

# TECHNOLOGIES THAT SUPPORT PRO BONO & REMOTE DELIVERY

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Moderator: **Sally Curran**, Volunteer Lawyers Project of Onondaga County

Panelists:

**Adam Heintz**, Legal Services NYC

**John Greiner**, Just-Tech, LLC

**Joe Keleman**, Western New York Law Center

**Conrad Johnson**, Columbia Law School

**Bryan Babcock**, Volunteer Legal Services Project of Monroe County

**Leah Margulies**, LawHelp NY

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# SALESFORCE & VOLUNTEER MANAGEMENT

# THE PROBLEM

1. **Utilizing individual volunteers.** Huge administrative burden associated with screening and placing individual volunteers.
2. **Disaster response.** Challenges utilizing a massive volunteer influx during Hurricane Sandy. What about next time?

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# THE PROJECT

1. Grant from LSC to LSNYC and probono.net following Hurricane Sandy.
2. LSNYC and PBN examined a number of potential projects before settling on a tool to manage individual volunteers.
3. PBN explored several different tools before settling on Salesforce.
4. LSNYC and PBN worked together to customize the tool for LSNYC.

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# WHAT IS SALESFORCE?

1. Customer relations/management platform.
2. Businesses track and communicate with sales leads, donors, and others.
3. Volunteer module.
4. Endlessly—overwhelmingly!—customizable.
5. Ten user IDs free for non-profits—zero cost for LSNYC going forward.

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# WHAT SALESFORCE DOES FOR LSNYC

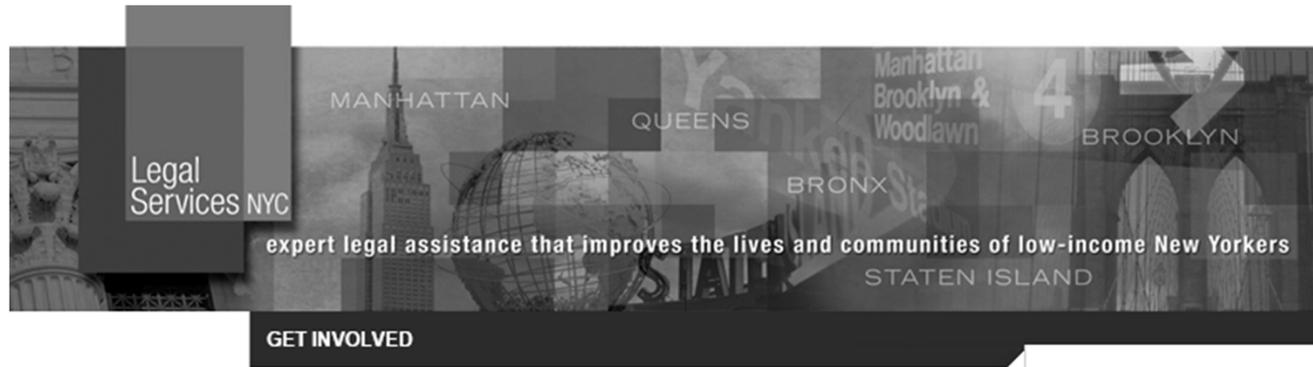
1. **Online application** for volunteers.
2. **Automatic messaging** to volts and staff.
3. **Dashboard** of applicants for vetting/tracking.
4. **Tracks activity** on individual volunteers—prospective, current, and former.
5. **Mass emailing** possible.
6. **Scheduling**—for clinics, phone banks, etc.
7. **Collaboration**: auto enrolls in PBN.

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The logo for Legal Services NYC, featuring the text "Legal Services NYC" in a white sans-serif font, positioned over a dark grey rectangular background with a lighter grey square partially overlapping it.

Legal  
Services NYC

# ONLINE APPLICATION - 1



Thank you for your interest in volunteering with Legal Services NYC (LSNYC)! Please complete the form on this page so that we can determine if we have a suitable opportunity for you at this time. Sorry for all of the questions; because we are such a big organization this information will enable us to determine where you might fit. We hope to have the chance to work together soon. Note that, because of space constraints, we cannot accommodate every volunteer request.

LSNYC fights poverty and seeks justice for low-income New Yorkers. For more than 40 years, we have challenged systemic injustice and helped clients meet basic needs for housing, access to high-quality education, health care, family stability, and income and economic security. LSNYC is the largest civil legal services provider in the country, with deep roots in all of the communities we serve. Our neighborhood-based offices and outreach sites across all five boroughs help more than 70,000 New Yorkers annually. LSNYC leverages its limited resources with a range of pro bono partnerships across all of our practice areas.

Note: To support your volunteer efforts, you can also use this form to create a free membership in Pro Bono Net's [NYC Pro Bono Center](#), if you're not already a member. If you don't wish to do this, please indicate below.

First Name\*

Last Name\*

Email\*

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# ONLINE APPLICATION - 2

How often would you like to volunteer?\*

Available		Chosen
Full Time	▶	
Several Days/Week	▶	
1 Day/Week	▶	
1 Day/Month	▶	

When are you interested in volunteering?\*

Available		Chosen
For a Month or Two	▶	
For a Summer	▶	
For a Semester	▶	

Type of Volunteer Opportunity\*

--None-- ▼

Do you want to volunteer on- or off-site\*

--None-- ▼

Where would you like to volunteer?\*

Available		Chosen
Manhattan	▶	
Brooklyn	▶	
The Bronx	▶	
Queens	▶	

Special skills (e.g., T&E law expertise)

Are you fluent in any of the following?

Available		Chosen
Spanish	▶	
French	▶	
Creole	▶	
Mandarin	▶	

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# DASHBOARD



6. LSNYC Pro Bono - Current Volunteer

Edit | Delete | Create New View

New Contact

Add to Campaign



A | B | C | D | E | F | G | H | I

<input type="checkbox"/>	Action	Name ↑	Your background	Where would you li...	When are you inter...	How often would y...	Practice(s)/populat...	Are you flue
<input type="checkbox"/>	Edit   Del   +		Law Student	Queens	For a Summer	Full Time	Housing	
<input type="checkbox"/>	Edit   Del   +		Law Student	Manhattan; Brookly...	For a Summer	Full Time	Anti-Discrimination;...	
<input type="checkbox"/>	Edit   Del   +		Attorney Admitted i...	Manhattan; Brookly...	Other	1 Day/Week	Bankruptcy; Consu...	
<input type="checkbox"/>	Edit   Del   +		Law Student	Manhattan	For a Summer	Full Time	Housing	
<input type="checkbox"/>	Edit   Del   +		Law Student	Manhattan	For a Summer	Full Time	Housing	
<input type="checkbox"/>	Edit   Del   +		Attorney Admitted i...	Manhattan; Broo...	Ongoing	Several Days/Wee...	Anti-Discrimination;...	
<input type="checkbox"/>	Edit   Del   +		Law Student	Staten Island	For a Summer	Full Time	Disaster Assistance	
<input type="checkbox"/>	Edit   Del   +		Law Student	Brooklyn	For a Summer	Full Time	LGBT/HIV	
<input type="checkbox"/>	Edit   Del   +		Law Student	Manhattan	For a Summer	Full Time	Family	
<input type="checkbox"/>	Edit   Del   +		Law Student	Manhattan; Brookly...	For a Month or Two...	Several Days/Wee...	Bankruptcy; Consu...	Russian
<input type="checkbox"/>	Edit   Del   +		Law Student	Manhattan	For a Summer	Full Time	Immigration	Spanish
<input type="checkbox"/>	Edit   Del   +		Law Student	Brooklyn	For a Summer	Full Time	Elder	
<input type="checkbox"/>	Edit   Del   +		Law Student	Manhattan	For a Summer	Full Time	Housing	
<input type="checkbox"/>	Edit   Del   +		Law Student	Manhattan	For a Summer	Full Time	Housing	
<input type="checkbox"/>	Edit   Del   +		Law Student	Manhattan	For a Summer	Full Time	Anti-Discrimination;...	
<input type="checkbox"/>	Edit   Del   +		Law Student	Queens	For a Summer	Full Time	Other	Russian

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# DASHBOARD / VIEWS

**Volunteers for Salesforce**

Search... Search

Home Volunteers Help Find Volunteers **Contacts** Campaigns Reports Dashboards +

Create New...

