



The Legal Aid Society  
of ROCHESTER, NEW YORK



# ANNUAL REPORT 2018

[LASROC.ORG/IMPACT](https://lasroc.org/impact)

*"[LASROC] has restored my faith in the existence of good attorneys and the purpose of the work done in the courts."*

- FAMILY LAW UNIT CLIENT

## DEAR FRIENDS,

It is with full hearts and immense gratitude that we share 2017 was yet another banner year for The Legal Aid Society of Rochester, NY (LASROC). Many thanks to our generous supporters, dedicated staff and Board, and committed community partners. Thanks to all of you, we were able to build on and improve both our reach in the community and our technological infrastructure this year. Our goal continues to be increasing access to justice in the Greater Rochester area by providing high-quality legal services to as many people as possible.

This past year we completed a full overhaul of our website and launched the new and improved LASROC.org. We have increased our social media presence, allowing us to keep the community informed of the work we do. In the coming months, we will continue to strive to provide full and meaningful access to justice, to counsel, and to the court by providing high-quality legal services to all those who seek it.

The renewal of several crucial domestic violence grants and increased immigration funding provided for growth in our financial base, allowing us to expand services in our Immigration Law Unit. Since 2014, our Immigration Law Unit has grown from two full-time staff members to seven full-time and two part-time staff members.

In 2017, our Housing and Consumer Law Unit took a hard look at one of the most compelling issues facing many of our clients. Homelessness prevention. They work tirelessly to provide quality legal representation and advice to an incredibly high volume of eviction defense cases in Rochester City Court. In 2017 there were over 8,000 eviction cases in Rochester City Court. LASROC provided representation in less than 16% of those cases (1300 cases). The need far outweighs the available resources; close to 88% of eviction cases go unrepresented. LASROC has begun to look at this issue more systemically. New York City offers a right to counsel in housing cases, and we hope to lead the discussion in this area. Our attorneys are not only providing day to day advocacy and representation but also work closely with community partners to resolve issues such as these in a much more proactive and systemic way.

Many, many thanks to you for all you do to support LASROC in our mission to ensure our citizens have full and meaningful access to justice. Our work would not be possible without you!



*Richard N. Chapman*  
Richard N. Chapman  
Chairman, Board of Directors



*Carla M. Palumbo*  
Carla M. Palumbo  
President and CEO

## PROGRAMS AND ACCOMPLISHMENTS

Our attorneys and staff obtained more than \$2,800,000 for the benefit of our clients through child support and maintenance awards, equitable distribution, preventing improper judgments and foreclosures, and assisting with debt relief.



### ATTORNEY FOR THE CHILD

Direct representation provided in **5,246 cases**

Our **Attorney for the Child Unit**, formerly known as Law Guardians, are appointed by the court to provide free legal representation to children in a variety of cases, including abuse, custody, foster care, juvenile delinquency, or Person In Need Of Supervision (PINS). The wishes and feelings of the child are the primary concern of the Attorney for the Child.



### EDUCATIONAL LAW

Direct representation provided in **328 cases**

The attorneys and advocates of our **Education Law Unit** support children from birth to 21 years old in Genesee, Livingston, Monroe, Ontario, Orleans, and Wayne Counties with legal representation and advocacy in education-related matters. This includes representation for Committees on Special Education (CSE), school suspensions, reasonable accommodations for children with disabilities, eligibility for school enrollment, enrollment for homeless students, and access to appropriate school or community services.



### FAMILY LAW

Direct representation provided in **1,404 cases**

Our **Family Law Unit** provides high-quality legal representation and advocacy to low-income residents of Genesee, Monroe, Ontario, Orleans, and Wayne Counties. We strive to support survivors, end domestic violence, and reduce poverty among our clients through legal representation in divorce, custody, visitation, child support, and other family law matters. Our domestic violence legal services are provided in collaboration with Willow Domestic Violence Center and other domestic violence service providers.



### HOUSING & CONSUMER LAW

Direct representation provided in **1,837 cases**

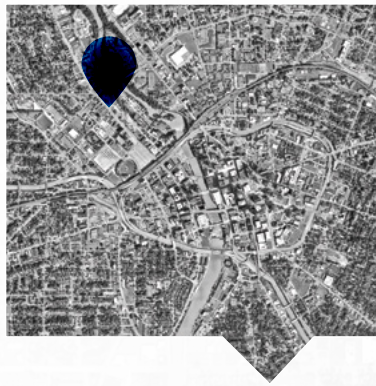
Our **Housing and Consumer Law Unit** provides a continuum of housing and transactional services, including eviction prevention, foreclosure prevention, bankruptcy and consumer law, representation of first-time home buyers and wills and advance directives for seniors and Homeowners.



