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STATE OF NEW YORK
FOURTH DEPARTMENT HEARING
THE CHIEF JUDGE'S HEARINGS ON CIVIL LEGAL SERVICES

October 2, 2012

Onondaga County Courthouse
Ceremonial Courtroom 400
401 Montgomery Street
Syracuse, New York 13202

B E F O R E:

HONORABLE JONATHAN LIPPMAN
Chief Justice of the State of New York

HONORABLE HENRY J. SCUDDER
Presiding Justice, Appellate Division

HONORABLE A. GAIL PRUDENTI
Chief Administrative Judge

DAVID M. SCHRAVER, ESQ.
President, New York State Bar Association

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2 JUSTICE LIPPMAN: Please be seated. Okay.
3 So delighted to see you all. We're very pleased
4 to welcome you to the third year of our services
5 -- our hearings on civil legal services.

6 This is the third hearing of this year.
7 We've already held hearings in Albany and in
8 Manhattan, and this is the third hearing, then
9 we're going to have a hearing in Nassau County on
10 Thursday.

11 And the purpose of our hearings is to look
12 at the justice gap in New York between the dire
13 need for civil legal services and the resources
14 that are available.

15 I want to make clear at the outset that
16 there is nothing more important to me as Chief
17 Judge than civil legal services for the poor and
18 the vulnerable and those most in need in our
19 society.

20 The template that we have developed in New
21 York is to hold these hearings around the state
22 pursuant to a resolution of the legislature, and
23 then to have the Task Force Legal Services, that
24 is chaired by Helaine Barnett, to enhance legal
25 services, who is right over there with many of our

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2 members who are here today; Sheila Gaddis, Bruce
3 Lawrence and Steve Banks and so many others.

4 The purpose of the task force that supports
5 the hearings, and we then go out and look at the
6 results. Figure out what the gap is in civil
7 legal services, and then we put in a request to
8 the legislature to meet that need. And last year
9 we were able to get \$40 million for civil legal
10 services; \$25 million in direct grants and to
11 providers, and \$15 million coming out of IOLA that
12 has been very adversely affected by the economy
13 crisis. This is -- the \$40 million is the most
14 state funding in the country, and yet only the tip
15 of the iceberg in terms of need.

16 The judiciary and the profession have a
17 special obligation to stand up for civil legal
18 services for the poor in a very, very difficult
19 economy. If we're not going to do that, no one
20 else will. And it is our constitutional mission
21 to promote and our effort and moral mission to
22 meet equal justice for all and that's why you see
23 up here the leadership of the judiciary. Myself,
24 the Chief Administrative Judge, the Presiding
25 Justice of the Fourth Department, Hank Scudder.

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2 Gail Prudenti and the head of the State Bar, David
3 Schrauer. You are the leadership of the judiciary
4 and the profession here because it is important
5 that we demonstrate our commitment.

6 In addition to our efforts to get more
7 money, more public funding for civil legal
8 services, it is clear that there is not enough
9 money in the world to meet the need.

10 And we also need volunteer pro bono efforts
11 by the Bar, and as many of you know, we've just
12 issued a new requirement that anyone who seeks
13 admission to the bar in New York will have to
14 demonstrate 50 hours of volunteer pro bono
15 service, legal service before they will be
16 admitted to the bar.

17 And the theory is that those aspiring
18 lawyers, those law students have to demonstrate a
19 commitment to a culture of service, service to
20 others, which is such a fundamental part of being
21 a lawyer.

22 Going back as long as there have been
23 lawyers, service to others has been so much a part
24 of what we're all about, and we want the next
25 generation of lawyers to embrace that core value

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2 that they understand that this is their
3 responsibility now and throughout their careers as
4 lawyers that they need to be performing pro bono
5 service.

6 Equal justice is our reason for being in the
7 judiciary and the profession, and if we don't have
8 equal justice in these beautiful courtrooms and
9 courthouses then we might as well close the
10 courthouse doors. It doesn't mean anything.

11 If what happens inside this courthouse or
12 any courthouse around the state is anything short,
13 even by the smallest amount of promoting equal
14 justice, the economy is hurt, the most vulnerable
15 in our society, they're the ones who have suffered
16 the most. And to some the answer is, oh, the
17 economy is bad, and gee, we don't have, you know,
18 resources available to help people.

19 Well, the point is that when the economy is
20 at its worst, worst is when this need is so
21 fundamental and so basic, you know, so it is now
22 more than ever not that it is now, gee, you know,
23 can't do it, unable to support civil legal
24 services or equal justice. I mean equal justice
25 is fundamental to our society, to our way of life

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2 and everything that we're suppose to be all about.

3 Every civilized society going back to
4 Biblical times is judged by how it treats its most
5 vulnerable citizens and we are no different, and
6 you know, in the Old Testament tells us that is
7 our obligation to pursue justice, rich or poor,
8 rich or poor, or high or low alike, that's what we
9 have to do. Not that the rich can have one kind
10 of justice and everybody else gets something else.

11 So that's what these hearings are about.
12 That's really what, you know, what we're trying to
13 accomplish is to look at what do we need to do to
14 assure equal justice for all in our state, to
15 ensure that the gap between the need and the
16 resources is eliminated and that's what we are
17 trying to do.

18 And we're going to take what happens at
19 these hearings and we're going to look at it, try
20 and figure out what it all means, and then come
21 back to the legislature with another request this
22 year, and on top of that, look at additional ways
23 that we can increase pro bono activity within our
24 state.

25 And we have at the state level Justice Fern

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2 Fisher is here today who oversees this access to
3 justice initiative we have throughout the state
4 and we are trying to see where is the need, what's
5 the need out here in Central New York, what's the
6 need in Syracuse, and do the same thing all over
7 the state.

8 So we're going to start and we're going to
9 listen very carefully. The people who will
10 testify it is -- we have your testimony in
11 writing. You shouldn't hesitate, you don't need
12 to read it. Tell us what is on your mind. What
13 you're thinking and we won't hesitate to ask you
14 some questions.

15 So let's start and we'll keep on a little
16 bit of a tight framework so we will try to keep to
17 the schedule, and if I stop talking maybe we can
18 do that. So the first two witnesses are on legal
19 services to veterans, and we have John G. Powers,
20 the director of the Onondaga County Bar
21 Association Veteran and Military Service Member
22 Pro Bono clinic, and a partner in Hancock
23 Estabrook; and the Honorable Patricia D. Marks.,
24 R-E-T, does that mean retired, Pat?

25 JUDGE MARKS: Yes.

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2 JUSTICE LIPPMAN: I don't believe that.
3 She's the supervising Judge of Monroe County
4 Court, and she is terrific, and she's the
5 presiding Judge of the Veterans Treatment Court;
6 the Interim Director of the Veterans Outreach
7 Center and a current Board Member; and NDCI
8 Faculty Training for Veterans Treatment Courts.
9 So why don't you come up and we'll get started.

10 JUDGE MARKS: Mind if I go first?

11 MR. POWERS: Go for it.

12 JUDGE MARKS: John warned me that he tends
13 to speak quite passionately and long so he was
14 kind enough to let me go first.

15 JUSTICE LIPPMAN: Because you are not
16 bashful and don't speak long. I don't believe a
17 word of that. Go ahead.

18 JUDGE MARKS: I didn't say I wasn't. I
19 just said I wanted first shot. Well, as you know,
20 I'm Patricia Marks, retired Judge, and I want to
21 commend the task force and yourself, Judge
22 Lippman, for your passion for unmet legal needs.

23 And I think it's terrific that you have
24 required service for others from our attorneys
25 because it ties very much into my comments

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2 regarding those who have provided service for
3 others, those who have served in the military and
4 return to the community and have trouble accessing
5 legal services.

6 That's truly ironic when you think that many
7 of the most recent returning veterans are involved
8 in local initiative to restore the rule of law
9 there and then they come home and can't and won't
10 access legal services because of their military
11 background and training or perhaps they've
12 experienced something that has caused either
13 posttraumatic stress disorder or traumatic brain
14 injury, so I think this particular group with
15 unmet civil legal needs, needs our particular
16 passion and attention.

17 And I want to start by describing some of
18 the unique collaboration in Monroe County, and I
19 cite two in particular, but there are many and
20 we're very fortunate in that regard.

21 I also want to talk about the area and the
22 need. The Rochester area has a veteran population
23 of approximately 72,000. The U.S. Army Reserve
24 98th training division use to provide a tremendous
25 amount of legal services to our veterans and that

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2 closed and has created a gap for legal services to
3 these veterans that will no longer be available.

4 We have an organization that has been
5 monitored with "1 Team 1 Fight" and it is an
6 effort by local lawyers and local veteran
7 representatives to make the Rochester area
8 community an area that is friendly to returning
9 vets and provides all manner of services and one
10 place to go to learn about the range of services
11 that is available, including legal services.

12 They've made a great start and pulled
13 together all those organizations that are vital to
14 some of these issues and have been instrumental in
15 helping to identify the unmet civil legal needs
16 for veterans.

