITY PARTNER

ROBERT C. BRUCATO, Esq. is well known to Buffalo's legal community, having managed the Buffalo office of Counsel Press since its opening in 1992. **Mr. Brucato** is involved with multiple legal organizations and associations in Western New York, and is a frequent presenter at CLE programs. He always goes above and beyond when he is asked to co-sponsor VLP events. His commitment to young attorneys is impressive. We are grateful for his generous support of all our initiatives, including our Champions for Justice Bash.



DIVORCE

KEITH B. SCHULEFAND, Esq., is a tremendously valuable volunteer, representing VLP divorce clients for over a decade. Since 2006, **Mr. Schulefand** has donated an incredible 235 hours handling 19 divorce cases. He approaches each divorce case with the same dedication and skill that he is known for in his private practice. He routinely handles more than one VLP divorce case at a time, and generously handles more complicated matters that are difficult to place. **Mr. Schulefand's** commitment to VLP over the years is nothing short of remarkable. We were pleased to honor **Keith B. Schulefand, Esq.** for his longstanding commitment to VLP and our divorce program.



FAMILY COURT HELP DESK

KEVIN C. CONDON, Esq., a solo practitioner, represented our bankruptcy and divorce clients when he began volunteering for VLP in 2006. In 2014 he focused his pro bono efforts with our Family Court Help Desk clients. In the past 11 years **Mr. Condon** has volunteered a total of 146 hours assisting 195 clients. In 2017 alone, **Mr. Condon's** Family Court Help Desk work has been extraordinary, volunteering 58 hours on 24 days to assist 122 clients. His breadth of experience in Family Court combined with his thorough and straightforward manner is invaluable. **Kevin C. Condon, Esq.**, is truly an extraordinary pro bono attorney.



FEDERAL COURT

HURWITZ & FINE, P.C., attorneys have supported the Pro Se Assistance Program (PSAP), our walk in legal clinic at the WDNY Courthouse, since it launched in February 2014. Attorneys **Earl Cantwell, Mike Perley, and Paul Suozzi** have provided important limited scope legal assistance to 41 pro se litigants over the past three years. In addition to helping our clients navigate their complex and often intimidating Federal Court matters, the **Hurwitz & Fine** attorneys are generous mentors for law student volunteers. They go above and beyond to assist the PSAP and are most deserving of this recognition.



IMMIGRATION

WILLIAM ALTREUTER, Esq. is a practicing litigation attorney and a professor at Buffalo State College. **Mr. Altreuter** called us wanting to help when he learned that one of his college students, a Lawful Permanent Resident, had been detained at the Buffalo Federal Detention Facility in Batavia, NY. Days before college graduation, our client was released from ICE custody. **Mr. Altreuter** skillfully represented his student in the challenging removal proceeding and won LPR Cancellation of Removal. VLP and our client are truly grateful for the significant and important pro bono involvement by **William Altreuter, Esq.**



The law firm of **DREW & DREW** has been an asset to VLP's Immigration Program for the past 5 years. As a small, three attorney firm, they successfully handled 5 complicated citizenship cases, including one case involving a long term permanent resident client faced with cancellation for a minor crime. **Dean M. Drew, Esq.**, is representing a survivor of female genital mutilation seeking asylum in a complex case. Although **Alana Carr, Esq., Dean A. Drew, Esq., and Dean M. Drew, Esq.**, are not Immigration attorneys, they are always more than willing to take on another case, or to learn a new area of law. We thank the attorneys at **Drew & Drew** for their commitment to our Immigration Program.



MATTHEW L. KOLKEN, Esq., with the law firm of **Kolken and Kolken**, is one of the most experienced Immigration litigators in Buffalo. After hearing about young children fleeing brutal gang-plagued violence from Central American countries, **Mr. Kolken** came to VLP offering to help. Since then, he has taken on a significant numbers of Unaccompanied Immigrant Minors cases, usually handling multiple cases at a time. **Mr. Kolken's** exemplary work representing these traumatized children is especially important because we do not know what these children would do to represent themselves in such a complicated area of law. **Mr. Kolken** also presents at VLP's CLE programs and harnesses the power of social media to recruit his colleagues to join him in providing essential pro bono legal assistance to these children.



INCOME TAX CONTROVERSY

E. GREENARD POLES, director of the Buffalo Federation of Neighborhood Centers (BFNC) tax program, has spent decades helping our Buffalo community. His work exemplifies pro bono advocacy for the working poor. Each year nearly 8000 low income people receive invaluable, free tax preparation at the BFNC thanks to **Mr. Poles** and his staff. **Mr. Poles** works closely with VLP's Derek Wheeler and Greg Stewart, regularly providing referrals to our Low Income Tax Clinic (LITC) and directly assisting VLP clients with complex tax preparation to help resolve their tax controversies.



JUDICIAL

JOSEPH V. DEREN, Esq., and **JONATHAN G. GORMAN, Esq.**, Court Attorneys with Buffalo City Court have had an enormous positive impact on our eviction defense work at the Attorney of the Morning (AOM) program. Both **Mr. Deren** and **Mr. Gorman** play an important role with the fair and efficient operation of the eviction court, providing access to justice for our clients. This year **Mr. Deren** worked with VLP to review court procedures and forms to improve case handling. **Mr. Gorman** was a lecturer at a VLP eviction defense CLE. Both **Joseph V. Deren, Esq.** and **Jonathan G. Gorman, Esq.** extend the highest degree of professionalism to our clients, staff and volunteers.



LAW FIRM COMMITMENT

KENNEY SHELTON LIPTAK NOWAK LLP attorneys have supported VLP or nearly 30 years, with Patrick Kenney handling a VLP tort defense case as far back as 1989. We have been able to count on many of the firm's attorneys to represent our clients over the years, including partner **Shari Jo Reich, Laura Emerson, and Jessica Reich Lynch**, who readily accept VLP clients facing challenging issues, often involving difficult divorces and family law matters. Thanks to the impressive efforts of associates **Henry Zomerfeld and Ashlyn Capote**, the firm's newly implemented firm-wide pro bono policy enables KSLN attorneys to work alongside VLP to provide pro bono legal representation to those who could not afford it otherwise, benefitting the firm, VLP, the courts, the community and the clients. The firm now has a strong, consistent presence at AOM; continues to handle divorces, family law matters, and tort defense cases; and has expanded their involvement with name changes, NFP clients, wills, and estates matters. In 2017 the firm's attorneys reported volunteering over 173 hours representing 80 clients.



LAW FIRM PRO BONO COORDINATOR

ROBERT P. HEARY, Esq. is a longstanding supporter of pro bono initiatives in the Buffalo office of **Barclay Damon, LLP**. Much of the credit for our ability to call upon **Barclay Damon** attorneys to represent our clients is attributed to **Robert Heary**. **Mr. Heary** practices what he preaches, volunteering at the PSAP and Say Yes Legal Clinics regularly. He is also a VLP Board member who volunteers an untold number of hours advising VLP on management and personnel issues without ever seeking recognition. In the past year under **Robert Heary's** leadership, 35 attorneys in the Buffalo office of **Barclay Damon, LLP** volunteered over 341 hours representing 178 clients.



VLP BENEFACTOR AND PARTNER LAW FIRMS

VLP recognized **Hodgson Russ LLP** and **Phillips Lytle LLP** as Benefactor Law Firms, contributing at least \$10,000 in 2017. **Barclay Damon LLP**, **William Mattar P.C.** and **Brown Chiari LLP** were recognized as Partner Law Firms, contributing at least \$5000 in 2017. These significant law firm contributions are essential to help VLP continue to operate all our programs to provide essential free legal assistance to individuals who would otherwise face their legal problems alone.



**10th ANNUAL
CHAMPIONS
FOR JUSTICE BASH**



THE VALUE OF PRO BONO

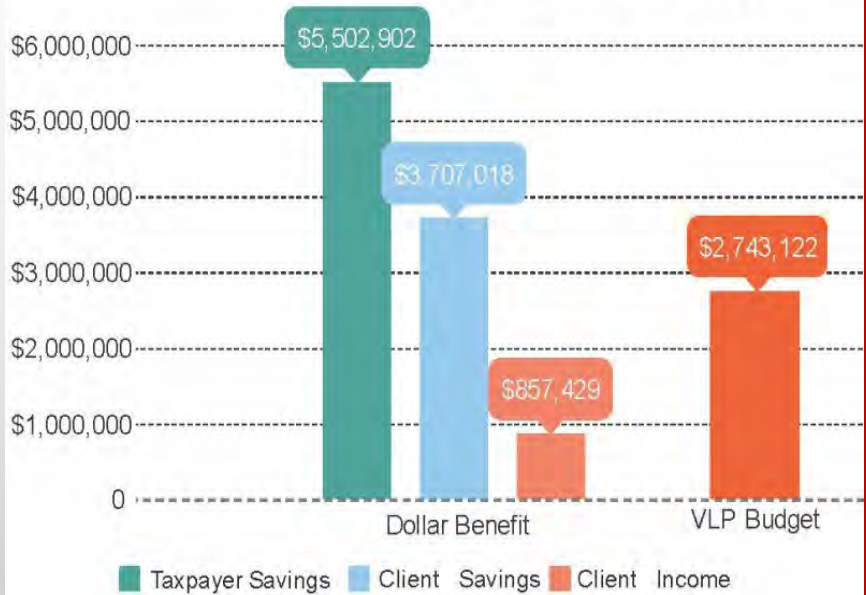
In 2017, pro bono lawyers provided over **\$1.25 million** in free legal services to VLP clients, in addition to the \$2.7 million of services provided by VLP staff.

