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## **PRO BONO PROJECTS AND EXTERNSHIP OPPORTUNITIES WITH THE LEGAL AID SOCIETY**

The Legal Aid Society, the nation's oldest and largest provider of free legal services to the indigent, has been part of New York City's social fabric since 1876. Through a network of neighborhood and court-based offices, the Society provides a full range of civil legal services as well as criminal defense work and juvenile rights representation in Family Court. Through individual representation and major class action law reform, our staff of 850 lawyers and 600 social workers, paralegals, investigators and support and administrative personnel annually handle more than 300,000 legal matters for individuals and families who cannot afford counsel. The Society's landmark law reform cases benefit virtually the entire low income population of 2 million children and adults in the City and have State-wide and National impact.

Last year, more than 2,000 attorneys and paralegals – primarily from New York's leading law firms and corporate law departments – handled 2,200 matters on behalf of our clients. Pro bono work ranged from complex litigation to staffing an immigration hotline. Many of these matters are part of a law firm project in which the firm, under partner leadership, staffs a number of cases annually. Other cases are placed with firms through regular case list distributions. Society staff members meet with firms to discuss developing a customized pro bono project or individual case referrals.

The Legal Aid Society also collaborates with law firms on their Summer/First Year Associate Programs. Participating law students and graduates handle Social Security Disability or New York Housing Authority administrative hearings, providing critically needed representation to physically/mentally disabled low-income individuals and tenants who are in danger of losing affordable New York City housing. This has proven to be a successful introduction to pro bono work and trains young associates - who engage in fact development, legal drafting, negotiations, witness preparation, and examination - in skills necessary for professional development.

To provide pro bono opportunities for transitioning and retired attorneys, The Legal Aid Society, one of four United States Second Acts<sup>®1</sup> pilot projects funded by the Pro Bono Institute, has

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<sup>1</sup> <sup>1</sup> Second Acts<sup>®</sup> is a registered trademark of the Pro Bono Institute.

established innovative and replicable public interest law programs for such experienced attorneys. Society staff is available for discussions with law firms and individual attorneys who are interested in learning more about this new initiative, which presents opportunities for transitioning and retired attorneys to mentor law firm associates participating in The Society's pro bono programs.

In the present economic climate, there is an even greater need for pro bono assistance, including the participation in The Legal Aid Society's externship projects for deferred and current law firm associates. Externs will have the opportunity to participate in an extensive new lawyer-training program, will be mentored by our experienced attorneys to enhance further professional development, and will receive ongoing training throughout the externship.

Listed below are Pro Bono Projects and Externships currently available. Individual cases in these substantive areas are also available for assignments during the course of the year depending on client need. Please contact our Pro Bono Administrator, Rachel Tassano, at (212) 577-3919 or [rtassano@legal-aid.org](mailto:rtassano@legal-aid.org), to apply for an externship or receive additional information about pro bono projects, individual cases, and Second Acts<sup>®</sup>. The Legal Aid Society's website at [www.legal-aid.org](http://www.legal-aid.org) provides additional information about our pro bono program.

## **I. CRIMINAL PRACTICE**

### **Criminal Defense**

The Legal Aid Society, the primary public defender in New York City, handles some 232000 cases annually. The Criminal Defense Pro Bono Project, in which volunteer lawyers allocate a third of their time over a nine-month period or serve as full-time externs for up to a year, provides legal resources to assist with this enormous caseload. Under the mentorship of senior Legal Aid Society trial counsel, participating attorneys will work arraignments and handle misdemeanor cases for clients as part of this program. They will be responsible for engaging in research, conducting criminal investigations, drafting motions and memoranda, preparing witnesses and conducting hearings and trials on their cases. They will also serve as part of litigation teams on complex felony matters.

### **Criminal Appeals**

The Criminal Appeals Bureau, New York City's largest post-conviction appellate law office for indigent criminal defendants, has a long history of successfully affecting criminal law and procedure on a State and national level. Pro bono attorneys, mentored by senior appellate counsel, review the trial record, engage in issue selection, write the appellate brief, and engage in oral argument.

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## **II. CIVIL PRACTICE**

### **Housing Preservation – “Adopt a Building Program”**

Many low income families and individuals are forced out of their apartments and into the homeless system, or other inadequate housing situations, because of unlivable conditions in their apartments. These conditions are systemic in nature and are litigated effectively through group representation that will remedy the problem for all of the affected tenants residing in the building. Pro bono counsel will have the opportunity to "adopt a building", representing most or all of the tenants with serious repair issues that put them at risk of homelessness. Participating lawyers will conduct client interviews and fact investigation, draft legal papers, engage in negotiations and trial preparation, and represent clients in relevant judicial proceedings.