### IMMIGRATION LAW

Direct representation provided in **155 cases**

Our **Immigration Law Unit** provides legal representation and technical assistance in immigration-related matters to persons residing in a 32-county area of western New York. Representation includes cases involving asylum, permanent residence, removal defense, meritorious appeals, extension of immigration status, and work authorization. Services also includes technical legal assistance on immigration law to indigent defenders representing individuals in criminal matters.



## SAVING OZZIE'S HOME

LASROC, and our Housing & Consumer Law Unit, recognizes that genuine freedom comes from accessing stable housing and financial security. In the last year, more than 1800 clients came to us with housing issues. We are honored to be able to provide assistance to these clients, yet for each client we serve, we know there are many others in need. Our desire to ensure dignity, equality, and fairness to everyone in need is limited due to the fact that there is simply not enough funding to assist the volume of Rochesterians facing unstable housing.

As of March 2018, one in every 1452 homes within the City of Rochester were in foreclosure. That's a rate 15% higher than that of New York State.<sup>1</sup> Between April 2017 and March 2018, LASROC assisted 40 clients who were facing foreclosure, and successfully prevented foreclosure for more than 75% of those clients.



We first met Ozzie in 2009, when after working hard to be financially prepared, he purchased his first home with the assistance of our Housing & Consumer Law Unit. His late 20th century home with its parklike yard nestled in a suburban feeling Rochester neighborhood was a dream come true. Since moving to the Rochester area with his family when he was 16, he was thrilled to establish roots in the community he calls home.

*“Every month it just felt like I was falling more and more behind. It just didn't feel like I was going to be able to get out of it.”*

A few years later, Ozzie was struck by hard times. After working for more than five years as a driver for a local vending company, he lost his job. He separated from his partner, and later experienced some challenging health issues. These compounding issues made it difficult for Ozzie to stay current on his mortgage.

As the reality of impending foreclosure set in, Ozzie embodied resiliency and refused to let these hard times confiscate his homeownership dreams. He sought assistance from the Housing Council at Pathstone, which eventually lead him back to the Legal Aid Society where he worked with Zach Pike - attorney and Director of our Housing & Consumer Law Unit.

Ozzie remained hopeful, and after months of back and forth, LASROC was able to stall the bank's foreclosure and secure funds from New York State's Mortgage Assistance Program and prevent the bank from selling Ozzie's home. Ozzie has regained his health and now works as an independent delivery contractor. Thanks to the work of Zach and his team, Ozzie can get back to enjoying life with his two boxer pups and carry on living his dream of homeownership in Rochester.

*“Zach was phenomenal. He never gave up on me. He and his team made it possible for me to get back on track.”*



## WARRANTY OF HABITABILITY

On most days, you can find at least one of our Housing & Consumer Law attorneys at Rochester City Court, Landlord Tenant part, ready to provide direct representation to low income tenants facing eviction. In the last year, 70% of the clients served by our Housing & Consumer Law Unit were eviction related cases and thanks to our highly qualified and zealous advocates 98% of those clients avoided immediate eviction, allowing additional time to find safe and stable housing. 300 of the eviction cases handled by our Housing & Consumer Law Unit were tenants facing warranty of habitability issues.

Michael A. Furlano, a staff attorney in our Housing & Consumer Law unit, explains warranty of habitability:

*“The property has to be free from health and safety violations or violations impairing the enjoyment of the house. It's an implied warranty that exists in every landlord-tenant relationship.”*

It was in Rochester City Court that we first met Jamie. She was living with her family in a home filled with health and safety violations that squashed any possible enjoyment of their home. Jamie alerted her landlord of the leaks from the bathroom soaking into the bedroom, the sewage flowing into her basement, and the unwelcomed bed bugs and rats taking over her space. Each of her requests went unanswered and ignored.

After months of unreturned pleas to her landlord, Jamie received an eviction notice for nonpayment of rent and sought our assistance. Mark Muoio, a staff attorney in our Housing & Consumer Law Unit, worked with Jamie to defend her nonpayment with the defense that the landlord had breached the warranty of habitability.

A trial was set, and Jamie was ordered to deposit the full amount of the alleged rent owed into escrow before the trial. Unable to deposit the significant sum, Jamie was

issued a warrant and full judgment by the court. Mark attempted to emphasize the fact that the landlord had violated the warranty of habitability, and therefore Jamie was entitled to a reduction of a portion of the rent. The court disregarded these facts because Jamie hadn't deposited the money as directed, ultimately conditioning Jamie's ability to defend her nonpayment and refusing to hear her side of the story. Jaime and her family were forced to move and had a judgment for the full amount of rent against them.