Together VLP staff and pro bono counsel created over \$10 million in financial 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.

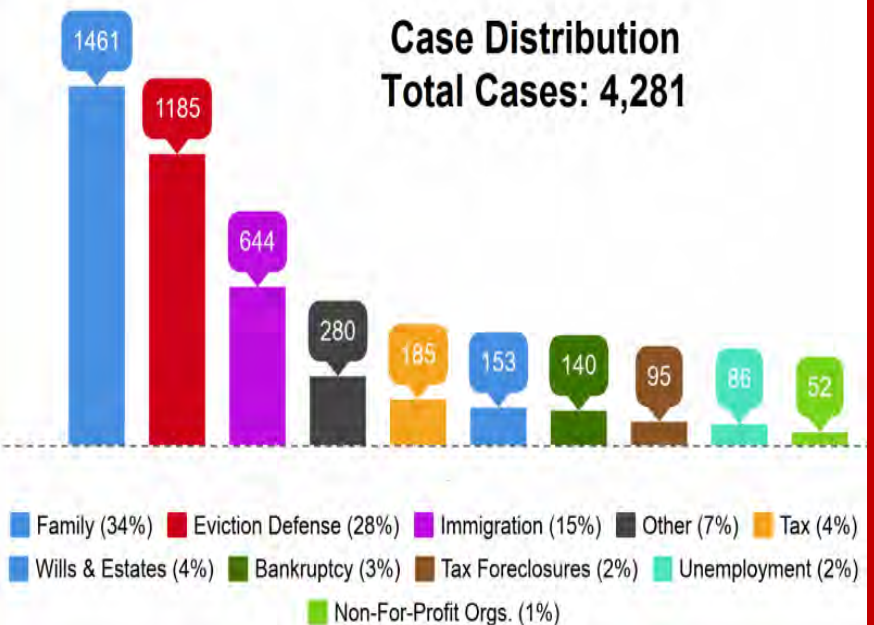
2017 Economic Benefits

\$10 Million Benefits in 2017



Case Distribution for 2017

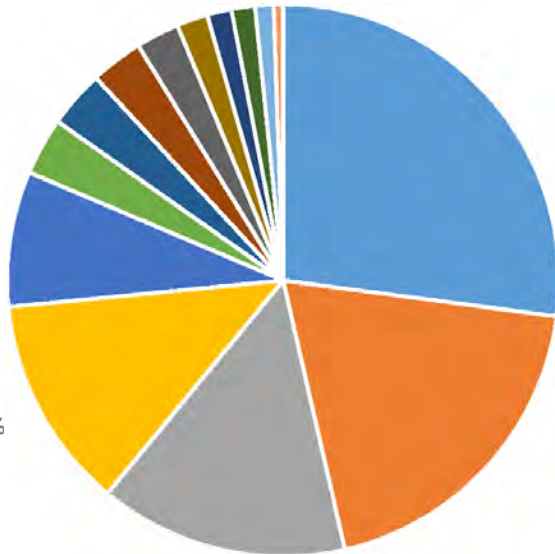
Case Distribution Total Cases: 4,281



2017 ANNUAL REPORT

Revenue
\$2,804,016.15

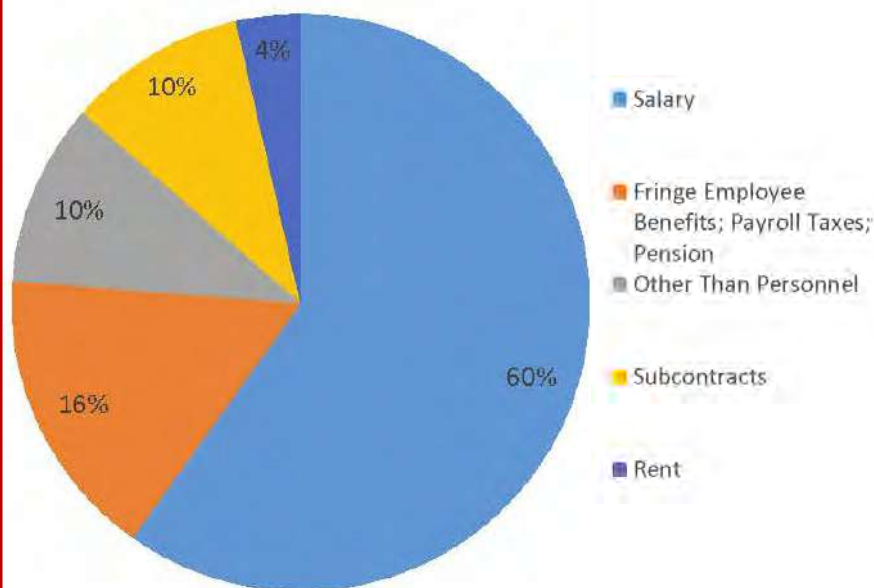
- Judiciary CLS (NYS) - 27%
- NY Imm. Family Unity Project (NYS) - 19%
- Indigent Legal Services (NYS)/Erie Co. - 15%
- IOLA (NYS) - 12%
- Dept. of Health (NYS) - 8%
- Other Federal Grants - 3%
- Law Firm Fundraising - 3%
- IRS - 3%
- Say Yes Foundation - 3%
- EOIR/Vera - 2%
- LSC/NLS - 1%
- General Contributions - 1%
- BAEC Dues Checkoff - 1%
- Special Event - 1%



FUNDING GENEROUSLY PROVIDED BY

- NYS Office of Court Administration (OCA)
- NYS Interest On Lawyer Account (IOLA) Fund
- NYS Office of Indigent Legal Services
- NYS Department of Health
- Vera Institute of Justice
- US Department of Justice
- Executive Office of Immigration Review
- Say Yes Foundation
- Internal Revenue Service
- Legal Services Corporation
- Neighborhood Legal Services
- International Institute of Buffalo
- John R. Oishei Foundation
- United Way of Buffalo and Erie County
- Evans Devereux Memorial Fund
- Cornell University
- Law Firm, Corporate, and Individual Contributions

Expenses *
\$2,743,122



* Does not include accrued vacation or depreciation



PRO BONO ACTIVITY & TRAINING

Even as an attorney willing to help others it can be difficult to find discrete opportunities to do so. VLP's structure allows attorneys to be supported, trained, and protected as they work to help others in the community we share.

Pro Bono work requires commitment, understanding and support. Ever since its inception VLP has been uniquely responsive to the changing legal needs of Western New York. As an attorney it is reassuring to know we have a professional organization, sensitive to the needs of our community and a place to volunteer where we will find the training, support and professionalism necessary to serve our clients.

Refugee and Immigrant Know Your Rights Day

A highlight of our 2017 pro bono efforts was in February 2017, when VLP coordinated a Refugee and Immigrant Know Your Rights day. Over 25 volunteer attorneys, and an equal number of law student volunteers, spent the day at the Jericho Road Health Center, providing important legal information and advice to over 350 local immigrants and refugees at the first ever "WNY Know Your Rights as an Immigrant" program. This program, a collaboration of legal services organizations and immigrant and refugee programs, was designed to strengthen community connections and welcome our immigrant and refugee neighbors. Pro bono attorneys, assisted by interpreters, advised the attendees about Immigration, family, criminal, housing, employment, public benefits and tax laws. Our elected officials attended and spoke at the event, letting the attendees know that they are welcome in our community.



Pro Bono Week Proclamation

The Pro Bono team has the strong support of our local government officials, with Buffalo Mayor Byron Brown highlighting the important work we do issuing Pro Bono Week 2017 Proclamation in October 2017.

