



## **NEW YORK CITY COUNCIL COMMITTEE ON VETERANS**

**Tuesday, March 25, 2025, 12:00 p.m.**

**SUBJECT: PRELIMINARY BUDGET HEARING - VETERANS**

Good afternoon, my name is Peter Kempner. I am the Legal Director of Volunteers of Legal Service (VOLS). Our purpose is to leverage private attorneys to provide free legal services to low-income New Yorkers to help fill the justice gap.

The Veterans Initiative of the VOLS Senior Law Project strives to empower older New Yorkers who served in the military to age in place with dignity, access their legal rights, and live without fear of homelessness. Our free legal services assist low-income older veterans in making key decisions about incapacity and end-of-life care by providing Last Wills and Testaments, Powers of Attorney, Health Care Proxies, Livings Wills, and other advance directives. These documents enable our clients to ensure that their dying wishes are fulfilled and that they are able to maintain income and services during their lifetime. We also enable our clients' caregivers to make medical decisions in line with their beliefs. Our guides, fact sheets, workshops, and training are aimed at overcoming confusion about planning for the future. Through this work, we empower older veterans to take charge of their finances, property, and medical care, helping them continue to live in the communities for as long as possible. We provide home and hospital visits for limited mobility clients to ensure that all eligible veterans are able to access our free services.

Sadly, too few older veterans have properly planned for the future. Among the U.S. population, it is estimated that only one-third have completed an advance directive. Many low-income older veterans think that because they do not have resources or wealth to pass on to the next generation, they do not need to have advance directives in place. Instead of thinking about planning for the future in these terms, we encourage our clients to think about protecting what they have and accessing what they may need during their lifetime.

There are many examples of why low-income veterans experiencing cognitive or physical decline would need to have the right documents in place to stabilize their lives. A veteran who has executed a Power of Attorney authorizes their agent to seek government benefits to pay for housing costs, to sign leases, to do their annual recertification for their NYCHA tenancy, to apply for and recertify for SCRIE benefits, and to deal with any issue that may arise with their apartment. A caregiver without Power of Attorney may find themselves powerless and forced to file for guardianship through the courts. Guardianship is an expensive, lengthy legal proceeding. Most low-income families cannot afford to retain counsel for a guardianship filing and it is very difficult to represent oneself in these matters. Even if a caregiver petitions successfully for guardianship, at that point the veteran may have already lost their home or much needed public benefits. Documents like Power of Attorney mitigate the risk of an older veteran losing their benefits, their housing, and their ability to age in place.

The VOLS Veterans Initiative also provides legal advice on a range of other civil legal issues including landlord tenant matters, access to benefits, consumer matters, and other civil legal

needs. VOLS also supports the New York City veteran community through our Microenterprise Project. For over 20 years our Microenterprise Project has helped existing and aspiring small business owners and microentrepreneurs access high-quality free legal services. For many veterans, owning a small business is an effective path to financial stability and independence upon their return from service. VOLS aids with drafting contracts, reviewing government documents, protecting intellectual property, and advising on commercial leases.

Each year since 1994, the United States Department of Veterans Affairs (VA) conducts a survey in which participants rank the needs of homeless veterans in their community. The Community Homelessness Assessment, Local Education and Networking Groups (CHALENG) Survey lists out both the met needs and the unmet needs of the most vulnerable veterans and breaks down those results by veterans answering the survey and providers answering the survey.

The most recent survey's results were published in March 2025 and paint a troubling picture with respect to the unmet legal needs of veterans. Respondents to the survey reported that 6 out of 10 of the highest unmet needs of veterans were legal in nature.

According to the New York City Department of Veterans Services New York City is home to roughly 210,000 current and former US Military Service Members. Ensuring that our veterans have access to high quality, culturally competent, free legal services is of utmost importance.

In Fiscal Year 2025 the New York City Council dedicated \$600,000 to its Legal Services for Veterans Initiative to help bridge the access to justice gap for our city's veteran community. The seven organizations who receive this funding provide veterans with legal assistance on a broad range of matters, including family law, housing, public benefits, healthcare and homecare, financial planning, and consumer protection. Thanks to this initiative these legal services organizations not only dedicate critical staff resources to providing veteran focused legal services, but they are also able to leverage these resources to harness thousands of hours of pro bono support from the private bar.

The amount of funding dedicated to providing free legal services to veterans is small but critical. It is imperative that meeting the legal needs of New York City's veteran community remain either at current funding levels or is increased so we as a city ensure that the legal needs of those who sacrificed in service to our country are met.

We would like to thank the City Council for holding this hearing and we hope that the City will continue to invest in services and programs that make New York City a place where veterans feel welcomed and at home.

Peter Kempner, Esq.  
Legal Director