After finding a healthy and safe place for her family, Jamie expressed interest in appealing her case and helping correct this injustice for others. She worked with Michael, who filed the appeal with Monroe County Court, arguing that the court did not exercise proper authority in requiring her to post a judgment bond before hearing an affirmative defense. The County Court ordered the City Court's decision be reversed and returned to City Court, stating the following within their decision:

*“It is sufficient that respondent raised a triable issue of fact. She was therefore entitled to a trial without posting what, on appeal, she appropriately characterizes as a 'pre-determination judgment bond,'”*

LASROC believes those who seek justice have the right to receive a full and fair hearing and we are incredibly proud to be a part of this decision. Requiring tenants, who are living in unhealthy and unsafe conditions, to pay large sums of money before the court even hears both sides of the story is simply unjust. It is in decisions like these we are thrilled to see the implementation of our mission on a systemic level.

<sup>1</sup>. According to the most recent report from Realtytrac, a real estate information company recognized nationwide for their monthly foreclosure market report.

## BOARD UPDATES



### RICHARD CHAPMAN | Outgoing Chair

After retiring from his role as partner at Harris Beach PLLC, Richard kept his hand in the administration of the law as an arbitrator of matters arising under labor-management collective bargaining agreements and also as a certified federal court mediator in the Western District of New York. He is a longtime active member of the Monroe County Bar Association, as well as the New York State Bar Association.

Richard joined our Board of Directors in 2009 and has served as Chair for the last two years. He was first drawn to LASROC after he had the opportunity to work with us several years ago. Richard is deeply committed to our mission of ensuring representation is available to all without regard for economic circumstances and believes this representation is necessary to help reach the goal of an equal opportunity society. We appreciate Richard's contributions to the fiscal and structural integrity of LASROC over the last 9 years, and we are happy to report that he will continue serving as a Member of our Board of Directors!

## LATEST ADDITIONS - JOINED EARLY 2017



### DUWAINE T. BASCOE | Associate at Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone, LLP.

Duwane was led to join our Board of Directors by his mentor, and former LASROC Board Member, Dan O'Brien. Duwane looks forward to following in Dan's footsteps and helping the underserved. For Duwane, the most rewarding part of being a LASROC Board Member is the opportunity to collaborate with fellow Board Members. He says their enthusiasm provides inspiration and motivation to continue to strive to make a difference. In 2016, Duwane was recognized in the Rochester Business Journal's "Forty Under 40" and was honored with this year's University of Buffalo Law School Trailblazer Award.