Recent Items

Contacts Home

View: 3. LSNYC Pro Bono - Active Consideration Go! Edit | Create New View

1. LSNYC Pro Bono - New Apps, Not Rev'd  
2. LSNYC Pro Bono - Good Prospects  
3. LSNYC Pro Bono - Active Consideration  
4. LSNYC Pro Bono - Maybe Later  
5. LSNYC Pro Bono - Discard / Bad Fit  
6. LSNYC Pro Bono - Current Volunteer  
7. LSNYC Pro Bono - Former Volunteer  
8. LSNYC Pro Bono - All Applications  
Goodinterview  
New Last Week  
New This Week  
Recently Viewed Contacts

New

Name	Phone	Mobile	Email	Mailing

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# INDIVIDUAL APPLICANTS - 1

The screenshot shows the 'Contacts' page on probono.net. The navigation bar includes Home, Volunteers Help, Find Volunteers, **Contacts**, Campaigns, Reports, and Dashboards. A left sidebar contains a 'Create New...' dropdown, a 'Recent Items' list, and a 'Recycle Bin'.

The main content area features a profile for 'Liz Keith' with a profile picture, social media icons (LinkedIn, Twitter, Facebook, YouTube), and a 'No followers' status. Below the profile is a post creation area with a text input field, a 'Share' button, and a 'Follow' button. A message states 'There are no updates.' and a link to 'Back to List: Contacts' is provided.

The 'Contact Detail' section includes 'Edit' and 'Delete' buttons. It is divided into two main sections:

- System Information**
  - Volunteer Status: New sign up
  - Contact Owner: Volunteer Signup Form [Change]
  - Law/Firm Corp?:
  - Which firm/corp?:
  - Already an LSNYC volunteer?:
- Contact Details**

Name	Your background	Other
Account Name	Retired Attorney (AKA "Emeritus")	No
Current Employer or School, If Any	Are you fluent in any of the following?	
Do you work at a large firm/corporation?	Special skills (e.g., T&E law expertise)	

A 'Chat' button is located at the bottom right of the contact details section.

# INDIVIDUAL APPLICANTS - 2

## ▼ Volunteer Information

Type of Volunteer Opportunity	Legal	Fellowship to support your volunteering?	No
When are you interested in volunteering?	For a Month or Two	If yes or other, please explain	
Where would you like to volunteer?	Manhattan	Volunteer in case of city-wide disaster?	<input type="radio"/> Yes
Do you want to volunteer on- or off-site	On-Site	Are you a member of probono.net (PBN)?	Yes
How often would you like to volunteer?	Full Time	If not, may we share your info with PBN?	
Practice(s)/population(s) of interest	Anti-Discrimination	How did you become interested in LSNYC?	
Anything else you'd like us to know?			

[Edit](#) [Delete](#)

## Notes & Attachments

[New Note](#) [Attach File](#)

No records to display

## Activity History

[Log a Call](#) [Mail Merge](#) [Send an Email](#) [Request Update](#) [View All](#)

Action	Subject	Related To	Task	Due Date	Assigned To
<a href="#">Edit</a>   <a href="#">Del</a>	<a href="#">Volunteer Signup Thank You Sent - Contact</a>		<input checked="" type="checkbox"/>	5/18/2015	<a href="#">Volunteer Signup Forr</a>

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Services NYC

# WHAT'S NEXT?

1. Sharing system with sister legal services organizations in NYC.
2. Formed sub-committee of City Bar Committee on Pro Bono & Legal Services to make this happen.
3. Creating a “start-up kit” for non-profits to make as easy as possible—this is a challenge!
4. Shared platform for future disasters?

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# ONLINE TRAINING & SUPPORT OF PRO BONO ATTORNEYS

JOSEPH KELEMEN - WESTERN NEW YORK  
LAW CENTER

# TRAINING PORTAL

The training portal for the Law Center's CLARO program was developed by Columbia's Lawyering in the Digital Age Clinic



CLARO Buffalo

HOTLINE 716.828.8432

[Home](#) [Training](#) [Forms](#) [Ethics & Compliance](#) [Statutes](#) [Interview Tips](#)

Search



## Introduction

Thank you for taking the time to learn more about CLARO Buffalo!

CLARO Buffalo is an organization under the umbrella of the Western New York Law Center that aids defendants in consumer debt litigation. CLARO aims to educate debtors and help them through the legal process by running two weekly sessions to provide short-term legal services to defendants in consumer debt litigation. The sessions run as walk-in clinics, with CLARO paralegals and student volunteers conducting intake with the clients, while CLARO attorneys and volunteer attorneys work together to prepare any necessary documents for the client and provide them with explanations about how the litigation will work.

Volunteers are given an overview of the CLARO program, from meeting with visitors, signing a limited scope retainer, to analyzing the problem and drafting pleadings.



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## Overview

A screenshot of a presentation slide titled "Overview". The slide is displayed in a window with a toolbar at the top showing "Page: 1 of 1", "Automatic Zoom", and other navigation icons. The slide content is organized into three vertical sections, each with a chevron-shaped header and a list of bullet points.

- Intake**
  - CLARO volunteers and paralegals will meet with the visitors to start the intake process.
  - **Acknowledgement and Understanding Form** is explained to CLARO visitors and signed.
  - **CLARO Intake Form** is filled out to collect visitor's personal information and to identify what brings CLARO visitor to session.
  - Collection of any documents CLARO visitor has brought with him.
- Conference**
  - Paralegal will bring the intake form and any documents back to the conference room.
  - Attorneys will work with the visitors to determine what documents may be necessary.
  - Based on **Intake Form**, documents, and interview, attorneys will work with experts to draft an **Answer, Order to Show Cause, Letters to Credit Reporting Agencies and/or Plaintiff** as necessary.
  - First time drafters can refer to **Annotated Answer and Annotated Order to Show Cause**.
- Counseling**
  - Attorney will present and explain documents and next steps to CLARO visitor.
  - **CLARO Visitor and Attorney Next Steps Checklist** is compiled as necessary.
  - **CLARO Attorney Form** is completed and filed.

Video sections containing instructions on defending debt buyer cases are made available to volunteers.

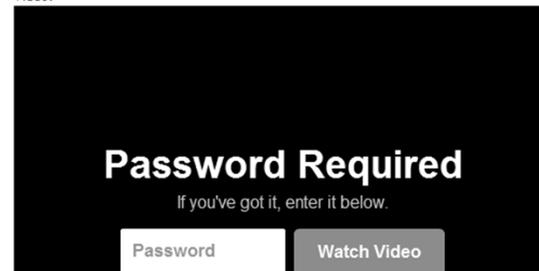
## Training Videos

For an introduction to the CLARO session process, watch the video below:



CLARO Training from CLARO Buffalo on Vimeo.  
Refer to the [Institutional Forms](#) and [Annotated Documents](#) pages to see the documents referred to in the video.

For more detailed information about defending lawsuits brought by debt buyers, watch the following video.



