

ERIE COUNTY BAR ASSOCIATION VOLUNTEER
LAWYERS PROJECT, INC.
SAY YES BUFFALO LEGAL CLINICS

ANNUAL REPORT 2020



July 1, 2019 - June 30, 2020
Report also available at www.ecbavlp.com/sayyes





Photo Courtesy of Buffalo Business First

A LETTER FROM VLP

This report summarizes the 6th year of VLP's partnership with Say Yes Buffalo. It is a partnership that is important to VLP since we think very highly of the work that Say Yes has done for Buffalo families and for the community at large.

When the COVID-19 crisis hit, we quickly suspended operation of the in-person clinics and moved all of our services from our Buffalo office to six subject matter based call-in lines.

This allowed us to reach more families and provide remote legal assistance and sometimes just an understanding and empathetic person on our end of the line.

We look forward to continuing our partnership with Say Yes for a 7th year.

ROBERT M. ELARDO

Executive Director/CEO of VLP

OVERVIEW

To maximize the time and efforts of our volunteer attorneys at our Walk-In Legal Clinics, and increase our overall presence in the community, we opted for a change in strategy in this, our sixth, year.

DO YOU NEED FREE LEGAL ADVICE?

Buffalo Public School students, parents and community members can get free legal advice from lawyers at any one of five Say Yes Legal Clinics at Buffalo Public School buildings.

You can get free legal advice for questions about bankruptcy, child custody, child support, divorce, eviction, foreclosure, government benefits, housing, immigration, income tax and other legal matters.

LEGAL ADVICE WILL NOT BE OFFERED FOR CRIMINAL MATTERS.

Language translation is available. *Admission is made on a first-come, first-served basis. *Consent of the legal aid attorney.

*To receive more in-depth services, you must be financially eligible.

WEDNESDAYS
Buffalo Public School Adult Education Center
 389 Virginia Street, Buffalo, NY 14201
 12:00pm-2:00pm
 July 10th to August 14th

For more information, please visit www.SayYesBuffalo.org or www.sayyes.org or call the Volunteer Lawyers Project's Say Yes Legal Clinic Information Line at 716-838-8491.

With deep gratitude to the seven firms that have been our partners over the years (Barclay Damon LLC; Gibson, McAskill & Crosby LLP; Harris Beach, PLLC; Hodgson Russ LLP; Lippes Mathias, Wexler, Friedman LLP; Phillips Lytle LLP; and Rupp Baase Pfalzgraf Cunningham LLC), and the hard work of our Say Yes (SYB) Community School Navigators and Buffalo Public School (BPS) administrative teams at all of the sites, we reduced our summer clinics from two to one, and our school year clinics from five to two, keeping the busiest ones active at the Adult Education Center (Wednesdays, noon-2:00pm) and East Community High School (Thursdays, 4:30-6:30pm).

DO YOU NEED FREE LEGAL ADVICE?

Buffalo Public School students, parents and community members can get free legal advice from lawyers at Say Yes Legal Clinics at the following Buffalo Public School buildings:

You can get free legal advice for questions about bankruptcy, child custody, child support, divorce, eviction, foreclosure, government benefits, housing, immigration, income tax and other legal matters.

LEGAL ADVICE WILL NOT BE OFFERED FOR CRIMINAL MATTERS.

Language translation is available. *Admission is made on a first-come, first-served basis. *Consent of the legal aid attorney. *Financial eligibility may be required to receive certain legal services.

SCHOOL YEAR CLINICS
 October 23, 2019 through May 13, 2020

WEDNESDAYS
Adult Education Center
 389 Virginia Street, Buffalo, NY 14201
 12:00pm-2:00pm

THURSDAYS
East Community High School
 803 West Chippewa Street, Buffalo, NY 14201
 4:30pm-6:30pm

For more information, please visit www.SayYesBuffalo.org or www.sayyes.org or call the Volunteer Lawyers Project's Say Yes Legal Clinic Information Line at 716-838-8491.

