

**LEGAL  
AID  
BUREAU**  
*of Buffalo, Inc.*



**2017 ANNUAL REPORT**



## **SERVING WESTERN NEW YORK FOR OVER 100 YEARS**

Established in 1912, we provide access to justice and due process to the most vulnerable individuals, children and families in Western New York through quality legal representation and assistance.

## **NEW MISSION STATEMENT**

We revised our mission statement to better reflect our agency's values of equal justice and fairness. Approved at a Board of Directors meeting in September 2017, the Legal Aid Bureau of Buffalo's new mission is to "provide access to justice and due process to the most vulnerable individuals, children, and families in the Western New York Community through quality legal representation and assistance." We remain firm in our commitment to serve the indigent and to do our part to help level the playing field and reduce poverty!

## **THANK YOU**

We want to thank our partners, donors, and volunteers, without whom our work would not be possible. We had the privilege of serving more than 21,000 people in our community this year. Each day we value your commitment to the principles of equity and fairness by dedicating ourselves to providing the highest quality of service to our clients in the pursuit of justice. We maximize our resources to provide legal representation, advocacy and education for our community members, to protect their livelihoods, their health, and their families. Thank you for making this work possible!

## Message from the Executive Director, David C. Schopp



2017 was a year marked by significant growth of the Legal Aid Bureau's staff and an expansion of services to clients, both geographically and in the variety of legal services offered. At the start of the year, Legal Aid had 97 employees, and by year's end our staff totaled 107. Virtually all of this increase was the result of additional funding from the State of New York for criminal defense services and, most significantly, an additional \$578,976 for civil legal services.

With the additional state dollars, our Civil Legal Services Unit staff has increased to a total of 11 attorneys and 10 paralegals and other support staff. In 2017, the additional staffing enabled us to institute an Educational Advocacy Project which addresses the educational needs of our clients in our Attorneys for Children Unit as well as at-risk children in the community. Additionally, we have significantly expanded our bankruptcy, landlord/tenant and family law practices.

Perhaps the most notable expansion of services last year was outreach beyond Erie County to the seven other counties of the Eighth Judicial District. With the assistance of the regional court administrative office, we opened help desks in Cattaraugus, Chautauqua, Allegany, Orleans, Genesee and Wyoming Counties. An attorney travels to each county courthouse either weekly or every other week to meet with individuals by appointment or walk-in basis. The attorney provides basic legal advice, makes appropriate referrals and intakes the case for direct representation. In the more populous Niagara County, we have significantly grown our family law practice and continue to provide legal representation in the areas of foreclosure defense and bankruptcy. Our matrimonial and family law cases have increased to the point where we now have an experienced attorney who spends virtually all of his time on these Niagara County cases. Closer to home, we instituted a Friday morning "walk-in" clinic at our main office where low-income individuals can obtain assistance and advice on *pro se* uncontested divorces.

2017 concluded with disappointing news for the Bureau's indigent defense practice with Governor Cuomo's veto of a bill that had been unanimously passed by the Legislature and would have shifted responsibility for the cost of indigent defense from the individual counties to the State of New York. This bill would have also increased funding to virtually all indigent defense providers in the state. Nevertheless, the movement to compel the State

to adequately fund criminal defense for the poor has gained great momentum and support, and there is reason to be optimistic that this issue will be addressed in the 2018 legislative session. In the meantime, we did receive a small increase in state funding and were able to hire an additional attorney for our Criminal Defense Unit.

On a more positive note, a state bill that was passed by the legislature and will go into effect in 2018 will raise the age of criminal responsibility from 16 to 18. New York was one of only two states that treated 16 and 17-year-old youth as adults in the criminal justice system. Starting in October, all matters that would have been misdemeanors and most felonies that 16-year-olds are charged with will be handled as juvenile delinquency matters in Family Court. In 2019, the same will be true of cases involving 17-year-old youth. This change will affect both our Attorneys for Children and our Criminal Defense Units. We anticipate a minor decrease in cases in Buffalo City Court and a large increase in Family Court JD matters since misdemeanor cases from all of Erie County will now be sent to Family Court.

Finally, one of the most positive changes that occurred in 2017 was our decision to create a position for a Director of Development and Community and Relations. This is a position that Legal Aid had long sought to institute, and the funding increase as of last year financially enabled us to do so. Seeta Persaud, an attorney who has been with the Bureau's Civil Legal Services Unit for the past six years, was appointed to this position. This impressive annual report is an example of one of the many benefits of Seeta's work. Other examples include grant applications that have improved in quality and quantity, a comprehensive website, and Facebook and Twitter pages that are regularly updated. Moreover, Seeta's efforts to improve our annual direct mail drive has almost tripled the amount of contributions that we traditionally receive.

