

2018

# ANNUAL REPORT



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## **Mission Statement**

Legal Assistance of Western New York, Inc.® increases access to justice through excellent legal representation, advocacy and service.

MAY 2019

# A MESSAGE FROM

MICHAEL PEREHINEC, BOARD PRESIDENT AND  
C. KENNETH PERRI, EXECUTIVE DIRECTOR

It is our privilege to introduce you to the 2018 annual report of Legal Assistance of Western New York, Inc.® (LawNY®). In the pages that follow, you will see details regarding the services that our dedicated staff provide to our low-income neighbors throughout our 14 county, 10,000 square mile service area.

## Some highlights of 2018 include:

- A significant expansion in our capacity to serve victims of crime by obtaining funding through the New York State Office of Victim Services through partner agencies presently serving as OVS grantees and through a fellowship focusing on campus sexual assault;
- Expanding our public benefits work by adding a WIC Help Specialist paralegal who assists clients in obtaining WIC benefits in three counties;
- Opening a satellite office in Livingston County where we house a paralegal who provides application level assistance to persons eligible for but not receiving SNAP;
- Growing our participation on Enhanced Multidisciplinary Teams comprised of professionals from various disciplines focused on investigation, intervention and prevention of financial exploitation of adults age 60 and over from three to ten counties;
- Hosting five VISTA members, each focused on a project area (opioid response, housing, at-risk youth/school aged children, emeritus attorneys and the statewide website for clients, LawHelpNY);
- Completely revamping the structure of the pro bono component of our service delivery system, through which we recruit volunteers to provide legal and other services to our clients, including the creation of a new position for a Director of Pro Bono Affairs, the creation of dedicated staff attorney and staff paralegal pro bono coordinator positions and having a pro bono responsible staff member in each of our seven offices;
- Continuing to provide direct legal services to clients in our core practice areas: government benefits, housing, family law, health law, employment law, consumer law and school law;
- Continuing to provide community legal education to client groups and other human services providers through presentations, outreach events and our website located at [www.lawny.org](http://www.lawny.org) via self-help pages, community legal education articles and videos;
- Working on impact cases and other group entity representation;
- Continuing and starting new collaborations, including participation in the Justice for All initiative in Monroe County and the Access to Justice initiative in the 8th Judicial District, a new Risk Reduction Civil Legal Assistance Program and our Legal Assistance for Victims grant collaboration in partnership with the domestic violence and sexual assault providers in 13 counties, as well as the Gender Justice Clinic at Cornell Law School;
- Working with the other legal services providers co-located with the LawNY Rochester office at the Telesca Center for Justice to avoid duplication of efforts and maximize services to low-income people with civil legal problems; and
- Continuing to serve a leadership role in technology, including working with project partners to design and implement a technology training platform to help legal services attorneys enhance their technology skills, piloting and implementing a client communication channel in our case management system and designing a website for community groups and nonprofit organizations.

In 2018, we also underwent an extensive, resource intensive strategic planning process, resulting in our board of directors adopting a strategic plan at a meeting in December 2018. It articulates our mission and values, including client-oriented values and organizational and professional values. It contains four overarching goals with strategies, tasks, responsible persons and timelines for completion to make LawNY a stronger provider of civil legal services for our clients in 2019 and the years beyond.

We could not do our work without the generosity of our many funders, and, to them, we extend our heartfelt gratitude for their generosity.

Please read about the work of the LawNY staff in the pages that follow. Thank you again. It is an honor for us to serve as LawNY's president and executive director.

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# NEW PROJECTS AT LAWNY

## Pro Bono Innovation Fund Grant

The Legal Services Corporation (LSC) announced in August 2018 that LawNY would receive a \$264,904 Pro Bono Innovation Fund grant. LSC's Pro Bono Innovation Fund is intended to encourage and expand robust pro bono efforts and partnerships to serve more low-income clients. LawNY used the PBIF grant to create a new pro bono team led by a director, regional pro bono coordinators, and pro bono responsible staff members in every office throughout our service area. The mission of the pro bono team is to support and enhance private attorney and other volunteer recruitment, outreach, and recognition for pro bono efforts. The team has created streamlined and uniform systems to support and implement pro bono best practices and case management.