17 Veteran's Outreach Center where I was an
18 interim CEO for a time and now serve on the board
19 is a local independent service agency. It's a
20 one-stop service where veterans, regardless of
21 discharge status, can receive an array of services
22 and the center now collaborates --

23 JUSTICE LIPPMAN: Judge, can I stop you
24 for a second and ask you a question?

25 JUDGE MARKS: Sure.

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2 JUSTICE LIPPMAN: What's -- why is this so
3 important that veterans get, you know, we have the
4 Veterans courts, and we have a lot of pro bono
5 work being done for vets, where does this fit into
6 this mix of volunteer legal services or special
7 court programs geared towards meeting the
8 desperate needs of particular groups?

9 In other words, some people would say, and
10 I've heard it said, well, you mean are we giving
11 special treatment to veterans? Where do they fit
12 in the mix of what we were saying the most
13 vulnerable in society need our help, need our
14 public programs, need volunteer assistance, where
15 does that fit into this mix?

16 JUDGE MARKS: I think it fits into the mix
17 because they are part of the poor who do not --
18 aren't able to access services. In the mix when
19 they come right home, if we can meet that need, we
20 can restore them to a good civilian life as
21 opposed to some of the things we have seen that
22 occurred with the Vietnam veterans.

23 JUSTICE LIPPMAN: Exactly the reason why I
24 ask you is because a lot of people don't realize
25 that a lot of veterans are homeless, have

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2 virtually no resources, and just like, you know,
3 the people who haven't been in the military who
4 look around and say, where do I go to meet legal
5 issues affecting the very necessities of life; the
6 roof over one's head, the physical safety, the
7 well-being of the families, their rights to
8 entitlements, this really is four square in the
9 middle of civil legal services for those most in
10 need. I mean is that --

11 JUDGE MARKS: I think it is pretty clear
12 that the Veteran Outreach Center runs a homeless
13 shelter. Two weeks ago we housed a World War II
14 veteran. Appeared to be a direct relationship to
15 his service and homeless status. In his 80s.
16 That is tragic with someone that served our
17 country in that way.

18 JUSTICE LIPPMAN: It is particularly
19 tragic. It's bad enough when you have people who
20 are indigent or down on their luck or whatever it
21 is, that's doubly bad.

22 JUDGE MARKS: Absolutely. And at any
23 given time for this homeless shelter there are at
24 least five to fifteen people on the waiting list.
25 So the homelessness is -- proportionately affects

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2 veterans. The national statistics and local are
3 out 25 percent. Many returning vets -- of the
4 current returning vets come home to financial
5 issues, housing issues, foreclosures issues, many
6 of which I outlined in my written testimony that
7 are serious issues that are very important to
8 restore them.

9 They have great leadership qualities, to
10 restore them just as any other member of the
11 community, but their needs are special. We need
12 to make a special focus because of their military
13 training --

14 JUSTICE LIPPMAN: You can't just --

15 JUDGE MARKS: -- in the service.

16 JUSTICE LIPPMAN: You can't just treat
17 them the same way, even though it is the same
18 need, it's kind of unique in terms of the context
19 of what brings them to this.

20 JUDGE MARKS: Absolutely. We have seen
21 that with veteran treatment courts, and even
22 though veteran treatment courts talks about civil,
23 criminal, legal needs, there are always a series
24 of legal issues related to their recovery.

25 In my discussions with those participants,

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2 what you are doing now you are doing it because
3 you think it's important, right? Not doing it
4 because it is part of your -- you're no longer on
5 the Bench?

6 JUDGE MARKS: Exactly.

7 JUSTICE LIPPMAN: You're doing this -- I
8 get the point, what I want to make to the audience
9 is this is an example of lawyers doing volunteer
10 work on behalf of those who can't help themselves.
11 This is what we are suppose to be doing and here
12 is someone who spent -- Judge Marks, how many
13 years on the Bench?

14 JUDGE MARKS: Twenty-five.

15 JUSTICE LIPPMAN: Looking so young, too?

16 JUDGE MARKS: Absolutely.

17 JUSTICE LIPPMAN: But, you know, see why
18 this is so important, this is what we are trying
19 to inculcate in the younger generation of lawyers.
20 Someone says, throughout my career. Get them at
21 the very outset and let them understand that this
22 is what it means to be a lawyer. Like you,
23 example number one so --

24 JUDGE MARKS: Thank you, Judge.

25 JUSTICE LIPPMAN: Thank you.

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2 JUDGE MARKS: I have five specific
3 recommendations.

4 THE COURT: Yes, please give them to us.

5 JUDGE MARKS: If we can go to that. And
6 one is to expand veterans courts throughout New
7 York State and provide onsite legal services to
8 address civil legal needs of all veterans in those
9 courts.

10 Those veterans are experiencing -- are very
11 much in need of civil legal advice related to
12 their family issues. We didn't really touch on
13 that before this. But many of them come home to a
14 divorce, to a custody situation. We have
15 individuals who come home with severe substance
16 abuse problem that leads to their homelessness.

17 One of the current national spokespersons
18 for veterans court was living in a car before he
19 got associated with the Veteran Outreach Center
20 and veterans court. He is living in a car. He
21 was married. He wound up having a divorce. He
22 needed bankruptcy advice so he had that whole
23 panoply of --

24 JUSTICE LIPPMAN: It's a combination of
25 they may get in trouble because of their personal

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2 situation and wind up with a criminal offense, but
3 this is all a panoply of issues around that really
4 relate to civil legal services, Pat.

5 JUDGE MARKS: Yes. And two other areas I
6 mention in the testimony one relates to behavior
7 and contact studies that Dr. Kuhn has done with
8 respect to their behaviors in the general
9 population and behaviors by veterans that when
10 explained in context they need extra advocacy for
11 that, so you take, for example, someone that goes
12 120 miles per hour in their car, it might be that
13 it's a citizen who is not a veteran, they may just
14 be showing off their new car.

15 If the citizen is a veteran who experienced
16 combat the explanation may be combat driving, it
17 may relate to military training. It may be they
18 are perceiving having posttraumatic stress
19 disorder that can lead without good advocacy for
20 them about their behavior and in that context the
21 loss of license, loss of jobs, so even what may
22 seem to be minor in the total scheme of things
23 becomes major for a veteran. I also think we need
24 to have specific CLE training programs. I know
25 the state bar provides some.

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2 But my proposal would be that the areas,
3 include military culture, eligibility for veterans
4 benefits, discharge status, testimony or training
5 about suicidality.

6 Suicide rates among our active duty military
7 and veterans is stunning, and I cited an article
8 from the "New York Times". You may say, what's
9 that got to do with it? There is no study that
10 stays suicidality is related to the desperation
11 some of these veterans face when they come home,
12 but I think logic tells us that it does.

13 So understanding suicidality would be part
14 of the that as well as PTSD and TBI. Perhaps it's
15 a program that the training provided is free of
16 charge in exchange for a specified number of
17 volunteer hours, which the attorney could provide.

18 Lawyer centers, the Telesca Law Center, the
19 program I think it's a wonderful source and would
20 be an excellent source to start to develop
21 veterans specific types of clinics, information,
22 they are desperate for information.

23 Continued funding of legal services for
24 veterans who meet financial criteria. Currently
25 in Rochester we do have a program that is funded

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2 by what is known as SSVF, I hate to use initials,
3 special Services for Veterans and their Families.
4 It's a VA grant that's not going to be around
5 forever, we need to continue funding, and I
6 propose something like a lawyer-of-the-day program
7 where a volunteer lawyer is available on a regular
8 basis, perhaps at a homeless shelter or other
9 location where veterans may gather. So I want to
10 thank you for this opportunity.

11 JUSTICE LIPPMAN: Thank you.

12 JUDGE MARKS: Certainly answer any
13 questions. I did shorten my remarks, but they are
14 in writing --

15 JUSTICE LIPPMAN: No.

16 JUDGE MARKS: -- and provide some of the
17 greater detail.

18 JUSTICE LIPPMAN: I think what is
19 interesting, you know, there are all these
20 different notches in terms of the need for civil
21 legal services like we were talking a little bit
22 earlier about education and having people receive
23 help and interfacing with the education
24 bureaucracy. So many issues, and you can have
25 legal service provider part of legal service

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2 providers that specialize in that area, and
3 certainly veteran just jumps out, an area that
4 needs a little specialized knowledge.

5 JUDGE MARKS: Absolutely.

6 JUSTICE LIPPMAN: How -- what kind of
7 services you're providing, and you really have to
8 have an understanding not only the psychological
9 aspects, but the unique legal problems that I
10 think veterans face when they've been away from
11 the country, you know, sometimes for a long period
12 of time, and all kinds of issues with their family
13 life and other legal problems that come out of it,
14 so I think this is really good that the first two
15 panels today will focus on veterans is an area
16 where we haven't explored, you know, in this
17 puzzle of how you close the justice gap. So, you
18 know, I think you focused us, and now let's hear
19 what John Powers has to say that will be
20 passionate and long.

21 MR. POWERS: I'll try to live up to that,
22 Judge. I thank the panel for asking me to speak.
23 There are those in the room that know that I can't
24 even introduce myself in five to seven minutes, so
25 I hope not to go on too long. It's not my intent

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2 to go over what's in my statement.