Although the changes and improvements cited above are all good news for the Legal Aid Bureau and its clients, what remains as the most important and significant achievement of the year is the quality of legal services, both representation and advice, that our hard-working and committed attorneys and support staff provided to over 21,000 adults and children in 2017. The pages of this annual report detail that work - work about which we as well as you, our supporters, can be very proud.



David C. Schopp,  
Executive Director

# STANDING UP FOR CHILDREN



## **Advocating for the Medical Needs of Children**

Our two year old client, in a medical neglect case, was in stage 4 kidney disease and was in need of a transplant. He was unable to be placed on a transplant list because he was not in a stable, permanent placement and medical professionals decided that the quality of his aftercare was in question.

Our lawyer, together with our social worker, advocated with Erie County and the transplant hospital in Pennsylvania, and successfully mediated with the parents, foster parents, and Erie County to arrange a conditional surrender whereby our client could be adopted into a stable, sanitary home that will meet his post-operative medical needs.

The transplant was approved and we are happy to report that our client's kidney transplant surgery was successful.

## **Advocating for Appropriate Placement**

A 17-year old female client came to Family Court on a person in need of supervision petition filed by her mother. At the end of her case, our client was placed on probation. Unfortunately, she violated the conditions of her probation. The Probation office sought to place her in a residential treatment center. This type of placement would have been inappropriate for our client. With the help of Legal Aid's Social Worker, our client was able to be placed at Homespace, a supervised independent living program. Our Social Worker made multiple phone calls and attended numerous meetings to insure that our client was successful in the independent living program.

Our client is now ready to graduate from high school and has been accepted into four colleges in Buffalo and throughout Western New York. She hopes to become a nurse and will be attending a Nursing Program in the fall of 2018.

# STANDING UP FOR IMMIGRANTS & REFUGEES



Our client, “Cho” (not his real name), contacted us for assistance with his family. He and his wife had six children, but recently his wife had left him taking the three youngest children with her. She refused to let him or the other children see one another, and accused him of domestic violence. Cho was a refugee from Burma, and had a drastically different set of skills than those that are typical here. He had no formal education, and lived a rural life without electricity or running water. The system here was very confusing for him to navigate.

Cho had lost an eye and both arms, likely during the civil war in Burma, the longest one in history. Cho shared that his wife was verbally and physically abusive, most seriously having tried to kill him by beating him in the head with a stone pestle. His goal was to reunify his family if possible, but if not, to see his children. Cho was concerned that the court would challenge his capability of raising his children given his physical disabilities, and since he did not speak English or write in any language. In representing Cho, we were able to show him how he could sign documents with an X,

so his first time signing his name was signing the legal complaint. We used non-litigation advocacy to work with him regarding the CPS investigation due to the wife’s domestic violence accusations. The charge was unfounded, and the wife ended up indicated by CPS for her physical mistreatment of Cho and the children. We brought in a colleague from International Institute of Buffalo (IIB), who worked with him regarding maintaining safety. We filed for separation since Cho’s personal beliefs did not include divorce. He obtained sole custody of all six children.

Given the violent history with his wife, we obtained a court order for the police to remove the children from the mother’s care. The IIB advocate helped communicate with the police and accompanied Cho when the children were recovered. The six children were very happy to be reunited. Due to the generous donations of gifts to the Legal Aid Bureau for our annual holiday toy drive, each one of Cho’s children received a holiday gift.

# STANDING UP FOR SURVIVORS OF DOMESTIC VIOLENCE



From 2011 until 2013, we represented a client in a horrid domestic violence case in Integrated Domestic Violence (IDV) court. We handled her matrimonial matter, an *in rem* foreclosure, the sale of another house, and a social security claim. In mid-2017, we were informed that she was again in IDV court. Her former spouse, who had fled to California to avoid jail time for failing to go to rehab in the initial case, was petitioning to vacate the Judgment of Divorce since it granted her the marital residence without him having any claim to the residence.

We were able to immediately appear on the case and respond to the motion to vacate the Judgment. Because of our history with the case, we were able to remind the Judge that this was entered on default after her former spouse's repeated failure to appear after being served and previously appearing in the action. The former spouse's application was dismissed with prejudice and he will no longer be able to try to stop the client from disposing of the former marital residence and retaining any proceeds.