### OUR GOALS AND OBJECTIVES

The pro bono team strives to make pro bono assistance accessible, efficient, and advantageous for all LawNY® staff members and pro bono attorneys and volunteers in order to increase the number of LawNY® clients who receive pro bono representation, the substantive law practice areas in which pro bono legal services are provided, and the number of clients who receive extended representation through pro bono legal services.

Left to right below: Teresa McNamara- Pro Bono Coordinator of External Affairs, Jessica Eberhardt- Pro Bono Coordinator of Internal Affairs, and Kelly McGovern- Director of Pro Bono Affairs.

## Office of Victim Services Funding

After a statewide competitive bidding process for funds totaling \$25 million per year for five years awarded by the New York State Office of Victim Services for the purpose of providing civil legal services to crime victims, LawNY was funded to provide these services. LawNY will be funded through subgrants from six partnering agencies, from our offices in Bath, Elmira, Geneva, Jamestown, Olean and Rochester. The services that we will be providing will assist victims of domestic violence, sexual assault survivors, consumer fraud victims, identity theft victims, persons who are financially exploited and others.

The lead agency for our Bath office is Arbor Housing and Development. For our Elmira office, Salvation Army (Safehouse, Elmira) serves as the lead agency. For Geneva, our lead agency is Safe Harbors of the Finger Lakes. The Chautauqua County District Attorney's office serves as the lead agency for our Jamestown office. For Olean, Cattaraugus Community Action serves as the lead agency. Empire Justice Center serves as the lead agency for our Rochester office.

LawNY provides services in a host of our traditional practice areas, including orders of protection, custody, support, housing, government benefits, employment, health, education and consumer law. LawNY coordinates closely with the local domestic violence and sexual assault services agencies, as well as with the New York Crime Victims Legal Network.



# SCOPE OF OUR WORK

LAWNY'S VISION IS A SOCIETY WHERE  
**ACCESS TO JUSTICE IS NOT DETERMINED  
BY ONE'S SOCIAL OR ECONOMIC STATUS.**

WE IMPLEMENT THE FOLLOWING  
**STRATEGIES TO ACHIEVE THIS VISION:**

## DIRECT LEGAL ADVOCACY

LawNY has been providing high quality legal representation for 50 years. While our services are always expanding, our core priorities remain intact. Our 2018 cases were closed in the following practice areas: Government Benefits (29%), Family Law (24%), Housing (22%), Health Law (11%), Consumer Law (4%), Employment Law (4%), and Education Law (1%).

***In 2018, LawNY closed a total of 7,199 cases, benefiting 15,741 Western New Yorkers.***



## INFORMATION ABOUT RIGHTS

LawNY works to educate individuals through multiple avenues. If an individual does not have a case with our office, we work to ensure that the individual receives proper self help tools. In 2018, our self help articles received over 13,500 views online through our website and LawHelpNY.org. In addition, our YouTube page, which currently has 19 videos, received 3,100 video views during the year.

***In 2018, our online self help tools reached over 13,500 individuals in need of assistance.***



## COMMUNITY EMPOWERMENT THROUGH EDUCATION

LawNY continues to provide community legal education to client groups to provide information about legal issues to help people recognize legal problems, understand their legal rights and responsibilities, take steps on their own to resolve problems, and know when to seek assistance. We also provide legal education to other human service providers from local agencies with the goal of giving them information that they can use to help their clients avoid problems and know when to refer to us.

***In 2018, we reached over 24,000 individuals through our outreach efforts.***



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# THE PEOPLE WE SERVE

LAWNY SEEKS TO ADDRESS SYSTEMIC INEQUALITIES AND INJUSTICES AND FOSTER RACIAL, SOCIAL AND ECONOMIC JUSTICE. **WE BELIEVE THAT EVERY CASE IS AN IMPACT CASE.**



In 2018, between avoidances and recoveries, LawNY achieved over \$4,684,604 in earnings and savings for our clients. Our advocacy efforts also achieved over \$429,332 in tax payer savings.

## A BREAKDOWN OF THE PEOPLE WE SERVED IN 2018:

**35%** identified as non-white

**64.3%** identified their gender as female

**72.6%** were living at or below 125% of the Federal Poverty Guidelines

Nearly **10%** reported domestic violence present in their life

**9%** identified as a veteran or as having a veteran present in their household

## CLIENT QUOTES

"[Our advocate] was able to resolve the issues with our landlord in less than two weeks (a battle we had been fighting for several long months). Our process was completely painless thanks to her. She was professional and knowledgeable about the law, and resolved our case quickly and we couldn't be happier!"

