I am very pleased to share the Summer 2019 NYSBA Pro Bono Newsletter with you. The New York State Bar Association is grateful to the authors for their inspirational submissions and for the opportunity to share these highlights with our members.

I would like to congratulate several of our new and returning committee chairs: President’s Committee on Access to Justice Co-chair President-Elect Scott Karson, Co-chair Edwina Martin, and Vice Chair Tiffany Liston; Committee on Legal Aid Co-chairs Sally Curran and Adriene Holder; and Committee on Immigration Representation Co-chairs Camille Mackler and Sarah Rogerson.

Mark your calendars – the 2020 Annual Meeting will be held January 27-February 1, 2020 at the Hilton Midtown. Planning is also underway for the next Legal Assistance Partnership Conference, which will be held Wednesday, September 16–Friday, September 18, 2020 at the Albany Capital Center.

The Association continues to speak out on the ongoing immigration crisis. The Association, in response to shocking reports of deplorable conditions at detention centers along the Mexican border, called for an end to the inhumane treatment of immigrant children and an immediate reunification of separated families. The House of Delegates at its June meeting approved a resolution urging the Governor and state Legislature to establish a right to counsel in immigration proceedings as a statutory requirement under New York law. If passed into law, New York would become the first state in the nation to grant such a right.

Several other reports of interest were adopted as Association policy at the April and June meetings of the House of Delegates. Recommendations from the Task Force for the Evaluation of Candidates for Election to Judicial Office were adopted, together with a set of best practices to guide local bar and regional screening committees. The Task Force on Incarceration Release Planning and Programs recommended ways to reduce recidivism and facilitate the reentry into society of formerly incarcerated persons; the Task Force on Wrongful Convictions recommended that each district attorney’s office in New York have a conviction integrity unit to evaluate and review convictions; and the Task Force on the School to Prison Pipeline recommended a decrease in the use of suspension and an increased focus on restorative justice practices to address student misbehavior.

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Addressing Need in the Suburbs with Pro Bono

By Maurice Segall, Esq. Director, NY and Fairfield County, CT Program Pro Bono Partnership

People don’t generally associate poverty with the suburbs, but it is a real and growing issue. In her 2017 testimony to the House Ways and Means Committee, The Brookings Institution’s Elizabeth Kneebone noted that while the overall number of people living below the federal poverty line has started to decrease, not all communities across the country are affected equally. In fact, according to the report, “Between 2000 and 2015, the poor population in smaller metropolitan areas grew at double the pace of the urban and rural poor populations, outstripped only by poverty’s growth in the nation’s suburbs. Suburbs in the country’s largest metro areas saw the number of residents living below the poverty line grow by 57%... All together, suburbs accounted for nearly half (48%) of the total national increase in the poor population over that time period.”

In New York State, Pro Bono Partnership (the Partnership) provides free business legal help to nonprofits in the suburban areas of Westchester, Rockland, Putnam, Orange, Nassau, and Suffolk Counties (the Partnership also assists nonprofits in Connecticut and New Jersey, visit https://www.probonopartner.org for more information). Perceived as “affluent counties,” all of these communities are more economically diverse than you might think, which can complicate the response to an increasing poor population. For example, according to a US Census Bureau study published in December 2018, the total number of individuals living in poverty in those six counties is 355,417. Of that, nearly 31% are children under age 18.

Andrew Levy, Executive Director of The Lend a Hand Project (https://www.lendahandproject.org), which assists the needy on Long Island, said that his community provides a stark example of the national study’s findings. “It is no secret that Long Island is one of the most expensive places to live in the United States,” Mr. Levy said. “However, there is a lot of poverty here, and it is not limited to the ‘obvious’ centers of poverty—it could be your next-door neighbor. The biggest difference is that the problems are more concentrated in urban areas, and in suburban regions it is easier to hide the poverty and easier to avoid it,” he continued.