City of Buffalo

Executive Chamber Proclamation

WHEREAS, The Ninth Annual National Pro Bono week is held from October 22-28, 2017, dedicated to celebrating the vitally important contributions of our volunteer attorneys who make a difference to our city, our county, our systems of justice, our communities and our citizens; and

WHEREAS, National Pro Bono week is a time to encourage additional attorneys and other professionals to volunteer to help meet the legal needs of our brothers and sisters by highlighting the opportunities for pro bono legal services; to recruit and train more pro bono attorneys; and to acknowledge the numerous partnerships that for the basis for many of the private bar's successful pro bono efforts; and

WHEREAS, Our great City of Buffalo, NY, is a leader in this national effort to recognize the ever increasing need for pro bono legal services during these challenging times; and

WHEREAS, Pro bono attorneys continue to mobilize throughout the country, and in Buffalo, NY, in particular, in a collaborative effort to protect the fundamental rights of our underrepresented citizens, helping to build a thriving and inclusive city with opportunity for all. Their volunteer work has never been more important than today; and

WHEREAS, The citizens of Buffalo, NY, are fortunate to have an exceptionally robust pro bono legal services program supported by the courts and administered through the Erie County Bar Association Volunteer Lawyers Project. Countless attorneys throughout Western New York play key roles in providing pro bono legal assistance in cooperation with the Bar Association of Erie County, the Minority Bar Association of Western New York, Women Lawyers of Western New York, the Western New York Chapter of the women's Bar Association of the State of New York, the University at Buffalo School of Law, numerous community partners, dedicated legal services organizations, and government attorneys including the City of Buffalo Corporation Counsel; and

WHEREAS, Our local pro bono attorneys donate thousands of hours each year to assist community members who lack the financial resources for legal counsel as they fight to hold onto the essentials of life;

NOW, THEREFORE, BE IT RESOLVED THAT I, BYRON W. BROWN, Mayor of the City of Buffalo, do hereby proclaim October 22-28, 2017 as

Pro Bono Week

in the City of Buffalo and encourage my fellow citizens to join together to honor the work of all these dedicated professionals providing volunteer legal services and to remind all attorneys of their professional responsibility to assist in ensuring our commitment to Equal Justice for All.



IN WITNESS WHEREOF, I
have hereunto set my hand
and caused the Seal of the
City of Buffalo to be
affixed this 26th day
of October, 2017

Byron W. Brown
BYRON W. BROWN
MAYOR



PRO BONO ACTIVITY & TRAINING

2017 ANNUAL REPORT

PRO BONO LAW STUDENT SPOTLIGHT

VLP recognizes the importance of law student pro bono involvement, and we provide numerous opportunities for law students to understand and embrace pro bono civil legal services. From February 2017 through May 2017, we hosted a pro bono scholar from the University at Buffalo Law School, **Christine McClellan**. Christine specifically requested placement with VLP to expand and further develop her interest in representing low income individuals, including victims of intimate partner violence and children, facing life altering Family Law legal issues. A Student Practice Order enabled Christine to expand her involvement in the civil legal services field by representing clients at the Attorney of the Morning program and at our Family Court Help Desk, where she began as a law student volunteer. Christine also obtained IRS Authorization for Special Practice to represent a client on an innocent spouse Income Tax Matter with our Low Income Taxpayer Clinic. Christine, who provided well over the required 500 hours of pro bono service, will be remembered for her commitment to VLP and our clients.



VLP also collaborated with our colleagues at Legal Assistance of Western New York (LawNY) to host 8 Stanford University Law Students during a two week “Alternabreak” in September 2017. In the two short weeks the students spent with our organizations, they drafted memoranda and motions, researched legal issues on individual cases and broader reforms, observed court hearings and settlement conferences, met with judges, and interacted with our community leaders. This experience left an indelible mark on our organizations as well as the students. We look forward to future collaborative efforts to provide law students with a greater understanding of the importance of our work.



The following attorneys provided pro bono legal services through VLP on at least one case during 2017. Many thanks to each of you.

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Adams, Eugene P.	Blackhall, Jennifer	Carr, Alana P.	Di Done, Kyle C
Adams, Joan Casilio	Blake, Kevin	Casey, Thomas J.	Dibble, Katherine
Addelman, David R.	Borek, Erin C.	Cashmore, Timothy C.	Dickinson, Joanna
Aisen, Aaron	Borowski, Matthew	Cassar, James J	Digati, Thomas
Allen, Colleen M.	Bosworth Fiut, Allison	Chan, Mary	Dillon, Noralyn
Aloi, Cheryl	Bouquard, Leah	Chen, Joanna	Dines, Catherine
Altieri, Daniel J.	Bowling, Anne	Chiari, Gerald	Doherty, Eric P.
Altreuter, William C.	Brasky, Adam	Christophersen, Wendy	Donahue, Courtney
Amigone, Nicholas	Brauer Ruchala, Heidi	Ciambrone, Elizabeth	Donathen, James D.
Andreozzi, Justin	Breen, Gail	Cimasi, Michael	Donovan-Bub, Christine
Andreozzi, Randall P.	Brennan, Terrance C.	Cisneros Vilchis, Brenda	Dorliae, Cecile Mathis
Anthis, S. Lee	Brock, David	Ciurczak, Diane	Drew, Dean M.
Apa, Jill	Brockway, Bryan	Codjovi, Jamie L.	Drilling, Andrew
Aquino, Mark	Brown, Gillian	Cody, Erin	Drury, Thomas J.
Arcuri, Kristin Langdon	Brown, Joseph	Cohen, Frederick	Dubs, Joshua
Arthurs, Christina H.	Brown, Marc W.	Colaiacovo, Kimberly	Dukmen, Kyle
Auerbach, Corey	Brown, Michele	Collins, Susan B.	Dutta, Reena
Baase, Jeffrey F.	Brunea, Chris T.	Cominsky, Roger	Dwyer, Benjamin
Ball, Kelly L.	Buchanan, Paul G.	Condon, Kevin C.	Eagan, Gayle
Balogh, Sarah Beth	Bucki, Craig R.	Conklin, Robert	Emerson, Laura
Bandoblu, Jr., James	Buyer, Martha	Connare, Erin	Enright, Rosemary
Barnas, Brian	Cacciato, Louis M.	Copeland, Jessica	Estridge, Valdora
Barrett, Kelly M.	Calabrese, Kyle	Coppola, Lisa A.	Evans, Anne C.
Barrett, Michael	Callahan, Elizabeth	Coren, Jeffrey	Falvey, Julie
Bartlett, Paul	Cameron, Jennifer M.	Crawford, Robert	Fay, Patricia A.
Baum, Holly	Cantwell li, Earl K.	Crawford, Ryan	Feinstein, Joshua
Beebe-Safulko, Lydia	Capote, Ashlyn	Davidzik, Brad	Fennell, Thomas J.
Bell, Tiffany D.	Capote, Richard R.	Davis, Mark C.	Fenster, Sarah
Benz, Susan A.	Cardarelli, Antonio	De Freitas, Michael A.	Ferdman, Michael
Berti, Nathan W.g.	Cardillo, Christopher	De Rose, Elise M	Feroleto, John P.
Bestine, Katherine	Carducci, Erica	Deuschle, Thomas A.	Filbert, Shannon
Bivona, Beth Ann	Carosa, Daniel	Di Cesare, Nicholas	Flannery, Jennifer