"I know I can always count on my advocate in representing my interest and fighting to resolve my problems as they are her own."

"Not only were they polite and respectful, but also very patient with me and all my questions in a timely manner. I was able to sleep at night knowing LawNY was handling my case. I have recommended LawNY to several people who are stuck and in a bind over housing and other matters. Thank you so much for being there."

"Your help was very fast and very helpful. Without LawNY I don't know if I would have made the right choice. Thank you."

## **Community Health Advocacy (CHA) Project**

Helps answer questions and resolve post enrollment health insurance issues for individuals and families

## **Consumer Law Project**

Provides representation to people dealing with issues related to debt collection, credit reports, consumer scams, student loans, vehicle repossession, identity theft and bankruptcy

## **Disability Advocacy Project**

Provides representation to clients who have been denied Social Security Disability (SSD) or Supplemental Security Income (SSI) benefits

## **Domestic Violence and Sexual Assault Survivors Project**

Provides holistic legal assistance to survivors of domestic violence and sexual assault with civil legal needs related to the abuse

## **Education Advocacy Project**

Helps at-risk children obtain the services they need from the school system

## **Fair Housing Enforcement Project**

Investigates complaints of housing discrimination, and where discrimination is found, enforces the Fair Housing Act by litigating cases

## **Family Court Project**

Provides representation to low-income individuals with cases in Family Court in Cattaraugus, Chautauqua and Wayne counties

## **Finger Lakes Legal Care**

Provides holistic legal services to patient-clients through a health-related legal services project currently at Rochester Regional Health System

# OUR CURRENT PROJECTS

**WE SEEK TO MINIMIZE THE IMPACT THAT ONE'S FINANCIAL AND SOCIAL RESOURCES HAVE ON THEIR ABILITY TO RECEIVE JUSTICE AND FAIR OUTCOMES.**

## **Foreclosure Prevention Project**

Helps low-income homeowners facing foreclosure keep their homes

## **Homelessness Intervention Project**

Works to prevent evictions and, with community partners, provides rapid re-housing to our clients

## **Independent Consumer Advocacy Network (ICAN)**

Assists individuals with enrolling in and navigating managed care plans that cover long term care services, including home care services

## **Navigator Project**

Helps individuals and families in Monroe and Livingston Counties enroll in health insurance on the New York State of Health (NYSOH) Marketplace

## **Nutrition Outreach and Education Program**

Conducts outreach and provides prescreening and application-level assistance to persons seeking to obtain or maintain SNAP benefits in Monroe, Ontario, Seneca, Wayne, and Livingston Counties

## **Pro Se Divorce Clinics**

Helps low-income people obtain an uncontested divorce, with assistance from volunteer attorneys and law students

## **Reentry Project**

Serves individuals reentering society from incarceration and those with criminal records, prioritizing individuals seeking to obtain or maintain employment

## **Senior Legal Services Project**

Provides legal advice, counsel and representation to individuals age 60 and over on a variety of civil legal issues

## **Veterans Legal Services Project**

Provides legal advice, counsel and representation to veterans and military families on a variety of civil legal issues

## **WIC Outreach**

Conducts outreach regarding the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) in Seneca, Wayne, and Monroe counties



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# 2018 STRATEGIC PLANNING AT LAWNY

## Mission and Values

Tasked with updating LawNY's mission and vision statements in order to better communicate our work to the public as well as potential funders.

## Operating as One Program

To improve the efficiency, consistency and transparency of LawNY's administrative and programmatic operations.

## Salaries and Benefits

To increase LawNY staff morale and retention through enhancements to the salary and benefits compensation package.

As a part of LawNY's strategic planning process, seven design teams were created to develop recommendations and goals in order to maximize LawNY's impact for clients, from which five overarching strategies were adopted by our board of directors.

## Equity, Diversity & Inclusion

To build a more deliberate and sustained commitment to diversity, equity and inclusion in LawNY's staffing and to the service delivery system for our client communities.

## Supervision, Leadership, Mentoring & Recognition

To increase the quality and better the effectiveness of the legal services provided to our client communities by making commitments to more intentional supervision of staff, according leadership and career development opportunities to staff and recognizing staff accomplishments.