Though Jazmin LaFay moved to another department at VLP early on in the program year, Marci Wiseman was able to share information about the VLP SYB Legal Clinics at 11 outreach events, some in partnership with the Regional Immigration Assistance Center, formerly at VLP. We had handed out Clinic flyers (including those translated into Spanish and Arabic) to more than 650 people by February 1, 2020.

On November 8, 2019, upon request of the firm, Bob Elardo, Marci Wiseman, and Esther Annan presented a CLE to 13 attorneys at Gibson, McAskill & Crosby, LLP that was very well received, and brought several new attorneys to serve at the clinic at East Community High School.

We added a Call-In HelpLine, staffed by VLP Supervising Attorney Greg Stewart, that was made available on Tuesdays, 1:30-3:30, to all SYB and BPS direct service providers (counselors, nurses, and programming staff) in the hopes this would enable more families to make use of the Legal clinic with its added convenience of accessibility. We also added four (4) Saturday Academy *Know Your Rights* presentations to the annual schedule, choosing topics that had been the most requested at the Clinics, including: New Landlord/Tenant Laws, led by VLP's Katie Dibble, Esq.; School Suspensions and Advocating for Your Child, facilitated by Judith Gerber, Esq. of Legal Aid; Father's Rights, with (Ret.) Judge Paul Buchanan, and in partnership with the Nurturing Father's Program; and Public Benefits for Students, with Diana Proske, Esq. of Neighborhood Legal Services.

The HelpLine got off to a late and slow start, but we saw steady traffic at the Clinics and a modest turnout at the first two Saturday Academies, and then... Pandemic!

Mid-March, 2020, the United States was overtaken by the Coronavirus, COVID-19, and, as part of Governor Andrew Cuomo's immediate response 'New York State on PAUSE' Executive Order, we cancelled the Father's Rights and Public Benefits presentations, switched to email for the Task Force meetings, closed the VLP offices, and went remote.

VLP Say Yes Buffalo Legal Clinic HelpLine
 "For Say Yes and BPS staff to discuss legal matters involving students and their families"

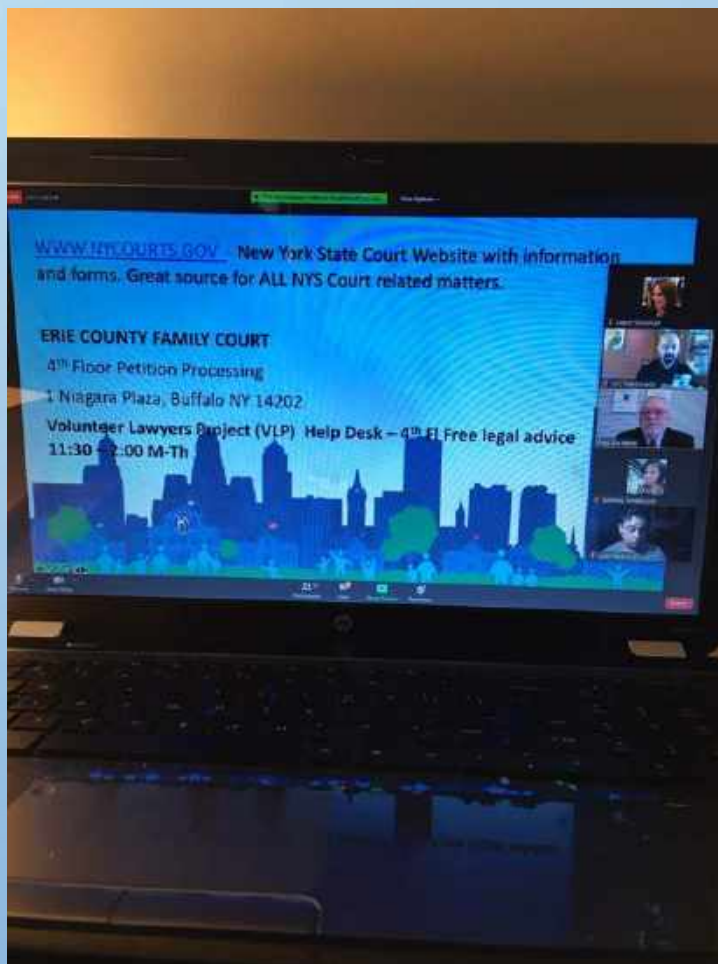
716-823-3255
 Tuesdays from 1:30-3:30pm on school days

If HelpLine is busy, please leave message and the Volunteer Lawyers Project (VLP) attorney will call you back. The main VLP number is **716-847-0662**.
 (Note: Not a hotline, there may be a delay in getting a return call).