Fleming, Andrew P.	Hartman, Kate	Kelly, Daniel P.	Mantharam, Marybeth
Flick, Kristen	Heary, Robert	Keltz, Jessica	Marotto, Melanie C
Foit, C. Kenneth	Hehr, David	Kennedy, William	Marranca, Mindy
Fortin, Claire	Heller, Franklin	Kernan, David H	Marrero, Rachel K.
Friedfertig, Richard B.	Henry, Joan	Kettner, Derek	Marszalkowski, Michael
Friedman, Richard J.	Herberger, Michael	Kim, Minryu Sarah	Martin, Eileen
Gabriele, Vanessa	Herdzik, Jr., Matthew B.	Knoer, Robert E.	Martorana, Charles C.
Gaffney, Thomas	Herman, Audrey Rose	Kolken, Matthew	Mattingly, Christopher
Galvin, Jodyann	Hines, Patrick	Koren, Bruce Kevin	Mc Cabe, Raymond
Gargano, Bernadette	Hoffman, Rebecca	Koval, Rebecca	Mc Cann, Jennifer
Gaughan, Dennis C.	Hogan, Susan S.	Kruger, Julie	Mc Carthy, Anna S. M.
Gaughan, John P.	Holmes, Elizabeth	Kruppa, Kevin	Mc Coy, Dennis
Gelber, Ross	Hoover, Timothy	Kwiatkowski, Arianna	Mc Grath, Peter
Gibbons, Kenneth W.	Hoppe, Bernadette M.	Lafferty, Riane F.	Mc Guire, Patrick
Gibbons, Kevin	Horn, John	Lamarque, Stephanie O.	Mc Lean, Siana
Gioia, Horace A.	Hughes, Desmond	Lane, Jr., Robert	Mc Namara, Mark
Gismondi, Geoffrey	Hyde, Thomas R.	Latta, Chelsea	Mclean, Siana
Glynn, Eric	Ieraci, Frank	Laub, David	Means, Kirstie
Goldberg, Ari	Ihde, Regan	Lazarus, James A.	Melber, Brian
Goldsman, Mark	Ilecki, William	Leibeck, Jeffrey	Menke, Mindy
Graber, Timothy	Iles-Hernandez, Keli	Leonard, Graham	Messina, Charles A.
Greco, James J.	Ireland, Katie	Leonardi, Jennifer	Michalek, Daniel
Green, Carl	Irizarry, Ramon	Lillis, Brendan	Michalek, Sarah
Greene, Alvin M.	Jasinski, Jonathan	Lochner, Thomas	Miller, Andrew
Guerra,, Joseph M., III	Jaworski, Myriah	Longo, Frank	Miller, Matthew
Gugino, Randy H.	Jay, Hope R.	Lopardi, Tracie	Miller, Sarah
Gullo, Melinda	Joerg, Theodore	Lowe, Amanda	Montani, Oriana
Gupta, Sheela	Johnson, Luisa	Lucinski, Ryan	Moore, Vincent
Gutierrez, Alejandro	Johnson, Robert C	Lugo, Alexandra	Morrisroe, Richard
Gwitt, Brian	Jones, Brittany	Luzon, David	Mueller-Funke, Deena
Hackett, Mark	Jordan, Alyssa L.	Lynch, Adam M.	Murphy, Lynn
Hamberger, Douglas P.	Karpovich, Amanda M.	Maas, Gary	Murphy, Mellissa
Han, Juyoun	Katz, Eileen	Mac Donald, Chloe	Murray, Ryan
Hanley, Patrick	Kearney, Kevin M.	Mack, Stephanie	Murrett, John C.
Hapeman, Scott	Keavey, John	Maguire, Daniel	Mussari, Louis C.
Hargesheimer, Elbert III	Kelleher, Brendan	Mancinelli, Anthony	Mussell, Jessica
Hartman, Daniel	Kellogg, Leslie	Mannillo, Jeffrey	Muto, Pauline T.



Myers, Jessica A.	Robinson, Edward C.	Smith, Jessica	Violante, Marten
Naegely, Eric C.	Robshaw, Nora B.	Smith, Marnie E.	Virginia, Mary E.
Nagaranan, Raghavan	Roloff, Jill	Smith, Sheldon	Von Simson, Charles
Nagel, Catherine	Rosado, Louis	Snider, Carol	Vona, Nicholas
Nelson, Benjamin	Rosciglione, Maria	Snyder, E. J.	Vozzo, Nicholas
Nelson, Thomas W.	Roshia, Marylou K.	Sobieski, Lee	Wagner Cuzzacrea, Judy
Ngwashi, Marthe J B	Rossi, Karalyn	Sperrazza, Daniel J.	Walker, Regina
Nisengard, Michael	Rossi, William	Speyer, Carly M	Walling, Mark R.
Nosenchuck, Sharon	Rougeux, Debra C.	Spitler, Mark	Warner, Amanda
Novak, Daniel F.	Rubin, Aaron	Stearns, Ryan	Watt, Margot
O'Brien, Margaret	Ruotolo, Lissette M.	Steele, Bridget C.	Weaver, Calvin
O'Brien, Sarah	Rupp III, R. Anthony	Steffan, Thomas	Weinrieb, Pieter
O'Brien, Sean	Saccamondo, Vince	Stergion, Jennifer	Welsh, Brian
O'Carroll, Donall	Same, Jeffrey	Stewart, Gregory	Wettlaufer, Catherine
O'Neill, Barbara	Sanchez, Jack	Stiller, Douglas	White, Molly
Oppenheimer, Andrew D.	Santoro, Jeffrey P.	Stillwell, David	Whittemore, David
Oppenheimer, Laurence B.	Sarfraz, Amil	Stulmaker, Mark	Wiens, Wallace
Oppenheimer, Randolph	Sarkovics, David	Stutz, Natalie	Wieser, John D.
Palmieri, Matthew R.	Sarzynski, Daniel	Sundquist, Edward A.	Wile, Jonathan B.
Palumbo, Jeffrey	Sauer, Barbara A.	Szczepanski, William	Wiltenburg, Peter
Patterson, Robert	Schaeffer, Dennis K.	Tanbakuchi, Sarah	Winspear, William John
Perley, Michael	Schaus, Barbara	Tedesco, Michael J.	Wiseman, Steven G.
Personius, Rodney O.	Schmidt Mareello, Heather	Terragnoli, Joel	Wisniewski, Benjamin
Phillips, Gary M.	Scholand, Gregory P.	Tesseyman, Jr., Francis	Wolf, Frederick A
Poch, Lisa	Schrader, Steven	Tiveron, Diane R.	Woll, Richard
Pochepan, Paul M.	Schroeder, Michael	Tjitradjaja, Nara	Woodward, Laurence
Portin, Robert	Schulefand, Keith	Tommaney, Elizabeth	Wright, Andrew
Prince, Tyson	Schulz, Paul	Torres, Jr., Francisco	Xu, Mengyi
Pullen, Seth	Schwach, Michelle	Toth, Jeremy	Young, Daniel
Quinlan, Lawlor	Scinta, Denis	Town, Rebecca	Yung, Eva
Radel, Robert R.	Sciortino, Michael Anton	Trigilio, John L.	Zajas, J. Grant
Reich Lynch, Jessica N.	Scott, Emily	Trow, Clark	Zarcone, Kelly
Richmond, Anna Marie	Shahram, Nadia	Turkovich, William S.	Zeis, Erica
Riedel, George Jr.	Shank, Caitlyn	Varavenkatarman, Radhika	Zielinski, Robert
Rittling, Amy Habib	Shatkin, Marc	Vasilion, Peter P.	Zini, Gregory
Roach, Patrick	Sigeti, Kristopher	Venkova, Vera	Zomerfeld, Henry A.
Roberson, Shatorah	Skompinski, Lauren	Vesper, Jessica	



ATTORNEY OF THE MORNING

2017 ANNUAL REPORT

SPOTLIGHT ON AOM



Not yet 30 years old, this young man was the breadwinner of a family of six, with four children under the age of 13. A few months earlier, he had a bad accident. He was not yet cleared to return to work. He had started the process to receive disability, but the settlement was still in the works. He owed over two months of rent. Even though he had lived at this apartment for many years, and had always been able to work things out with management in the past, this time his landlord wanted his money and did not want to wait.

However, through the **Attorney of Morning** program, this young man did not have to go through his eviction proceeding alone. Our volunteer attorney was able to negotiate with opposing counsel and achieve a payment plan that allowed the client to wait until he received his tax refund to pay the first installment. This made it possible for this young family to avoid becoming homeless.

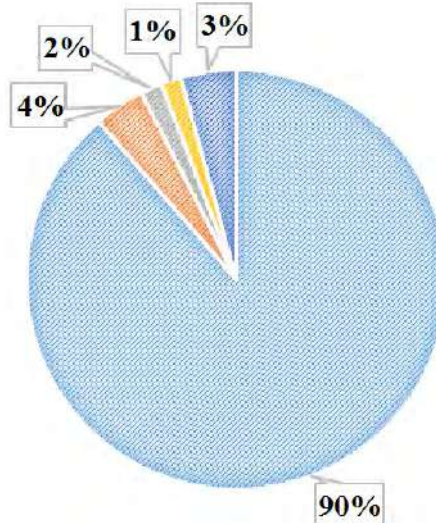
"Thank you for all your help. The workers and attorney were really great."

Since 1990, trained volunteer attorneys, assisted by VLP staff and student volunteers, have represented low income clients facing eviction in Buffalo City Court through our Attorney of the Morning (AOM) program on Monday, Wednesday and Friday mornings. This highly successful program, replicated across the country, helps vulnerable families in our community avoid homelessness.

AOM Achieves Great Results for Clients



■ Delayed Eviction & \$ Savings ■ Prevented Eviction ■ \$ Savings to Tenant
 ■ Delayed Eviction ■ Referred to NLS ■ Immediate Eviction



AOM Case Distribution

- Stipulation
- Tenant Counseled
- Contested Court Decision
- Uncontested Court Decision
- Case Adjournded to NLS



HOUSING HELPLINE

2017 ANNUAL REPORT

"I became informed and empowered with the courage to move forward."