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## LITIGATION AT LAWNY

Our client was sued for close to \$10,000 for a deficiency balance on an auto loan. Our client had returned the car to the dealer after the dealer refused to make repairs covered under the warranty and Lemon Law. At the trial, the dealer was unable to produce any evidence that the sale of the car at auction was done in a commercially reasonable manner as required by the Uniform Commercial Code. At the close of the dealer's proof, we moved for dismissal based upon the dealer's failure to make out a prima facie case. The judge granted the motion, allowing the client to avoid a \$10,000 judgment and bankruptcy.

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A stipulation was filed to discontinue an action to foreclose a reverse mortgage which had been commenced in 6/2016. The plaintiff attempted to obtain a judgment without holding a mandatory settlement conference. Our intervention led to a holding by the Supreme Court that the requirement for mandatory settlement conferences applies to reverse mortgages. We were able to have the decision published as a precedent that could be applied to all reverse mortgage foreclosures brought in New York State. The resulting delay gave our client time to work with our housing counseling agency partner to obtain a mortgage assistance program (MAP) grant to settle the case and save his home.

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# 2018 LAWNY STAFF MEMBER AWARDS

2019 ATHENA YOUNG PROFESSIONAL AWARD FINALIST-  
LORI M. O'BRIEN- DEPUTY DIRECTOR



"WOMEN ARE STILL UNDERREPRESENTED IN OFFICIAL LEADERSHIP ROLES AS WELL AS INFORMAL POSITIONS OF INFLUENCE WITHIN OUR COMMUNITIES...THROUGH EMPOWERMENT, WE CAN ALLOW MORE OPPORTUNITIES FOR WOMEN TO SHARE THEIR UNIQUE PERSPECTIVES AND LIFE EXPERIENCES TO BROADEN THE CAPACITY OF OUR COMMUNITIES, COMPANIES, AND ORGANIZATIONS TO EXCEED THEIR POTENTIAL."  
- LORI M. O'BRIEN

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2018 EXCELLENCE IN LAW AWARD FOR CIVIL LEGAL SERVICES ATTORNEYS  
MICHELLE DEMAREO- STAFF ATTORNEY

LAWNY STAFF ATTORNEY MICHELLE DEMAREO, WHO JOINED OUR STAFF IN THE ROCHESTER OFFICE IN SEPTEMBER 2000 AND WHO HAS FOCUSED ON HOUSING LAW MATTERS SINCE THAT TIME, WAS SELECTED BY THE DAILY RECORD AS ONE OF TWO RECIPIENTS OF THE 2018 EXCELLENCE IN LAW AWARD FOR CIVIL LEGAL SERVICES ATTORNEYS.



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## LAWNY COMMEMORATES 50TH ANNIVERSARY WITH DINNER CELEBRATION

LawNY celebrated our 50th anniversary with a dinner held in Rochester on 9/27/18. Nearly 200 former LawNY staff, current staff members, current and former board members, friends of LawNY and community partners attended. At the event, Action for a Better Community and the Monroe County Bar Association received community partner awards to recognize the role they have played in founding and supporting LawNY for 50 years.



We were honored to receive a proclamation from the City of Rochester presented by Tim Curtin on behalf of Mayor Lovely Warren, as well as written proclamations from County Executive Cheryl Dinolfo, State Assembly member Joe Morelle, State Senator Rich Funke and State Assembly member David Gantt. During the dinner, the Glover-Crask foundation pledged a \$5,000 dollar for dollar match donation in honor of our 50th anniversary and the 40 years of service of our dedicated senior paralegals Loretta Callahan and Lorna Saltibus.



# FINANCIAL STATEMENTS - DECEMBER 31, 2018

## Revenue

LSC	\$ 1,881,434
Federal Grants	\$ 1,101,412
NYS Grants	\$ 5,729,369
Interest on Lawyers Accounts	\$ 1,175,456
County Grants	\$ 947,831
City Grants	\$ 21,070
United Way	\$ 141,013
Foundations	\$ 182,103
Campaign for Justice	\$ 47,293
Local Collaboratives	\$ 473,094
Donations	\$ 29,151
Interest Income	\$ 1,777
Other Income	\$ 19,085