# Index of forms and pleadings



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## Institutional Forms

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Included on this page are the following institutional forms:

Limited Scope Agreement, Intake form, Fillable Intake Form, Attorney Form, Next Steps Checklist, Answer Template, and Order To Show Cause Template

### Limited Scope agreement, and explanatory tool.

-  Expectations - Explaining Acknowledgment And Understanding Form (49.8 KiB)

### Intake Form.

-  CLARO Intake Form (66.1 KiB)

### Fillable Intake Form.

-  CLARO FILLABLE INTAKE FORM (163.0 KiB)

### Attorney Form.

-  CLARO Attorney Form (133.0 KiB)

### Next Steps Checklist.

-  Next Steps Checklist For Visitors And Attorneys (100.7 KiB)

### Answer Template.

-

Annotated forms and pleadings drafted by students help orient volunteers to some of the more common pleadings and issues



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## Annotated Documents

Included on this page: An annotated Answer and an Answer template; An annotated Order to Show Cause and an Order to Show Cause template.

Please reference these documents when helping clients fill out Answers or Order to show causes.

**Annotated Answer: Use this for reference when filling out Answers.**

-  Annotated Answer (44.1 KiB)

**Annotated Order to Show Cause: Use this for reference when filling out an Order to Show Cause.**

-  Annotated Order To Show Cause (69.5 KiB)

**Order to Show Cause Template.**

-  OTSC-to-Vacate (48.5 KiB)

## Example of annotated answer

3.  I received the Summons and Complaint, but service was not correct as required by law.

**Note:** Service must be by someone over the age of 18 who is NOT a party to the action. Service may not be made on a Sunday or Holiday.

Personal Service: Person being served received it in his/her hand.

Substitute Service: A copy was left with individual other than person being served at the person's residence or place of business. An additional copy must also be mailed.

Conspicuous Service: In cases where no service was possible after diligent effort, a copy was affixed to door of residence or place of business and mailed.

For more information, refer to CPLR 308

### DEFENSES

4.  I do not owe this debt.  
5.  I did not incur this debt. I am a victim of identity theft or mistaken identity.

**Note:**

Prepared with the assistance of Buffalo CLARO by:

Identify Theft: ex. someone stole the defendant's name and personal information and opened a credit card in the defendant's name pretending to be him/her.

Mistaken Identity: ex. the defendant was sued for somebody else's debts because of similar names or identifying information.

6.  I have paid all or part of the alleged debt.  
7.  I dispute the amount of the debt.

**Note:** Use this defense if the plaintiff sued for the wrong amount. All amounts must be right. Ex. interest, collection costs, attorneys' fees.

Form letters, many of them automated, are gathered in one place and explained



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Commonly Used

- Institutional Forms
- Annotated Documents
- Commonly Used Letters

Included on this page are [unclear] of clients.

**Letter to inform Credit Reporting Agencies of vacated judgment.**

- Vacated Judgments - Letter To Credit Reporting Agencies-1 (25.0 KiB)

**Letter to Credit Reporting Agencies to dispute items on credit report.**

- Inaccuracy Ltr To CRA And Dc (27.0 KiB)

**Letter to Credit Reporting Agencies to dispute debt discharged in bankruptcy.**

- Dispute To CRA - Discharge In Bankruptcy (26.5 KiB)

**Letter to debt collector to cease communication.**

- Letter Re Cease Communication (18.2 KiB)

For Debt Collectors.

- Debt Validation Letter (17.1 KiB)

Volunteers can review the guidelines on confidentiality, and conflicts



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## Ethics & Compliance

Please see ethical guidelines and rules on confidentiality below.

### Guiding Rules On Confidentiality.

-  Rules Of Professional Responsibility And Conduct - Rule 1.6 On Confidentiality (89.0 KiB)
-  NY State Bar Association Rule 6.1 And Rule (101.3 KiB)

### Ethics Opinion 1012.

-  NY State Bar Association Ethics Opinion 1012 (199.2 KiB)

Not all volunteers need the “best practices” section, but they may be helpful to recent graduates.



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## Best Practices

### DO!

- **Be an Active Listener.**
- **Use Open-Ended Questions:**
  - These are especially useful in the beginning stages of the interview to get an idea of what the problem is and what the client needs.
- **Ask One Question at a Time:** Resist the urge of compound questions.
  - “Does the amount in question look reasonable or have you made any prior payment?”
- **Paraphrase:**
  - Summarize in your own words what someone is saying or feeling about his/her experience. The benefits of paraphrasing include:
    - Paraphrasing prevents miscommunication, false assumptions, errors and misrepresentation.
    - Paraphrasing helps you remember what was said.
    - Paraphrasing encourages active listening. You will be less likely to compare, judge, advice, or deviate your attention.
    - In a heated situation, paraphrasing can help stop escalation of anger.
    - Individuals appreciate the feeling of being heard and are more likely to open up if they feel appreciated.
- **Clarify.**
  - Ask questions to get a clearer picture or if you are confused about details or circumstances. This is especially important when someone is speaking in generalities. You may need to prompt them into going into more detail to make sure you understand the circumstances of their experiences.
- **Use the Exact Words of the Client.**
  - Use the words of your client as basis for your questions. It helps you understand precisely what the client means to convey rather than substituting your own meaning. This also signals to the client that you are listening.

### DON'T!

The training portal is a work in progress, but it allows volunteers to get a head start on some of the issues they will see in the CLARO sessions. We are going to supplement the existing materials with a series of short videos on discovery, auto repossessions, student loans, etc.



HOTLINE 716.828.8432

Home About News Resources Self Help Forms How To Volunteer

## How to Volunteer

CLARO Buffalo is an important part of the Buffalo community and works to alleviate and prevent hardships caused by the unfair and illegal tactics of debt collection agencies. Twice weekly, our volunteers, attorneys, and paralegals assist visitors with their debt collection problems.

By volunteering with our organization, you will help those who truly need it, be eligible for CLE credit, fulfill pro bono hours, and learn about the litigation process from experts in the field. For more information about CLARO Buffalo, watch the video below. If you are interested in volunteering, please fill out the form below and we will contact you.



CLARO-04-16-15 from CLARO Buffalo on Vimeo.

If you are interested in volunteering with CLARO Buffalo, please fill out the form below, and we will contact you. Volunteers can be eligible for CLE credits or pro bono hours.

\* indicates required field

Name:

Volunteer Type:\*

### Categories

- News
- Resources
- Uncategorized

### Archives

- April 2014
- March 2013
- January 2013

# DOCUMENT ASSEMBLY CLARO CLINICS

**We use document assembly in our CLARO consumer clinics for three reasons.**

- 1) Court documents are repetitive – the same caption, index No. etc. goes on each**
- 2) Volunteers need guidance in preparing documents in areas of the law in which they do not regularly practice**
- 3) The clinics are high volume and we have a limited amount of time to serve a lot of people. We don't want to waste time typing repetitive answers.**

# QUESTIONNAIRES FOR VOLUNTEERS

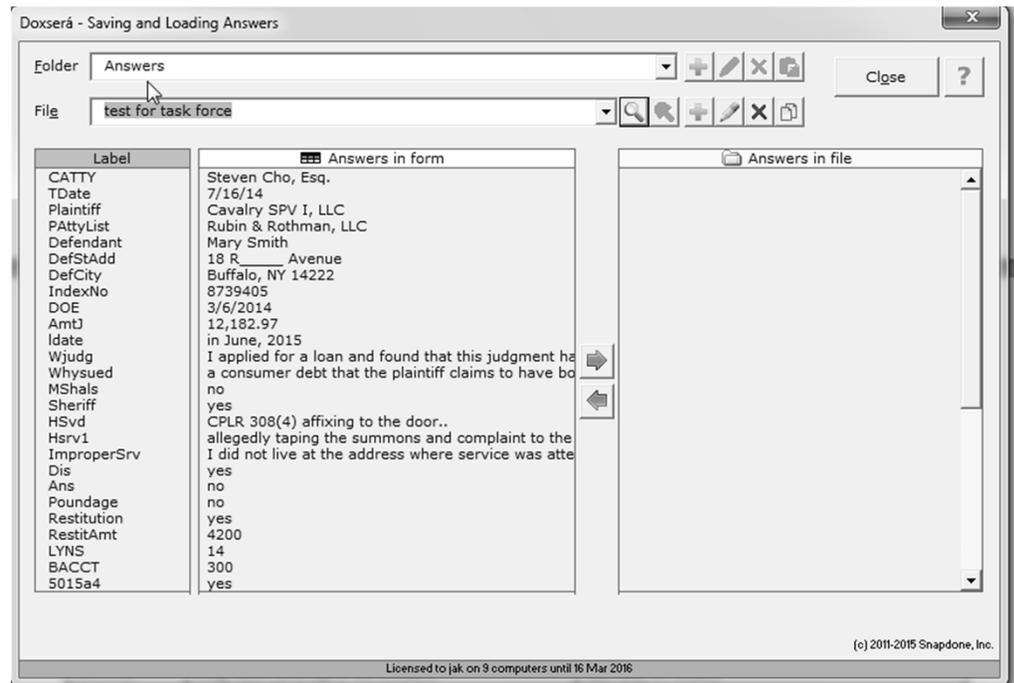
Questionnaires guide volunteers through the information gathering process and ensure that answers are typed only once.