In November 2017, with the support of the Office of Court Administration and the Eighth Judicial District, VLP launched the **Housing Helpline**. The helpline provides legal advice and counsel over the phone to eligible low-income individuals facing eviction outside of the city of Buffalo but in Erie County. VLP operates its efficient and highly successful Attorney of the Morning eviction defense program in Buffalo City Court; however, there is insufficient eviction defense representation in the dozens of city, town and villages that spread through Erie County. Through the Helpline our volunteer attorneys provide legal advice to clients over the phone about the eviction process, their rights, responsive pleadings, settlement strategies, and information about appearing in court.

In the short two months the Helpline was open, 7 attorneys dedicated 16 hours to 10 cases that affected a total of 24 individuals. 60% of clients served had an eviction court date. The most common legal issues were: Non-payment proceedings, security deposit, and client's rights regarding personal belongings

A prospective client can contact the Helpline by calling **716-828-8460**. The Helpline is open for intakes Tuesday and Thursday mornings from 9am – 11am, and clients receive a call back from an attorney that day between 12noon – 2pm.

ECBA VOLUNTEER LAWYERS PROJECT

HOUSING HELPLINE

ARE YOU A RENTER HAVING
PROBLEMS WITH YOUR
LANDLORD?

HAVE YOU BEEN SERVED WITH
EVICION PAPERS?

CALL US!
(716) 828-8460

Intake Hours:
Tuesdays & Thursdays
9AM – 11AM
Call only. No walk ins.

PLEASE NOTE:

- This program does not provide attorneys to go to court with you.
- If you have an attorney, we cannot assist you.
- We provide brief legal advice to low income individuals who reside in Erie County outside of the City of Buffalo.




FREE LEGAL ADVICE



FAMILY COURT HELP DESK

2017 ANNUAL REPORT

SPOTLIGHT ON FCHD

 After surviving severe domestic violence at the hands of her children's father and his family, a young mother came to VLP's Family Court Help Desk seeking assistance to keep herself and two children safe. VLP's Volunteer Attorney helped the client draft a Custody Petition, a Family Offense Petition, and made a referral for domestic violence services. With the help of our Volunteer Attorney, the client was prepared to seek an emergency order that day for immediate assistance.

"Limited scope legal services are important because, first and foremost, they provide an avenue for the economically-disadvantaged to access the justice system with a measure of support. It is important that people everywhere feel that the courts belong to them. Imposing buildings, obscure procedure, and esoteric language, among other things, can effectively bar uninitiated litigants. Having a contact at the court to help navigate the process, for even a short time, may prove invaluable in promoting access. Also, limited scope legal programs can help to increase judicial efficiency by trimming frivolous complaints and encouraging viable claims."

At the Family Court Help Desk in Erie County Family Court, clients can speak to an attorney prior to their court appearance or filing a petition. The Help Desk has a roster of over 70 volunteer attorneys that have volunteered their time. In 2017 the Help Desk served 1041 clients, a 12% increase in need from 2016. As a result of the advice of our volunteer attorneys, we helped to avoid or reduce litigation in 24% of our cases.



The Help Desk's goal is to inform unrepresented litigants of the Family Court process and rules. We hope to reduce the number of unnecessary petitions and to improve the quality of properly filed petitions. Clients are provided with personalized case advice and general information that helps them navigate the Family Court more effectively. This information includes referrals to legal service organizations, information about the Assigned Counsel program, and advice on what to expect during the court process.



FAMILY COURT HELP DESK

2017 ANNUAL REPORT

2017 was a year for growth and excitement for the Family Court Help Desk. Janet DiFiore, Chief Judge of the Court of Appeals and of the State of New York, Lawrence K. Marks, Chief Administrative Judge of the State of New York, and Edwina G. Mendelson, Deputy Chief Administrative Judge for Justice Initiatives each toured the Family Court Help Desk.

Family Court Help Desk Tour



Family Court Help Desk Expansion

In addition, 2017 saw the Help Desk grow and expand even further as VLP started the planning stages to open Family Court Help Desks in Niagara and Chautauqua Counties in early 2018.



PRO SE ASSISTANCE PROGRAM

2017 ANNUAL REPORT

"I am extremely grateful to VLP for their collaboration with UB Law, which gives our students amazing practical experience and allows them to work with some of the finest attorneys in the state. I am also grateful for all of the volunteer attorneys who support the Pro Se Assistance Program, mentor our law students, and spend their time making "access to justice" a reality for those in poverty. On a personal note, this program allows me to practice law in the most meaningful way possible, in a way that serves those from underrepresented communities and promotes the values of service and equity in the law."

Bernadette Gargano, Esq.

SPOTLIGHT ON PSAP

Mr. Smith was recently discharged from his workplace after many years of good work. He believes that he was harassed and discharged based on his race. He was having difficulty understanding how to start a case against his former employer and was relieved when the court clerk sent him to the PSAP. During his first visit to the PSAP, Mr. Smith learned the nuts and bolts of filing his Title VII action in the WDNY, as well as the level of detail required in his complaint. Mr. Smith left the PSAP feeling confident about beginning his action. He returned to the PSAP the following week, needing help from our volunteer attorney to edit his draft complaint. During his third visit to the PSAP, our volunteer attorney reviewed Mr. Smith's pleadings, confirmed they were complete, and assisted Mr. Smith in filing the pleadings. Mr. Smith was relieved that the three (3) PSAP volunteers listened to his legal problem, explained the complicated substantive and procedural requirements in a way he could understand, and offered guidance in drafting his pleadings. He told us how lucky he felt that our volunteer attorneys took the time to help him file his papers.

The Pro Se Assistance Program (PSAP) continues to provide critically important limited-scope legal assistance to clients who lack the financial resources to retain counsel and the skills to effectively present their case to the Court. Housed in the Clerk's Office at the Robert M. Jackson Federal Courthouse in Buffalo, clients can walk in and meet with a veteran federal court litigator on Wednesdays and Fridays between noon and 2pm. The PSAP is a lifeline for the litigants and a big benefit for the Court.

The ongoing partnership with VLP, the WDNY, UB Law School's Pro Se Civil Litigation Support Practicum and the WNY Chapter of the Federal Bar Association makes the PSAP, in its fourth year of service, such a unique and successful program.

We work hard to ensure that pro se clients in the WDNY have meaningful access to justice and the legal assistance that they so desperately need.

143

Clients Served

303

Total People Benefitted

71

Legal Clinics

194

Volunteer Attorney Hours

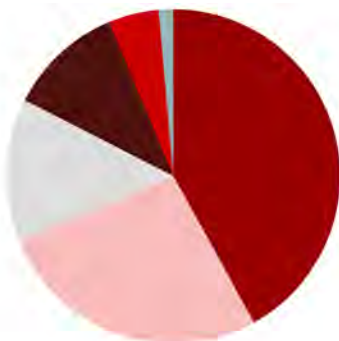
43

Volunteer Attorneys

10

Law Student Interns

2017 PSAP Legal Problems



Individual Rights (41.96%) Employment Discrim. (26.57%)
Other (13.99%) Torts (11.19%) Social Security (4.90%)
Consumer (1.40%)

Top 5 Services

- Determining proper forum
- Drafting/reviewing complaints
- Explaining/drafting IFP applications
- Amending complaints
- Reviewing/explaining court orders



VLP'S SAY YES LEGAL CLINICS

2017 ANNUAL REPORT

"It is exciting to be part of a team that works that makes a client comfortable enough to tell their story, and to use our legal background to prioritize and identify solutions to their problems." - Senovia Cuevas, Pro Bono Scholar

2017 was the third year VLP coordinated the Say Yes Legal Clinics. This year we focused on the Buffalo Public School (BPS) Community Schools initiative to make the legal clinics more accessible to larger numbers of potential clients. We want to thank Say Yes Buffalo, BPS and law firm partners for their investment in the legal clinics.


The commitment of our pro bono attorneys at the seven partner law firms continues to be outstanding. We are grateful to the support of the following law firms who staff the legal clinics each week: Barclay Damon, LLP; Gibson McAskill & Crosby, LLP; Harris Beach, PLLC; Hodgson Russ, LLP; Lippes Mathias Wexler Friedman, LLP; Rupp Baase Pflanzgraf Cunningham, LLP; and Phillips Lytle LLP. Four of the clinics operate during the school year only. One clinic operates during the summer months only, and one clinic operates year round. VLP supports the pro

bono attorneys through CLE updates, our online reference guide, and our legal clinic coordinator, Margarita Rivera Rusch.

In 2017, during the 100 days the legal clinics were open, 53 attorneys volunteered over 400 hours to meet with 119 clients to advise them on their civil legal questions. This important work benefitted a total of 435 people, 197 who were children.