If she had to get a new attorney, they would not have had the knowledge readily available to argue the motion and the process would have likely dragged out. Further, IDV court normally does not handle post-matrimonial actions but because we were there and were able to remind the court of the case history, they retained and adjudicated the post-matrimonial matter -- a great justice to our client who may not have fared as well before a different court unfamiliar with the procedural history of the matter.

# STANDING UP FOR HOUSING



Our client is a homeowner whose financial situation took a drastic downturn more than a decade ago. When he was able to work he kept meticulous care of his property. After trying and failing to scrape together the funds to make repairs to his home, he was brought into Lackawanna City Court for code violations. Often when homeowners cannot make repairs and their homes fall into disrepair, the local municipality may bring code violations against the homeowner.

In many municipalities these actions involve criminal charges as well as civil sanctions. The main charges facing our client stemmed from the need to clean up his yard and also replace his roof. For homeowners, a brand new roof is a huge financial burden and for low-income homeowners, it's especially daunting. Qualified low-income homeowners can apply for certain funding programs to assist them. In this case, we contacted the Erie County Environment and Planning Department to see if he would be eligible for a roof. He applied and was screened and accepted into their program. While awaiting completion of these repairs, the prosecution repeatedly attempted to have our client incarcerated.

We successfully challenged these efforts in court and, after a few months, he now has a completed roof and has cleared the remaining debris from his yard. Based on his lack of intent, the financial challenges he faces, and his ultimate ability to satisfy the housing inspector, we asked the court to forgo any civil or criminal penalties. The court agreed and all charges were dismissed.

# STANDING UP FOR CONSUMERS AND WORKERS

## Workers' Rights

We recently represented a man of color who held a management position in a local business. He was the victim of verbal abuse and racial slurs from his fellow co-workers during his employment. He filed a complaint with the New York State Division of Human Rights for workplace discrimination. He has been out of work for over four months and was denied Unemployment Insurance Benefits because the employer claimed misconduct was the reason for firing. Both parties agree that he was napping in his office but disagree that this should be grounds for immediate dismissal without prior warnings or prior infractions. He has a family, including four children, and the denial of unemployment benefits would have been detrimental to him. We accepted the case and appeared with him and made several arguments challenging the lack of notice with respect to the alleged workplace infraction. The employer could not establish that a single instance of napping at work could lead to immediate termination. We also produced evidence that supervisors were aware that other employees engaged in the same conduct without consequence. Simply put, he was singled out. Ultimately he won his hearing and he will be receiving his four months of back award along with any future benefits to which he is entitled. His Division of Human Rights complaint is ongoing.

## Mortgage Foreclosure Defense

An 83-year old gentleman had been referred to Legal Aid for a mortgage foreclosure that had been commenced against the home in which he had resided his entire adult life. He had been confused and had not realized his mortgage had gone unpaid for several years. The amount required to reinstate this loan and stop the foreclosure was insurmountable and unattainable with his limited income.



The interest remained at 8% and the amortized term only 10 years. Our Foreclosure Prevention Project attorney recognized that this agreement was setting him up for immediate failure and drew up an explanation of his elderly and limited financial situation and the low market value of his home in a neighborhood with no marketable demand but for our elderly client who has lived there for so many years. She continued to lay out counter terms that would be affordable and sustainable for him to live the remainder of his life there and resume payments to the lender. Through five months of settlement court conferences, our client finally received approval for a modification. Thanks to the advocate's humanization of what normally is merely a loan number, we were able to provide a solution which benefitted both parties. A new agreement was drafted that afforded him a lower interest rate, longer term to pay off the mortgage, and a payment that he could now manage with his retirement income. The agreement was accepted by the lender and the foreclosure action dismissed.



## STANDING WITH OUR VETERANS



The Legal Aid Bureau of Buffalo's civil attorneys successfully assisted a 95 year-old, homebound Veteran with finalizing his estate plan and redoing his will. The attorney drafting the will had many telephone conferences with the client regarding his wishes for property distribution, and his reasons for wanting to change his prior will.

After extensive review and discussion with the client of the revised document, the client was happy with its terms and ready to sign. As our client is homebound, two Legal Aid attorneys traveled to the client's home in order to execute the new will. We reviewed the language again with the client, and were lucky enough to hear some stories about our Veteran client's life and his travels while in the service. After spending some time with him, the attorneys executed his will and answered any follow up questions from the client.

