

CONGRATULATIONS *(cont. from page 3)*

Law School Exemplary Public Service Award. At the recent award ceremony, **Sara Effron**, VOLS assistant director, spoke of Martha's many contributions to the project. Martha now is a senior associate at the Center for the Study of Social Policy.

• **Michelle B. Cherande** who, while at Simpson Thacher & Bartlett, was a leader of the firm's project at the Bushwick Campus in the VOLS School-based Children's Project. Michelle has started working at NYU Law School directing the clerkship program and judicial programming. She writes: "I will miss being

involved in such a terrific program. I honestly found the Bushwick project one of the most fun and rewarding of my legal career."

• **Law Help NY**, a website providing free civil legal information to low-income New Yorkers, has been selected as one of the eight semi-finalists for a \$250,000 award being given by the Lodestar Foundation in recognition of exceptional non-profit partnerships. The winner will be announced on March 6. VOLS is a member of the consortium that provides oversight for the website. Sara Effron represents VOLS in the consortium.

Pro Bono Forum is published by VOLS. Your comments are welcome.



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STAFF

William J. Dean, Executive Director; Sara Effron, Assistant Director; Oscar S. Straus III, Director, Elderly Project; Elizabeta Markuci, Director, Immigration Project; Ellen Rosenberg, Consultant on Family Law; Patricia A. Bright, Administrative Assistant; and Nelson Gutiérrez, Paralegal, Elderly Project.

VOLS

PRO BONO FORUM

A Publication of *Volunteers of Legal Service*

WINTER 2009

VOLS PROGRAM

The mission of Volunteers of Legal Service (VOLS) is to develop projects to provide pro bono civil legal services to benefit poor people in New York City. We identify areas of legal need, create projects to meet these needs, and recruit and train volunteer lawyers to provide the needed legal services. VOLS projects serve these vulnera-

ble New York City populations: Children, the elderly poor, incarcerated mothers, and persons with HIV/AIDS. Legal services also are provided to low-income micro-entrepreneurs on business law matters.

What follows is information on the VOLS program and a summary of 2008 accomplishments.

CHILDREN: HOSPITAL-BASED PROJECT

In this project, volunteer lawyers work with doctors and social workers at hospitals as part of a team to improve health outcomes for poor children through the provision of pro bono legal services. For example, a child being treated for chronic asthma, whose asthma may be triggered by conditions in the family's apartment, will have a lawyer available to secure housing improvements.

VOLS recruits both hospitals and law firms for the project and provides ongoing project coordination. The project operates at seven hospitals. The project sites and matched law firms are:

- Bellevue Hospital Center (Paul, Weiss, Rifkind, Wharton & Garrison);
- The Children's Hospital at Montefiore (Cravath, Swaine & Moore);
- Harlem Hospital Center (Dewey & LeBoeuf);
- Metropolitan Hospital Center (Patterson, Belknap, Webb & Tyler);
- Morgan Stanley Children's Hospital of New York-Presbyterian (Cravath);
- New York-Presbyterian Hospital, Weill-Cornell Campus (White & Case); and

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THE ELDERLY POOR

In this project, pro bono legal services are provided to poor persons living in Manhattan who are over the age of 60. We conduct twelve legal clinics each month at senior centers where seniors can discuss legal concerns in confidence, receive legal advice and obtain, where appropriate, referral to a volunteer lawyer for representation. We also provide services to clients from an additional 90 community-based agencies serving the elderly poor. Areas of legal assistance include wills, medical directives, powers of attorney, housing, consumer matters, and Medicaid.

VOLS East Side legal clinics are held at the Stanley M. Isaacs Neighborhood Center, The Carter Burden Center for the Aging, Community Lounge for Senior Services, University Settlement Older Adults Program, and the Educational Alliance Senior Program.

VOLS West Side legal clinics are at Our Lady of Pompei Church, Hudson Guild/Fulton Center Senior Services, Encore Community Services Senior Center, Goddard-Riverside Senior Center, Riverstone Senior Life Services (formerly Ft. Washington Houses Services for the Elderly), Abyssinian Development Corporation's Abby Towers Housing and the Central Harlem Senior Center. (These last two West Side sites are visited on an alternating monthly basis.)

In 2008, the VOLS Elderly Project provided legal

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CHILDREN: SCHOOL-BASED PROJECT

In this project, VOLS matches law firms with schools to address civil legal problems facing families that threaten to disrupt the education of their children. As an example, an eviction can lead to children having to withdraw from the school they are attending. The VOLS School Project started taking cases at these three schools in 2007:

- Public School 146, an elementary school in East Harlem (Fried, Frank, Harris, Shriver & Jacobson);
- KIPP Academy, a middle school in the Mott Haven/Morrisana section of the Bronx (Debevoise & Plimpton); and
- The Bushwick Campus, four high schools in Brooklyn on a single campus (Simpson Thacher & Bartlett).

In 2008, the project expanded to two additional schools:

- Bronx Lab School, a high school in the Gun Hill section of the Bronx (WilmerHale), and
- Public School 11, an elementary school in Chelsea (Kramer Levin Naftalis & Frankel).

In 2008, 86 families were served by volunteer lawyers in the VOLS School-based Project. 121 lawyers and 28 legal assistants provided services to these families.

An example of a case:

Volunteer lawyers represented an uncle who was seeking legal custody of his ten-year old niece who lives with him and attends a public school participating in the project. The child had suffered neglect while in the care of her parents. The court has now granted the uncle's petition and entered a final order of custody. The social worker at the school writes of this case: "The legal help provided to this family has had a profound effect on all areas of the child's life.... The lawyers' expertise enabled the uncle to securely move forward with the parenting role."