**Total Operating Revenue** \$ 11,750,088

## Expenses

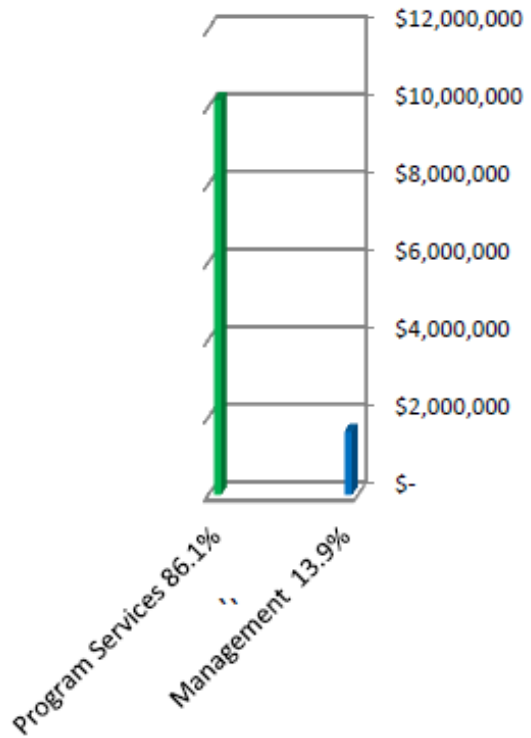
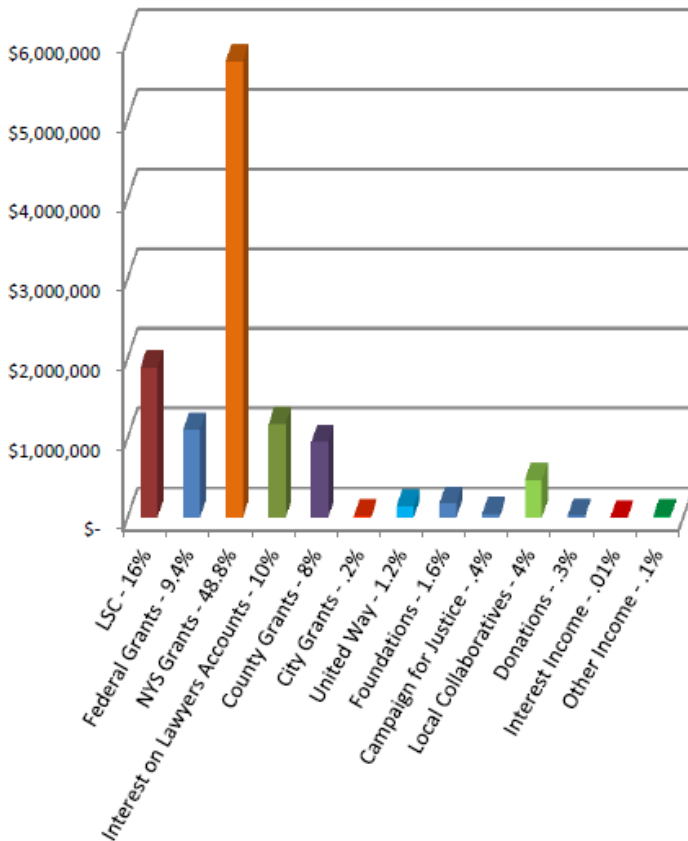
### Program Services

Personnel	\$ 8,382,030
Contract Services	\$ 621,840
Occupancy	\$ 501,900
Office and Related Expenses	\$ 678,899
<b>Total Program Services</b>	<u><u>\$ 10,184,669</u></u>

### Management

Personnel	\$ 1,436,804
Occupancy	\$ 92,416
Office and Related Expenses	\$ 114,173
<b>Total Management</b>	<u><u>\$ 1,643,393</u></u>

**Total Combined Expenses** \$ 11,828,062



FINANCIAL RECORDS ARE AUDITED BY EFPR GROUP, CPAS, PLLC

# SPECIAL THANKS TO OUR AMERICORPS MEMBERS



AN ESSENTIAL PIECE TO OUR SERVICE DELIVERY SYSTEM



**BATH OFFICE**  
MEMBERS



**GENEVA OFFICE**  
MEMBERS



**ROCHESTER OFFICE**  
MEMBERS



**OLEAN OFFICE**  
MEMBERS



**JAMESTOWN OFFICE**  
MEMBERS



**ELMIRA OFFICE**  
MEMBERS



**ITHACA OFFICE**  
MEMBERS

Thank you to all of our AmeriCorps Access to Justice members, Equal Justice Works AmeriCorps fellows, and AmeriCorps VISTA members for your commitment to furthering our mission!