3 JUSTICE LIPPMAN: Tell us what is in your
4 statement. The reason for -- tell us about what
5 is on your mind.

6 MR. POWERS: I think I would like to focus
7 on the question that you asked Patricia, Judge,
8 which is why are veterans a worthy group to be
9 focused on.

10 JUSTICE LIPPMAN: Let me interrupt you for
11 a second. I forgot to introduce Mike Getnick, a
12 member of the task force and former president of
13 the State Bar, predecessor. Mike, good to see
14 you. I'm sorry. Forgive me, John.

15 MR. POWERS: That's fine, Judge. I think
16 that for those who aren't veterans or who
17 aren't -- don't know a veteran or dealing with a
18 veteran in need right now, it is sometimes hard
19 for the public to understand why do we need to
20 focus on veterans.

21 I mean it's easy to see when you have an
22 indigent person why that's a worthy person for
23 volunteer services, for pro bono services.

24 When you see veterans, though, the injury
25 isn't always -- isn't always detectable to the

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2 naked eye.

3 JUSTICE LIPPMAN: But they can be indigent
4 also.

5 MR. POWERS: And they often are, they
6 often are, Judge. In fact, there is a statistic
7 that is being used right now that of -- among our
8 homeless nationally, it's twice as likely that a
9 homeless person is a veteran than not a veteran.

10 JUSTICE LIPPMAN: I've seen that kind of
11 number.

12 MR. POWERS: What we have, Your Honor,
13 it's easy to see when you see the horrible things
14 that are happening to our veterans physically.
15 The loss of limbs. The loss of life. The
16 horrible physical injuries.

17 But we have a great epidemic right now of
18 mental and emotional injuries. Some 40 percent of
19 our returning veterans have some sort of mental
20 health issues. Over 20 percent of our veterans
21 are diagnosed with posttraumatic stress disorder
22 or traumatic brain injury, and I can tell you from
23 experience, Judge, that they look perfectly normal
24 to look at them on the street, but you know
25 immediately when you talk to them, when you speak

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2 to them, when you speak to their family you know
3 immediately that something is very, very wrong.

4 JUSTICE LIPPMAN: I gather, John, that the
5 thrust of what you are saying is that it's not
6 just a medical problem. In other words, we know
7 that many veterans come back with deep-rooted
8 psychological problems and physical problems, but
9 it creates other issues that results in this need
10 for legal services. Explain the connection.

11 MR. POWERS: Precisely so, Judge. I would
12 also make a few other comments.

13 JUSTICE LIPPMAN: Sure.

14 MR. POWERS: There is no easy fix to this.

15 JUSTICE LIPPMAN: I think that's fair.

16 MR. POWERS: I've been talking to these
17 specialists --

18 JUSTICE LIPPMAN: No one bullet.

19 MR. POWERS: -- as to does this ever
20 resolve itself. These effects, this posttraumatic
21 stress disorder, and they say it gets better over
22 time, over a long period of time, and they're
23 still, you know, working with Vietnam era vets on
24 the same issues. It abates. It gets better. But
25 it's not an easy cure and we're going to be

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2 dealing with the effects of these injuries for
3 many years.

4 And as I mentioned in my statement, Judge,
5 what we've discovered is that the legal problems
6 of these individuals with these emotional issues,
7 with these mental health problems, they aren't
8 necessarily specialized military related legal
9 problems. They're the problems of every day life.
10 They're the problems of someone who is depressed.

11 JUSTICE LIPPMAN: Yes.

12 MR. POWERS: They're the problems of
13 someone who is uninterested in managing their own
14 personal affairs. They're the problems of someone
15 with substance abuse and alcohol abuse because
16 they're self-medicating their injuries. They're
17 the problems of foreclosure. They're the problems
18 of divorce, child custody, separation. Landlord
19 tenant. They're every day legal problems.

20 And that is a misconception that, well, we
21 need lawyers to do VA disability appeals. There
22 are already resources available to veterans to do
23 VA disability appeals. There are no resources
24 except for private --

25 JUSTICE LIPPMAN: Right.

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2 MR. POWERS: Private efforts. There are
3 no public resources to provide legal services to
4 veterans. And it's a great irony, while they were
5 in the service, they had all their legal needs met
6 by the JAG court, the general court.

7 Once they get out, they get medical benefits
8 through the VA, GI benefits, in some cases get job
9 placement benefits. They don't get legal
10 benefits. These therapists that are treating
11 this -- these mental health issues are very
12 frustrated because they can treat the medical
13 injury, they can treat the emotional injury, but
14 they can't help these soldiers, these veterans,
15 with all the problems of their every day life
16 intertwined with their mental illness.

17 JUSTICE LIPPMAN: Of course.

18 MR. POWERS: What I have noticed -- we
19 have been doing this clinic now here in Onondaga
20 County for over three years, and I've developed an
21 ongoing relationship with many of the veterans and
22 many of the parents because they keep having
23 problems. That's because their disease, their
24 injuries and illnesses haven't resolved themselves
25 yet.

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2 JUSTICE LIPPMAN: And they continue to
3 lead normal lives without having legal services,
4 those necessities of life, we are dealing with the
5 legal problems.

6 MR. POWERS: I say over 90 percent of the
7 people that come to the clinic have some sort of
8 disability determination and some percentage by
9 the VA. The vast majority of them are disabled,
10 even though it doesn't appear to you by the naked
11 eye. They are just as unable to advocate for
12 themselves as the indigent or any of the other
13 established groups that we automatically, as
14 matter of right, know, yes, they need pro bono
15 services.

16 JUSTICE LIPPMAN: I think it's a group, as
17 I said before when Judge Marks was testifying, we
18 have to focus on more because I think in a lot of
19 the -- with the monies that we have been getting,
20 these grants, I think we have to look at the
21 different areas and veterans I think are unique --
22 a unique area that really has to be -- as you have
23 tried to focus on in the work that you do.

24 MR. POWERS: So what we do at our clinic,
25 Judge, to tie this back up --

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2 JUSTICE LIPPMAN: Sure.

3 MR. POWERS: -- it's a walk-in clinic
4 every month. Although, apparently, all the
5 veterans agencies have now a direct dial to my
6 office because I get calls all the time during the
7 week. It's an advice referral clinic. We meet
8 with anybody that wants to meet with us. We give
9 them advice. We determine their eligibility for
10 the existing pro bono services in the area.

11 JUSTICE LIPPMAN: So you hook them into
12 providers?

13 MR. POWERS: Yes. If for whatever reason
14 they're not eligible, I will tell you there are
15 some individuals that are worthy candidates, but
16 aren't eligible, we either represent them
17 ourselves, I have a list of lawyers who have
18 agreed -- in the community who have agreed to take
19 on these cases on a pro bono or reduced-fee basis,
20 or if they can afford a lawyer, I try to refer
21 them to the right lawyer in town to handle
22 whatever their issue is.

23 In terms of the needs, I need more lawyers.
24 And I would say I need more lawyers for these
25 other pro bono service agencies because they are

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2 already taxed to the limit.

3 JUSTICE LIPPMAN: Not only are they taxed,
4 some of our testimony, you know, shows that
5 they -- the lawyers particularly Upstate, in the
6 more rural areas, the amount that they earn and
7 overwhelming cases, the amount that they earn
8 almost puts them in the category of working poor
9 or indigent or any -- whatever you want to call it
10 because these providers have so little monies to
11 pay lawyers.

12 You have really dedicated people who are
13 willing to take this kind of work from this kind
14 of volume while barely earning a living
15 themselves, you know, living more than the people
16 they are trying to help.

17 MR. POWERS: And I would just conclude,
18 Judge, saying that it's tough. I understand that
19 it is tough for lawyers to donate their time on
20 pro bono. You have to earn a living. You have to
21 practice. Many, many cases it just seems to be
22 overwhelming, even to me and other lawyers who --
23 who volunteer and do this work.

24 I will tell you and any of the lawyers in
25 the room that it is among the most worthwhile

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2 professional experience that I have ever had.

3 JUSTICE LIPPMAN: John, let me ask you a
4 question. The new 50-hour program we have for
5 kids, can the kids be helpful with veterans, at
6 least if they are under supervision, obviously not
7 admitted lawyers yet, can they be helpful in
8 addressing these kind of problems? You know,
9 again, if they are under supervision of someone
10 who is an admitted practicing attorney.

11 MR. POWERS: Absolutely. These veterans
12 just want someone to help them. They gladly take,
13 you know, any -- a law student, a new lawyer.
14 They would be ecstatic. It is absolutely a very
15 positive development.

16 JUSTICE LIPPMAN: Good. Any --

17 MR. POWERS: I thank you. With that, I
18 thank you for hearing me.

19 JUSTICE LIPPMAN: No, John, thank you and
20 Patty -- Judge Marks. Forgive me for calling you
21 Patty. Any other questions, Dave?

22 MR. SCHRAVER: Just wanted to mention one
23 thing that jumped out at me from Judge Marks'
24 written testimony and that is funding that was
25 provided by OCA enabled one of our legal services

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2 providers in Rochester to be onsite at the Veteran
3 Outreach Center, and partly because the veterans
4 are reluctant to seek help so it is important to
5 have that accessibility in a place where they are
6 comfortable.