Legal Clinic Walk-In Sites	Wednesdays 12:00-2:00pm Adult Education Center 389 Virginia St. Buffalo, NY 14201
	Thursdays 3:30-5:30pm East Community High School 820 Northampton St. Buffalo, NY 14211

See reverse
 This HelpLine is for Say Yes Buffalo, and Buffalo Public Schools (BPS) ONLY - please do not distribute to students, families, or general public. We appreciate your cooperation while we pilot test this new feature of the VLP Say Yes Legal Clinic partnership.





BPS and SYB instantly kicked into gear with online presentations, and Virtual Academies were born, thus granting us a new platform and access to a much larger pool of clients. We rescheduled the Father's Rights with Judge Buchanan who took to the new format without hesitation, and were rewarded with nearly 700 live viewers and almost 2.5 times that in views after the fact!

Similarly with the Public Benefits presentation, Diana Proske also moved seamlessly to the online format and, despite its airing after the end of the school year, saw more than 300 live viewers, with double that in views after the fact. We used both of these opportunities to alert the public to the various VLP assigned call-in numbers to assist with Housing, Family, Immigration, Tax, Unemployment, and other issues that would normally be addressed at the clinics.

Virtual Legal Clinic: Fathers' Rights

- 1,305 reached
- 699 live views
- 1,734 after views
- 916 engagements
- 12 shares

Virtual Legal Clinic: Public Benefits

- 1,013 reached
- 333 live views
- 609 after views
- 584 engagements
- 8 shares

We have been gifted with an unimagined opportunity to engage with community members far beyond the reach of a walk-in clinic and are excitedly planning four Virtual Academy presentations for next year. Our *Know Your Rights* topics include:

A REVISIT OF LANDLORD/TENANT AND
RECENT CHANGES IN THE LAW;

KINSHIP/GUARDIANSHIP;

TAX COLLECTION ALTERNATIVES;

PUBLIC BENEFITS FOR COLLEGE
STUDENTS.

While last year we were distributing flyers and making PA announcements at all Saturday Academies across the community, now we are able to highlight all of VLP's HelpLines by sharing the contact information before and after all Virtual Academy presentations. We also hope to create a short commercial that can be broadcast, as well.



With exciting changes also come the bittersweet. We bade fond farewells and huge thank yous to Esther Annan, Director of Data and Evaluation, and Prennessia Salder-Lambert, Community Schools Navigator at East Community High School. Esther has taken a position as Program Officer at The John R. Oishei Foundation, and Prennessia has taken a well-deserved retirement after more than 35 years of working with students, families, and community residents. We wish them both good health and godspeed!

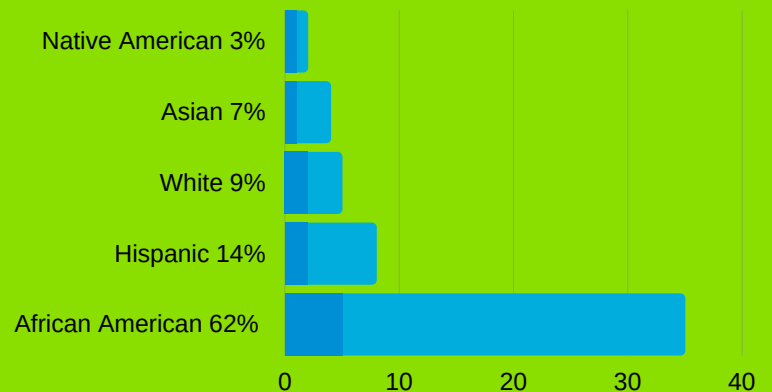
We were also delighted to welcome Gellenia Smallwood as our Say Yes liaison. Gellenia has already proven to be a great partner in getting our Virtual Academies off the ground and into all corners of the community.