The client was visibly and verbally pleased and thankful for our services, and for our kindness towards him. The attorneys felt very rewarded in knowing that they assisted a homebound veteran who likely would not have access to estate planning services without the assistance of the Legal Aid Bureau of Buffalo. We successfully assisted our client with revising his last will and testament, a matter that was truly important to him-- and he is now able to feel at ease.

# STANDING UP FOR OUR RE-ENTERING CITIZENS



We were contacted by a mother of 4 minor children and 1 adult child, who told us that she was facing a sentence of one year in federal prison. She did not know when she would have to report to begin her sentence, but she knew the day was soon. She was waiting for the call and was concerned for her children. She had no idea where they would go, or who would care for them. She was referred to us by the Federal Defenders who had represented her in her criminal matter and knew Legal Aid handled reentry and civil legal matters. If she did not make immediate provisions for her children, they risked being placed in foster care and she risked facing neglect charges and possibly an action for the termination of her parental rights. We immediately had her come in for an intake. Legal Aid assisted by helping the adult daughter petition for temporary custody of the 4 minor children. We drafted the petition to show that our client and

other relevant parties consented to the adult child having temporary custody of the minor children. We were successful in petitioning for custody. We were able to ensure that once she was released she would be able to immediately petition the court to have custody returned to her. Legal Aid Civil Re-Entry services kept this family together and made a very stressful situation a bit less stressful.

They certainly could have risked things and allowed the adult child to care for the minor children without a Court order. However, one slip up such as a fall on the playground and a trip to the emergency room would have exposed the fact that the children were currently without a legal caretaker; and that their mother was incarcerated. We have agreed that part of her post-incarceration planning will center formally returning custody to her when she returns to the community.

# STANDING UP FOR CHILDREN'S EDUCATION



We represented David (not his real name), age 15, in an education neglect proceeding in Family Court. David, a student with a disability, had not attended his agency day school program for several years and received some home instruction from his District, which came in fits and starts because the physician did not always issue scripts for this service. County workers insisted that David's mother simply failed to send him to school, that her poor parenting caused his non-attendance and that she benefited from his remaining at home during the school day. We found that his mother was committed to his education, but that she lacked consistent support and needed a plan for his care and re-entry into school.

A meeting with service providers disclosed that David's personal counselor strongly recommended his placement in a residential setting and that she had advised County workers and others that his mother kept him home to accrue public benefits and that she was standing in the way of his getting care out of the home. Upon this advice, David's psychiatrist declined our entreaties to provide additional scripts for him to receive home instruction.

At the same time, David's family received WRAP services and we attended meetings regarding his services at the home. WRAP providers reported David and his mother's engagement in their services but we learned that WRAP's in-home therapist rarely came to the home and when he did, he spent most of his time instructing David's mother, rather than working with him. David did receive excellent services from a skillbuilder and we successfully advocated for an increase in the hours of this service. We convinced the school district to fund an independent neuropsychological evaluation of David. This revealed that David had a generalized anxiety disorder and proposed a change in his medication regimen and a plan for his transition back to school.

We alerted the Court that David required a change in his service providers, so that his mother would not be out of compliance with requirements to engage him in services. David's mother obtained a new counselor for him, who provided him with cognitive behavioral therapy.

We met with special education personnel at the school district to develop a plan for transitioning him back to school, which included a period of home instruction at the local library and then movement back into school for a period of a few hours. The school provided all transportation. David received new psychiatric care and a change in his medication. He began this past school year by attending for shorter periods and quickly worked his way into full days.

With this support, David is engaged in school and on the high honor roll. He is on track to receive a high school regents diploma, as well as a vocational education credential.

# DEFENDING DUE PROCESS FOR OUR COMMUNITY

## Due Process

“Jared,” an opiate addict was arrested “red handed” for petit larceny. Because of his lengthy record, the DA’s office was not willing to offer a non-criminal disposition. Additionally, the Judge indicated that she was not willing to give him a non-incarcerative sentence and would sentence him to jail following his conviction. However, our attorneys sought a different way forward. After linking him with treatment, and assisting him with finding a job, our attorneys were able to convince the Judge to postpone sentencing to see whether Jared could fight his way back to a more normal life. Two months later he came in for sentencing with a spotless record of outpatient compliance and continued employment. The Judge came off of the original sentencing commitment and sentenced him to a conditional discharge. As of this date, he remains clean, employed and out of jail.