VLP also helped 634 additional BPS families through other VLP free legal services. This includes 380 families facing homelessness who benefitted from the free legal representation at our Attorney of the Morning eviction defense program at Buffalo City Court. An additional 223 BPS families utilized our Family Court Help Desk for free legal assistance in family law matters. VLP is pleased to be able to provide the BPS families with high quality free legal representation in these and other civil legal matters.

SPOTLIGHT ON SAY YES

 Our client, a single, Spanish speaking mother of 3 children (7, 10, 17) needed legal assistance to advocate for an appropriate placement for her 10-year-old son with autism. The volunteer attorney advised her about the rights of children with disabilities. More importantly, the client was connected with the disability rights attorney at Legal Aid, who was able to obtain a class that met all of the boy's needs without commencing a lengthy due process hearing. The client is overjoyed that her son is finally in the right class thanks to VLP's Say Yes Legal Clinic.


Legal Issues Served



BANKRUPTCY

2017 ANNUAL REPORT

SPOTLIGHT ON BANKRUPTCY

 A single mother with 2 small children came to VLP in financial distress. She was working a modest paying job and only receiving \$25 per month child support. Her car was repossessed and a money judgment entered against her, followed by an Income Execution.

She could not make ends meet and was falling further into debt with no relief in sight. Compounding the problem was unpaid Student Loan Debt and a Federal Income Tax obligation. As a result, each year she would not receive the Earned Income Tax Credit benefits she was entitled to when filing her Tax Returns, because they would be “offset” by the Treasury Department to pay the debts. A Chapter 7 Bankruptcy was the only solution.

One of VLP’s long time volunteers who always “steps up to the plate” for struggling single parents, agreed to file her case, pro bono. The wage garnishment for over \$13,000 was discharged, along with other debts totaling over \$29,000. The client could now support her family.

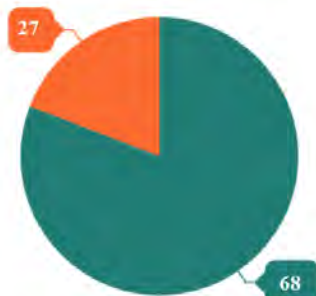
“They helped me through a difficult and uncertain time in my life... Everyone I worked with was so helpful and kind. I appreciate and sincerely thank you

Although Bankruptcy filings have declined steadily since the end of the recession, many residents of Western New York continue to struggle with oppressive debt. For those low income clients who are at risk of losing money or property to satisfy the debt, VLP pro bono attorneys utilize Chapter 7 Bankruptcy to give eligible clients a fresh start.

Often times we see clients who have a very modest income, but are subject to a wage garnishment they can ill afford to pay on an already tight budget. Sometimes it stems from a car loan they defaulted on and there was a repossession. Other times, it may be enormous utility bill arrears that have accumulated for years or credit card debt from which the client cannot get out from under. Whatever the circumstance that put the client into debt, VLP is ready to counsel the client on what their legal rights are. Many times they are fearful they will be arrested if debts go unpaid, as a result of some less than scrupulous tactics taken by aggressive debt collectors. Often times, they have no idea what property is “exempt” from collection. Simply explaining to the client how debt collection laws work, often gives them a huge sense of relief. Taking the time to assess individual client needs

and providing the right advice to their given creditor situation, is something VLP has always strived to provide. In appropriate cases, a dedicated panel of pro bono attorneys works diligently to provide the client with the representation they need in the Bankruptcy Court. It has been noted on several occasions by our local Bankruptcy Court Judges, that VLP’s pro bono attorneys have helped the Western District of New York to have one of the lowest pro se filing rates in the nation.

Bankruptcy Inbound Calls




■ Counseled & Advised by VLP
■ Referred to Volunteer Attorney



DIVORCE

2017 ANNUAL REPORT

SPOTLIGHT ON DIVORCE

 A client came to us for assistance in a desperate situation. She had been diagnosed with a brain tumor and was under treatment for her cancer, living separate from her husband. She relied upon the husband for financial support and medical insurance coverage. The husband stopped providing any support, rendering the client destitute. She had to apply for SSI/SSD and Medicaid and thereafter suffered a stroke, resulting in paralysis of one of her arms and also causing her to walk with a limp. VLP was able to provide an experienced divorce attorney to represent the client, pro bono. He immediately began work formulating a case strategy to see to it that the client received appropriate support and coordinated with another agency to address the client's health insurance and Medicaid eligibility issues. Ultimately a settlement was devised wherein the husband would pay funds into a Supplemental Needs Trust. The efforts of the Volunteer Attorney gave client a great sense of relief from the stress and anxiety being caused by all of these physical and health related problems that were taking a tremendous toll on her physical and mental wellbeing.

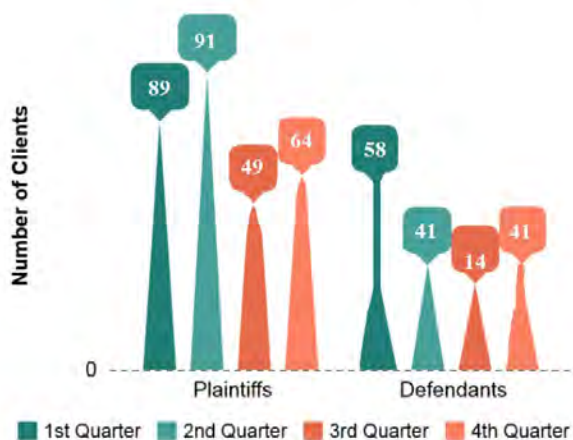
VLP has a long history of representing plaintiffs and defendants in divorce actions. We always have a long list of divorce clients waiting on the availability of a pro bono attorney. VLP has a group of attorneys committed to handling pro bono divorces. Clients are provided assistance in commencing and defending divorces to ensure a fair resolution. We also provide counsel to secure post-divorce matters in the equitable distribution of retirement benefits.

Clients who wish to file for divorce first meet with VLP staff. An outline of the legal issues is reviewed and advice is provided on what to expect in matters of custody, support, visitation and equitable distribution.

Divorce defendants are given priority, as those cases have already been filed and a court date is usually scheduled. If we cannot immediately find a volunteer attorney to take the case, VLP communicates with the court and opposing counsel to secure an adjournment of the court date. This assures the client's case will not result in a "default" divorce due to non-appearance. The matrimonial bar continues to be very gracious in routinely granting VLP extension requests. In appropriate cases, Judges have ruled favorably where VLP volunteer attorneys make fee applications when they represent the non-monied spouse. This allows a volunteer to potentially do even more volunteer work and benefits the entire system overall by fostering an atmosphere that encourages attorneys to participate in the program.

The Court system also allows volunteer attorneys to apply for compensation at the Assigned Counsel rate for certain issues. Services provided to an indigent party to resolve issues of custody or visitation within a divorce action are compensable. This creates a "hybrid" case, where the volunteer is providing pro bono services for the divorce, but being paid for time as assigned counsel for the custody and visitation issues. Often, attorneys who already represent a client in Family Court, agree to volunteer through VLP when a divorce is filed. This provides continuity in representation.

Divorce Inbound Calls



COMMUNITY AND ECONOMIC DEVELOPMENT PROJECT

2017 ANNUAL REPORT

VLP's Community and Economic Development Project encompasses our Tax Foreclosure Representation Program and our Not for Profit Small Group Representation Program. In 2017, we launched the third component: our Micro Entrepreneurship Program.

Tax Foreclosure

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.


VLP provides individual representation to clients facing the loss of their home to tax foreclosure in Erie, Niagara, Orleans, Wyoming and Genesee Counties. In addition to individual representation, VLP has helped clients apply for programs to pay for all or a portion of their tax debt and has helped clients apply for prospective property tax exemptions to reduce their tax burden going forward.



A client and his house that VLP saved from tax foreclosure.

In 2017, we negotiated tax foreclosure settlements for 60 people effectively saving their homes from being sold at auction. We provided advice and counsel on another 23 cases. Overall our tax foreclosure services benefitted 163 people. The assessed value of the 60 properties saved through VLP intervention is \$2,384,300. Additionally, our work generated an estimated savings of \$309,266 for New York State Taxpayers through homelessness prevention.

SPOTLIGHT ON TAX FORECLOSURE

 R is a disabled Marine Corp veteran living on a fixed income. R fell behind on his taxes when his sister and her fiancée passed away within 6 months of each other. R stepped in to care for his aging father and his sister's children and grandchildren.

Though the house was appraised at \$40,000, R was in danger of losing his home due to only \$3,574 in back taxes and sewer rent. Staff Attorney Gretchen Gonzalez applied to WNY Heroes, a local veteran's organization, for funds to save R's home. A grant was approved for \$2296.23.

