



Pro Bono News

Message From Incoming Pro Bono Director



Cynthia Feathers, Esq.

On 9/11, I arrived at the World Trade Center at 8 a.m., walked a block to work and began writing a brief. I was stunned by what ensued, and not just by the explosive fury that shook my office and shattered the country. The outpouring of volunteer efforts by the bar, unleashed by the tragedy, was also stunning.

After three months' displacement, I returned to lower Manhattan, to my job at a not-for-profit representing indigent criminal defendants on appeal. Shortly thereafter, I attended a panel discussion on pro bono opportunities in the City. Attorneys involved in 9/11 and non-9/11 efforts told their stories. They were all participating in the Public Service Network of the Association of the Bar of the City of New York, a wonderful program which pairs volunteer lawyers with non-profits. That day opened my eyes to many things: the magnificence of the pro bono work already being done, the magnitude of the need that remains and the significant ways in which pro bono efforts not only serve clients in need, but also enrich the attorneys who serve.

A few months later, I read a profile of an attorney, honored for his 9/11 contributions, who had distinguished himself by pro bono service throughout his career. What most amazed me was that he gave so freely, not as a member of a large firm, but as a solo practitioner. (Only later did I learn that attorneys in small firms contribute significantly to the pro bono cause.) I know what it is like

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Hundreds Attend New York Legal Assistance Partnership Conference

By Eva Valentin-Espinal, Department of Pro Bono Affairs

In June more than 400 people attended the 2002 Legal Assistance Partnership Conference in Albany. Sponsored by the NYSBA Committee on Legal Aid and Department of Pro Bono Affairs, this year's conference theme was *Making New York's Justice Community Work*. The Conference Chair, Barbara Finkelstein, executive director of Westchester/Putnam Legal Service, praised the great work that the justice community accomplishes and emphasized that the conference's goal was to *make the community work even better*.

Event Highlights

In addition to offering nearly 50 CLE accredited workshops, the Conference included an opening plenary session featuring presentation of New York's New Legal Services Reconfiguration Plan (*Editor's note: See page 6 for related article*).

Following is an excerpt from the keynote address by NYSBA President Lorraine Power Sharp:

Here in New York, we already have forged and put into place relationships that bring together legal services, government, and private bar attorneys, bar associations, volunteer programs, legal educators and the courts. In fact, 15 years ago, our Association's special committee on pro bono service prophetically saw the need for all legal communities to come together to improve access to legal assistance. Each year since, we have built on this call to collaborative action.

Conference History

The Partnership Conference was created by the NYSBA in 1993 to provide a statewide forum for lawyers and advocates for the poor to obtain training and exchange information. The program offers numerous workshops, covering areas such as housing, family law, AIDS, disability law, economic development, consumer issues, bankruptcy and pro bono.

In previous years, the conference attendance grew from 300 to 400 attendees. Individuals working with legal services and pro bono programs, law schools, social services agencies, government agencies, public interest law firms, local bar associations, the non-profit sector and other areas of public service are invited. ♦

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Statewide Planning Body Presents New LSC Reconfiguration Plan at Partnership Conference

By Tammy Korgie, Media Services, NYSBA

In the mid-90's, the delivery of legal services to the poor was impacted when Congress cut funding and imposed practice restrictions on the nation's infrastructure for delivering civil legal aid to the poor. Federal funding for local programs was cut by one-third, funding for legal services' support centers was eliminated, and programs were barred from bringing class action lawsuits, accepting attorney fees and engaging in certain legislative advocacy.

Faced with these limited resources and practice restrictions, the Legal Services Corporation (LSC) embarked on a planning process designed to realign the legal services delivery system in the states.

Each state was asked to develop a plan for the reconfiguration of its LSC service areas. This would not be a small undertaking for any state, particularly New York. Responding to LSC's planning directives, the state's Interest on Lawyers Accounts (IOLA) Fund helped establish a State Planning Steering Committee to guide the process.

Working at the regional level, LSC-funded programs developed new service delivery plans. The New York City and Long Island portions were approved, but the upstate plan was rejected. The steering committee was then expanded to

include representatives from both LSC and non-LSC providers, including the NYSBA, the City Bar, the judiciary, pro bono providers and independent providers.

