

ANSWERING



The Legal Aid Society
of ROCHESTER, NEW YORK



THE



CALL FOR



JUSTICE



MESSAGE FROM PRESIDENT AND CHIEF EXECUTIVE OFFICER & CHAIR, BOARD OF DIRECTORS

DEAR FRIENDS

2018 was another year of growth for the Legal Aid Society of Rochester, NY (LASROC). With the addition of eight positions, we have literally run out of room in the Telesca Center for Justice and have set out on an ambitious office expansion. More importantly, however, our new staff members will help our current staff to provide the highest quality legal services for all of our clients.

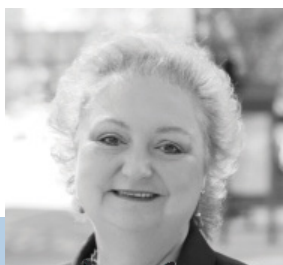
LASROC's reputation and track record made it possible for us to secure the funding necessary to hire our new staff members to serve the nine-county Rochester area. Among others, we added one attorney and one accredited representative in our Immigration Unit through a grant from the New York State Office of New Americans (ONA), who will be providing legal representation and act as Legal Counsel to ONA Opportunity Centers. Additionally, LASROC received funding from the U.S. Department of Justice, Housing and Urban Development, and the NYS Office of Victims Services for additional attorneys and paralegals to work with victims of domestic violence in unique ways. One attorney will be located at Willow Domestic Violence Center and another will be dedicated to providing legal assistance to homeless and transitioning victims in collaboration with Willow and the YWCA of Greater Rochester.

You will be hearing more about the expansion of the Telesca Center for Justice in the coming months, but we are excited about the improvements it will bring for our clients and staff. For the first time, reception and intake will be on the first floor, making visits to the building much more straightforward and welcoming. Our attorneys will benefit from additional offices for increased privacy, as well as shared space with Volunteer Legal Services Project for better communication.

You'll read more about our programs and activities throughout this report, including some highlights on the theme of **"Answering the Call for Justice."** As a Steering Committee member of the Justice for All initiative, a pilot program funded by the New York State Permanent Commission on Access to Justice, CEO Carla Palumbo has been leading the Rochester-area effort to expand access to civil legal services and enhance the community's trust in the justice system.

We continue to be grateful for our strong working relationships with the Justice for All partners, as well as with the City of Rochester, the County of Monroe, Empire Justice Center, LawNY, Monroe County Bar Association, Rochester Housing Council at Pathstone, United Way, Volunteer Legal Services Project, and Willow Domestic Violence Center, among others. Together, we are making a difference for area residents with complex legal needs.

On behalf of the staff and Board of Directors of the LASROC, we thank you for your ongoing commitment to our agency.



Carla M. Palumbo *Kathryn L. Smith*

Our attorneys and staff obtained more than \$4,177,896 for the benefit of our clients through child support and maintenance awards, equitable distribution, preventing improper judgments and foreclosures, and assisting with debt relief.

4301

ATTORNEY FOR THE CHILD

PROVIDED DIRECT REPRESENTATION IN **4301** CASES

The attorneys in our **Attorney for the Child Unit** 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 attorneys and social workers advocate to ensure that the wishes and feelings of the child are heard.

EDUCATION LAW

PROVIDED DIRECT REPRESENTATION IN **354** CASES

354

The attorneys and advocates of our **Education Law Unit** support children from birth to 21 years old in Genesee, Livingston, and Monroe 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.

1458

FAMILY LAW

PROVIDED DIRECT REPRESENTATION IN **1458** 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 providers.

HOUSING & CONSUMER LAW

PROVIDED DIRECT REPRESENTATION IN **1534** CASES

1534

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.

315

IMMIGRATION LAW

PROVIDED DIRECT REPRESENTATION IN **315** 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 include technical legal assistance on immigration law to indigent defenders representing individuals in criminal matters.