TheFormTool (c) 2011-2013 Snapdone, Inc.		
Label	Question	Answer
<b>General Questions</b>		
CATTY	Name of CLARO Attorney?	Pamela Lanich, Esq.
TDate	Today's Date?	7/16/14
Plaintiff	Name of Plaintiff?	Cavalry SPV I, LLC
PAttyList	Name of Plaintiff's attorney?	Rubin & Rothman, LLC
Defendant	Name of Defendant?	Mary Smith
DefStAdd	Defendant's street address?	93 Main Street
DefCity	City, town and zip of defendant	Buffalo, NY 14222
IndexNo	Index No.?	8739405
DOE	Date of entry of default judgment?	3/6/2014
AmtJ	Amount of Judgment? (Don't use \$ symbol)	12,182.97
ldate	I first learned about this judgment (in the last week of December; or use a specific date)...	in June, 2015
Wjudg	I first learned about this judgment when ( I received a notice that ...)or (was denied a loan)	I applied for a loan and found that this judgment had been filed against me.
Whysued	Why is Plaintiff suing?	a consumer debt that the plaintiff claims to have bought from another company.
MShals	Will Marshals be served?	no
Sheriff	Will Sheriff be served?	yes
HSvd	Section under which defendant was served?	CPLR 308(4) affixing to the door..
Hsrv1	How was defendant served (ex – taping the summons and complaint to my door)	allegedly taping the summons and complaint to the door
ImproperSrv	If service was improper, it was improper because	I did not live at the address where service was attempted
Dis	Are you asking for dismissal of the action?	yes
Ans	Will you serve a proposed answer?	no
Poundage	Are you addressing poundage?	no
Restitution	Are you addressing restitution? (Sheriff only)	yes
RestitAmt	What is the amount of the restitution, if any?	4200
<b>For Poor Person Motion</b>		

# CREATING AN ANSWER FILE

The answers are saved in a shared database so they can be imported into forms for use with CLARO visitors.



IndexNo	Index No.?	8739405
DOE	Date of entry of default judgment?	3/6/2014
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HSvd	Section under which defendant was served?	CPLR 308(4) affixing to the door

# NOTICE OF HARD COPY SUBMISSION

This document is paired with several others, including the Opt-Out Notice for E Filing, and the Redaction Notice that pro se litigants must file.

## NOTICE OF HARD COPY SUBMISSION - - E-FILED CASE

(This Form Must be Annexed to Hard Copy Submissions in E-Filed Cases)

I

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF Erie

-----X  
Cavalry SPV I, LLC

Plaintiff/Petitioner,

- against -

Index No. 8739405

Mary Smith

Defendant/Respondent.  
-----X

Parties submitting original hard copy documents in e-filed cases must indicate the reason for hard copy submission by checking the relevant box and signing below.

### Non-Participating Parties

The attached is a court original unless and until uploaded to NYSCEF.

In a consensual case, I am authorized to and have served on all other parties a declaration of consent to e-filing on behalf of my client, a party to the case, or, if self-represented, myself.

In a mandatory case, I am exempt from the requirement to e-file because I have filed with the court the exemption form required by the Rules or the court has granted my application upon good cause shown.

### Participating Parties

Submissions Requiring Subsequent E-Filing (parties responsible for upload to NYSCEF)

As allowed by court protocol/procedure, I am submitting a proposed order to show cause and supporting papers seeking a TRO, together with the required showing pursuant to Uniform Rule 202.7(f) and/or Commercial Division Rule 20 demonstrating significant prejudice to the applicant from the giving of notice. If these documents are served in hard copy only, I shall e-file these documents within 3 business days after service.

I am authorized to file this document in hard copy pursuant to an emergency exception and am submitting the explanatory affirmation/affidavit required by the E-Filing Rules. I shall, as required by the Rules, e-file these documents within 3 business days.

I am authorized to file this document in hard copy because of a technical failure on the e-filing site as defined in the E-Filing Rules. I shall, as required by the Rules, e-file these documents within 3 business days after restoration of normal operations at the site.

I am submitting an ex parte application pursuant to statute \_\_\_\_\_. If these documents are served in hard copy only, I shall, as required by the E-Filing Rules, e-file these documents within 3 business days after service.

Special Applications/Documents (parties may be responsible for upload to NYSCEF)

I am applying for an order sealing/ limiting access to document(s) and I am submitting the application in hard copy form, as permitted by court protocol/procedure.

NOTICE OF HARD COPY SUBMISSION - - E-FILED CASE

# MEMORANDUM OF LAW OPPOSING SUMMARY JUDGMENT

This is one of the more complicated documents we automatically assemble.

## TABLE OF CONTENTS

	<i>Page</i>
PRELIMINARY STATEMENT.....	1
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<b>A. The Truth in Lending Act Requires Affirmative Proof of Authorized Use Beyond Mere Silence in the Face of Account Statements.....</b>	<b>9</b>
<b>B. Plaintiff Cannot Assert That Because Defendant Did Not Invoke Rights under the Fair Credit Billing Act, Plaintiff is Absolved from the</b>	