Left to right: Tara Enderle, Mike Panetta, Courtney Volpe, Tom Hogan, Sarah Hanchett, Dennis Brink, Melissa Maki, Aidan Ely, Rosie Curren, Catherine Ostrowski-Martin, Matt Delaus, Jackson Somes, Brady Kaiser, Casey Booth, Alyana Jimerson, Eliza Brewer, Marika Koch, Danielle Abbey, Megan Hollrah, Jeremy Lundberg, Nate Barr, Tania Penafort and John Winters

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# THANK YOU

WITHOUT THE SUPPORT AND GENEROSITY OF OUR FUNDERS WHO BELIEVE IN OUR MISSION TO PROVIDE ACCESS TO THE JUSTICE SYSTEM, WE WOULD NOT BE ABLE TO PROVIDE THE WIDE VARIETY OF LEGAL SERVICES WE NOW OFFER TO RESIDENTS OF OUR 14 COUNTY SERVICE AREA. THANKS TO THE NUMEROUS AGENCIES, INDIVIDUALS AND ORGANIZATIONS, WE HAVE BEEN ABLE TO DEVELOP A VARIETY OF INNOVATIVE PROJECTS AND PARTNERSHIPS THAT ALLOW US TO HOLISTICALLY SERVE OUR CLIENTS.

AMERICAN COLLEGE OF BANKRUPTCY  
FOUNDATION  
ARBOR HOUSING & DEVELOPMENT  
CAMPAIGN FOR JUSTICE  
CENTER FOR GERONTOLOGY  
COMMUNITY FOUNDATION OF ELMIRA  
COMMUNITY SERVICE SOCIETY OF NEW YORK  
EQUAL JUSTICE AMERICA  
EQUAL JUSTICE WORKS  
GOLISANO FOUNDATION  
GREATER ROCHESTER HEALTH FOUNDATION  
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MONROE COUNTY BAR FOUNDATION  
NEW YORK BAR FOUNDATION  
NEW YORK STATE HEALTH FOUNDATION  
PRO BONO NET  
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UNITED WAYS OF:  
CATTARAUGUS COUNTY  
GREATER ROCHESTER  
ONTARIO COUNTY  
SENECA COUNTY  
SOUTHERN TIER  
TOMPKINS COUNTY

THANK YOU TO ALL OF THE FEDERAL AGENCIES, NEW YORK STATE AGENCIES, AND LOCAL GOVERNMENTS FOR THEIR SUPPORT.

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## BOARD OF DIRECTORS

MICHAEL C. PEREHINEC, JR., ESQ.  
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MOLLIE DAPOLITO, ESQ.  
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DALE STANTON  
PATTI WARNER  
ANGELA WINFIELD, ESQ.

THANK YOU TO BOARD AND COMMITTEE MEMBERS WHO HAVE VOLUNTEERED THEIR TIME AND SERVICES THROUGHOUT THE YEAR.

ON BEHALF OF LAWNY® WE EXTEND OUR GRATITUDE TO THOSE MEMBERS WHO HAVE LEFT OUR BOARD IN 2018:

GARY ABRAHAM, ESQ., SUSAN HAZELDEAN, ESQ., HON. SCOTT ODORISI, JAMIE PETERSON, AND CHRISTOPHER THOMAS, ESQ.

# PRINCIPAL PLACE OF BUSINESS

GENEVA OFFICE  
(SERVING LIVINGSTON, ONTARIO,  
SENECA, WAYNE, AND YATES COUNTIES)  
361 SOUTH MAIN STREET  
GENEVA, NEW YORK 14456  
315-781-1465  
FAX: 315-781-2565  
WWW.LAWNY.ORG

## BATH OFFICE

### **Serving Allegany and Steuben Counties**

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Bath, NY 14810  
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Fax: 607-776-4029

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607-734-1647  
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Fax: 716-664-7179

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103 South Barry Street  
Olean, NY 14760  
716-373-4701  
Fax: 716-373-7771

## ROCHESTER OFFICE

### **Serving Monroe County**

Hon. Michael A. Telesca  
Center for Justice  
1 West Main Street, Suite 400  
Rochester, NY 14614  
585-325-2520  
Fax: 585-325-2559