### **Housing Preservation – Public Housing**

Thousands of low-income New Yorkers are in danger each year of losing their New York City Housing Authority (“NYCHA”) apartments, the most important and largest source of affordable housing for poor people in New York City. If the tenants, many of whom have small children, are evicted there is a strong likelihood that the family will become homeless. Only a small number of NYCHA tenants are represented by counsel, increasing the chance that they will lose irreplaceable housing. The Legal Aid Society is seeking to increase access to justice for this vulnerable population through expanding our limited resources with law pro bono lawyers who will have the opportunity to hone their lawyering skills and preserve homes. Volunteers, working with an experienced Legal Aid lawyer, conduct fact development and discovery, draft legal papers, engage in negotiations and advocacy, prepare witness, and represent tenants at administrative hearings.

### **Foreclosure Prevention and Preservation of Equity**

Through community outreach, education, and legal assistance, the Foreclosure Prevention Unit works to save the homes of victims of predatory lending practices. Volunteer lawyers, working with senior Legal Aid Society attorneys, provide advice and full representation in State and federal court to low-income homeowners facing foreclosure, many times as victims of deed theft and fraud, and to tenants residing in foreclosed properties. Participating lawyers may be involved with fact development, research, discovery, motion practice, negotiations, witness preparation, oral argument, and trial advocacy.

### **Housing Eviction Prevention**

This project provides critical legal services to low-income tenants at risk of losing their homes. Volunteer attorneys, working with senior housing lawyers, engage in every aspect of litigation: fact-gathering, document review, motion practice, negotiation, witness preparation, and representation at trial. Participating attorneys play a vital role in preserving affordable housing, correcting unsafe and hazardous conditions, securing housing subsidies, and preventing homelessness and displacement.

### **Homeless Rights**

The Homeless Rights Project protects and enforces the legal rights of homeless families and individuals in New York City by initiating law reform litigation on behalf of groups of homeless families with children and by providing direct representation for families who contact the Project through a toll-free hotline and ongoing outreach in emergency housing facilities. Through law reform litigation and provision of direct representation, the Project ensures that families and individuals are not denied lawful shelter and services or illegally forced out of the shelter system. The Project also is working to make sure that formerly homeless families receive payment of fines that were part of the McCain settlement, groundbreaking litigation that recognized a permanent, enforceable right to shelter for homeless children and their families. Working with an expert legal team, pro bono attorneys will have the opportunity to review case records, interview homeless families and individuals, develop evidence of physical and/or mental impairments, draft memoranda, and represent clients at State administrative hearings.

### **Community Development**

The Community Development Project (CDP) provides legal assistance, education, advocacy, and other support for grassroots community and economic development, primarily in Manhattan and the Bronx. Through the promotion of low income entrepreneurship, representation of nonprofits that provide essential community services, and supporting the development and preservation of affordable housing, the CDP strengthens low-income communities and deters displacement of its residents. Volunteer lawyers engage in a wide range of corporate work, tax, real estate, commercial leasing, intellectual property, and employment law representation, and participate in all aspects of creating and representing tax-exempt organizations, low income microentrepreneurs, and low-income tenants/shareholders.

### **Tax Law - Low-Income Taxpayer Clinic**

This specialized practice provides legal representation and advice to low-income taxpayers, many with limited English proficiency, in disputes with the IRS and/or the New York State Department of Taxation and Finance. The Clinic operates a hotline and conducts community outreach and neighborhood workshops in English, Spanish, and Mandarin Chinese. The Low-Income Taxpayer Clinic pro bono counsel will assist in all aspects of the practice.

### **Consumer Law**

The Consumer Law Project represents low-income New Yorkers with legal problems involving debt collection, identity theft, wage garnishment, and bank account freezing. Participating attorneys work on affirmative State and federal litigation involving consumer protection laws, consumer related policy advocacy, and affirmative litigation against private equity companies that engage in unlawful consumer practices. They engage in fact development, research, discovery, motion practice, negotiations, witness preparation, oral argument, trial advocacy, settlement discussions, and monitoring compliance with consent decrees.