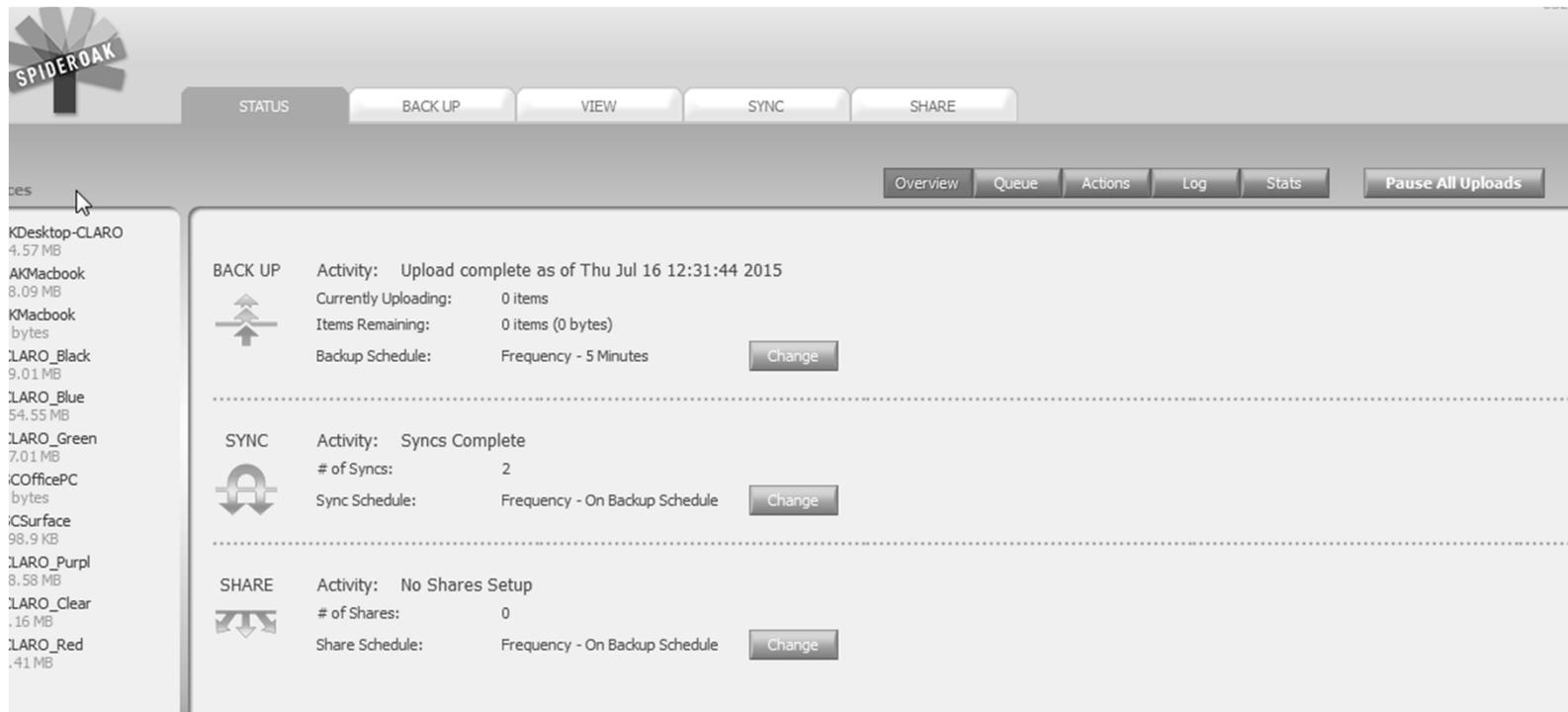
# SELECTION OF SECTIONS TO INCLUDE

Volunteers can select sections to include in the documents.

Sections	Sections to Include
	<p><input type="checkbox"/> I. PLAINTIFF'S MOTION MUST BE DENIED AS UNTIMELY UNDER C.P.L.R. 3212(a) AND THE COURT'S SCHEDULING ORDER</p> <p><input checked="" type="checkbox"/> II. PLAINTIFF HAS NOT SUSTAINED ITS BURDEN TO SUBMIT COMPETENT EVIDENCE SUPPORTING ITS MOTION FOR SUMMARY JUDGMENT</p> <p><input checked="" type="checkbox"/> A. Plaintiff Has Submitted No Evidence in Admissible Form at All Because Its Fact Affidavit is Unsworn and Inadmissible</p> <p><input type="checkbox"/> B. Plaintiff's Putative Records Custodian Affidavit Is of No Evidentiary Value and Violates Both the Rule Against Hearsay and the "Best Evidence" Rule</p> <p><input type="checkbox"/> C. Even Assuming Plaintiff's Proffered Evidence Was Admissible, Plaintiff Has Submitted No Evidence That the Terms of Any Putative Contract Authorized It to Impose the Claimed Interest and Fees</p> <p><input type="checkbox"/> D. The Proffered Cardmember Agreement Contains No Price Term and so Is Unenforceable as a Matter of Law</p> <p><input type="checkbox"/> III. PLAINTIFF HAS NOT SUSTAINED ITS BURDEN UNDER THE FEDERAL TRUTH IN LENDING ACT TO PROVE AUTHORIZED USE</p> <p><input type="checkbox"/> A. The Truth in Lending Act Requires Affirmative Proof of Authorized Use Beyond Mere Silence in the Face of Account Statements</p> <p><input type="checkbox"/> B. Plaintiff Cannot Assert That Because Defendant Did Not Invoke Rights under the Fair</p>

# SYNCHED COMPUTERS

The answer files and documents are synced through SpiderOak, which provides more privacy than Google, Dropbox or other large Cloud based providers.



The screenshot displays the SpiderOak web interface. At the top left is the SpiderOak logo. Below it is a navigation bar with tabs for STATUS, BACK UP, VIEW, SYNC, and SHARE. A secondary navigation bar contains buttons for Overview, Queue, Actions, Log, Stats, and a prominent Pause All Uploads button. On the left side, a list of synced computers is shown with their names and sizes. The main content area is divided into three sections: BACK UP, SYNC, and SHARE, each with a status icon and a 'Change' button.

Computer Name	Size
KDesktop-CLARO	4.57 MB
AKMacbook	8.09 MB
KMacbook	bytes
!LARO_Black	9.01 MB
!LARO_Blue	54.55 MB
!LARO_Green	7.01 MB
!COfficePC	bytes
!CSurface	98.9 KB
!LARO_Purpl	8.58 MB
!LARO_Clear	.16 MB
!LARO_Red	.41 MB

Function	Activity	Details	Action
BACK UP	Upload complete as of Thu Jul 16 12:31:44 2015	Currently Uploading: 0 items Items Remaining: 0 items (0 bytes) Backup Schedule: Frequency - 5 Minutes	Change
SYNC	Syncs Complete	# of Syncs: 2 Sync Schedule: Frequency - On Backup Schedule	Change
SHARE	No Shares Setup	# of Shares: 0 Share Schedule: Frequency - On Backup Schedule	Change

# COLUMBIA'S LAWYERING IN THE DIGITAL AGE CLINIC DEVELOPED A WEB INTERFACE FOR THE ONLINE RESOURCE CENTER TO ALLOW LAW STUDENTS TO SATISFY THEIR PRO BONO REQUIREMENTS REMOTELY.

## FAIR HEARING BANK PRO BONO PROJECT



### **Empire Justice Center offers a great and convenient way to get your pro bono hours from the comfort of your home.**

Any person applying to the NYS Bar must perform at least 50 hours of pro bono related law work before being admitted. When participating in the Fair Hearing Bank Pro Bono Project, your job will be to create summaries of fair hearing decisions, which will be used by those who advocate on behalf of people who've had their public benefits reduced, denied or discontinued.

New York's neediest are eligible for a variety of public benefits, including cash public assistance, food stamps, Medicaid and child care subsidies. These benefits help low income families keep food on the table and a roof over their heads. When an application for public benefits is denied, or benefits are reduced or discontinued, the affected individual is entitled to have their case heard by an Administrative Law Judge (ALJ) employed by the New York State Office of Temporary and Disability Assistance (OTDA) at a fair hearing. This hearing is an opportunity for the individual to show why their benefits should be issued or reinstated. The ALJ will then issue a written decision stating whether the local agency's decision regarding the benefits was correct or incorrect.

#### Quick Links:

- [Background](#)
- [FAQ](#)
- [Promotional Video](#)
- [Fair Hearing Bank Pro Bono Guide](#)
- [Administrative Law Primer](#)
- [NYS Pro Bono Requirement](#)
- [Pro Bono Affidavit](#)

# FRUGAL TECHNOLOGY FOR PRO BONO PROGRAMS

Volunteer Legal Services Project

One West Main Street, 5th floor • Rochester, New York 14614 • 585-232-3051 • [www.vlsproct](http://www.vlsproct)

BRYAN BABCOCK



Volunteer Legal Services Project  
of Monroe County, Inc.

# Help Center Intake Form



## Help Center Intake Form

Please fill in the following and you will be called up as soon as we are available. Estimates are acceptable.