The Partnership’s service area is home to approximately 23,000 nonprofits, like The Lend a Hand Project, that address gaps in food security, education, housing, employment, social and health services, and a wide variety of other issues for area residents. The Partnership eliminates the burden of legal concerns for these nonprofits so that they can better and more effectively provide crucial services in our communities.

Making a Difference

When lawyers volunteer with the Partnership, they join 1,400 of their peers in corporate legal departments and law firms in counseling nearly 900 nonprofits in the tristate area annually. All of the Partnership’s nonprofit clients serve the disadvantaged and enhance the quality of life in our neighborhoods by feeding the hungry, housing the homeless, promoting the arts, protecting the environment, and providing essential programs to children, the elderly, the disabled, and the unemployed. These nonprofits have the same business legal needs as for-profit entities. However, many choose to forgo legal advice because they are unable to pay for legal services without significantly impacting resources for programs.

Anahaita Kotval, Chief Executive Officer of Lifting Up Westchester (www.liftingupwestchester.org), a longtime Pro Bono Partnership client, said, “Every year, Lifting Up Westchester serves over 3,500 Westchester County residents in its shelters, community kitchen, employment, housing, and youth programs for homeless children. With over 200 employees, multiple facilities and programs, Lifting Up Westchester confronts many of the same legal issues as any organization—employment, compliance, real estate, policy, and governance issues, etc. We have used the Pro Bono Partnership staff and their network of in-house and law firm volunteers on half a dozen matters in the past two years. This has saved our agency tens of thousands of dollars in legal fees. As important, the Partnership has provided us access—often within 24 or 48 hours—to experts in their fields who also appreciate the particular nuances of operating as a nonprofit organization. We believe their partnership has greatly enhanced our agency’s effectiveness.”

Manageable Matters, Meaningful Contributions

Pro Bono Partnership volunteer attorneys are not asked to handle all of a nonprofit’s legal needs. Rather, a volunteer takes on a discrete project within their area of expertise. Volunteers typically handle the same types of matters they deal with in their daily practice, including employment, real estate, intellectual property, HIPAA

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and privacy, and other non-litigation-based projects. The Partnership’s opportunities are uniquely structured to get the most out of skills-based volunteering, with an understanding of the needs of busy in-house and law firm attorneys.

All clients are screened by a Partnership staff attorney, and a Partnership staff attorney is also assigned to every project to provide volunteers with support, backup, and model documents as needed—in particular, on nonprofit and tax-exempt issues. Many of the Partnership’s projects take a few hours or less to complete, and nearly all can be done remotely and are not time-sensitive.

Helping Nonprofits Thrive

Sometimes, access to free legal assistance is what makes it possible for nonprofits to exist and serve constituents. As Pro Bono Partnership client Paul Alcorn, Co-Founder of Emergency Shelter Partnership (www.emergencysHELTERpartnership.org) noted, “Emergency Shelter Partnership (ESP) is a group of faith-based congregations addressing the issue of suburban homelessness in Westchester and Northern Westchester Counties. If Pro Bono Partnership had not been there to help in the beginning, ESP would not exist today. The Partnership helped us create a more formal structure to improve institutional stability, and to establish clear boundaries between ESP and host congregations. Their leadership, guidance, and advocacy have been invaluable, and have given us the support and encouragement we needed to keep going and to improve and expand our services.”

Getting Started Is Easy

If you like the idea of giving back to your community, please view our current volunteer opportunities at https://www.probonopartner.org/attorneys-volunteers/volunteer-opportunities/, or email volunteer@probonopartner.org to receive a bi-weekly email in your inbox. You can sort opportunities by location, practice area, or type of organization to quickly find what interests you most.

Are you feeling overwhelmed?
The New York State Bar Association’s Lawyer Assistance Program can help.

We understand the competition, constant stress, and high expectations you face as a lawyer, judge or law student. Sometimes the most difficult trials happen outside the court. Unmanaged stress can lead to problems such as substance abuse and depression.

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