7 I don't know whether she should maybe
8 explain that a little bit more, how that
9 collaboration works. It's really very important,
10 though.

11 JUDGE MARKS: This is under the umbrella
12 of that SSVF grant. We collaborate with a number
13 of agencies. The whole concept of the outreach
14 center is understanding that veterans when they
15 leave service, if you refer them to other places
16 we're going to lose them.

17 So when they come in to the Veteran Outreach
18 Center, they are assigned a case manager, and if
19 they have legal service needs, there is a lawyer
20 onsite three to five days during the week, and
21 they immediately get an appointment and a
22 preliminary interview with them.

23 That is a very effective means of delivering
24 legal services because of a veteran's reluctance
25 to seek help. They've been trained to not seek

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2 help. And if you get them through one door, you
3 may not get them through the next door, so it is
4 important that onsite concept or sort of the model
5 that John used, too, where the veteran knows they
6 can comfortably call.

7 It has to be a regular, comfortable and
8 routine that can attract the veteran comfortably
9 and multiple referrals without some type of
10 support can create some issues.

11 One of the things we do at Veteran Outreach
12 Center is also assign a support mentor to a
13 veteran-to-veteran contact. Helps them maintain
14 contact about referrals to legal services, so
15 there is a sort of a psychology around working
16 with veterans that is important, too, and the
17 collaboration we have had some legal-medical
18 collaboration that has been very successful.

19 I think there is some services -- veteran
20 services, legal collaboration that Veteran
21 Outreach Center has been successful at and a model
22 other areas could use.

23 MR. POWERS: I would just add for the same
24 reason we use staff members at the clinic who are
25 veterans themselves. One of the biggest obstacles

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2 for veterans getting treatment is this ethos of
3 never having to ask for help and having -- and
4 there are massive trust issues, so the common
5 experience between the lawyer and the veteran, and
6 also being in a location that is comfortable for
7 the veteran in part helps to overcome the trust
8 barriers.

9 JUSTICE LIPPMAN: Presiding Justice
10 Scudder, anything?

11 JUSTICE SCUDDER: No.

12 JUSTICE LIPPMAN: Judge Prudenti?

13 JUSTICE PRUDENTI: It is good to see
14 Judges Marks. I'd like to thank Mr. Powers for
15 your comments and access to justice. We look
16 forward in working with you as we expand, you
17 know, our involvement in this program, especially
18 with the new requirement for pro bono for our
19 legal students, so I assure you we will be in
20 touch.

21 JUDGE MARKS: I look forward to it. Thank
22 you.

23 JUSTICE LIPPMAN: Thank you so much.
24 The -- let's say we will stay on this issue just a
25 little bit longer. We have a veteran's panel with

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2 Cheri Caiella and Phil Daily. Cheri is the mother
3 of a client of the Pro Bono Legal Clinic for
4 Veteran and Active Military Service Members. And
5 Phil Daily is a Paralegal, LawNY and Veterans
6 Outreach Center and an Iraq combat veteran. Great
7 to have you both here.

8 MR. DAILY: Thank you, Your Honor.

9 JUSTICE LIPPMAN: Cheri, want to start?

10 MS. CAIELLA: Yes. My name is Cheri
11 Caiella. I want to thank you all for having this
12 panel. I want you to know that my husband and I
13 are attitude was when our son went in the Marine
14 Corp. that he enlisted and we were drafted. We
15 had no idea the ramifications of that.

16 Our son served in combat in 2007 as part of
17 President Bush's surge. And he was -- while he
18 was still considered a rifleman in the Marine
19 Corp. and whole 311, he served in a scout sniper
20 platoon.

21 My understanding of that is they would go in
22 a Humvee, just he and his team. There would be
23 five or six of them. Complete darkness. Get
24 implanted in the area that they needed to go get
25 intelligence, and then the Humvee would leave

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2 them, and they would have to go find their high
3 and do their job. Conduct their mission.

4 And sometimes what we don't realize is they
5 are trained very well. We have the best military
6 in the world, but training doesn't always give you
7 experience in handling IEDs, vehicle bombs and
8 children being used in combat. And these have an
9 impact on our soldiers and Marines.

10 Our son came home in September and we were
11 thrilled. We had no idea what awaited us. We
12 didn't know that he suffered from a mild traumatic
13 brain injury and severe chronic PTSD and other
14 mild issues.

15 To look at my son he looked the same. I can
16 tell, I'm his mom, there is something different.
17 However, the piece of my son being vulnerable, we
18 didn't recognize that he was, in fact, vulnerable.
19 He looked fine. Everything was intact.

20 How I met John Powers was my son had gotten
21 a ticket or something -- mail came home from
22 Syracuse City Court. And I figured he served in
23 combat, he's old enough, he can take care of this,
24 this is his responsibility.

25 But when the second letter came, in

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2 of their own. You need to understand, Your Honor,
3 my son was also discharged from the Marine Corp.
4 with other than a honorable discharge after his
5 combat service, and I said this is not acceptable,
6 my son said, you will never beat them, and I said
7 that may be true, but I promise you that I will
8 not hurt your fellow Marines.

9 There is discharge issues that these men and
10 women cannot navigate. It's really challenging
11 for me and I'm not a lawyer, I'm just a mom, but
12 my husband was in the -- you know, served as a
13 deputy sheriff, this is a whole new deal.

14 Now I will tell you that -- excuse me, my
15 son did get VA rating of hundred percent, and for
16 the purposes of the VA, his discharge was
17 upgraded. But for the DOD, which John Powers
18 helped prepare, they denied that, in spite of the
19 hundred percent rating with the Veterans
20 Administration and receipt of Social Security
21 Disability.

22 And the impact of all of this on my son and
23 our family and other families, it's not just my
24 family, there is a lot. So I'm like the woman in
25 the Bible, the Old Testament, who goes before the

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2 Judge begging and just keeps going and keeps going
3 until she gets what she wants.

4 If we do nothing, we've failed, but I don't
5 sense that that's where this is heading, and I am
6 grateful for all of your time and for your
7 attention to this matter.

8 JUSTICE LIPPMAN: We're so happy that
9 you're here. I think it demonstrates --

10 MS. CAIELLA: Thank you.

11 JUSTICE LIPPMAN: -- that there are so
12 many different levels of this need for civil legal
13 services.

14 MS. CAIELLA: Absolutely.

15 JUSTICE LIPPMAN: That, again, is the
16 scariest time that, gee, this is, you know, someone
17 out on the street with their hand out and, you
18 know, their pockets, you know, nothing in their
19 pocket and that's what we're dealing with, and
20 those people do need help, but there is such a
21 broad array of a need here, and you know it's some
22 of the other hearings and we had it all over the
23 state there are veterans and there are people with
24 masters degrees and, you know, this isn't the
25 stereotypical, gee, these are people that have no

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2 responsibility and they are just, you know, asking
3 for a handout. And, you know, we need to help all
4 of our people in society, but there are so many
5 different categories of people, and again, the
6 veterans are such a unique group that one wouldn't
7 expect to have these interconnecting problems that
8 you so really vividly describe. So thank you for
9 being here.

10 MS. CAIELLA: Thank you for your time.

11 JUSTICE LIPPMAN: Thank you. Mr. Daily.

12 MR. DAILY: My name is Phil Daily. I'm a
13 paralegal with Legal Assistance of Western New
14 York, known as LawNY in the Geneva office in
15 Geneva, New York.

16 I'm also a First Iraq War veteran, and
17 served as an infantryman with the 101st Airborne
18 Division in that conflict. However, I'm not a
19 combat veteran. I entered service shortly after
20 the first Gulf War.

21 And I learned yesterday, Your Honor, that I
22 would be here to provide testimony, and in my
23 stead, I was on vacation last week, my colleagues
24 prepared the written testimony and incorrectly
25 mentioned that I served in the first Gulf War.

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2 JUSTICE LIPPMAN: We honor you whether you
3 were there a little after.

4 MR. DAILY: This young lady and her family
5 she mentioned her son was a scout. I know the
6 training, he went there, and I know what he
7 endured, and despite being lucky enough to not
8 have my number called at the time, my hat goes off
9 to you and your family, so I appreciate your son's
10 service, and I am beyond words humbled at your
11 advocacy for civil legal services.

12 And as mentioned, I'm from Legal Assistance
13 of Western New York Law, New York, and to me we
14 are civil legal services between Erie County and
15 Onondaga County.

16 JUSTICE LIPPMAN: Large area.

17 MR. DAILY: We serve 14 counties through 7
18 offices. What I would like to speak about quick,
19 and I appreciate the opportunity to do so, is some
20 of the legal services and avenues in which we have
21 explored to assist veterans to access civil legal
22 services.

23 Our office in early 2012 implemented a
24 veterans hotline where anybody who is a veteran,
25 no matter what their issue is, can call our office

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2 and be identified, our receptionist does a
3 wonderful job asking if they're a veteran or a
4 veteran family, and they immediately get sent
5 through to me no matter what the problem is, and
6 then I work from there to link them up to
7 resources, if it's a case in which we can't handle
8 within our office, or we can -- the veteran,
9 veteran family send them up to other offices, so
10 I'm very proud of the veterans' hotline.