\* Required

First Name? \*

Describe briefly how you would like us to help you \*

- Help with filling out a form
- Help with filling out a pro-se divorce packet
- Notarize documents
- Question about court process
- Other

Who referred you to The Help Center? \*

- Courts
- Agencies
- Attorneys
- Other:

Zip Code \*

Household Size \*

Household income (for statistical purposes only) \*

Please enter your estimated annual household income from all sources

- \$0-\$19,000
- \$19,001-\$29,000
- \$29,001-\$35,000
- Over \$35,000

Are you a: \*

- Veteran
- Landlord
- None of the above

Help Center Intake Responses New

File Edit View Insert Format Data Tools Form Add-ons Help All changes saved in Drive

Timestamp

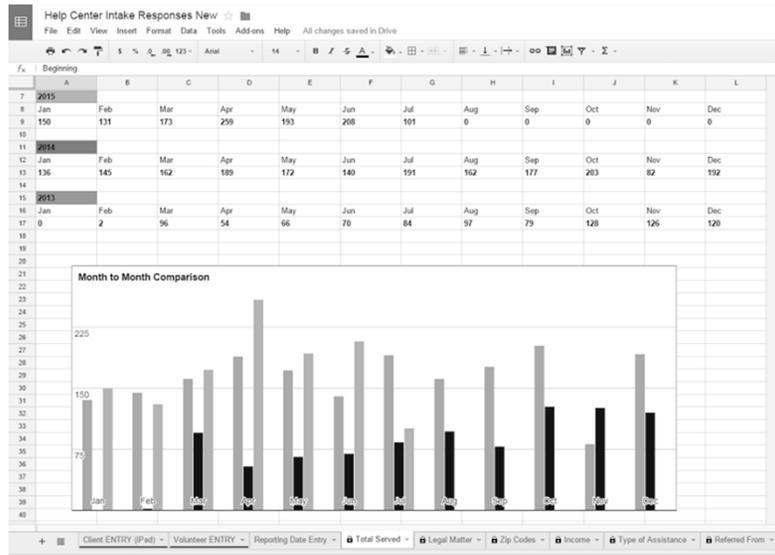
Timestamp	First Name?	Zip Code	Household Size	Household Income (for st	Who referred you to The	Describe briefly how you would like us to help you	Are you a
7/16/2015 14:34:49	George	14021	1	\$0-\$19,000	Courts	Help with filling out a form	None of the above
7/16/2015 14:02:31	Francis	14023	1	\$0-\$19,000	Courts	Help with filling out a form	None of the above
7/16/2015 14:31:59	Kevin	14026	1	Over \$35,000	Courts	Help with filling out a pro-se divorce packet	None of the above
7/16/2015 13:29:09	Nicholas	14020	2	Over \$35,000	Courts	Help with filling out a form	None of the above
7/16/2015 16:14:07	Jared	14513	4	\$0-\$19,000	Agencies	Help with filling out a form	None of the above
7/16/2015 15:52:20	Water	14007	1	\$0-\$19,000	Courts	Notarize documents	None of the above
7/16/2015 13:58:25	Emily	14023	1	\$0-\$19,000	Agencies	Question about court process	None of the above
7/16/2015 13:37:48	Giselle	14010	1	\$19,001-\$29,000	Agencies	Other	None of the above
7/16/2015 13:56:23	Esta	14018	2	\$29,001-\$35,000	Courts	Question about court process	None of the above
7/16/2015 13:32:12	Ken	14984	1	\$19,001-\$29,000	District Attorneys Office	Other	None of the above
7/16/2015 13:42:13	Elisia	14009	5	\$0-\$19,000	Agencies	Other	None of the above
7/16/2015 12:33:39	Usula	14015	1	\$0-\$19,000	Courts	Help with filling out a form	None of the above
7/16/2015 12:31:21	Clark	14016	5	\$29,001-\$35,000	Courts	Help with filling out a pro-se divorce packet	None of the above
7/16/2015 12:29:07	James	14006	3	Over \$35,000	Courts	Other	None of the above
7/16/2015 12:29:16	Michael	14472	3	\$29,001-\$35,000	Courts	Question about court process	None of the above
7/16/2015 12:21:35	Linda	14000	4	Over \$35,000	Courts	Question about court process	None of the above
7/16/2015 12:12:29	Jessica	14007	3	\$0-\$19,000	Courts	Help with filling out a form	None of the above
7/16/2015 11:56:01	Yelda	14013	2	\$0-\$19,000	Courts	Notarize documents	None of the above
7/16/2015 11:54:21	Michelle	14472	3	\$29,001-\$35,000	Courts	Question about court process	None of the above
7/14/2015 15:36:55	Michelle	14472	3	\$29,001-\$35,000	Courts	Help with filling out a form	None of the above
7/14/2015 14:51:20	Linda	14000	4	Over \$35,000	Library	Help with filling out a pro-se divorce packet	None of the above
7/14/2015 14:04:02	Leticia	14012	1	\$0-\$19,000	Courts	Help with filling out a form	None of the above
7/14/2015 13:39:20	Usula	14008	1	\$0-\$19,000	Courts	Help with filling out a pro-se divorce packet	None of the above
7/14/2015 13:37:05	Sharon	14009	2	\$19,001-\$29,000	friend	Help with filling out a form	Landlord
7/14/2015 13:36:28	Sandy	14006	2	\$19,001-\$29,000	Courts	Help with filling out a form	None of the above
7/14/2015 12:05:42	Daphne	14005	3	\$0-\$19,000	Courts	Question about court process	None of the above
7/14/2015 12:01:47	Judith	14022	2	\$0-\$19,000	Attorneys	Question about court process	None of the above
7/14/2015 11:56:30	Glenn	14009	2	Over \$35,000	Courts	Help with filling out a form	Landlord
7/14/2015 11:52:45	Bone	14026	1	\$0-\$19,000	Legal Aid	Question about court process	None of the above
7/14/2015 10:59:14	James	14046	2	\$29,001-\$35,000	Courts	Notarize documents	None of the above
7/14/2015 10:59:42	James	14046	2	\$29,001-\$35,000	Courts	Notarize documents	None of the above
7/14/2015 10:52:36	Daniel	14034	1	\$19,001-\$29,000	Courts	Question about court process	None of the above
7/14/2015 10:49:03	Katherine	14050	4	Over \$35,000	friend	Question about court process	None of the above

Clear ENTRY (Patt) Volunteer ENTRY Reporting Date Entry Total Served Legal Matter Zip Codes Income Type of Assistance Referred From Referred To One Page Printout Household



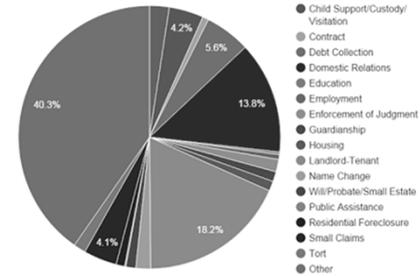
# Data manipulation, reporting, and sharing

Help Center Intake Responses New	
Beginning Date	End Date
4/1/2015	6/30/2015
Volunteer Form	



Nature of Legal Matter	Count
Appeal	16
Child Support/Custody/Visitation	28
Contract	5
Debt Collection	37
Domestic Relations	91
Education	2
Employment	4
Enforcement of Judgment	10
Guardianship	8
Health Care	0
Housing	8
Landlord-Tenant	130
Name Change	12
Will/Probate/Small Estate	8
Public Assistance	1
Residential Foreclosure	7
Small Claims	27
Tort	10
Other	266
Not Provided	0
	660

Nature of Legal Matter



# Case listings for Pro Bono attorneys

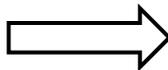
Case Listings/Update Case Status

Case Listings are edited on a continual basis and are always up to date.

Volunteer Legal Services Project of Monroe County has been certified by the New York State Continuing Legal Education Board as an Accredited Provider of continuing legal education in the State of New York.