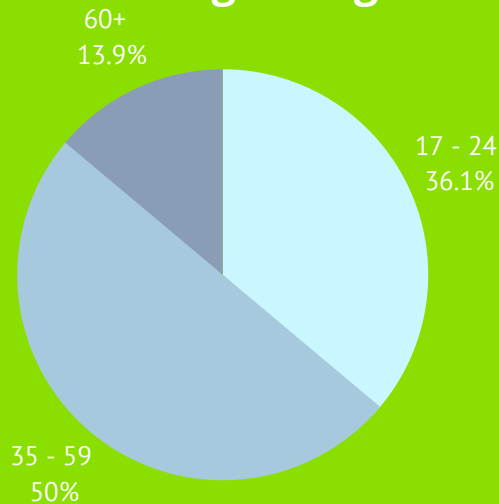
This year has been unprecedented, unexpected, and unimaginable, with shake ups and turnarounds that have left this entire nation shaking its heads. But we hope to use these new experiences to strengthen and build upon past successes and make the Legal Clinics better than ever.

THE NUMBERS

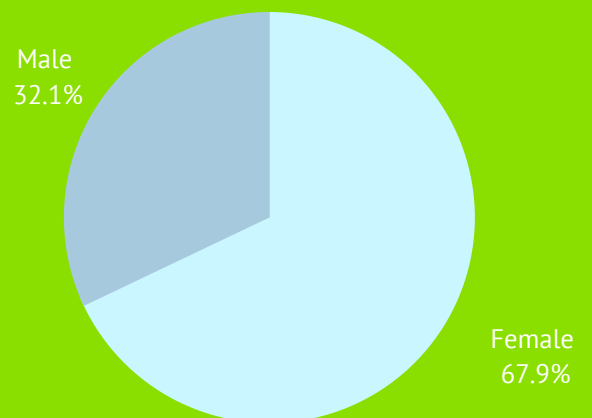
Represented is Walk-In Legal Clinic usage from July 1, 2019 until March 11, 2020 when the Clinics were suspended due to the COVID-19 Pandemic.