## Unlawful Stops

“Miss G.” had the good fortune of winning at the slots in Canada but the bad luck of going to the wrong check cashing store to cash her winnings check. The business cashed the check but it came back as uncollected. Unbeknownst to the client, the owner pressed charges against her for petty larceny. As a result of being arrested, Ms. G was terminated from her job as a personal care aid at a local human service agency that serves disabled persons. A mother of a special needs child herself, she was well-suited for this job and needed it for her child’s support.



Good people often fear the worst when facing the criminal justice system-- a system that is foreign to them. Ms. G was no exception. Ms. G came to our offices for her interview visibly distressed and fearful she would not be able to support or care for her child. An Adjournment in Contemplation of Dismissal was ultimately negotiated and granted by a Criminal Defense Unit Attorney. The court was prevailed upon to accelerate the dismissal date so that Ms. G could work. She was, thankfully, able to procure new employment following this positive resolution.

# STANDING UP FOR APPELLATE RIGHTS



Our client was charged with a number of serious offenses, spread out over two indictments. These types of multiple count cases are always difficult to defend. During the course of the trial, the prosecution improperly placed before the jury charges that the grand jury did not consider. A fundamental constitutional right is that a person charged with a serious crime can only be tried on charges that had previously considered by a grand jury that found sufficient evidence to vote to indict. In his brief filed with the Appellate Division, the Legal Aid appellate attorney argued that the “trial court’s grant of the [prosecutor’s] motion to amend four of the five counts on which our client was tried violated his constitutional and statutory rights to fair notice of the charges against him, and to the exclusive preferment of those charges by a grand jury.”

The appellate court agreed with our client that the trial court erred in granting the prosecutor’s motion to amend the indictments at the close of proof before the jury.

The Appellate Division further concluded that “the fact that [our client] consented to the amendments is of no moment because he has ‘a fundamental and nonwaivable right to be tried only on the crimes charged.’”

The Fourth Department concluded that “[a]n indictment may not be amended in any respect which changes the theory or theories of the prosecution as reflected in the evidence before the grand jury which filed it.”

The prosecution’s amendment of the indictments allowed the jury to consider and vote to convict our client on a prosecution theory that was not presented to the grand jury and about which our client had no notice in the indictment. For that reason, the court concluded: “[T]he amendments of the indictments resulted in an impermissible substantive change in the indictment[s] by adding new counts that changed the theory of the prosecution.”

In sum, the Appellate Division unanimously reversed the judgment on the law and dismissed the indictment without prejudice to the prosecution to represent any appropriate charges to another grand jury.

With Legal Aid’s help, our client would have been denied his fundamental right to due process of law. Our client has subsequently entered a plea of guilty only to charges to which he had full notice. Consequently, our client received a more equitable and just sentence and disposition.

THE LEGAL AID BUREAU OF BUFFALO, INC.  
Statement of Activities  
Year ended December 31, 2017

Unrestricted revenue:

City of Buffalo	\$ 56,030	0.58%
County of Erie	4,800,767	49.65%
Other Western New York Counties	160,500	1.66%
State of New York	4,355,933	45.06%
Membership dues, contributions and other grants	73,046	0.76%
Indirect public support - United Way of Buffalo and Erie County	8,079	0.08%
Interest on Lawyer Account Fund of the State of New York	212,011	2.19%
Interest income	684	0.01%
Miscellaneous	144	0.01%
Total unrestricted revenue	\$ 9,667,194	100.00%

Unrestricted expenses:

Program services:		
Civil Unit	\$ 1,754,990	
Criminal Legal Services	4,582,120	
Attorneys for Children	2,293,298	
Total program services	\$ 8,630,408	
Management and general	828,198	
Total unrestricted expenses	\$ 9,458,606	
Increase in unrestricted net assets	\$ 208,588	

\* Financial records are audited by EFPR Group, CPAs, PLLC and an unmodified audit opinion was issued for the year ended December 31, 2017.