- CONSUMER LAW AND MICRO-ENTREPRENEUR CASES +
- FAMILY LAW CASES +
- BANKRUPTCY CASES +
- WILLS AND GUARDIANSHIP CASES +
- UPDATE CASES STATUS +
- HELP CENTER SIGN UP +
- VOLUNTEER FOR THE DEBT MANAGEMENT ADVICE CLINIC +
- PRO BONO FORMS +
- HELP CENTER INFORMATION +
- HOTLINE FORMS +

Interested in any of the above cases? Please let us know by submitting the following information:



FAMILY LAW CASES

Family Law

Nary Ben Conway 585-235-5707 mconway@vlsp.org

**DIVORCE CASES**  
No cases at this time.

**SUPPORT/PATERNITY CASES**  
1F. Yiso Case No. 15-02-06000005  
MINIMAL TO MODERATE  
Client seeks assistance in establishing paternity for her deceased spouse in order to collect survivor benefits and amend birth certificate. Client has a frozen DNA sample for this purpose if the necessary motion is filed.

2F. Yvua Case No. 15-02-14000148  
MODERATE  
VIOLATION OF SUPPORT  
Client seeks assistance in establishing a violation of child support. Father owes in excess of \$37K and the child will be 21 next year. There have been numerous petitions filed by her in the past and he was incarcerated in the past. Per the last petition, a judgment was awarded and a willful violation established but no further sanction was imposed. There is a Hearing scheduled for counsel for **July 22, 2015 at 3:30 A.M.** before Support Magistrate Inzary. Father has now filed a Cross Petition for Downward Modification of Support. Father has assigned counsel for the violation matter only.

3F. Agus Case No. 15-02-06000783  
MODERATE  
Client seeks assistance in establishing child support for a 1 year old child. Custody is simultaneously pending in Family Court. The parties each allege that the child spends more time with him/her.

**CUSTODY/VISITATION CASES**  
4F. Ksan Case No. 15-02-14001049  
MODERATE  
Client seeks assistance in modifying custody and primary residence, which is currently with the father. Children are 5 and 2. Client became homeless last year and agreed to give father primary residency, but now has stable housing. Client also has concerns that the father's mother cares for the children at his house, and is also concerned with alcohol and corporal punishment/dv issues. There is an appearance for counsel and father proceedings on **July 20, 2015 at 9:30 A.M. before Judge Kohout**. Father has assigned counsel and there is an AIC appointed as well.

5F. Ywal Case No. 15-02-14000982  
MINIMAL  
Client seeks representation to defend against her father's Petition for visitation with her 2 children ages 3 and 3. Grandfather has retained counsel. Father has assigned counsel to defend

Interested in any of the above cases? Please let us know by submitting the following information:

Case # of Interest \*

Email \*

Name \*

First  Last

---

Select Language

Powered by [Go-gic Translate](#)

Legal Disclaimer

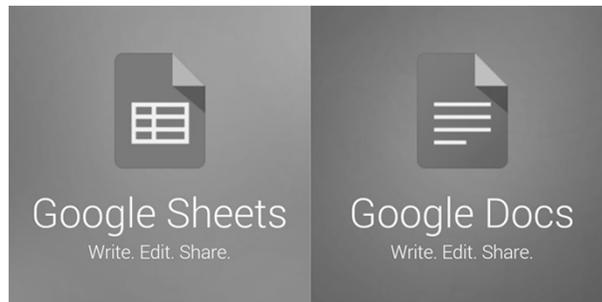
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1 West Main Street | Rochester, NY 14614 | (585) 232-3051  
CONTACT US or CONNECT TO LIVE HELP

f t



Volunteer Legal Services Project  
of Monroe County, Inc.

# Free Tools





Remote Help Center

TECHNOLOGIES THAT SUPPORT PRO BONO & REMOTE DELIVERY

NEW YORK CITY  
BANKRUPTCY  
ASSISTANCE PROJECT

## NYC BANCROPTCY ASSISTANCE PROJECT

- **Under William Kransdorf's leadership, since 2006, NYC BAP helps low-income clients with crippling debt who need advice & bankruptcy**
- **Pro bono attorneys & students review the cases, provide advice & draft bankruptcy petitions**
- **Much of the Pro Bono work is done remotely**
- **Clients are educated on the basics of the law as well as court and creditor processes**
- **When petitions filed, clients proceed pro se with the possibility of further assistance if needed**

## NYC-BAP TECH OVERVIEW

- **Staff & law students leverage LegalServer for applicant screening, scheduling and intake**
- **Training/orientation for volunteers & clients is partially done with video playbacks**
- **Microsoft Remote Desktop Services is used to by staff and volunteers to upload and manage all documents on and off-site**
- **Best Case is used to run the credit checks, prepare the petitions, and e-file the petitions**



## NYC-BAP FUTURE ENHANCEMENTS

- **Two-step online intake in LegalServer –**
  - Conduct preliminary screening
  - Extensive follow-up intake & document gathering
- **Integrate LegalServer with DMS & move to a web-based bankruptcy document assembly**
  - Eliminate Remote Desktop Services
  - Simplify & speed up process/Reduce training & support
- **With sufficient support, eliminate Best Case & integrate with LHI/A2J**
  - Build and maintain the interview and petition tools
  - More seamless integration more
  - Lower Cost and increase access

## NYC-BAP REPLICATION/EXPANSION

- **The model itself is replicable**
  - Processes, protocols, lessons learned
  - The tech itself
- **Translate the model for other practice areas**
  - e.g. Matrimony
- **Enhance/extend for greater remote work**
  - e.g. desktop video conferencing, VoIP calls, webinars
- **Negotiate better terms/Enhance products**



# LIVEHELP BY LAWHELP

**LawHelpNY, technology-enabled legal help for low-income New Yorkers, is no longer a strictly website project.**

We have a range of different portals for different purposes.

Main websites [www.LawHelpNY.org](http://www.LawHelpNY.org) and [www.AyudaLegal.org](http://www.AyudaLegal.org)

LiveHelp

LawHelpNY mobile with LiveHelp (Eng. & Span.)

[www.RealNY.org](http://www.RealNY.org) (English & Spanish Blog)

Social media portals, e.g. Facebook, Twitter, Flickr, Instagram, etc.

SMS pilot-targeting immigrant women victims of DV (now over)

SMS pilot targeting eviction prevention (now over)

Mini-portals—with its own url.

# What is LiveHelp?

Using chat software, LiveHelp provides real-time on-line chat assistance in English and Spanish for people who need/want help understanding their legal problem and how to advocate for themselves if they have to.

Staffed primarily by *pro bono* non-attorney operators (law students) recruited, trained and supervised by a bilingual staff attorney.

Get info about your legal problem ▼

Find legal aid in NYS

Search



## Disaster Recovery Relief



Disaster Recovery Information  
Fraud, Consumer-related problems  
Insurance home  
More issues

## Health and Life



Affordable New York Health Exchange  
Cancer Health Care for

Chat Window - Windows Internet Explorer

https://server.iad.liveperson.net/hc/77090012/?cmd=file&file=visitorWantsToChat&sil

Live Chat by  LIVEPERSON

To help us serve you better, please provide some information before we begin your chat.  
Required items indicated with \*.

Which language do you prefer? ¿Cuál idioma prefieres? \*

English  
 Español

Start Chat →

Hello

How may I help you?



## More Languages

[Spanish / Español](#)  
[Chinese / 中文](#)  
[Russian / Русский](#)  
[Korean / 한국어](#)  
[All Languages ▶](#)



+ Set your location

**LiveHelp**  
ONLINE  
[click here to chat](#)

[Click here to learn more about LiveHelp](#)

Donate



[Sign up for email updates!](#)

[Take our survey](#)

Hot Legal Topics!