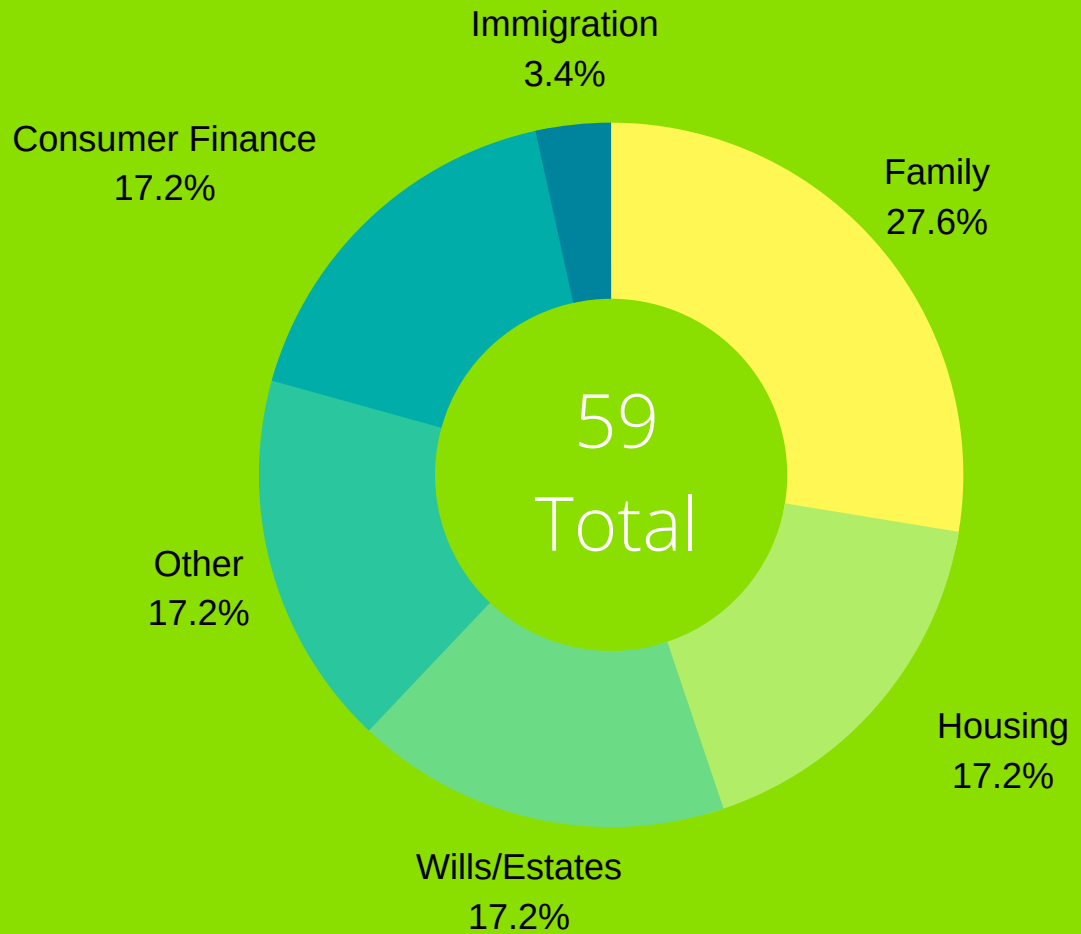
Client Age Range



Client Gender

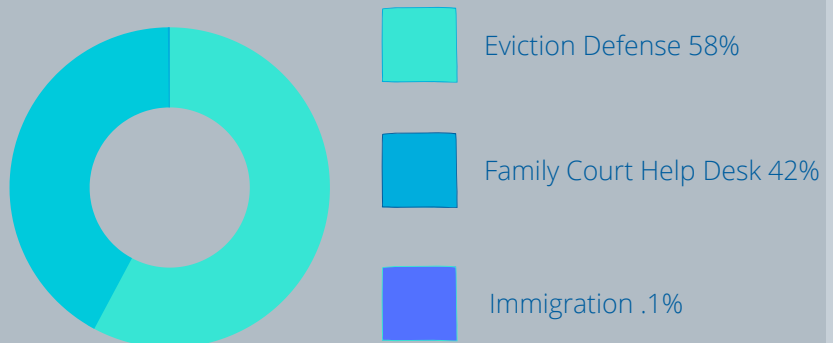


Legal Issues Served



Beyond the Clinic

Volunteer Lawyers Project work for Say Yes families is not limited to the legal clinics. **538** BPS families received additional legal services through VLP's other programs and services.



Many thanks to the
volunteer attorneys
from Barclay
Damon, Gibson
McAskill & Crosby,
Harris Beach, and
our own Volunteer
Lawyers Project for
staffing the clinics!



ADEWOYE ADEGOKE
RYAN ALTIERI
COREY AUERBACH
PAUL BARTLETT
BETH BIVONA
CHRIS CARDILLO
DAN COLEMAN
NICK DICESARE
JAMES DOMALGALSKI
MEGHAN DWYER
ALLISON FIUT
GRETCHEN GONZALEZ
JASON GOODMAN
TIM GRABER
CAROLYNN GRENNELL
DAVID HEHR
ALEXANDRA JAEHN
TED JOERG
BRENDAN KELLEHER
RICHARD KRIEGER
ARIANNA KWIATKOWSKI
JENNIFER LEONARDI
TRACIE LOPARDI
GARY MAAS
NICK MARINO
ANDREW MARK
MELANIE MAROTTO
JENNA MCDONNELL
MARK MCNAMARA
KIRSTIE MEANS
TODD MILES
CHRIS MILNE
VINCE MOORE
MELISSA MORTON
ROBERT PORTIN
SOFIA REZVANI
CAROL SNIDER
BRIDGET STEELE
GREG STEWART
ELISHA TEIBEL
CLARK TROW
JUDY WAGNER
JEFF WEISS
NIKOLE WYNNE
PIETRA ZAFFRAM