### **Employment Law**

The Employment Law Unit represents low-wage and immigrant workers who have been unfairly denied unemployment insurance, have had back wages illegally withheld, have been denied employer insurance or pension benefits, or have been unfairly denied Family and Medical Leave Act benefits. Volunteer attorneys, working with an experienced employment law legal team, will have the opportunity to handle individual cases before the Unemployment Insurance Board and represent clients in State and federal actions. Depending upon the case, participating attorneys may be involved with fact development, research, discovery, motion practice, negotiations, witness preparation, oral argument, and administrative or trial advocacy.

### **Disability Advocacy Project**

The Disability Advocacy Project provides legal services for physically and/or mentally disabled adults and children who have been wrongfully denied Social Security Disability benefits. Pro bono lawyers, working with experienced disability attorneys, have a proven record of accomplishment in these proceedings. Volunteer attorneys have the opportunity to investigate facts, gather corroborating medical evidence, prepare clients for the hearings, submit memoranda, and represent clients at administrative hearings.

### **Health Law**

The Health Law Unit assists individuals in need of health insurance and health care services. The practice covers a broad range of issues, including Medicaid, managed care, denials of benefits/services, access for uninsured New Yorkers and immigrants, reproductive health care, disability rights, and discrimination. Working throughout New York City with more than 30 community based organizations, the Unit provides training, technical assistance and advice on health access issues. Participating attorneys, working with experienced Legal Aid Society lawyers, provide advice and representation in all aspects of the practice.

### **HIV/AIDS Representation Project (H/ARP)**

H/ARP, a citywide unit that works in collaboration with HIV medical and social service agencies, provides civil legal services to individuals living with HIV/AIDS. Pro bono attorneys have the opportunity to work in all facets of the practice and ensure that this vulnerable population receives appropriate benefits, has adequate shelter, can address family law issues, resolve debt, and formalize advance planning. Volunteer lawyers may offer limited or full representation and participate in legal workshops and training for HIV service providers and consumers.

### **Project FAIR/Public Benefits Project**

Project FAIR provides access to information for pro se public benefits recipients about their legal rights in the New York State administrative “fair hearing” process. It also dispenses information about community services and acts as a resource for organizations working with low-income and homeless individuals and families. Pro bono lawyers have the opportunity to engage in advocacy work in conjunction with this unique initiative that reaches individuals facing loss of subsistence economic support and who are not otherwise able to access legal services.

### **Special Education and Disability Advocacy**

The Citywide Disability Practice advises and represents individuals and groups on issues related to obtaining and/or retaining disability benefits administered by the Social Security Administration. Many clients of the Disability Practice are disabled children who need special education assistance. A volunteer lawyer can work with experienced staff to provide Special Education advocacy services for children for whom the Disability Practice is litigating disability claims with the Social Security Administration.

### **Elder Law**

The Legal Aid Society's Elder Law project provides a wide-range of legal services to New York City's low-income aged residents. The primary focus is on eviction prevention, government benefits (Social Security benefits, Medicaid, Medicare, Food Stamps, Section 8, and Senior Citizens Rent Increase Exemptions), advance planning, and consumer law matters. Participating lawyers have the opportunity to conduct client interviews, draft legal pleadings and memoranda, engage in administrative advocacy, conduct negotiations, prepare witnesses, and represent clients at hearings.

### **Immigrant Defense**

The Legal Aid Society, the only free, citywide provider of these immigrant legal services, defends long-term residents with family ties in Immigration Court removal proceedings. Pro bono counsel attorneys have the opportunity to assist with every level of representation. Volunteer lawyers interview clients and witnesses, prepare immigration applications, research country conditions in asylum cases, draft pleadings and memoranda of law, prepare witness statements and witnesses, and represent clients at trial.

### **Special Immigrant Juvenile Status Project ("SIJS")**

The SIJS Project assists abused, neglected, and abandoned immigrant young people, mainly in the foster care system, who do not have legal status and face risk of removal from the United States. They have no memory of their "home" country and have lived in the United States their entire lives. Working with the Project's senior attorney, volunteer lawyers gather the necessary facts to complete a SIJS application to the US Citizenship and Immigration Services and accompany these young clients to interviews for approval of applications that will enable them to gain lawful permanent status.

### **Family Law/Domestic Violence**

The Legal Aid Society, in collaboration with community-based domestic violence advocacy programs, enables domestic violence survivors and their children to lead safe, stable, and economically self-sufficient lives. Pro bono work ranges from terminating the marriage through matrimonial proceedings to securing immigration waivers to legalize immigration status. The wide range of legal work offers opportunities to both litigators and transactional counsel.