ANSWERING

THE CALL

...IN MONROE COUNTY

In 2015, the New York State Courts established the Permanent Commission on Access to Justice, with the goal of removing the barriers to justice for all New Yorkers. The Commission's charge includes issuing recommendations to improve and increase access to civil legal services; to expand pro bono services and help for unrepresented litigants; and to increase community trust in the judicial system.

Monroe County was chosen to develop and implement a pilot program to work towards **"justice for all;"** together with a similar effort in Suffolk County, it will serve as a model for projects around the State. Here in Monroe County, the Justice for All initiative is led by the Hon. Craig Doran, Administrative Justice for the 7th Judicial District of State Supreme Court. Legal Aid Society of Rochester (LASROC) President and CEO Carla Palumbo serves on the Steering Committee and co-chairs the newly-formed Community Justice Council.

"LASROC is uniquely well-placed to inform the work of the Justice for All initiative," Palumbo said. "From our attorneys' experiences in court to the questions our staff answer every day, we know all too well the challenges and frustrations our clients face in exercising their rights."

Work groups have been formed around five central issues: prevention, town and village courts, legal needs, housing, and available resources. In addition, a broad-based Community Justice Council has been formed to represent the community and advise the judicial system on ongoing needs and progress toward goals.

Palumbo says that LASROC is playing a key role in the Housing Focus Group in particular, given its current work with the City of Rochester and Monroe County toward establishing a housing court. Mark Muoio, Director of the Housing and Consumer Law Unit, is optimistic that the work of the Work Group will help. "Stable housing is critical to the well-being of our residents, yet the legal process around landlord-tenant issues is a mystery to them, with significant consequences," Muoio said.

"With more tenant education and easier access to legal help, we will be able keep more families in their homes."

The work of the Community Justice Council has already proven useful to the Justice for All initiative. The group of 45 community members was asked to rate the current justice system based on the Six Pieces of a System change model, as well as on diversity, equity and inclusion (DEI). Particular areas of concern identified by the CJC were DEI, Practices (application of ideas, policies and customs) and Resources (money, material, staff and assets). "This feedback will provide an informed framework for the ongoing work of our focus groups," CJC Co-Chair Palumbo said. "We can't have 'justice for all' without the input of all of those we serve. I am honored to be a part of these important efforts to build trust between the community and the court system."



...FOR IMMIGRANTS

The headlines are full of news about the dramatic influx of people from Central America who are crossing the southern U.S. border seeking asylum. What gets less attention is the fact that some of them are being detained at the Buffalo Federal Detention Facility in Batavia - and they are being assisted by the Legal Aid Society of Rochester, NY (LASROC).

In order for detainees to stay in the country and be considered for asylum, they must meet “credible fear” standards by convincing an asylum officer they had reason to believe their lives were in danger in their home countries. This population of immigrants - many of whom have fled from harm in their home countries, traveled long distances, and may be unable to speak or understand English - have little ability to negotiate or represent themselves in our legal system. The lack of access to counsel was reported by other agencies at the Batavia facility, and thanks to previous experience with LASROC, our Immigration Program Director, Hannah Vickner Hough, was called in to assist.

Hough worked with the New York Immigration Coalition in Albany and the Volunteer Lawyers Project in Batavia and other partners to determine the legal needs of the detainees and how to get them access to legal counsel. With funding from the New York State Bar Foundation, LASROC has developed an orientation program for recent arrivals to teach them about the credible fear interviews and the questions they will be asked. And soon, thanks to private funders, LASROC will be training volunteer attorneys to represent asylum seekers in their credible fear interviews and request for release from detention.

LASROC has completed one orientation of 20 people so far, with up to five more groups expected over the next year or two. One of the first questions Hough was asked struck her. “After we started our presentation, with introductions and an overview,” she said, “a client raised his hand and asked simply, ‘Where ARE we?’” Next orientations will include a map of North - and Central - America.