THE LEGAL AID BUREAU OF BUFFALO, INC.  
Statement of Functional Expenses  
Year ended December 31, 2017

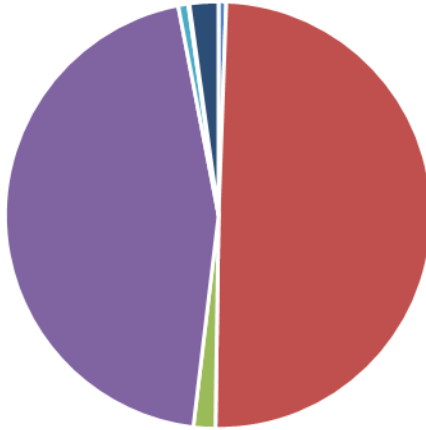
Expenses		
Salaries	\$ 6,706,403	70.90%
Employee benefits	1,155,623	12.22%
Payroll taxes	533,487	5.64%
Total salaries and related expenses	\$ 8,395,513	88.76%
Professional fees	236,467	2.50%
Supplies	43,745	0.46%
Telephone	16,290	0.17%
Postage	17,564	0.19%
Occupancy	421,131	4.45%
Utilities	25,887	0.27%
Transportation	39,777	0.42%
Conferences	14,599	0.15%
Subscriptions and publications	37,189	0.39%
Specific assistance to clients	10,197	0.11%
Insurance	35,672	0.38%
Membership dues	16,230	0.17%
Furniture and equipment	55,143	0.58%
Maintenance and repairs	26,316	0.28%
Interest	7,666	0.08%
Miscellaneous	27,228	0.30%
Depreciation and amortization	31,992	0.34%
Total expenses	\$ 9,458,606	100.00%

\* Financial records are audited by EFPR Group, CPAs, PLLC and an unmodified audit opinion was issued for the year ended December 31, 2017.

THE LEGAL AID BUREAU OF BUFFALO, INC.

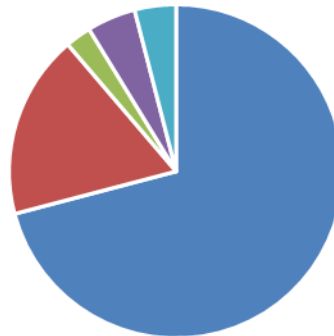
Year ended December 31, 2017

Revenue



- City of Buffalo
- County of Erie
- Other Western New York Counties
- State of New York
- Membership dues, contributions and other grants
- Indirect public support and other miscellaneous
- Interest on Lawyer Account Fund of the State of New York

Expenses



- Salaries
- Employee benefits & Payroll Taxes
- Professional fees
- Occupancy and utilities
- All other expenses





## 2017 FINANCIAL SUMMARY

The Legal Aid Bureau of Buffalo, Inc. had an increase of \$208,588 in unrestricted net assets for the year. The increase in unrestricted net assets is derived from revenue less expenses, the purchase of property and equipment items totaling \$38,492 are included in assets and not included in the expenses for the year. As a result of the increase in unrestricted net assets for 2017, total unrestricted net assets at year end were \$1,076,680, the difference between total assets of \$2,953,873 and total liabilities of \$1,877,193.

The provision of criminal legal services was funded through six (6) grants from the County of Erie, one (1) grant from New York State Division of Criminal Justice Services, and three (3) grants from other counties within Western New York. Of the six (6) grants from the County of Erie, four (4) grants were received through the New York State Office of Indigent Legal Services. The purpose of the funding is to assist the County in improving the quality of indigent legal services pursuant to article 18B of the County Law. These ten (10) grants fund the Appeals and Post-Conviction and Criminal Defense Units.

The Attorneys for Children Unit, providing legal representation for children appearing in Family Court, is funded by the New York State Unified Court System Office of Court Administration.

The Civil Legal Services Unit receives funding from many sources, below are some noteworthy examples from 2017:

- ▶ The Oversight Board for Judiciary Civil Legal Services Funds in New York awarded an additional \$578,976 in 2017, for a total award of \$1,367,913 for the provision of civil legal assistance to low-income New Yorkers in matters involving the essentials of life. These additional funds allowed the Bureau to expand needed services to counties outside of Erie County.
- ▶ EPIC (Every Person Influences Children) provided Legal Aid with \$12,000 to provide services for families in transition. These services include presentations at workshops, legal services to eligible families, as well as professional development to assist local service providers in understanding the custody process.