SUCCESS STORIES

Client arrived at Legal Clinic, during a blizzard whiteout, and in a panic... DSS informed her this week her benefits would be cut at the end of this month because she is over financial eligibility, when in fact, she is a victim of identity theft and the income being reported under her Social Security number was not earned by her. The identity theft was reported in 2016 and is under investigation, and she was approved for benefits when she applied in January 2019, so the suddenness was of great concern to her and her children. Client speaks very limited English, but with the help of Language Line and the two attorneys we had volunteering that day, she calmed and we were able to unravel the problem enough so we could explain it to Neighborhood Legal Services who took the baton and contacted her the following morning.

Client, age 53, with several medical issues, came to the Clinic for a Will. She brought her daughter and her granddaughter. We were able to quickly process her end-of-life documents (Will, Health Care Proxy, Power of Attorney) prior to her mid-September surgery, and also were able to convince her daughter, who has MS, to get her documents together. Slight delays, and some tears, but both walked out in the end with their affairs in order.

Client came to the Clinic emotionally distraught that the house she thought had been passed to her from her grandfather (deceased since 2003), and had been paying taxes on, had been demolished by the City of Buffalo. Her grandfather did not leave a will and subsequently, neither did any of his children, also deceased. The Client was hoping to reclaim the property and sue the City for losses. Bob Elardo himself handled this complex situation, trying to trace back through her family tree to better explain to her the reality of estates, demo costs, property values and how it all related to her legal interest in the property.





Melanie Marotto of Harris Beach, Marci Wiseman of VLP, and Senator Tim Kennedy at East High School

Client called office to confirm Clinic venues and hours (a success in and of itself!) She then presented with an employment issue (she had a verbal disagreement with a vendor and though she was not fired or suspended, she was not being given work hours, thus affecting her financial stability.) She was interested in taking a job, but that would require a background check, which brought about her second issue: she was a victim of Domestic Violence, and trying to get a CPS Neglect Charge expunged from her record. All in all, the collaborative effort of seven attorneys from three agencies netted a menu of options for the Client to consider. She was extremely grateful.

An informal pilot test of the new call in HelpLine yielded five calls-in, all resolved, between August 12 and September 12.

One case in particular was deep and intense, involving a young runaway from an abusive household. With the cooperation of a loving “auntie,” this case was managed quickly due to our successful collaboration with the Legal Aid Bureau of Buffalo.



A person who was attending a special event at East High was notified of the availability of the Legal Clinic and wandered in without a clear issue in mind. After venting about the father of her son, it became clear that he was not only stalking and verbally abusing her, but his wife was threatening her, and his wife’s daughter had physically attacked the client’s daughter. The father was also trying to reduce his child support payments. It seemed she thought there was nothing she could do, however, after she was counseled to get an Order of Protection, and to visit the Family Help Desk regarding a Support Modification, she expressed how empowered she felt.

The Say Yes Buffalo Legal Task Force is a consortium of local professionals who guide the progress and continued development of the Say Yes Clinics. The Task Force directly involves the community stakeholders whose input is essential to the success of the legal clinics. Below is a list of the 2019-2020 Task Force members of whom we are deeply appreciative:

Task Force Chair, Hon. Hugh Scott, United States Magistrate Judge WDNY

Task Force Chair, Robert Elardo Esq., Executive Director/CEO, Erie County Bar Association
Volunteer Lawyers Project