If recent trends are any indication, Hough expects that the need for LASROC services in Batavia will only grow. Attorneys who are willing to help should contact her at hhough@lasroc.org. In the meantime, staff attorneys will continue to assist Batavia staff and new immigrants to make this stop on their journey one that includes the right of access to due process.

...FOR LGBTQ CLIENTS

With the long-awaited legalization of gay marriage comes the unfortunate but inevitable issues around divorce. Continuing our leadership in the highest quality representation for all of our clients, the Legal Aid Society of Rochester, NY (LASROC) and its partners have helped New York State define the property rights of LGBTQ couples who were first united under civil union laws.

Before marriage equality (and therefore, divorce) became official at the State and federal levels, thousands of New Yorkers traveled to other states to legalize their relationships under civil union laws. Those who did, and then got married and later divorced, as was the case with our client, found that their years together under civil union did not “count” under New York State equitable distribution laws when it came to distribution of property. New York State case law was silent on this issue and the trial court in this case refused to extend the equitable distribution to include the civil union of these parties.

Our client had been in a long-term relationship that included a civil commitment ceremony, a Vermont Civil Union and marriage in Canada. The couple had moved, changed jobs, and adopted a child, with our client ending up as a stay-at-home spouse. Her wife continued to work, purchasing a home in her name, contributing to a 401(k) and accruing other benefits, but the lack of State law meant that when they divorced, property acquired during their civil union years were inaccessible to our client.

Vivian Aquilina, Senior Attorney in LASROC’s Family Law Unit, and Amy Schwartz from the Empire Justice Center, worked together to take the case to the New York State Appellate Division in the 4th Department. They pointed

to prior New York State cases which recognized custody rights during a civil union based on comity with the Vermont statutes, and asked the Court to extend those rights to property

distribution. The Appellate Division, Fourth Department agreed, thus making a case of first impression on this issue in New York.

Aquilina says that our client was aware that the case would have long-ranging implications. “Though she considered settling her matter short of the appeal,” she said, “our client felt strongly that other similarly situated parties shouldn’t have to face the same kind of insecurity she did.” Thanks to her, and the efforts of LASROC and Empire Justice, LGBTQ New Yorkers who are in this difficult situation will have one less thing to worry about.

FOR

JUSTICE

BOARD UPDATES



BRIAN MAHONEY

Brian Mahoney is an associate in Nixon Peabody's Business and Finance Department. Brian practices corporate and tax law, emphasizing matters related to commercial transactions, mergers and acquisitions and finance. Brian advises clients regarding federal, state and local tax matters in connection with the formation, growth and divestiture of their businesses.

COLLEEN MCCARTHY

Colleen McCarthy is Director of Local Government and Community Relations for the University of Rochester. Colleen develops and maintains a vast external network to advance the University's advocacy agenda, connects community leaders and agencies with University resources, and promotes the benefits of strong UR-community partnerships throughout the region.

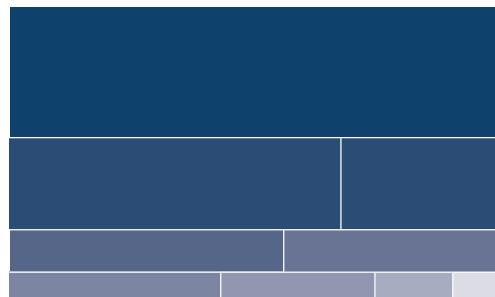


HON. JOSEPH D. VALENTINO

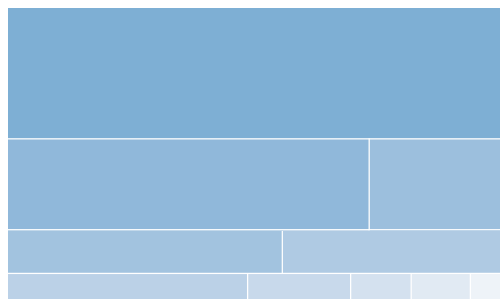
Hon. Joseph D. Valentino is a retired New York State Supreme Court Justice, Appellate Division. Justice Valentino is a highly respected jurist, having served the Rochester community for more than 40 years in leadership positions as an Assistant District Attorney, City Court Judge, State Supreme Court Justice, and in private practice, to which he has returned since his retirement.