11 I love speaking to veterans. And the first
12 thing I ask, what branch of service and what did
13 you do for it. And Judge Marks and Mr. Powers, I
14 think poignantly and correctly stated, veterans
15 like to speak to other veterans. Share the common
16 experience and they feel at home and they feel at
17 ease and it is hard for veterans because of their
18 training to seek help.

19 Once they know that they are working with a
20 veteran I think and I find and I think most people
21 find that it tends to make that a little bit
22 easier.

23 As Judge Marks also noted, the Veteran
24 Outreach Center of Rochester, which I cannot say
25 enough about, she is already commented, but what I

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2 want to focus some of their great skills in
3 helping veterans, and they don't have military
4 experience, and they have come and said they feel
5 let down. I've always assured them that's not the
6 case.

7 Some part of me does say a veteran working
8 with veteran appear to be one on one.

9 JUSTICE LIPPMAN: Helps you.

10 MR. DAILY: There is no way that someone
11 who hasn't served, especially infantry as a scout,
12 as a combat soldier or a combat military
13 specialty, there is no way that they can share in
14 that experience that a veteran has.

15 I think it's the same for, you know,
16 lawyers, no matter whether they went to Harvard or
17 Tulane, picked a law school, still share that
18 common experience. Without that someone who isn't
19 a lawyer it may be hard for them to, you know,
20 completely understand that whole experience, and
21 the same is true, I believe, in some regards for
22 military -- former military personnel and
23 veterans.

24 So I think it is helpful and a lot of cases
25 it is needed where veterans, especially combat

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2 veterans or the combat MOSs and the particular
3 training in life that they endured they need.

4 JUSTICE LIPPMAN: How many lawyers and how
5 many paralegals are there in LawNY?

6 MR. DAILY: I'm going to say we have a
7 personnel of about hundred folks between our seven
8 offices. And don't quote me on that. I think it
9 is right in the neighborhood.

10 JUSTICE LIPPMAN: And it covers that?

11 MR. DAILY: Fourteen counties between Erie
12 and Onondaga County, and we are civil legal
13 services. We handle the bread and butter stuff.
14 The public benefits. Welfare law. Unemployment
15 benefits. Housing is the -- you know.

16 JUSTICE LIPPMAN: This is the basics that
17 applies to veterans and applies to every other
18 union?

19 MR. DAILY: There has been mentioned here,
20 Your Honor, veterans face the same civil legal
21 issues as our general population, but they have
22 that unique experience of serving in the military.

23 JUSTICE LIPPMAN: Yes.

24 MR. DAILY: And that is on top of that.

25 JUSTICE LIPPMAN: Really very insightful

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2 for us to hear, you know, from both of you, from
3 our two previous speakers. Any questions, either
4 Justice.

5 JUSTICE SCUDDER: I'm curious in the rural
6 areas how this would works. In other words, you
7 take the phone call, then either services that you
8 can put somebody towards in the rural areas? I
9 mean I understand Monroe and Erie, and -- but
10 maybe not Steuben. Here we go, Steuben. Let's
11 go.

12 MR. DAILY: I can't smile enough with the
13 question, Your Honor. I am in Geneva. Our -- the
14 Geneva office services five rural counties,
15 including Yates, which is one of the most rural in
16 the state, and I pride myself and our office
17 prides ourselves on finding -- if we can't handle
18 the issue the veteran or person faced, where I
19 pride myself on finding something for them.

20 If they are calling from a county outside
21 our catchment area, I will not give them the
22 number. I will call and get a point of contact
23 and find out if they handle the case. So I pride
24 myself on finding resources to help folks who
25 contact our office.

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2 As far as outreach now the -- as you
3 mentioned, you understand Monroe County in the
4 Veteran Outreach Center, again, cannot say enough
5 for the folks there right downtown Rochester, vets
6 know the place. Been around 30 years. One of the
7 oldest and largest in the nation and formed by
8 former Vietnam veterans and folks in the city know
9 it. They know it.

10 Out in the country, in the rural area it's
11 not the case. So what I've found and have been
12 utilizing I go with -- where vets are, instead of
13 one stop shop at the fifth. So I go door to door.
14 I go to the VA where vets are, the service
15 agencies, and I like going there any way.

16 When you go to a VA, it me -- reminds me of
17 being back in the military. In some sense,
18 although there is this lack of trust that a lot of
19 veterans have with the VA, I don't share that. I
20 understand that, but I don't share it, and I go to
21 the VA. I meet with the social workers working
22 with the veterans and they call me every day
23 nonstop working with a vet with a particular issue
24 they don't know what to do with.

25 And, again, I try to find them some

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2 resource. If it's not within our priorities, we
3 don't have a funding to do that. And real quick,
4 I need to mention we appreciate so much the Office
5 of Court Administration's funding that helped us
6 to explore this avenue and move veterans legal
7 services forward and our veterans projects
8 forward. So again we find some resource for them
9 no matter what it is.

10 I find a lot of times even if there isn't
11 help or if they speak with someone that's
12 something. They feel really good. Especially
13 someone who shared some of their experiences.

14 JUSTICE LIPPMAN: Okay. Thank you.

15 MR. SCHRAVER: Thank you. Thank you.

16 JUSTICE LIPPMAN: Thank you so much.

17 First part of this has been very instructive.
18 We're going to go off the agenda a little bit.
19 Instead of doing the third panel, they're a little
20 delayed in getting here, they're still not here
21 yet, I think. We're going to go to -- we have
22 part of our fourth panel here. The collaborations
23 and shared costs panel. Jeffrey Unaitis, Anthony
24 Marshal, Christopher Wiles. Sally Fisher Curran.
25 We have two of the four here already. Right?

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2 MR. UNAITIS: Yes.

3 JUSTICE LIPPMAN: Let's start and move you
4 out of order a little bit.

5 MS. CURRAN: Your Honor, we will send a
6 note to the others to let them know we are
7 starting early.

8 JUSTICE LIPPMAN: Whether they are here or
9 not tell them. Jeffrey Unaitis is the Executive
10 Director of the Onondaga County Bar Association.
11 And Sally Fisher Curran is the Legal Director of
12 the Volunteer Lawyer Project. So, Jeffrey, want
13 to start.

14 MR. UNAITIS: Yes, Your Honor. Thank you
15 for having me here today, and I'm very happy to
16 speak on behalf of such a larger group that has
17 been active within this county for many, many
18 years.

19 George Lowe couldn't be here today, he is
20 traveling outside the country, but I know he
21 talked frequently with you about our efforts here
22 within Onondaga County to do -- duplicate the
23 success of Monroe County and its Telesca Center
24 for Justice.

25 I would like to be creative with you and ask

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2 you to close your eyes and imagine the Telesca
3 Center being lifted up and carted down the freeway
4 and dropped here in downtown Syracuse and you'd
5 have some idea what we are hoping to accomplish.

6 JUSTICE LIPPMAN: It's a unique place, I
7 agree.

8 MR. UNAITIS: I will give you an update.
9 I was happy to be in Rochester just last Wednesday
10 where I had a tour of the facility, opportunity to
11 meet with Mary Lowenbooth, my counterpart at the
12 Monroe Bar Association. Sheila Gaddis, generous
13 with her time.

14 JUSTICE LIPPMAN: A lot of people and
15 Telesca is a unique place.

16 MR. UNAITIS: We are jealous, I guess.

17 JUSTICE LIPPMAN: You should be.

18 MR. UNAITIS: Such a thing as preaching to
19 the choir, I don't need to talk about the benefits
20 it would be to the community here, the providers
21 of civil legal services, but to the constituents
22 and the clients we serve.

23 JUSTICE LIPPMAN: I mean as I understand
24 Telesca is -- it's a group of providers that sort
25 of share in the scale that goes from having kind

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2 of a one-stop shopping at Telesca and you are
3 wheeled out to whatever your need is. You know
4 what I mean? How do you do that because it is so
5 we're getting more money for providers. We're
6 trying to spread that money around the state.

7 How do we use it most wisely in a county
8 like Onondaga to have this kind of -- make the
9 money go as far as it can which we understand that
10 it is finite. If we double, triple, no matter how
11 much money we have, it will be finite. How do we
12 do that?

13 MR. UNAITIS: Let me first acknowledge the
14 partners discussing this, and they are represented
15 in the room here, Hiscock Legal Aid Society, Legal
16 Services of Central New York, Legal Aid Society of
17 Mid New York. The Federal District Bar and
18 Syracuse University College of Law have also been
19 at the table as we had these discussions.
20 Certainly.

21 JUSTICE LIPPMAN: Need a physical place.
22 That is the key here.

23 MR. UNAITIS: I believe that's crucial not
24 only for the economies of scale you have, no
25 matter what the group business. With technology

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2 there are certainly savings we could be achieving.
3 Because there is a limited pool I think we all
4 gain.

5 I also think it is a benefit from sharing a
6 best practices organizations are not collocated,
7 that's the word I learned in Rochester last week,
8 collocation, the ability to be under one roof
9 certainly allows us to certainly take advantage of
10 those economies of scale and efficiencies.