[NYC Housing Rights](#)  
[Consumer Debt](#)

Internet

100%

Executive Action on Immigration  
Permanent Residency (Green Card)

Food Stamps / Food Programs (WIC, etc.)  
Fair Hearings

# **Non-attorney Operators**

Law Students

(April 2014 – March 2015)

- **122 *pro bono* operators**
- **From 12 law schools**
- **Receive *pro bono* credit**

Operators get a 2-3 hour training  
plus one-on-one practice chat  
All chats are reviewed by a  
LawHelpNY attorney

Operator training:

LivePerson console

Canned chats (English & Spanish)

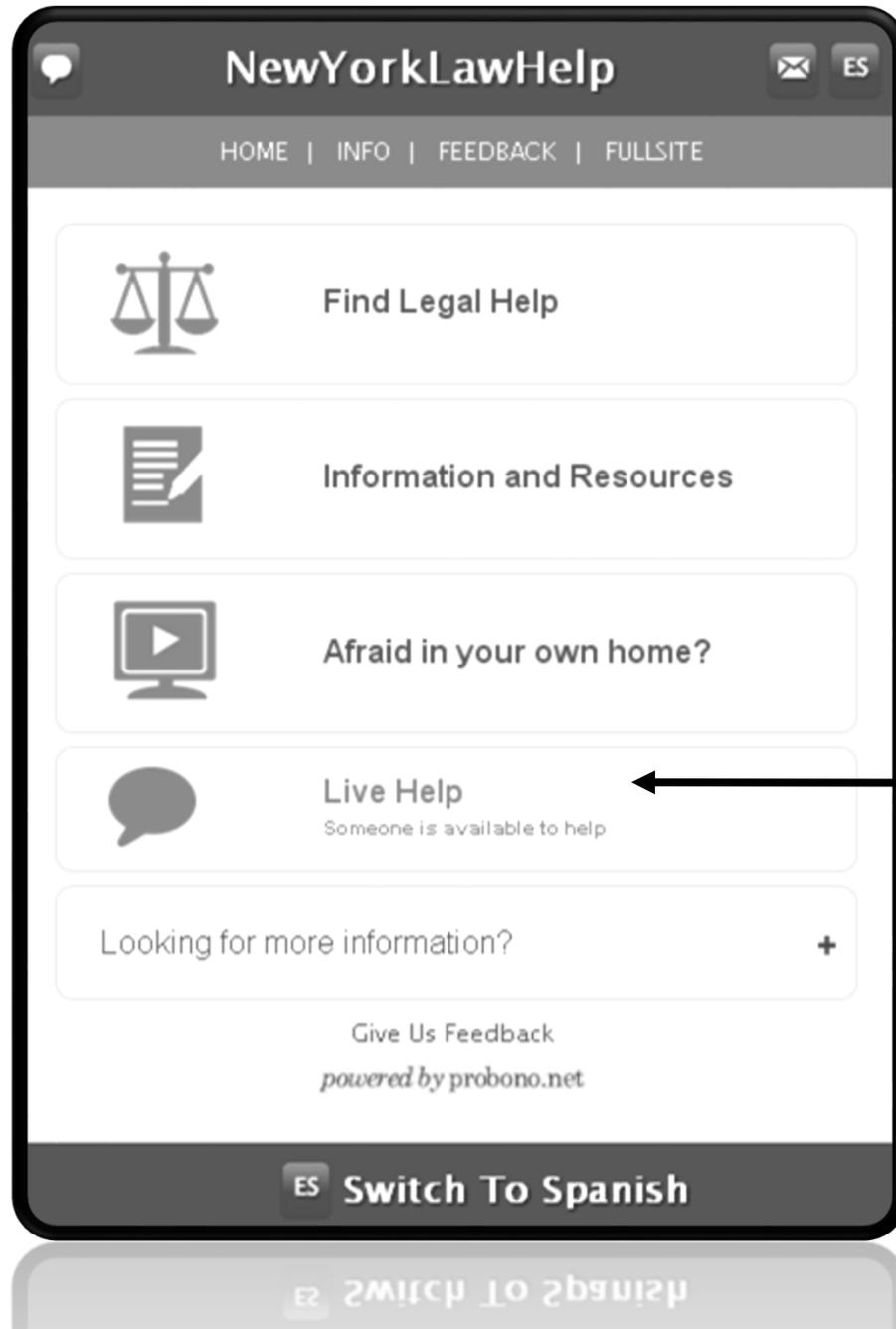
LawHelpNY & Court websites (CourtHelp) for *Know Your Rights*,  
self-help resources and referrals

Issue spotting

Cultural competency

# Chat Examples

- 1. “I just left my abusive husband two months ago. Yesterday, he showed up at work and threatened to kill me. I called the police and he left but said he’d report me to immigration (he has a green card and I am undocumented). How can I stay in the country?” (Erie)**
- 2. “I live in a rent-stabilized apartment. I’ve had no heat or hot water for the last 3 months. When I complained the landlord he didn't do anything. My daughter told me not to pay my rent until the repairs were made. I sent them a letter saying I'd pay the rest when the water is fixed. They only sent back a letter telling me to pay. When I got home, I found a Marshall's notice telling me I was being evicted. What should I do?” (Brooklyn)**
- 3. “I had to have surgery and I cannot work. I went to court to decrease my child support. My request was denied. I now have arrears. I am thinking of filing for bankruptcy. This was a life saving surgery. Can they do this to me?” (Niagara)**



# LiveHelp Mobile

- Offer real time chat assistance through a mobile device
- Issues
  - Disconnects may be problem
  - Questions come up regarding data usage. But because LiveHelp is text based, data cost to users is minimal
  - If main site is accessed, some resources and legal services sites may not be mobile optimized

# LiveHelp Statistics

April 1, 2014 – March 31, 2014

Total Chats 5,404

Average chat time was 14 minutes

Longest = 1 hour Shortest = 2 minutes

- Chats from mobile site = 999
- 226 Spanish chats; 85 via mobile
- 1,674 chat users seeking assistance for a court case
- 1,625+ from outside NYC
- 36% visiting with a Family issue
- 20% visiting with a Housing issue
- 10% visiting with a Consumer /debt issue
- Other top topics: Immigration & Workers Rights
- 375 chat users self-identified as Veterans

# April – June 2015

**1,494 Chats**

**Of these, 34% (517) were people who asked for LiveHelp assistance from their mobile phone.**

**There were more mobile Spanish chats (65) than computer-based Spanish chats (49)**

**40 *pro bono* law student operators**

## **New York State Chief Judge Goal:**

Inculcate *pro bono* into every lawyers' DNA

- **2015 Bar Admission requirement: minimum 50 hours of *pro bono* service**
- **This year 4,769 hours of *pro bono* service donated**
- **Total # of people served since we launched LiveHelp = 33,875**

**“My time with LiveHelp was one of the most fulfilling experiences of my legal career thus far. Being able to aid individuals in need of legal help truly made me feel as though I was a beneficial part of society. Although I have worked at many law firms, working in a pro-bono capacity gives us a totally different level of gratification.**

**Without programs like LiveHelp, many New Yorkers would be unable to find the legal assistance they need. I am grateful to LawHelp for the opportunity and hope they continue to operate in this capacity. Thank you.”**

***-- Student, Benjamin N. Cardozo School of Law***



# VIDEOCONFERENCING FAMILY LAW CLINIC

**Onondaga County  
Family Court**

**New York City  
Family Court**

Initiate video conference

OnVLP conducts  
intake with client

Intake form and  
court orders are  
scanned and  
printed to NYC

NYC attorney  
reviews forms and  
prepares for  
consultation

Onondaga County  
mentor attorney  
available if  
needed

NYC attorney  
counsels client

## Benefits

- Already trained in Family Law
- **More volunteers = more clients served**

## Challenges

- Internet connectivity
- Learning curve on Technology
- Training attorneys on local practice
- Establishing trust with local mentor attorneys

## Suggestions for Future

- Use internet hot spot
- Have attorney be located at their firm for tech support
- Conduct in-person training to establish trust, train on local practice, and prepare attorneys to assist with petitions