NYS Government Grants (OCA,OAG, OILS, ONA, OVS, DOH, DCJS)	\$4,431,591
New York State Interest on Lawyer's Accounts	\$700,952
Federal Grants (USDOJ, AmeriCorps)	\$416,306
United Way of Greater Rochester, Monroe and Livingston Counties	\$281,491
Miscellaneous/Interest/Other Income	\$212,157
Monroe County, City of Rochester	\$120,956
Case Fees	\$116,171
Fundraising & Special Events	\$55,422
Foundations	\$25,000

TOTAL OPERATION REVENUE \$6,360,046



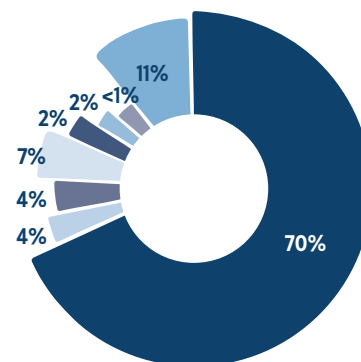
TOTAL FUNCTIONAL EXPENSES \$6,338,978



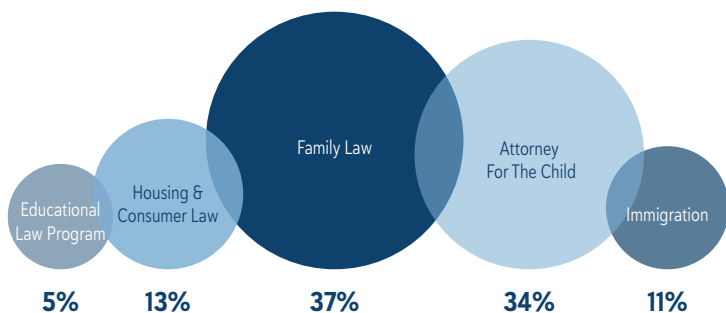
Salary	\$4,230,889
Payroll Taxes and Benefits	\$896,315
Occupancy	\$268,450
Contractual Expenses	\$212,568
Insurance, Recruitment, other Miscellaneous Expenses	\$211,936
Collaborative Partners	\$202,093
Travel, Training and Dues	\$161,307
Supplies and Postage	\$83,457
Equipment Purchases	\$52,423
Specific Assistance on Behalf of Client	\$19,540

HOW OUR FUNDS ARRIVE

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NATURE OF OUR PROGRAMS



HOW WE USE OUR FUNDS

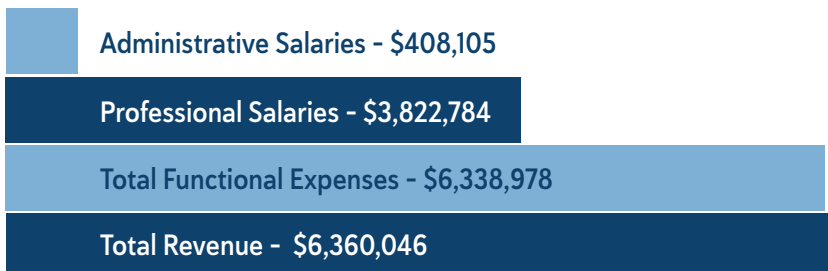
Program \$5,614,788 - 89%



Administration \$724,190 - 11%



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



These figures are preliminary and subject to audit. Financial records are audited by RDG + Partners Accounting and CPA Services.

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The Legal Aid Society
of ROCHESTER, NEW YORK

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Katie Woodruff, Esq. - *Youth Justice Coordinator, Attorney for the Child Program*



MISSION

The LASROC 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 LASROC 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.