11 I think more to the point it allows our
12 staffs to better coordinate, communicate among one
13 another with one collocation to my mind is about
14 collaboration, consistency of the service we are
15 providing.

16 And a tour of the center I was impressed
17 about the fact they have a shared representation
18 area on the 8th floor. So if you are showing up
19 for a meeting, you're directed to the 8th floor,
20 but then you're directed to whoever the provider
21 is.

22 May be come apparent at that time other
23 programs or clinics or services that another
24 provider may be able to give to you, you can take
25 advantage of while you're on the property. Also

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2 share a switchboard.

3 I can tell you at the Bar Association just
4 listening in on our front desk we are frequently
5 referring callers to the other organizations. The
6 ability -- in my testimony I referred to it as
7 triage, that maybe is a little too clinical. The
8 ability to actually listen to the caller,
9 understand what the range of issues are that they
10 may be facing, makes the appropriate referral that
11 may be lead to one of our other agencies.

12 So I think it is better from the client
13 perspective, better opportunity to deliver what we
14 are able to do with the funding we receive. When
15 I was in Rochester, Mary was surprised to hear how
16 far down the peg we are here in Onondaga County,
17 with one exception, we've been able to coordinate
18 expirations of our leases to the end of 2014. So
19 little more than two years down the pike.

20 We have one agency, Hiscock Legal Aid on a
21 different lease. We don't think that is an
22 insurmountable challenge. Each of the
23 organizations made a financial contribution to
24 retain the services of an architectural firm which
25 is completed a fairly extensive space and needs

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2 analysis and an RFP two weeks ago has gone out to
3 a dozen commercial developers within downtown
4 Syracuse.

5 JUSTICE LIPPMAN: How are each of those
6 organizations funded? What's the relationship of
7 them to the bar -- the Bar association?

8 MR. UNAITIS: So the Bar association is a
9 private bar through our membership. We do receive
10 IOLA funding for the volunteer lawyer program.
11 We've just been the beneficiary of the judiciary
12 civil legal service funds which allowed us to hire
13 Sally, and we're also the beneficiary of some
14 local grants as well. I can't speak to the dollar
15 to that organization, but we are all recipients.

16 JUSTICE LIPPMAN: It's all a mix of some
17 kind of government funding, private contributions.

18 MR. UNAITIS: Legal Aid Society of Mid New
19 York receives Legal Services Corp. funding.

20 JUSTICE LIPPMAN: LSC cut back. One of
21 the reasons we are here today. Funding for the
22 Federally legal services corporation has been
23 reduced so heavily, as has IOLA money, the state
24 judiciary and funnel \$15 million into IOLA.

25 MR. UNAITIS: I think we are -- our recent

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2 capabilities among the local Bar and other
3 resources in terms of special events. One of the
4 nice things that happened in the dialogue, the
5 staffs begun to talk together. I know that the IT
6 folk from the organizations put their heads
7 together to decide what a new facility needs to
8 look like.

9 Again, we have the benefit of Monroe County
10 and the Telesca Center. They made themselves very
11 available to us as we pursue this project.
12 Certainly key to any going forward will be
13 identifying necessary funds.

14 In the case of Monroe County, they were able
15 to find a landlord more than willing to
16 incorporate the improvements necessary in a very
17 long-term rent, I think up to 15, 20 years now,
18 and any landlord in any northeast urban area will
19 be happy with a tenant committed to that term of a
20 lease. So we are optimistic that those
21 opportunities will exist within Syracuse as well.

22 JUSTICE LIPPMAN: And you believe that
23 this kind of an approach that they have in
24 Rochester is the best way to go in terms to making
25 the efficient use of civil legal services for the

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2 poor for people that can come and get some kind of
3 help in some kind of coherent fashion?

4 MR. UNAITIS: Yes, Your Honor. I think
5 from a client's perspective -- confusing now. I
6 should preface my introduction, I'm not an
7 attorney. I assumed this position less than a
8 year ago. I was confused at the time about the
9 different organizations, the programs that were
10 provided to an outsider. They don't see a
11 difference. We know we have different
12 capabilities in terms of provision.

13 So as much as I like the phrase "one-stop
14 shopping", I think that's what this opportunity
15 would afford us. You know, many of our clients
16 don't have access to their own transportation, so
17 having one location, proximity to public
18 transportation I think is critical as we go
19 forward.

20 But I think it makes us not only more
21 efficient, also more proactive. When I was in
22 Rochester, I learned that attorneys from different
23 organizations that are working in similar areas
24 are now putting their heads together more
25 frequently and to discuss the kind of emerging

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2 issues that they are seeing.

3 So I think in terms of the legal
4 professional community, we will be able to more
5 effectively identify emerging needs and trends in
6 our community, and be it the forefront rather than
7 reacting when issues come up and that's again the
8 community -- I think the legality of having our
9 organization sharing the space.

10 JUSTICE LIPPMAN: I think it is great you
11 are doing what you should be doing. An area that
12 obviously has a lot of need in terms of legal
13 services for the poor and this is a great way to
14 approach it. I really believe that.

15 MR. UNAITIS: We are very excited about
16 the opportunity, Your Honor.

17 JUSTICE LIPPMAN: We are, too. Uhm,
18 Sally, you want to tell us about the volunteer
19 legal project?

20 MS. CURRAN: Yes, Your Honor. Thank you.
21 I am one portion of a three-part presentation
22 that's meant to talk about the volunteer lawyers
23 project, which is a portion of the Onondaga County
24 Bar Association and the collaboration we now have
25 with "Say Yes to Education", so if you will humor

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2 me, I will do a brief introduction of the two
3 different organizations and then talk about the
4 collaborative work and the vision we have about
5 going forward.

6 JUSTICE LIPPMAN: Okay. Have Mr. Marshall
7 and Mr. Wiles later?

8 MS. CURRAN: Yes, exactly.

9 JUSTICE LIPPMAN: Go ahead.

10 MS. CURRAN: So let me start by saying
11 that I'm the new legal Director of the Volunteer
12 Lawyers Project, but also the "Say Yes to
13 Education" and Syracuse Legal Task Force.

14 And this position -- it would not be
15 possible if it hadn't been for the grant from the
16 Office of Court Administration, so I really want
17 to express my gratitude to the panel so -- Your
18 Honor and to --

19 JUSTICE LIPPMAN: Judge Prudenti was on
20 the panel. Thank her.

21 MS. CURRAN: And the whole access to
22 justice program.

23 JUSTICE LIPPMAN: Thank you.

24 MS. CURRAN: Thank you. The -- it's also
25 this position was made possible through partial

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2 funding through "Say Yes to Education".

3 When the two organizations were looking at
4 the opportunity to expand the legal services that
5 they had and were looking for adding an attorney
6 on staff, I know that the parties, I was not
7 present at the time, of course, but the parties
8 saw an amazing opportunity for collaboration and
9 so that is what my job now is.

10 The volunteer lawyers project provides a
11 tremendous amount of services, pro bono legal
12 services here in Onondaga County. This panel
13 already heard about the veterans program that we
14 have.

15 JUSTICE LIPPMAN: Right.

16 MS. CURRAN: We also have walk-in clinics.
17 I will be speaking about a refuge clinic, a clinic
18 at a hospital and at a local health clinic as
19 well. We provide uncontested divorce help. We --
20 on a yearly basis, we run an elder law fair to
21 provide education and access to attorneys to the
22 community.

23 We organize Law Day to many of the students
24 involved, and we participate at Syracuse
25 University every year with their pro bono week and

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2 in many other ways. And "Say Yes to Education" I
3 think is most famously known for the commitment
4 that it has to provide any Syracuse City School
5 district student who finishes 10, 11th, 12th grade
6 guarantee -- we will -- guarantees it will have
7 funding for college tuition and that's really just
8 the tip of the iceberg, though.

9 "Say Yes to Education" provides holistic
10 services to ensure that students stay in school
11 and is really a collaboration of the most amazing
12 kind between all parts of government, city, the
13 county, the state, and it is working to make sure
14 that students stay in school.

15 JUSTICE LIPPMAN: You know, it's
16 interesting on education, people don't necessarily
17 see the connection between legal services and
18 keeping kids in school and keeping families
19 together and how it contributes to the fabric of
20 society. Make the connection between legal
21 services and education, how do they interface?

22 MS. CURRAN: They are so intertwined in so
23 many ways it is difficult to unravel it and
24 explain it fully. The most obvious issue is the
25 way we ask the legal task force who are

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2 participating, we are helping ensure that students
3 aren't being evicted from their homes. That there
4 parents are able to stay on public assistance.
5 That there is family law issues that they are
6 being addressed and not exploding to a level that
7 causes children to be removed from school or to
8 lose out on the opportunities that they have.

9 But I think it also plays out in an
10 investment in our future way, because when you
11 look -- I was just at a "Say Yes" meeting last
12 week, and the county was looking at the numbers of
13 people that are receiving cash benefits and how
14 few of them there are -- several thousand in
15 Onondaga County that receive cash benefits, and
16 only a handful of them had the opportunity to
17 have -- to complete any higher education.