Anne Erickson, executive director of the Greater Upstate Law Project (GULP), is a co-chair of the steering committee, which is the Designated Statewide

"We are basically building a system that we're hoping is going to be in place for the next 20 or 30 years"

- Anne Erickson

Planning Body (DSPB) for LSC planning purposes. Erickson and other steering committee members addressed hundreds of attendees about the reconfiguration progress at the 2002 Legal Assistance Partnership Conference, held June 10-12 in Albany.

"This is a collaborative effort of the broader legal community in New York State," said Erickson. "It really will realign the delivery system in the state to better deploy resources, use technology and get training out. So while it will impact LSC programs most dramatically because their service areas are going to change, it will also impact pro bono providers, independent providers, IOLA-funded pro-

grams and the human services delivery system as a whole."

The steering committee has grown beyond its original purpose of reconfiguring LSC programs and reducing the number of LSC grantees, primarily upstate, Erickson said.

"We have taken ownership of this so that it is not just an LSC-driven process, but it's really our process. And it's our way of trying to figure out how we can build a justice community in New York state."

The steering committee has been working to find a more effective way to deliver legal services to the state's neediest persons and meet critical goals: improve and expand client services; expand the delivery system; integrate the work of the regions; ensure statewide coordination of services; develop closer integration of New York City, Long Island and the upstate area; improve efficiency and effectiveness; and share best practices.

The plan recommended by the steering committee and currently under consideration by LSC would reduce the number of service areas in the state from 15 to 7. The change will be primarily in management structure, and there are no plans to close any offices. The changeover will take about 18 months. The goal is for a seamless transition for the clients, Erickson said.

She also stressed that the actual reconfiguration of New York State's LSC providers is just a piece—albeit a large piece—of the state planning. The vast array of legal service providers who serve on the steering committee were chosen to facilitate the reconfiguration by sharing resources, information and ideas and to find ways to improve the whole legal services delivery system, whether LSC-funded or not.

"We are basically building a system that we're hoping is going to be in place for the next 20 or 30 years," said Erickson.

During the transition, it is important to stay true to the ideals most legal service providers hold, noted Andy Scherer, executive director of Legal Services for New York (LSNY) and a steering committee co-

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Student Loan Assistance for the Public Interest

Studies show that with an average law school debt of \$80,000, resulting in \$900 monthly loan payments, few law school graduates find it economically feasible to enter public service careers.

In response, the NYSBA formed the Special Committee on Student Loan Assistance for the Public Interest, headed by Henry M. Greenberg, Esq. of Albany. The Committee studied the issue and presented a report and recommendations to the House of Delegates at its June 2002 meeting. The report and recommendations, including establishment of a not-for-profit corporation to provide financial assistance to eligible attorneys, were approved. The Committee will work with The New York Bar Foundation on further study and implementation.

The 53-page report, *Attracting Qualified Attorneys to Public Service*, can be viewed at www.nysba.org/SLP. ♦

Cross-Borough Collaboration Project Helps Family Court Litigants in New York City

By Elizabeth Bullock, inMotion

A two-tiered legal system that grants justice only to those who can afford to pay robs poor women of much more than legal representation and important courtroom victories; it robs women of the opportunity—even the will—to fight for themselves, their children and their futures.

Catherine J. Douglass
Founder and Executive Director,
inMotion

Recognizing the Crisis in Family Courts

More than a quarter of a million individuals are involved in Family Court proceedings in New York City each year. But fewer than 75 staff attorneys are handling family law cases at all the City's free legal services providers combined. So most low-income women go to Family Court without an attorney and with little information on family law. Two legal services agencies have joined forces to help these women. Through their Cross-Borough Collaboration (CBC) project, inMotion and Brooklyn Bar Association Volunteer Lawyers Project (VLP) have increased pro bono representation and pro se assistance.

Both inMotion and VLP recruit, train and mentor pro bono lawyers, legal assistants and law students so they can provide free, quality legal assistance, primarily in the areas of matrimonial and family law. InMotion focuses on building its pro bono panel at corporate law firms in Manhattan and among smaller firms and solo practitioners in the Bronx and Queens, while VLP concentrates its efforts on small firms and solo practitioners in Brooklyn. InMotion and VLP also train women to advocate for themselves when self-representation is likely to result in favorable outcomes in court.

Created in 1999 and funded primarily by IOLA, CBC has made it possible to maximize resources and avoid duplication of efforts by inMotion and VLP. While inMotion serves women in need in all five boroughs, primarily in matrimonial and family law matters, VLP serves indigent persons in Kings County in a variety of substantive areas.