Attorney Gonzalez was then able to negotiate a settlement with the City of Buffalo wherein R could pay the balance of the debt owed in \$65 installments over the next 20 months. VLP's actions not only prevented R from becoming homeless but also significantly reduced the debt owed resulting in a payment plan that R can afford on his fixed income.



COMMUNITY AND ECONOMIC DEVELOPMENT PROJECT

2017 ANNUAL REPORT

Not for Profit Group Representation


VLP provides transactional legal services to local not for profit organizations. This program year we focused on expanding our program to provide a larger variety of legal services to organizations and community groups working on community and economic development issues.

We assisted **47** community groups with diverse legal needs including: creating a land trust, assistance with funding proposals, reviewing contracts, negotiating partnership agreements with large developers, and insuring compliance with State law.

Micro Entrepreneur Program

In October of this year, after meeting with several different community groups, VLP decided to launch a micro entrepreneur project to assist low income people starting small businesses. We joined the Micro Enterprise Collaborative Group, which is comprised of small business incubators, non-traditional lenders and small business development advisors and educators. Additionally we formed working relationships with 2 small business incubators: the Westminster Economic Development Initiative, who works primarily with the refugee and immigrant community and the Foundry who provides vocational training and work space to low income people starting small businesses. Though this program is still in its infancy, we have received a positive reaction from the community and have been invited to speak at several events for entrepreneurs.

SPOTLIGHT ON NFP Representation

 Through our partnership with Partnership for the Public Good, VLP was introduced to a group of residents in Buffalo's Fruit Belt neighborhood, who had come together to form a land trust to purchase city owned vacant lots with the goal of giving the community a voice in the development of that land and of creating affordable housing. VLP's volunteer attorney assisted by incorporating the land trust as a not for profit and filing for 501c3 status. VLP provided an additional volunteer attorney with experience in commercial development to assist the group in targeting properties and drafting policies to insure sustainability.





IMMIGRATION PROGRAM


2017 ANNUAL REPORT


SPOTLIGHT ON IMMIGRATION

VLP's Immigration Program has obtained the release from detention of countless asylum seekers from all over the world, including these:

 A man from Guinea who identified as gay and had been persecuted by his family and community because of his sexual orientation.

 A man who had witnessed and personally suffered horrific homophobic violence in Jamaica. He entered the U.S. as a teenager and feared deportation on account of his sexual orientation.

 An undocumented Mexican man had been a long term resident of NYS and was the father of a young U.S. citizen child. Following his detention, his child developed serious mental health issues. His U.S. citizen girlfriend and stepchildren also suffered extreme hardship. At trial, we asked for cancellation of removal, but we were initially denied. After we appealed, our client was granted cancellation of removal, and was finally reunited with his family. He eventually received his "green card" so that he may remain in the United States with his family.

 A man who was exploited for his labor in New York State for nearly ten years before he came to the attention of the immigration authorities. VLP helped him obtain a visa as a victim of human trafficking, allowing him to live and work legally in the United States. He recently received the first pay check issued to him in over a decade.



HOW ATTORNEYS CAN GET INVOLVED

We can accommodate pro bono attorneys with varying levels of experience and different interests. We handle a wide array of immigration matters, as shown on the next page of this report. Additionally, if an experienced immigration attorney identifies a case that s/he would like to handle, but the client is low-income and cannot afford to pay, the attorney may approach us about handling the case under our auspices. However, we are particularly interested in referring cases to volunteer attorneys for non-citizens in removal proceedings.

Every fall, we hold an annual CLE to train attorneys on representing noncitizens in removal proceedings. A video of our 2015 training is available to attorneys handling pro bono cases. Our staff attorneys can also provide limited amounts of mentoring to attorneys handling VLP cases.

WHAT WE DO

Since 1999, the Immigration Program of the Erie County Bar Association Volunteer Lawyers Project (VLP) has served an array of the non-citizen community present in New York State and other parts of the country, through diverse projects generously funded by several sources.

In 2017, VLP's immigration program significantly expanded. From operating with six immigration attorneys and two paralegals, we currently operate with a staff of twelve immigration attorneys, one Immigrant Justice Corps. Fellow, one Equal Justice Works Fellow, two DOJ accredited representatives and two paralegals. We expect our program will continue to grow.

The majority of our staff is based in VLP's Batavia office. There, our work has been focused on representing detained individuals under the following projects:



IMMIGRATION PROGRAM

2017 ANNUAL REPORT

WNY IMMIGRATION ASSISTANCE CENTER

The Supreme Court ruling in *Padilla v. Kentucky*, 559 U.S. 356 (2010) now requires criminal defense attorneys to advise noncitizen clients as to the potential immigration consequences of a criminal conviction before taking a plea.

Through a grant from the NYS Office of Indigent Legal Services and in collaboration with The Legal Aid Society of Rochester, New York, we provide training, technical assistance and other legal support to attorneys in the 7th and 8th Judicial Districts of New York who provide mandated representation to noncitizens in criminal and family court proceedings so they can fully advise their noncitizen clients as to the immigration consequences of their particular case.

NATIONAL QUALIFIED REPRESENTATIVE PROGRAM (NQRP)

The NQRP program provides appointed legal representation for detained individuals who are unrepresented by counsel and have been found to be incompetent to represent themselves in their immigration proceedings because of a serious mental disorder. This work is also funded by The Vera Institute of Justice.

The individuals we represent through NQRP are people with serious mental or developmental disabilities and often fear persecution and torture in their home countries because of their disabilities. By serving as appointed representatives, VLP immigration attorneys help ensure that non-citizens are afforded equal access to the immigration system and a

meaningful opportunity to have their cases heard, regardless of disability or impairment.

NEW YORK IMMIGRANT FAMILY UNITY PROGRAM (NYIFUP)

The NYIFUP program has been a mainstay of our immigration work. Our NYIFUP work is currently funded through a contract with the Vera Institute of Justice in New York, New York. NYIFUP is a “public defender” style program for noncitizen men detained at the Buffalo Federal Detention Facility in Batavia, New York and for noncitizen women detained in various county jails in upstate, New York.

VLP’s immigration program was involved in the initial endeavor during a pilot project funded by New York State. At that time, we contracted to represent 55 detained individuals in removal proceedings. This project was highly successful. Currently, VLP is contracted to represent 100% of the detained men and women facing removal proceedings who cannot otherwise afford private counsel.

Clients are retained through a “universal representation” or “public defender” model without triaging or consideration of the merits of the case, although NYIFUP clients must meet an income eligibility requirement to qualify for services.

Many of our clients are seeking asylum in the U.S. and in some instances, the cases are handled by pro bono attorneys.

UNACCOMPANIED CHILDREN

Unaccompanied children are represented by VLP when they have been placed in foster care at Catholic Family Center in Rochester, New York. Since the children must appear in Buffalo for removal proceedings, VLP staff lawyers represent them and recruit, train and mentor pro bono lawyers to represent the children. This work is also funded by VERA.

DOMESTIC VIOLENCE

Survivors of domestic violence, sexual assault, and stalking have several options under U.S. immigration law to obtain lawful status, and our program represents them in these matters with funding from Neighborhood Legal Services.

HUMAN TRAFFICKING

Survivors of human trafficking are represented in their immigration cases by VLP’s Immigration Program, with a grant in partnership with the International Institute of Buffalo (IIB). IIB provides trafficking survivors with a wealth of social services, and the two organizations work collaboratively to make certain our clients’ legal, social, and health care needs are met. We seek to obtain special “T” visas for these clients, or other immigration relief, and then apply for permanent residence on their behalves.



POSITIVE INDIVIDUALS & FAMILIES

2017 ANNUAL REPORT



"[My VLP attorney] was compassionate, warm and informative."



"I feel as though [my VLP attorney] is part of my family. With my illness I can't do a lot of stuff normal adults do and [VLP's] help has literally changed my life."



"[VLP] went above and beyond!! Very helpful and professional. Could not have asked for a better attorney to represent me."

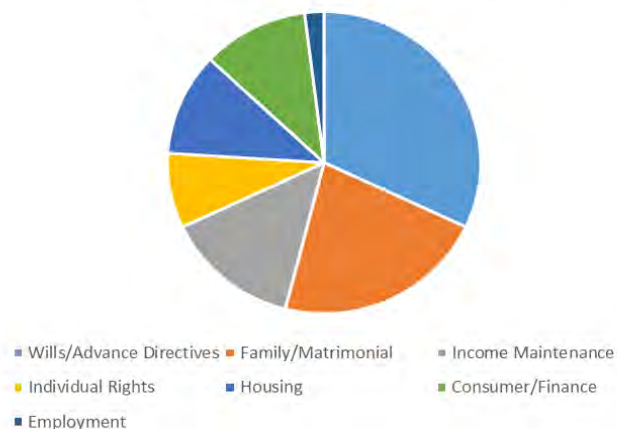
The Positive Individuals & Families Project serves people living with HIV/AIDS and their families in all 8 counties of Western New York.