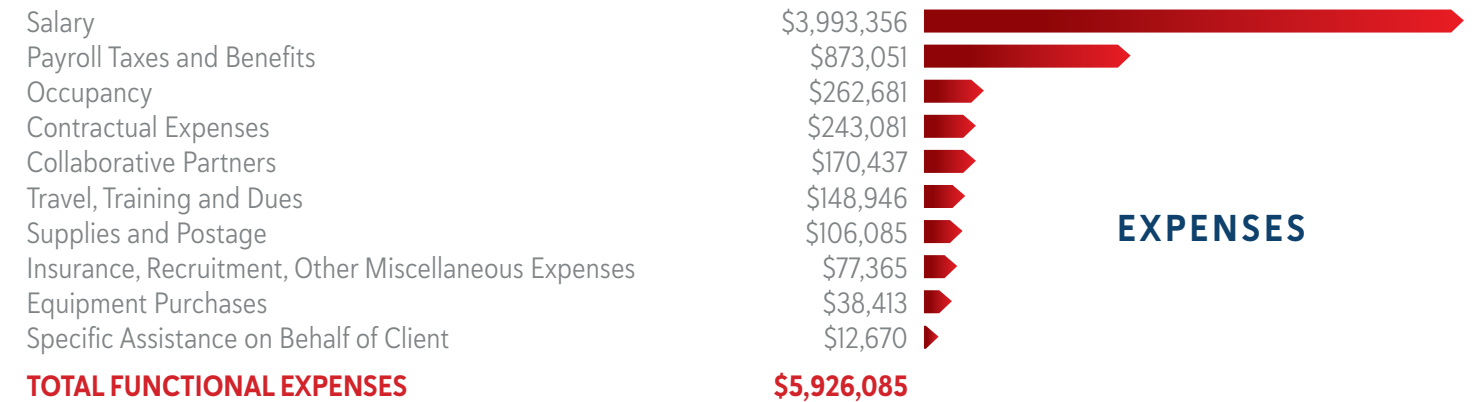
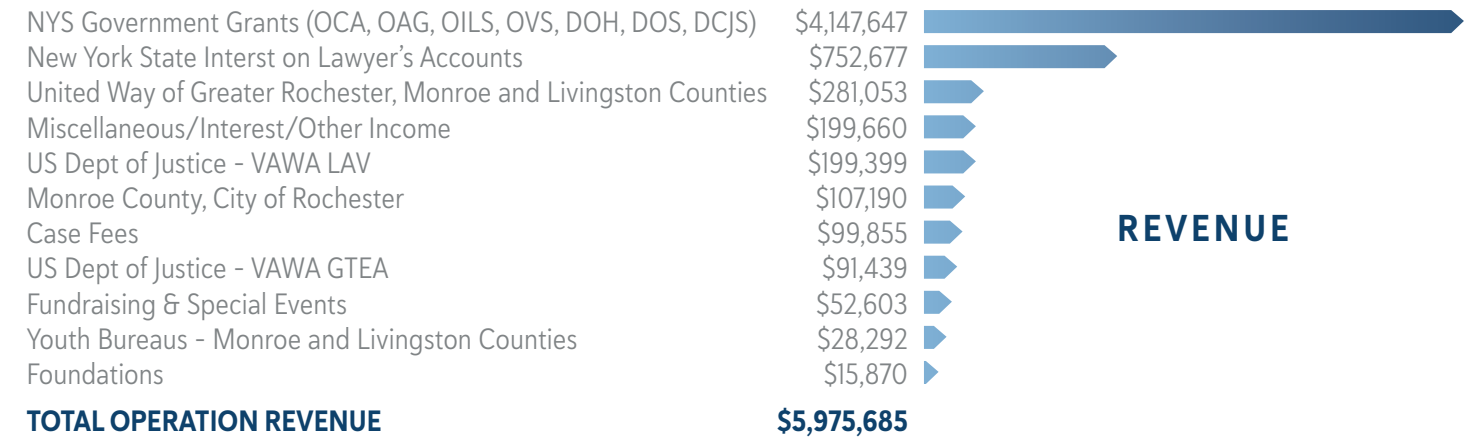
When he's not litigating or helping LASROC, Duwane enjoys cooking and firmly believes that in another life he would have been a Chef. He lives life by two mottos that he keeps on his bathroom mirror, "I have never seen success go on sale" & "I'll have plenty of time to sleep when I'm dead." We are thrilled to have Duwane, and his culinary skills, as part of the LASROC family!



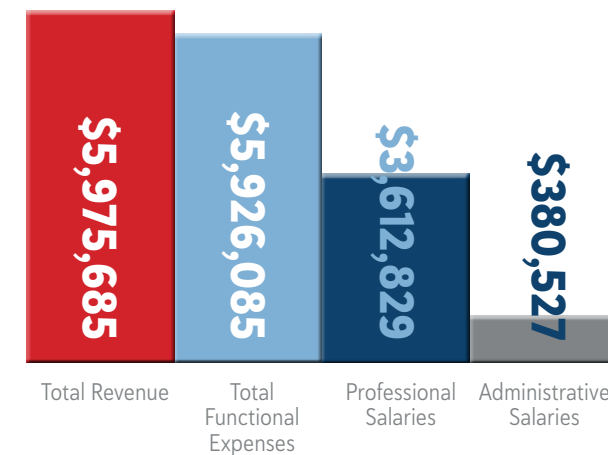
### LINDSAY RABITZ | Assistant General Counsel at Rochester Regional Health

Lindsay was first introduced to us shortly after graduating from the University at Buffalo Law School when she landed a one-year fellowship at LASROC. She recalls the profound impact that year had on her both personally and professionally, "I was constantly amazed by the dedication and selflessness of the Legal Aid staff and the bravery and spirit of the Legal Aid clients." When Lindsay's fellowship ended, she made a point to keep a finger on the pulse of LASROC and was thrilled to be nominated to the board in 2017. Lindsay finds no shortage of inspirational cases at LASROC and enjoys when staff members come to Board meetings to discuss positive outcomes they have secured for clients. In a world where bad news seems to dominate the news cycle, Lindsay finds it incredibly rewarding to be part of an organization fighting the good fight.

In her spare time, Lindsay is an avid fan of the New York Yankees, Buffalo Bills, and Buffalo Sabres and is inspired to learn something new every day. We are delighted to have Lindsay rejoin the LASROC team!