David Rust, Executive Director, Say Yes Buffalo

Esther Annan, Say Yes Buffalo

Timothy Ball, Esq., City of Buffalo Corporation Counsel

Betsy Behrend, Say Yes Buffalo

K. John Bland, Esq., Lawyers for Learning

William Brennan, Esq., Phillips Lytle LLP

Hon. Paul Buchanan, Family Court, retired

Hon. Susan Eagan, Erie County Court

David Edmunds, Esq., NYS Liquor Authority

Joshua Feinstein, Esq., Hodgson Russ LLP

Hon. Paula Feroletto, District Administrative Judge, 8th Judicial District

Thomas Gaffney, Esq., Lippes Mathias Wexler Friedman LLP

Judith Gerber, Esq., Legal Aid Bureau of Buffalo

Timothy Graber, Esq., Gibson, McAskill & Crosby, LLP

Robert Heary, Esq., Barclay Damon LLP

Rebecca Hoffman, Esq., Women's Bar Association

Aimee Hopkins, Esq., Child & Family Services Center for Resolution & Justice

Giuseppe Ippolito, Esq., Courtroom Deputy-Clerk, Judge Scott

Melania Kosanovich, UB, Executive Assistant to Dean

Prennessia Salder-Lambert, Say Yes Buffalo

Rashied MacDuffie, Esq., Minority Bar Association

Peter Marlette, Esq., Barclay Damon, LLP

Hon. James A McLeod, Buffalo City Court

David McNamara, Esq., Phillips Lytle LLP

James Morrissey, Esq.

Gayle T. Murphy, Esq., Child & Family Services Center for Resolution & Justice

David Pfalzgraf, Esq., Rupp Baase Pfalzgraf Cunningham

Linda Ray, Say Yes Buffalo

Dr. Ramona Reynolds, Buffalo Public Schools

Michael Russo, Esq., NYS Office of the Attorney General

Elmer Santos, Say Yes Buffalo

Melinda Saran, Esq., UB, Vice Dean of Social Justice Initiatives

Jennifer Scharf, Esq., Women's Bar Association

Michael Siragusa, Esq., Erie County Department of Law

Marci Wiseman, Erie County Bar Association Volunteer Lawyers Project

This year we all faced challenges and pivoted in ways that could not have been predicted. Were it not for the efforts, quick thinking, and expertise of the following, we could not have had the success we did. It is with deep gratitude we thank the following:

Daytuan Antonetti, SYB Community Schools Navigator, Frank Sedita Academy
Esther Annan, SYB Director of Data and Evaluation
Betsy Behrend, SYB Senior Director of Operations and Communications
Judge Paul Buchanan (retired)
Adriann Cofield, BPS Principal, East Community High School
Jenna Colerick, BPS Director of Multilingual Education
Jerrica DeLaney, SYB Community Schools Navigator, Adult Education Center
Katie Dibble, Esq.
Judith Gerber, Esq., Legal Aid Buffalo
Levi Galbreath, SYB Office and Communications Specialist
Yolanda Gatewood, SYB Scholarship Coordinator-College Outreach
Dan Jackson, Esq.
Aaron Lowinger, SYB Communications and Graphics Manager
Jazmin LaFay, Volunteer Lawyers Project
Prennessia Salder-Lambert, SYB Community Schools Navigator, East Community High School
Eric Maldonado, SYB Family Support Specialist and Nurturing Fathers Network
Sayumi Miura
Daun Nicholas, SYB Community Schools Northeast and South Zone Leader
Nadia Nashir, BPS Assistant Superintendent of the Multilingual Education Department
Diana Proske, Esq., Neighborhood Legal Services
Nikki Parlato, SYB Community Schools Navigator, Southside Elementary/South Park High School
Booker Piper, Jr., Say Yes Buffalo Case Manager, Erie Community College
Jasmine Price, Say Yes Counselor, Villa Maria College
Linda Ray
Daphne Ross, SYB Senior Director for College Success and Communications
David Rust, SYB Executive Director, Say Yes Buffalo
Dr. Ramona Reynolds, BPS Office of Parent and Family Engagement
Gellenia Smallwood, SYB Parent Center Director
Rachel Spink, Student Advocate for Say Yes to Education, Medaille College
Tanya Staples, SYB Senior Director of Community Schools
Amanda Vellake, BPS Director, Adult and Continuing Education Center
Aungalique Wallace, SYB Community Schools Navigator, Harvey Austin School

THANK YOU!