Funded by the NYS Department of Health (DOH), the project has a special focus on creating end-of-life plans and care and custody plans for individuals and families impacted by HIV/AIDS. In partnership with Neighborhood Legal Services, the project also provides generalized 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 partnership with Evergreen Health Services (EHS), the Positive Individuals & Families Project is able to better serve its clients by providing a seamless web of legal and supportive services.

Attorneys in the Positive Individuals & 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. In 2017, the Attorneys in the Positive Individuals & Families Project provided trainings for numerous students, case workers, attorneys, and medical professionals.

Legal Cases Handled by DOH Program



SPOTLIGHT ON

POSITIVE INDIVIDUALS & FAMILIES



Our client had been raising her grandson since he was born drug-addicted in 2009. After years of contested court battles with the child's biological parents, VLP's help led to our client being granted legal custody of her grandson. Unfortunately, while the client had legal custody of her grandson, this did not give her full parental rights. Our client worried about what would happen upon her passing and wanted to ensure she could properly plan for her grandson. Working with a VLP attorney, our client decided to pursue the adoption of her grandson. As a result of VLP's assistance, our client was able to adopt her grandson, giving her full parental rights and the ability to plan for her grandchild's future.



Another client returned to VLP for assistance when her child's father filed for custody of their teenage child, which our client had been the sole caretaker of since birth. A change in custody would have meant that the child would not be able to finish his final year of high school in the district that he'd attended since kindergarten and where he received extensive academic assistance. VLP filed a cross-petition for custody and successfully advocated for the dismissal of the father's petition. Our client obtained sole legal custody of the child following a default hearing. As a result, the child was able to finish high school in the same school and there was no disruption in his academic assistance.



TAX

2017 ANNUAL REPORT

“They were life savers to me. I cannot thank him enough for the work he put in for my case. Thank you!!”

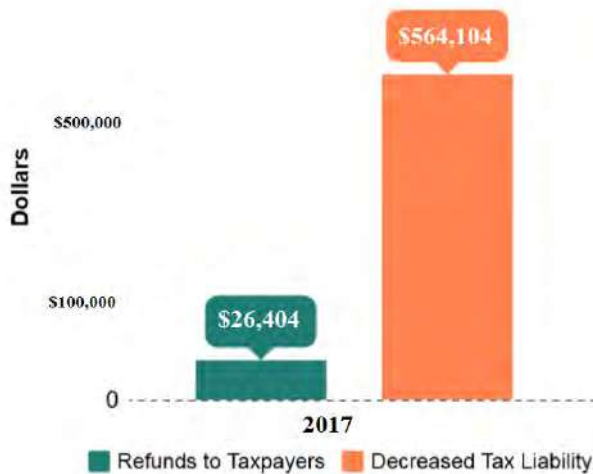
VLP provides representation and consultations to low-income, refugee, and immigrant taxpayers throughout Western New York. Furthermore, the tax clinic provides educational presentations and outreach to organizations that work with low-income, refugee, and immigrant taxpayers in the region. Volunteer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

900 hours of legal representation to LITC clients in 2017.


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 **\$26,000** in dollars refunded to clients and over **\$500,000** in decreased tax liabilities



SPOTLIGHT ON TAX

 Joint taxpayers appeared at Tax Court calendar call after the IRS disallowed their attempts to claim grandchildren that resided with them as dependents. While the taxpayers were able to show they had custody of their grandchildren, they had few pieces of proof that the children resided with them outside of testimonial evidence. Two pro bono attorneys attended calendar call with the sole purpose of providing assistance to pro se petitioners, and entered an appearance in the case that day. The pro bono attorneys were able to assist the taxpayers and IRS in settling the case, resulting in the taxpayers paying back just \$500 of the more than \$8,000 of the deficiency amount.

 A client had a large federal tax balance owed from her ex-husband’s business. He was unable to pay the balance, and fell into some legal trouble that resulted in his business being closed and the IRS offsetting one of the client’s federal tax refunds. VLP requested innocent spouse relief on the client’s behalf, arguing that it would be inequitable to hold the client liable for that debt, even though she signed the tax return. The IRS agreed, and granted the client full relief of over \$43,000 in tax debt.



DID YOU KNOW?


As an added benefit, bankruptcy clients that owe income tax debt are offered an appointment with our staff tax attorney and are provided information and forms to order any necessary tax records from the IRS.



UNEMPLOYMENT INSURANCE

2017 ANNUAL REPORT

SPOTLIGHT ON UIB

 VLP represented a Claimant who separated from her employment due to the Employer's hostile and abusive treatment in the workplace.

Claimant had worked for the Employer for over three years as a kitchen cook. She had a good working history with her Employer, and had seen the Employer yell at other kitchen staff, but was never previously treated in a hostile manner.

The Employer believed that an employee can be treated however the Employer deems necessary to ensure that a place of business is run smoothly. On the final day of employment, the Employer profanely yelled at the Claimant for approximately ten minutes, and directly called the Claimant several filthy names. Additionally the Employer grabbed items from the Claimant while she tried to comply with orders, continued to berate her, and proceeded to closely follow her when she gathered her belongings and quickly walked to the front door.

VLP successfully showed that Claimant had been terminated, and alternatively, had good cause to leave her employment due to what was determined to be an overly harsh and excessive reprimand. The Administrative Law Judge ruled that an employee does not have to accept hostile and abusive treatment as a condition of employment. As such, Claimant was allowed benefits and received \$4,738 in retroactive funds

"Thank God! That's the best news I've heard all day."

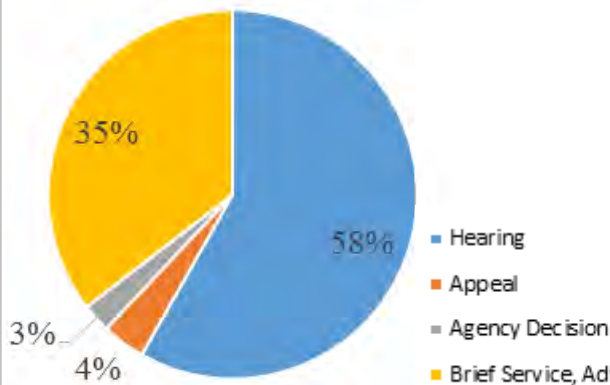
VLP's Unemployment Insurance Benefits program serves individuals throughout Western New York in obtaining or maintaining their entitlement to receive unemployment insurance benefits (UIB). The program is primarily funded by a grant from the Office of Court Administration.

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 handle select unemployment appeals.

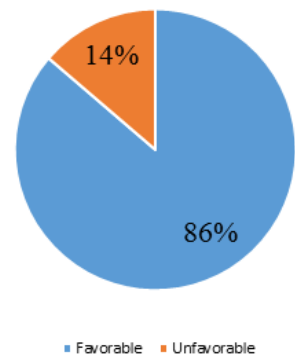
In 2017, we won **\$136,077 retroactive benefits** for our clients.

VLP's wage and hour claims representation has continued through 2017. We provide representation to clients in obtaining unpaid wages from employers. We have been successful in obtaining **\$900 in unpaid wages** for our clients.

2017 Types of Cases



2017 Case Outcomes



VLP DIVERSITY

2017 ANNUAL REPORT

VLP prides itself in encouraging diversity and providing equal opportunities in our Board Member selection, hiring process, welcoming of volunteers, and representation of clients.

Did You Know?

VLP's staff members were born or raised in a total of 10 different countries.




We have 19 staff members that speak more than one language.

While the vast majority of our bi and tri-lingual staff speak Spanish, in total we can communicate directly with clients in 9 languages other than English.

In addition to all of our immigration work, VLP provides a wide array of services to immigrants and refugees.

SPOTLIGHT ON DIVERSE CLIENTS

 P.K. is a client from Burma and reached out to VLP because her husband's name didn't appear on their daughter's birth certificate. P.K. and her husband do not speak English and according to their explanation, the nurse failed to include the father's name in the paper work due to a language barrier. Even though there is a legal presumption that the child born during the marriage is his, it became difficult for P.K.'s husband to prove administratively that his daughter was really his because his name did not appear on the birth certificate. He was afraid to claim his own child as a dependent on his taxes because he feared that if there was an audit, he wouldn't be able to prove that he was the father.

A VLP staff member met with the clients, reached out to the Department of Health (D.O.H) Vital Record Unit. After multiple correspondences, phone calls, and exchange of forms, D.O.H produced a new birth certificate with the father's name included.

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"Speaking for those who are not heard."

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