### **Prisoners' Rights Project/ Re-Entry Project**

The Prisoners' Rights Project ("PRP") seeks to remedy unconstitutional conditions and illegal practices in the New York City jails and New York State prisons and provides inmates with self-help materials and limited administrative advocacy. Through class action and test case litigation, PRP's lawyers have addressed issues of brutality, deficient medical and mental health care, education, sexual abuse, and treatment of disabled clients. The Re-Entry practice focuses on

advocacy for ex-inmates' transition and reintegration into their communities with their families to obtain employment, housing, health and other benefits, resume their education, and re-gain their civil rights. Volunteer attorneys gain experience in fact investigation, discovery, drafting of pleadings and memoranda and witness preparation, and participate in all aspects of legal advocacy for this under-represented and "hidden" population.

### **The Rikers Island Reentry Project**

The Rikers Island Reentry Project provides advice and legal representation to prisoners who are scheduled to be released shortly and require legal counsel to access housing, government benefits, family law assistance, and other assistance. Maintenance of their homes and economic benefits while incarcerated for a limited period of time will enable former inmates to reintegrate into the community and with their families with as little disruption as possible, reducing the likelihood of repeat offenses. Volunteer lawyers, working with experienced housing, benefits, and family law counsel, will have the opportunity to conduct client interviews, engage in fact investigation and administrative advocacy, prepare legal documents, and provide representation in administrative and judicial forums.

### **Law Reform**

The Law Reform Unit builds upon the needs of individual clients to effect systemic reforms through litigation and advocacy. Volunteer lawyers will work on complex litigation involving public benefits, subsidized housing, and predatory lending which benefits virtually the entire population of low-income New Yorkers. Participating attorneys may be involved with fact development, research, discovery, motion practice, negotiations, witness preparation, oral argument, trial advocacy, settlement discussions, and monitoring compliance with consent decrees.

## **III. JUVENILE RIGHTS PRACTICE**

### **Juvenile Rights**

The Juvenile Rights Practice represents more than 30,000 children annually, in approximately 90% of the abuse and neglect, juvenile delinquency, and Persons in Need of Supervision (PINS) proceedings in New York City's Family Courts. The Juvenile Rights Pro Bono Project involves volunteer lawyers who represent these young clients in court to ensure their legal interests are being met. Additionally, volunteers will interact with JRP's social workers who work with the attorneys and paralegals to ensure these clients receive the much needed social services to which they are entitled. Under the mentorship of senior Legal Aid Society counsel, pro bono attorneys gather facts, advocate with social services agencies, engage in motion practice and oral argument, draft memoranda, prepare witnesses, and represent youth at bench trials. Participating lawyers also may work with the Special Litigation and Law Reform Unit on litigation to address systemic problems within the juvenile justice and child welfare systems.

### **Juvenile Rights Appeals**

The Juvenile Rights Appeals Unit is the principal appellate counsel for New York City's abused and neglected children and youth adjudicated as juvenile delinquents. Appellate advocacy is the natural extension of the representation provided in the trial court by JRP attorneys for both child

welfare and juvenile delinquency clients. Pro bono attorneys, mentored by senior appellate counsel, review the trial record, engage in issue selection, draft the appellate brief, and when applicable, engage in oral argument.

### **Education Advocacy Project**

The Kathryn A. McDonald Education Advocacy Project (EAP) provides educational advocacy that enables abused and neglected clients to secure services addressing educational and developmental needs. Working with the Project staff, pro bono lawyers engage in multiple levels of legal advocacy - factual development and case documentation, negotiation of an appropriate service plan, implementation oversight, and representation at an administrative hearing. EAP volunteers work closely with trial attorney staff as well to assist in courtroom advocacy as necessary. Both corporate and litigation associates work effectively in this practice.

## **IV. LEGAL AID-WIDE**

### **Second Acts<sup>®</sup>**

The Legal Aid Society is one of three United States Second Acts<sup>®</sup> pilot projects, funded by the Pro Bono Institute, to establish innovative and replicable public interest law opportunities for transitioning and retired attorneys. Second Acts<sup>®</sup> attorneys use their legal talent and expertise in all of The Legal Aid Society's practices acting as mentors to law firms participating in The Society's pro bono programs, volunteering part-time in a community or court based office, working on a specific project, or handling a number of matters annually.

### **Corporate Pro Bono**

Corporate law departments collaborate with The Legal Aid Society on a diverse range of discrete pro bono projects. Many times, it is a three-way partnership, including a leading law firm. Projects have included a business audit for low-income micro entrepreneurs and assisting immigrants with completion of naturalization papers.