- ▶ The Civil Legal Services Unit was awarded \$465,000 for a 2 year period from the Interest on Lawyer Account Fund of the State of New York for the provision of civil legal services. The Interest on Lawyer Account (IOLA) Fund generates income from interest on short-term or nominal client escrow accounts accumulated in New York lawyers' trust accounts.
- ▶ The Western New York Law Center, Center for Elder Law and Justice, and Legal Aid Bureau of Buffalo collaborate to provide services under the Mortgage Foreclosure Prevention Project. Legal Aid received an award of \$199,104 through the Western New York Law Center (as lead agency on the grant) from the NYS Office of the Attorney General to provide legal services in mortgage foreclosure cases. The New York State Division of Criminal Justice Services also granted \$56,119 towards the project that will be divided between the two (2) original agencies of the project: Legal Aid and Center for Elder Law and Justice.
- ▶ The New York State Division of Criminal Justice Services provided \$25,000 in 2017 to expand the provision of civil legal services for veterans.
- ▶ The New York Bar Foundation granted \$10,000 to Legal Aid to fund translation and interpretation costs required to properly represent our non-English speaking clients. A collaborative effort with other community agencies, the CRLS Project (Coordinated Refugee/Asylee Legal Service Project) was established by Legal Aid approximately 3 years ago to represent the refugee/asylee/immigrant community in the Buffalo area.
- ▶ The United States District Court Western District of New York awarded \$7,500 to represent clients in the U.S. Probation Office's Re-entry Court Program.

Once again, we would like to thank our staff, volunteers, the community, and our funders for their role in helping us provide legal advice and representation to the financially needy men, women, and children in Western New York.

# DID YOU KNOW?



**86%** of the civil legal problems reported by low-income Americans in the past year received inadequate or no legal help.



There is only **1** attorney for every **5,000** people living in poverty in New York State.



Five Western New York neighborhoods -- four in Buffalo and one in Niagara Falls -- are saddled with **poverty rates higher than 40 percent**.

## #Fast Facts about the Legal Aid Bureau of Buffalo

Established since 1912, we provide access to justice and due process to the most vulnerable individuals, children and families in Western New York through quality legal representation and assistance.



We serve over **20,000** people annually, including over **5,000** children.



We serve the counties of **Erie, Niagara, Allegany, Chautauqua, Orleans, Cattaraugus, Genesee, and Wyoming**.



We have about **100** staff comprised of attorneys, paralegals, social workers, and other staff. Our main office is in **downtown Buffalo**. We have a satellite location in **Niagara Falls**.



We provide full-scope **legal representation, advice/counsel, education workshops, and social work services**.



Generally, a **family living at or below 200% of the federal poverty level** is eligible for our services.

## **\$5 in benefits /savings to NYS for every \$1 spent**

The data compiled by IOLA indicated that the economic impact in New York in terms of benefits won, costs saved, and income and jobs for business was almost \$900 million — **nearly five dollars for every dollar spent to support legal services organizations**.

## A FEW HIGHLIGHTS

### KNOW YOUR RIGHTS

Earlier this year, Legal Aid Bureau staff attorneys were among the volunteers who fielded inquiries from individuals seeking help at a Know Your Rights event for immigrants and refugees at Jericho Road Community Health Center. The event covered topics such as housing, employment, consumer issues, matrimonial matters, and criminal defense.

### LEGAL AID DESKS IN 8 COUNTIES

Since September, we now have walk-in clinic hours to help with legal matters in all eight counties in Western New York: Erie, Niagara, Cattaraugus, Allegany, Chautauqua, Genesee, Orleans, and Wyoming counties. While Erie and Niagara counties are staffed regularly, the legal aid desks in the other counties are staffed weekly or bi-weekly.

### EDUCATION RIGHTS PROJECT

With the addition of Staff Attorney Judith Gerber, who worked for several years in our Attorneys for Children Unit, to our Civil Legal Services Unit, we are able to provide advocacy in the public school disciplinary process to prevent or reduce the length of suspension for children who may have been subject to disparate treatment. Through our assistance the majority of our clients are able to remain in school with a better chance of graduating high school— an educational achievement critical to future employment.

### NIAGARA COUNTY OFFICE

This March, we were proud to announce the opening of our satellite office in Niagara County at the Community Health Center of Niagara.



**CITIZENSHIP DRIVE**

This spring, Legal Aid Bureau of Buffalo partnered with Journey's End Refugee Services to hold a pro-bono Citizenship Drive. The goal of this effort was to assist lawful permanent residents who have met all legal requirements of U.S. citizenship to become naturalized citizens. Thank you to the many attorneys from the legal community who volunteered for this initiative! Pictured here is Staff Attorney Jennifer Kimura conducting a training for the citizenship drive.