Collaborative Efforts

Ken Jockers, Director of VLP, and Ramonita Cordero, Legal Director at inMotion, coordinate training sessions, which provide a vehicle for recruiting participation in their pro bono programs.

Lawyers who attend trainings get CLE credits and extensive training guides. In return, volunteer lawyers agree to take pro bono referrals, typically two for each topic in which they received training.

This collaboration has been very successful at ensuring the smooth coordination of services and has produced a large number of high-quality training guides for each office. It has



enabled us to reach a larger number of volunteers who will accept pro bono referrals, thereby making more resources available to women in need. VLP and inMotion are committed to building on this effective joint effort.

Ken Jockers, Director,
Brooklyn Bar
Association Volunteer
Lawyers Project

Sophia Boye-Doe, the coordinator of the CBC project, and VLP and inMotion staff began working in 2001 to encourage the sharing of service information among providers across the five boroughs. All efforts are geared toward furthering CBC's goal of creating a safety net that prevents clients

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PRO BONO NEWS

Pro Bono News, established in 1991, is a quarterly newsletter published by the Department of Pro Bono Affairs with the New York State Bar Association. The newsletter's purpose is to improve pro bono service, advance knowledge in providing equal access to legal services in New York State for the poor, and provide continuing guidance and assistance to bar associations, law firms, law schools, government offices and other entities in establishing and operating volunteer projects.

The Editorial Board welcomes Letters to the Editor and/or news articles that

- (a) expand and evaluate knowledge of access to civil legal services,
- (b) describe innovative programs and initiatives concerning pro bono matters,
- (c) help to promote and advocate for pro bono activities in New York, and/or
- (d) provide critical commentary and observation on current professional issues, social problems or legal/policy matters affecting access to legal services in New York State.

Readers are also encouraged to send brief comments on issues covered in this newsletter or other points of interest to the pro bono/access to legal services profession that will extend dialogue on these issues.

Please note submissions may be edited for style and length. Articles, Letters to the Editor, questions and/or comments should be directed to Cynthia Feathers, Director, Department of Pro Bono Affairs, NYSBA, One Elk Street, Albany, New York, 12207, 518/487-5641, Fax: 518/487-5694 or email: probono@nysba.org.

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AWARDS AND RECOGNITION

The Faces of Pro Bono: 2002 President's Pro Bono Service Awards

By Amy Jasiewicz, Media Services, NYSBA

In celebration of Law Day, the President's Committee on Access to Justice and the Department of Pro Bono Affairs recognized the outstanding efforts of lawyers who provide free legal services to those in need by presenting the 2002 President's Pro Bono Service Awards. Many of the honorees are shown here. The first annual Hanna S. Cohn Young Lawyer Award was also presented to M. Akram Faizer of Syracuse and to the family of the late Hanna Cohn. Pictured are Cohn's mother, Elsie Cohn and then NYSBA President Steven C. Krane of New York. Other award recipients and were: Karen Gross, 2nd district; Susan Block-Lieb and Matthew J. Kelly, 3rd district; Christine M. Galvin, 4th district; George H. Lowe, 5th district; Frank Novak, 7th district; Kevin M. Reedy, 8th district; Vanessa Merton (Pace University School of Law), 9th district; Wallace L. Leinhardt, 10th district; Stephen S. Weintraub, [REDACTED] 12th district; Simpson Thacher and Bartlett, large law firm award; Hancock and Estabrook, LLP, small to midsized law firm award; law student award recipient Peter Rolph (Syracuse University College of Law); and law student group honoree, the CUNY School of Law Workfare Advocacy Project. The awards were presented by Krane and committee co-chair C. Bruce Lawrence of Rochester. ♦



Karen Gross, Susan Block-Lieb and Steven C. Krane



Elsie Cohn and Krane



Donald Denton and Lindsey Hazelton of Hancock and Estabrook



Victoria Bjorklund of Simpson Thacher and Bartlett



AWARDS AND RECOGNITION



CUNY Law School Students, Sandra Liburd, Brenda Lopez and Krane



Matthew J. Kelly



Vanessa Merton



Peter Rolph



M. Akram Faizer



Christine M. Galvin



Wallace L. Leinhardt and Krane

Photos by Colleen Brescia

Redesign of Pro Bono Webpage

With the recent launching of the redesigned NYSBA website, the Pro Bono Department finds itself in a new location. You can access our new streamline webpage off of the main NYSBA website (www.nysba.org) by "clicking" on [Attorney Resources](#) and then [Pro Bono](#).