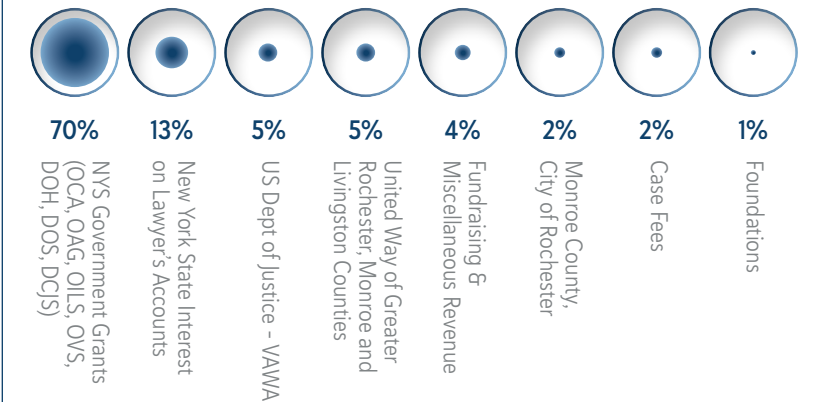
## COMPARISON OF TOTAL REVENUE, TOTAL FUNCTIONAL EXPENSES, PROFESSIONAL SALARIES AND ADMINISTRATIVE SALARIES



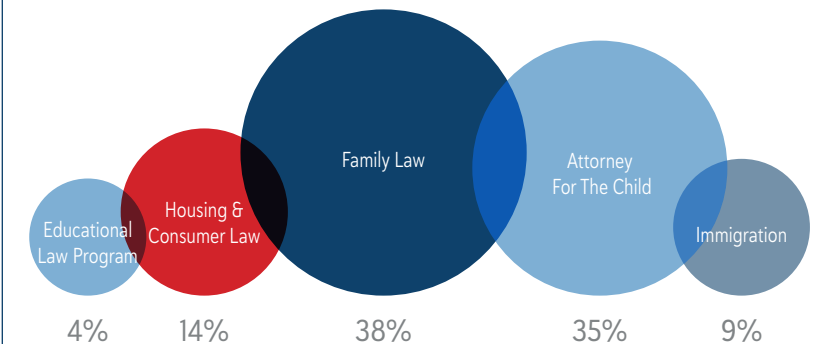
## HOW WE USE OUR FUNDS



## HOW OUR FUNDS ARRIVE



## NATURE OF OUR PROGRAMS



These figures are preliminary and subject to audit. Financial records are audited by Thaney & Associates, CPA's, P.C.



# The Legal Aid Society

of ROCHESTER, NEW YORK

## BOARD OF DIRECTORS

### OFFICERS

Richard Chapman, Esq. - *Chair*  
Kathryn L. Smith, Esq. - *Vice Chair*  
Michael Parrinello - *Treasurer*  
Hon. Evelyn Frazee - *Secretary*  
Carla M. Palumbo, Esq. - *President & CEO*

### DIRECTORS

Duwayne T. Bascoe  
Kitty Bressington  
June Castellano, Esq.  
José Cruz  
Anne Dyring Riley, Esq.  
Thomas M. Farace, Esq.  
Patrick M. Malgieri, Esq.  
Lindsay Rabitz  
James Sheppard  
Lorraine Strem  
Chris Yuskiv

## OUR LEADERSHIP

Carla M. Palumbo, Esq. - *President & CEO*  
Bill Davis - *CFO & Director of Administration*  
Kathia Casion, Esq. - *Director, Civil Division*  
Steve R. Weisbeck, Esq. - *Director, Juvenile Justice Division*  
Jay Aldrich - *Human Resources Administrator*  
Sara Horeth - *Grants & Program Administrator*  
Wedade Abdallah, Esq. - *Program Director, Immigration Unit*  
Zachary J. Pike, Esq. - *Program Director, Housing & Consumer Law Unit*  
Kristen Porpora, Esq. - *Program Director, Family Law Unit*  
Tanya Conley, Esq. - *Supervisor of Appeals and Training*  
Deral Givens, Esq. - *Supervising Attorney, Attorney For The Child Program*  
Lindsey Jackson - *Supervising Social Worker, LMSW*

## MISSION

The Legal Aid Society of Rochester is a not-for-profit organization that provides direct civil legal services, including lay advocacy and related human services, to adults and children. We ensure that those who seek justice have an opportunity to receive a fair and full hearing. We obtain legal solutions that have a beneficial impact on our clients and the community.

## VISION

The Legal Aid Society of Rochester believes in the guarantees of due process and equal protection as promised in our State and Federal constitutions.

To ensure that those rights have real meaning, we will strive to provide a highly qualified and zealous advocate to anyone who cannot otherwise obtain representation in civil legal matters.

We will create an environment in our community that values access to legal counsel, so every person is treated with dignity, equality, and fairness.