18 And when you look at those numbers you see
19 how tied being able to complete your high school
20 education and then going on to complete education
21 on the higher level makes it so that they won't
22 need to access -- hopefully won't need to access
23 legal services in the future.

24 So making sure that families have the legal
25 services that they need so the kids can finish

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2 school and go on really is -- I mean it's so
3 intertwined. It's critical.

4 JUSTICE LIPPMAN: Okay.

5 MS. CURRAN: "Say Yes" just to briefly say
6 some of the other programs they do they provide
7 extended day and extended-year programs.
8 Mentoring. Social work. Family outreach. And so
9 the legal task force really plays into this larger
10 holistic approach. So now to my part of the
11 presentation.

12 JUSTICE LIPPMAN: Go ahead.

13 MS. CURRAN: The volunteer lawyers project
14 has been part of the "Say Yes to Education" since
15 it came to Syracuse and began implementing
16 Syracuse as the first citywide "Say Yes" location.

17 The volunteer lawyers project has been on
18 the "Say Yes to Education" legal task force from
19 the beginning and played a part in the development
20 of these walk-in clinics that we have.

21 JUSTICE LIPPMAN: What's the makeup of the
22 volunteer project? What's the -- how does it
23 work? How many people involved?

24 MS. CURRAN: The volunteer lawyers project
25 is part of the Onondaga County Bar Association.

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2 We have --

3 JUSTICE LIPPMAN: So it draws from the
4 whole body of the Bar association?

5 MS. CURRAN: Exactly, Your Honor. We have
6 two staff, myself and Debra O'Shea, and we have
7 hundreds of volunteers.

8 JUSTICE LIPPMAN: How do you connect the
9 hundreds of volunteers to the needy?

10 MS. CURRAN: Well, Debra O'Shea has been
11 doing a wonderful job for the last nine to ten
12 years doing that. I'm a new arrival to it. But
13 what we do is we -- traditionally we have found
14 clinics that where there was need, and we have
15 done outreach to major firms and also to
16 individual practitioners, we do outreach through
17 the Bar and identify people who are interested in
18 doing their pro bono work through us, and we
19 connect them to the different projects that most
20 interest them.

21 JUSTICE LIPPMAN: Projects coming out of
22 providers.

23 MS. CURRAN: Projects that we have
24 developed in collaboration with community
25 organizations usually. So our refuge clinic

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2 recently developed in collaboration with
3 Interfaith Works here in the city in response
4 to --

5 JUSTICE LIPPMAN: So it's a collaboration
6 between the Bar association and a particular --

7 MS. CURRAN: That's correct, Your Honor.

8 JUSTICE LIPPMAN: Entity in the community
9 that connects.

10 MS. CURRAN: That's correct, Your Honor.
11 Even our walk-in clinics we are connected to
12 schools now with "Say Yes to Education", and also
13 to community organizations we have a long-standing
14 relationship with the western communities.

15 JUSTICE LIPPMAN: Let's make clear,
16 though, the connection here that when we talk
17 about monies for legal services, often we have pro
18 bono attorneys who are willing to do work, but we
19 need the administrative clearing house, whatever
20 you want to call it, to connect that volunteer
21 with a worthwhile project and some of the monies
22 that go to fund legal services go to that kind of
23 middle person.

24 MS. CURRAN: That's correct, Your Honor.
25 And that's exactly what the volunteer lawyers

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2 project is. We are an organization that works to
3 make -- create opportunities and connect attorneys
4 to where the need is. That's precisely what our
5 role is.

6 JUSTICE LIPPMAN: Okay.

7 JUSTICE PRUDENTI: So I have a clear
8 understanding, if someone was to call up with a
9 need for an attorney, what would your response be,
10 to refer them to an appropriate provider, is that
11 what you do, or do you just deal with the
12 volunteer attorneys themselves?

13 MS. CURRAN: Your Honor, it depends on
14 what the need is. We have a variety of ways in
15 which we address people's needs, and we're also
16 working on developing new ways.

17 At this point, the largest way that we
18 directly provide the assistance is through our
19 walk-in legal clinics. So we'll often times refer
20 people who have legal needs to go to one of the
21 clinics in the community where they will have an
22 opportunity to talk with a lawyer, and the lawyer
23 will provide some legal assistance in the form of
24 advice, if they feel comfortable with that area of
25 law, and they will refer the client on to the

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2 appropriate legal services providers.

3 We work very closely with Hiscock Legal Aid
4 Society, Legal Services of Central New York, and
5 Legal Aid Society of Mid New York. And if those
6 legal services are not -- if the person's need
7 cannot be met by those legal services, we do our
8 best at this point to at least give the clients an
9 idea of how they might be able to seek more help
10 on their own.

11 We do -- the Onondaga County Bar Association
12 does run a lawyer referral service for those who
13 are able to pay for an attorney, and we are
14 currently in the process of working on developing
15 a pro bono legal representation panel. And this
16 is where it folds in very nicely with the
17 collaboration with "Say Yes to Education" because
18 when the "Say Yes to Education" legal task force
19 was created, it was recognized that the legal
20 service providers wouldn't be able to meet all of
21 the needs.

22 They do meet most of the needs. I want to
23 be clear, we have wonderful legal services
24 providers here in town. But there are a portion,
25 about ten percent of the people who need further

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2 legal representation that are not having those
3 needs met elsewhere, and we have law firm partners
4 from many of the legal -- the large legal firms in
5 town who have agreed to take on those cases pro
6 bono. And so that is a model that has been
7 working very well.

8 JUSTICE LIPPMAN: The bottom line is I
9 gather that there is lots of different models that
10 you are using --

11 MS. CURRAN: That's correct.

12 JUSTICE LIPPMAN: -- to get the job done?
13 There is no one way of doing this?

14 MS. CURRAN: That's correct, Your Honor.
15 It's a dynamic process. We are constantly looking
16 for new ways.

17 JUSTICE LIPPMAN: What we tried to
18 explain, I think I said in my opening comment, is
19 that funding for legal services is so important,
20 obviously the providers first and foremost, and
21 but regardless of how much funding we get, there
22 is a center role for volunteer attorneys, you
23 know, in some kind of combination working for a
24 provider, working through the Bar association,
25 community organization, whatever the different

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2 exact model might be.

3 MS. CURRAN: That's correct, Your Honor.
4 One of the first conversations I had when I
5 started my job was with one of the attorneys, Tom
6 Myers, who is here, I believe, he is still here,
7 from one of the law firms, Bond, Schoenck and
8 King. They're a major partner of ours, and one of
9 the first things he said to me was we have the
10 ability, we want to provide more legal services.
11 Give us the opportunities.

12 And the reality is that it takes a lot of
13 work to set up the opportunities and to
14 administrate them and to make sure that we're
15 identifying where the needs are, the unmet needs,
16 and in hooking up the attorneys and linking them
17 in with the clients, and it is something that we
18 have been doing here, and we hope to expand, and
19 this is why we are so grateful for the monies that
20 made it to so we are able to bring on myself, as
21 an attorney, and we are really so hopeful about
22 how much we will be able to expand that.

23 JUSTICE LIPPMAN: Thank you.

24 JUSTICE PRUDENTI: Thank you.

25 MR. SCHRAVER: Thank you.

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2 JUSTICE LIPPMAN: Thank you. Okay. Thank
3 you. Are your other two members here yet of your
4 panel?

5 MS. CURRAN: I don't see them, Your Honor.

6 JUSTICE LIPPMAN: Okay. Is the student
7 with you, why don't you come up. We have the Dean
8 from Syracuse currently. So now we have the
9 pressure. We're mixing and matching a little bit
10 here.

11 We're going to have -- this is number three
12 on your agenda, Upstate Law Schools and Student
13 Pro Bono Efforts we have dean Hannah Arterian,
14 Syracuse University College of Law and Catherine
15 Sinnwell Gerlach, pro bono fellow at Syracuse law
16 school. Dean, you want to.

17 DEAN ARTERIAN: Thank you all very much.
18 Also, I really appreciate the fact that you came
19 to Onondaga County and to Central New York so that
20 people could easily communicate with you about
21 their dedication to the concerns with the issues
22 that are before you.

23 As requested, I'm not going to read my
24 testimony. I want to make a couple of points, and
25 just really whatever questions you have.

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2 JUSTICE LIPPMAN: Sure.

3 DEAN ARTERIAN: I think like most law
4 schools, we have a big clinical program, and we
5 also have a pro bono program, which I really will
6 allow the expert on that to speak to, but I think
7 one of the things that is important for everybody
8 to remember is that anything for which students
9 receive credit toward their JD degree has one
10 primary purpose and that's an academic purpose.

11 These are academic programs that get
12 credited and so the -- although I think when
13 people think about law school clinics they are
14 thinking very much about access to justice.

15 I think realistically we have to remember
16 these are academic programs. They are often done
17 in the medium and through access to justice to
18 achieve access to justice, but they have to serve
19 that academic purpose.

20 Therefore, realistically, certainly the
21 clinical programs are, and we have many of them,
22 and they are mostly on the civil side, they're
23 very resource heavy and, you know, you have one
24 faculty member and eight students if you are going
25 to give credit, so if you think about that, you

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2 think about the concerns that are expressed all
3 the time like the cost of legal education, we have
4 to be very, very sensitive to that.