As in the previous website, you can access our *Pro Bono Opportunities Guide*, recent and past issues of *Pro Bono News*,

Pro Bono Awards information, including the 2001-2002 *Directory of Awards*, and the *What's New* section featuring the latest department developments, news links and much more.

We welcome your comments and suggestions about the new look. Just send us an email at probono@nysba.org. ♦

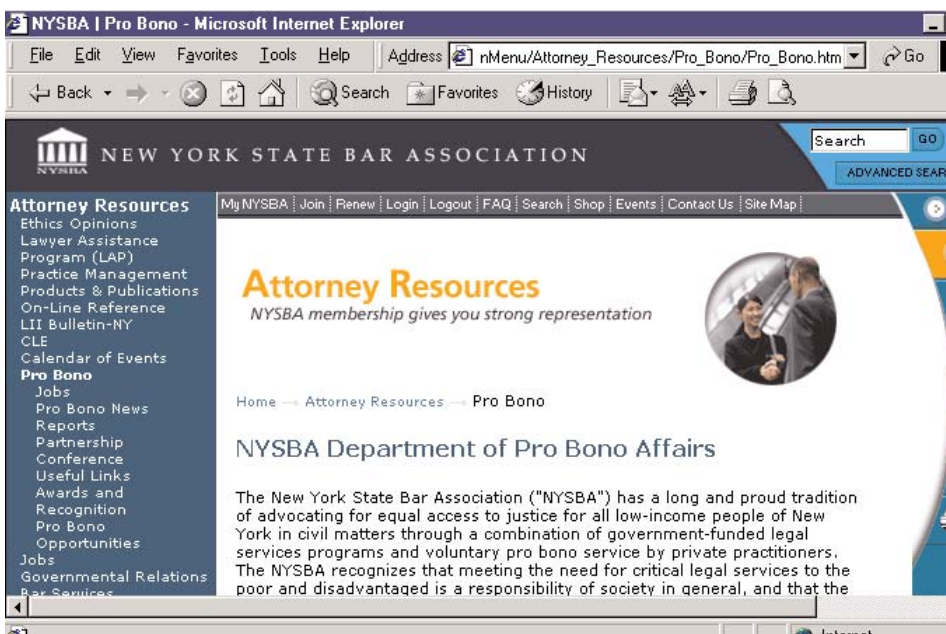
Pro Bono Director continued from cover

to be a solo practitioner. A decade ago, I left the appeals and opinions bureau of the State Attorney General's office to go it alone, doing civil appeals for Upstate trial attorneys, along with a heavy load of 18-B assigned counsel appeals in Family Court and criminal cases. By working as long and hard for the latter group of clients – at the notoriously low rates still in effect today – as for the former group, I felt like I was fulfilling a professional and societal obligation. But I now realize that I should have done my pro bono share.

At both the City Bar panel I attended and in the profile of that solo practitioner, there was recognition of how 9/11 had begotten moving generosity by the bar. There are encouraging signs that the spirit that spurred new volunteers to give their time and talent will be sustained and will transcend that tragedy.

When the NYSBA announced the Pro Bono Affairs opening, I realized that the position might provide an ideal opportunity to channel the kind of effort involved in appeals in a different direction: to contribute to a movement that could potentially impact not just individual clients, but thousands of people in need throughout the State. The job also represented a chance to return to the Upstate area I loved, where I had spent a decade practicing law and raising a family.

Not until I met my future colleagues at the NYSBA and many of the people involved in the pro bono mission did I realize what a privilege it would be to play some role in this area. Intelligence and dedication were hallmarks of everyone I encountered — before assuming my new job — at the recent Partnership Conference in Albany and at the court system's Pro Bono Convocation in Manhattan. At both superb events, the zeal and creativity of the pro bono community, in dealing with the harsh reality of funding constraints and in galvanizing the bar to address the widely varying needs in the urban and rural areas of the State, inspired awe and confidence. I join you all with great hope and expectation. ♦



If you would like to be placed on the *Pro Bono News* circulation list or know of someone else that would be interested, please email us at probono@nysba.org.

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chair. Even though providers are being asked to spread themselves more thinly than ever, they should resist pressures to rely on hotlines or legal how-to pamphlets as primary forms of legal service to clients, he cautioned.