**SUMMER PICNIC**

Legal Aid Bureau of Buffalo's summer staff picnic was organized by volunteer members of our Labor/Management Committee. We wish to thank them for organizing this get together which allowed our entire staff of approximately 100 people to break bread and commune together. Pictured here are Alan Williams, Jennifer Kimura, Mark Sebastian, Ana Rodriguez and Lillian Medina.



**LEADERSHIP AWARD**

Congratulations to Legal Aid Bureau of Buffalo Board Member and Diversity and Inclusion Committee Chair Lisa Patterson on receiving the Leadership Award from the Minority Bar Association of Western New York at the Inaugural Brunch. We would also like to thank Minority Bar Association of Western New York Board President Maisha Huggins Blakeney and Vice President Tolu Odunsi for organizing and hosting such a wonderful event.

**CRIMINAL DEFENSE UNIT  
APPEALS AND POST-CONVICTION UNIT**

<b>NEW DEFENDANTS</b> ..... 13,169	<b>SCI PLEA TO HIGHER CHARGE</b> ..... 0	Community Service
Felony..... 1,158		Felony..... 8
Felony (Drug)..... 179		Misdemeanor..... 14
Felony (DV)..... 451	<b>TRIALS</b> ..... 64	Violation..... 1
Misdemeanor..... 10,096	Felony..... 8	Fine
Violation..... 908	Misdemeanor..... 53	Felony..... 22
Infractions..... 218	Violation..... 3	Misdemeanor..... 892
Appeals*..... 159		Violation..... 28
	<b>FINDING AFTER TRIAL</b>	Infraction..... 42
<b>PLEAS AS CHARGED</b> ..... 373	Guilty As Charged..... 17	Unconditional Discharge
Felony..... 49	Guilty To Lesser..... 32	Felony..... 0
Misdemeanor..... 178	Dismissed After Trial	Misdemeanor..... 88
Violation..... 105	(Includes "Not Guilty")..... 15	Violation..... 0
Infractions..... 41		Infraction..... 2
	<b>SENTENCES</b>	<b>CLOSED CASES (Other)</b>
<b>PLEAS TO LESSER</b>	Jail	ACD..... 1,108
Felonies..... 650	Felony..... 160	Private Counsel..... 604
to lesser Felony..... 50	Misdemeanor..... 447	Assigned Counsel..... 493
to Misdemeanor..... 333	Violation..... 9	Dismissed on Motion..... 3,843
to Violation..... 240	Infraction..... 0	Speedy Trial..... 1,492
to Infraction..... 27	Probation	Relieved..... 1
Misdemeanors..... 2,970	Felony..... 39	No Bill..... 4
to lesser Misdemeanor... 382	Misdemeanor..... 21	Admit to VOP..... 52
to Violation..... 1,187	Conditional Discharge	Other..... 173
to Infraction..... 1,401	Felony..... 288	
Violations..... 19	Misdemeanor..... 1,522	<b>APPEALS*</b>
to Infraction..... 19	Violation..... 48	Appeals Cases Closed..... 156
	Infraction..... 14	Appeals Pending..... 297
	Prison	Briefs Filed..... 163
	Felony..... 31	Other Submissions..... 38
	Prison – Willard Program..... 4	Application for Leave to
	Shock..... 1	Appeal to the Court of
		Appeals..... 72

\* Includes assignments from Erie, Cattaraugus, Genesee, Niagara and Orleans counties.

## ATTORNEYS FOR CHILDREN UNIT

## CIVIL LEGAL SERVICES UNIT

### Children Served

JDs.....	365
PINS .....	165
Custody.....	724
Child Protective.....	1,513
Guardianship .....	2
Paternity.....	46
Family Offense.....	99
Voluntary Placement.....	8
Termination of Parental Rights .....	302
Designated Felonies .....	3
Supplemental Petitions .....	227
Other* .....	137
Total Cases.....	4757
Court Appearances.....	44,157

\*Includes JD, PINS, Child Protective and Designated Felonies violations, extensions of placement, restorations to calendar, modifications of orders, etc.

### Cases Handled

Education.....	138
Family .....	1,088
Housing.....	809
Immigration .....	18
Mortgage Foreclosure...	380
Unemployment.....	117
Bankruptcy/Consumer ..	225
Re-entry .....	82
Civil Rights.....	11
Other.....	117
Total Cases .....	2,985

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“Overcoming poverty is not a gesture of charity.  
It is an act of justice. It is the protection of a fundamental  
human right, the right to dignity and a decent life.”  
– Nelson Mandela