ELDERLY POOR (cont. from first page)

services on 1596 cases. 386 of these cases were referred to volunteer lawyers. About 400 of the seniors served by the project are homebound where they receive home visits from lawyers. During 2008, the project also conducted 24 legal information sessions for seniors and senior center staff on life-planning and debt-related issues, reaching 700 seniors and 40 staff members.

ENRICHING THE VOLS CHILDREN'S PROJECTS

Elizabeta Markuci joined the VOLS staff last fall. An immigration lawyer, Liz divides her time between working at VOLS and her work with the CUNY Citizenship and Immigration Project.

At VOLS, Liz serves as mentor to volunteer lawyers working on immigration cases in our Children's Projects. Immigration law is a highly specialized area of the law. With 37 percent of city residents being foreign born—the percentage is far higher among poor New Yorkers served by VOLS projects—immigration legal issues arise frequently in our work. Since starting, Liz has participated in over 50 legal consultations with volunteer lawyers working on cases. In addition, Liz has conducted immigration legal information sessions for doctors, nurses and social workers at the hospital sites and for administrators and counseling staff at the schools sites, as well as for parents of students at the schools. These "issue spotting" sessions serve to raise awareness about immigration issues where remedies may exist that can have a profound impact on the families served by the project.

FROM CHEKHOV'S LAST WILL AND TESTAMENT:
"HELP THE POOR."

HOSPITAL-BASED (cont. from first page)

- New York University Medical Center (Pillsbury Winthrop Shaw Pittman).

In 2008, 98 families were served by volunteer lawyers in this project. 143 volunteer lawyers and 34 legal assistants provided services to these families.

Here are two examples of cases:

- Very young twin brothers from abroad required life-saving heart transplant surgery. Volunteer lawyers are working to extend the parents' visas so that the boys can continue to receive post-transplant care at the hospital.
- A hospital referred a patient to the lawyers the day before she was scheduled to appear at her asylum interview. After extensive legal work, the lawyers recently were able to give their client the wonderful news that she has been granted asylum. With the assistance of her pro bono lawyers, the client now is applying to several New York colleges.

INCARCERATED MOTHERS LAW PROJECT

In 2008, 35 lawyers provided individual legal counseling to 152 incarcerated mothers. Additional mothers attended group legal information sessions conducted by lawyers.

In this project, lawyers provide one-on-one legal counseling to mothers on child custody and visiting issues at the city's main jail on Rikers Island, and at two medium security state prisons—Taconic Correctional Facility located in Bedford Hills, and Bayview Correctional Facility located at 550 West 20th Street in Manhattan. The lawyers also conduct legal information sessions for groups of mothers on their rights and responsibilities as to their children while incarcerated.

Ellen Rosenberg has joined the project to serve as family law consultant. Ellen is both a social worker (NYU Graduate School of Social Work) and lawyer (CUNY Law School). She formerly served as supervising attorney at the Center for Battered Women's Legal Services of Sanctuary for Families. In addition to her work at VOLS, Ellen also serves as program director of the Law Project at the Women's Prison Association.

A case example:

- An incarcerated mother had not seen her son in nearly eight years. Her volunteer lawyer, after meeting with the mother in prison, successfully advocated with the father on the desirability of reuniting mother and son. After receiving a visit from her son, the mother wrote her lawyer: "I want to thank you so so much for working hard on my case and never giving up on me or my child. I really appreciate everything you have done to bring me my son into my life. You have made me a happy woman and you have accomplished to make my dream come true, reuniting mother and child to have the chance to see each other."

A recent study undertaken by Professors Daniel P. Mears and William D. Bales at Florida University's College of Criminology and Criminal Justice highlights, in their words, "the profound isolation inmates experience from society and their family and friends. We also found something more striking—visited inmates' odds of recidivating were reduced by 30 percent."

PERSONS WITH AIDS

Our services are provided in out-patient and community-

based settings, and volunteer lawyers also assist clients who are homebound or hospitalized. Lifetime planning issues remain the major focus of the project. The VOLS AIDS Project operates at these sites: The AIDS Service Center NYC (Simpson Thacher & Bartlett); the GMHC Department of Advocacy and Legal Services (Proskauer Rose); New York-Presbyterian Hospital's Center for Special Studies (Sullivan & Cromwell), and South Brooklyn Legal Services (Katten Muchin & Rosenman). In 2008, 93 clients were served.

LOW-INCOME MICROENTREPRENEURS

The VOLS Microenterprise Project provides pro bono legal assistance to low-income microentrepreneurs. Many people have a skill in a particular area and have the entrepreneurial spirit to start their own business, but have little practical knowledge about setting up a business. The availability of valuable legal advice is very helpful to persons of modest means and limited business experience.

VOLS recruits law firms for this project; matches firms with non-profit economic development agencies throughout the city which work with microentrepreneurs, and provides ongoing coordination. The agencies identify microentrepreneurs needing legal assistance and volunteer lawyers provide one-on-one representation on business-related issues.

In 2008, 191 microentrepreneurs were served in this project by 214 volunteer lawyers from 18 law firms and one corporation. Examples of the legal representation provided: Lease negotiations; trademark applications; incorporations; licensing agreements; loan agreements; intellectual property issues; contracts; and tax issues.

CONGRATULATIONS TO ...

Madeleine Kurtz who served as family law consultant to our Incarcerated Mothers Law Project. Maddie is now Assistant Director of Public Interest at Seton Hall Law School in Newark. We wish Maddie well in her new position.

• **Martha Raimon** served prior to Maddie as family law consultant. For her work with VOLS in the Incarcerated Mothers Law Project, and for her other public interest activities, VOLS nominated Martha for the Cornell

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