"It can't be that only the wealthy can have \$500-an-hour lawyers litigating on [their] behalf, [but] if you're poor and are about to lose your home, you get a piece of paper telling you what to do and how to do it. That's just an intolerable way for us to go," said Scherer.

Conference Chair Barbara Finkelstein, executive director of Westchester/Putnam Legal Services and chair of the NYSBA's Committee on Legal Aid, spoke about the resource development work group. The group hopes to raise funds to hire at least two full-time staffers, one in New York City and one upstate. These staffers would inventory all legal resources and identify the gaps and would work closely with local programs, providing technical support, including helping to raise funds.

Other conference speakers included: Joseph Kelemen, executive director of the Western New York Law Center, who gave a brief report on the use of technology and discussion groups; and Maria Imperial, executive director of The City Bar Fund of the Association of the Bar of the City of New York, who spoke about statewide hotlines and intake. Bob Elardo managing attorney of the Erie County Bar Association Volunteers Lawyer Program, provided the pro bono subcommittee's report; and Lillian Moy executive director of the Legal Aid Society of Northeastern New York discussed training. Judge Juanita Bing Newton, Deputy Chief Administrative Law Judge for Justice Initiatives and a member of the steering committee, wrapped up the session by highlighting the judiciary's commitment to legal services and to the success of the planning process.

Special thanks to Anne Erickson, who contributed to this article. ♦

CBC Project continued from page 3

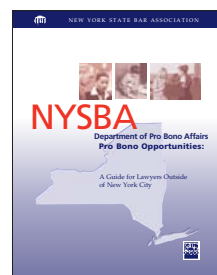
from becoming overwhelmed or lost when they are taking the first steps toward such critical matters as finding protection from batterers or retaining custody of their children. CBC has also met with hundreds of women at community-based organizations to answer their questions about family law issues.

A significant component of CBC's work is the production of plain-language reference materials to be used by women who have no choice but to proceed pro se. *The Basics Series*, a collection of 12 easy-to-read booklets, covers a variety of family law topics, including "Getting an Order of Protection" and "Abuse and Neglect Cases." Each booklet is a step-by-step, comprehensive guide through difficult legal procedures. Questions like "What court do I go to?" and "How can I get child support?" are answered. Important practical information, such as safety planning tips in the event that an order of protection is violated, is also provided.

The Basic Series

Distribution of *The Basics Series* to hundreds of legal and social services organizations in all five boroughs will begin in August, and plans are already underway to reproduce the booklets in Spanish and other languages. In addition, at a future date, these materials will soon be available online at www.lawhelp.org.

For more information on the CBC and *The Basics Series*, contact Sophia Boye-Doe at inquiries@inmotiononline.org. For information about inMotion and VLP, go to www.inmotiononline.org and www.bklynbar.org. ♦

Interested in Doing Pro Bono Work But Don't Know Where to Start?

The Department of Pro Bono Affairs has made the first steps of seeking pro bono work easier with its *Pro Bono Opportunities Guide: A Guide for Lawyers Outside of New York City*. This guide

contains descriptions of nearly 100 programs. Each program description lists information on areas of laws covered, counties served, hours of operation, volunteer services needed, malpractice insurance coverage, training availability in conjunction with the pro bono activities and staff and website contact information. This information is designed to help users in assessing the program compatibility with their particular needs and interests. In addition, the *Guide* also includes information on law school pro bono opportunities and relevant access to justice websites.

Also available for distribution is *Pro Bono Opportunities: A Guide for Lawyers in New York City*, published by the Association of the Bar of the City of New York. This *Guide* is divided into three sections: Pro Bono Opportunities with Bar Associations; Pro Bono Opportunities with Legal Services and Public Interest Organizations; and Pro Bono Opportunities with Courts and Government Agencies.

For a free copy of either the *Pro Bono Opportunities Guide: A Guide for Lawyers Outside of New York City*, or the *Pro Bono Opportunities: A Guide for Lawyers in New York City*, contact the Department of Pro Bono Affairs at 518/487-5641 or via email at probono@nysba.org or visit our website at www.nysba.org. ♦

CALENDAR

Save the Dates

NLADA ConferenceNov. 13-16, 2002, Milwaukee WI

NYSBA 126th Annual MeetingJanuary 21-25, 2003, New York City

ABA Equal Justice ConferenceApril 9-12, 2003, Portland, OR