5 Our law school -- I mean pretty much all of
6 our clinics with two exceptions are really run on
7 the law school's money. We have a volunteer, a
8 low income taxpayer clinic that seeks Federal
9 assistance, and we have a consumer securities
10 arbitration and consumer clinic that at least
11 began with money from a settlement agreement many
12 years ago from the New York State Attorney
13 General's office.

14 More deeply, I want to just make one point
15 and then please your questions.

16 JUSTICE LIPPMAN: Sure.

17 DEAN ARTERIAN: Uhm, I think it's really
18 important to recognize that one of the -- at least
19 I think legal education, I'm sure given who you
20 are, that one of the fundamental things about
21 being a lawyer is being a civic leader. Being
22 really involved in and you can't avoid it.

23 I think when people think about the duties
24 of the lawyer, we tend to talk mostly about
25 client, professional, ethics. The reality is that

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2 people who get a law degree are suppose -- they
3 will be faced with being civic leaders and part of
4 that seems to me is very important to incorporate
5 when we think about access to justice issues and
6 responsibilities in law schools.

7 My own sense is that students will be --
8 will do things when they see that it's important
9 intrinsically to do them, whatever requirements
10 you place on them.

11 At this point, our clinics and externships
12 within a calendar year will have 230 students.
13 And that doesn't touch the pro bono program where
14 I have numbers for this year, but I think it's
15 better if she speaks to them.

16 So I think that law schools have a very long
17 history in the State of New York of being very
18 interested and concerned about access to justice
19 issues, and they have invested very heavily in
20 that. I don't know of law schools in the state
21 who are not -- don't have live client clinics.

22 By that I mean, you know, we have a clinic,
23 we have ten clinics, real human beings come in
24 with really messy problems and present them, and
25 then the students under the very close supervision

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2 of faculty will represent them.

3 I also say that a lot of these things, some
4 things happen that don't hit the radar screen. A
5 faculty member will go out, realize there is a
6 problem in the bankruptcy court with too many pro
7 ses and says who wants to help. Nobody tells me.
8 Believe me, I found out later got a big award from
9 the State of New York for doing that.

10 That's true with a lot of projects. You
11 know they just happen. They happen naturally, not
12 because people are seeking credit for it. And I
13 also say, although she will have data no doubt
14 about the numbers of students logged on and get
15 registered pro bono hours, we all know there are
16 many students who can do those things and don't
17 ever think about bringing it in to have it logged
18 on.

19 And I agree with you, Judge Lippman, that I
20 think it is very difficult to separate out pro
21 bono from broader community service. If people
22 don't get food on the table, you know, they will
23 not be able to reach their hand out to get the
24 legal services that they need. So I can go on and
25 on, but I'm sure you rather I didn't.

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2 JUSTICE LIPPMAN: We thank you for being
3 here, and we view certainly law schools as being a
4 critical, if not the critical player in access to
5 justice issues.

6 And if, as you know, we have this conference
7 in law schools that explore that very issue, and I
8 think that what you are doing is exactly what we
9 want you to do which is to run a lot of clinics
10 which give students practical experience in
11 helping others, both practical experience and
12 using their legal talents to help others, and then
13 to provide other pro bono opportunities beyond
14 that because what we have tried to make on what we
15 really are referring to here is the 50-hour
16 requirement, we've tried to make it as expansive
17 as possible so that students can get credit for
18 being involved in clinics, and they can get credit
19 for doing other pro bono activities, and they can
20 get credit talking about the civic leaders doing
21 public service.

22 The only thing they can't get credit for is,
23 and we use the example of you take there has to be
24 law-related work, because we want them to embrace
25 a culture of service in terms of their legal

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2 talents, so we use the example of you can help
3 build houses for Habitat for Humanity and that's a
4 great thing, but you're not going to get pro bono
5 law-related credit for admission to the Bar.

6 On the other hand, if you did legal work for
7 Habitat for Humanity, that would more than
8 certainly count as pro bono credit under the new
9 rule. So we see law schools as the critical
10 player, and I guess the real issue that I ask you,
11 Dean, in relation certainly to up here in the
12 Syracuse area is in getting kids -- assuming
13 students in -- at the law school want to be
14 admitted to the New York Bar, and getting them
15 credits beyond, and we're going to hear in a
16 minute about some of the pro bono opportunities,
17 do you think there are enough slots, so to speak,
18 between your clinics and between the other pro
19 bono opportunities that are made available to the
20 law school, or will some of the students have to
21 seek it elsewhere, go to the local Bar association
22 or go directly to a provider, what do you think in
23 terms of the availability of it?

24 DEAN ARTERIAN: I think for students who
25 want to take the New York Bar about half of our

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2 graduating class, just about half our graduating
3 class takes the New York Bar, I don't think there
4 will be an issue at all. I mean if clinic
5 externships are available for that. I mean in any
6 calendar year that's 230 opportunities. I mean
7 230 slots and 230 people who did it, which is more
8 than half of our graduating class on any given
9 year and that's not taking on all of the work that
10 is done through the pro bono projects. So I don't
11 see that.

12 I do think there are ways in which we can
13 enhance, create some different -- I mean make
14 interesting opportunities for students to do pro
15 bono. For example, you know, reaching out to our
16 alumni in law firms in major cities where the
17 students may be in the summer. That might be an
18 opportunity for them to do pro bono, you know,
19 assisting there. There are other things to do.
20 But I think you would be doing those not because
21 of the 50 hours requirement because you just --

22 JUSTICE LIPPMAN: We hope so.

23 DEAN ARTERIAN: -- really -- an
24 interesting thing to do. I note the Cardozo
25 conference, to say I know it is very meaningful

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2 that our community from our law school was able to
3 participate as with it, as we are, all of the law
4 schools in the State of New York, and it was a
5 really great opportunity, and I hope there are
6 repeated opportunities.

7 JUSTICE LIPPMAN: The law schools have
8 been great. Let me ask you this, Dean, our hope
9 is that some of them do it because of a
10 requirement. Hopefully as you say, some of them
11 do it because they want to help others, and they
12 do embrace that culture of service.

13 It's our hope that when students are exposed
14 to pro bono work, whether it be a clinic or
15 whether it be in another pro bono opportunity,
16 that they're not going to put down their pens and
17 say okay, I've done 50 hours, and that's it I met
18 my requirement.

19 Is it your experience that once a law
20 student kind of gets hooked on the high of pro
21 bono service and helping others that they do
22 really, you know, want to continue on until
23 completion?

24 DEAN ARTERIAN: She's probably at the --
25 able to -- is certainly one example of that. I

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2 think that's -- let's be realistic, I think it
3 would be very interesting and may in fact be to
4 empirical data out there that talks about who did
5 what in law school and what they do in practice.

6 Unless the practice, you know, get many,
7 many more people in practice doing this, it will
8 be hard for the law schools to really fill a gap.
9 But I think that's true and it takes me to a point
10 I just want to come back to because I don't want
11 it to get lost and that is when students first
12 start law school having them engage in community
13 service is important, because that is kind of the
14 first way in, and I think even students who think
15 that's not for them, once they do it it just helps
16 them in some way.

17 And like a lot of law schools, every one of
18 our entering students has a group day where they
19 all engage together in community service, and I
20 think also, Judge, we want that because it --

21 JUSTICE LIPPMAN: Definitely.

22 DEAN ARTERIAN: If all somebody does -- I
23 don't mean all, all. If someone does in practice,
24 they do some pro bono work and that's great, you
25 know, we don't want them to think I did that now I

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2 take a leadership position in my community, that I
3 don't serve on, you know, city councils or help
4 that way.

5 JUSTICE LIPPMAN: I hope and I know you
6 believe it that lawyers are the backbone of so
7 much of what goes, you know, in our cities and our
8 state. And the point is I think in -- this is
9 kind of trying to grapple with, there is a justice
10 gap in New York on pro bono work to help those who
11 cannot help themselves, and we need lawyers to do
12 that, and we need lawyers to fill that gap because
13 no matter how much public funding we get, and
14 we've gotten the -- New York fortunate enough to
15 get more public funding than anyplace else in the
16 country and that's great, but it is the tip of the
17 iceberg in terms of the need.

18 So my hope is, our hope is that lawyers can
19 help to fill the justice gap because what they get
20 in at your law school, whether they do it because
21 we're telling them you have to do 50 hours or
22 because you make all these wonderful opportunities
23 available we'll stay with them throughout their
24 careers, so they can do that part of this service
25 of the profession this service to others that

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1 we're suppose to be doing or we should do. It's
2 also our hope, and I suspect it's the same people
3 who are going to do the pro bono service who are
4 going to be the leaders in the community and doing
5 the things that are not strictly law-related work,
6 but serve our communities, and that's one reason
7 that we try to in defining pro bono to put a wide
8 definition that include, for instance, a service
9 to government, that public service, and being a
10 part of our community, so I think it is -- all
11 fits together I think in a really nice way, but I
12 do think that -- that law schools are the key to
13 this equation. The providers, we have so many
14 representatives here, have a lot of students
15 certainly in certain parts of the state who go
16 directly to the providers and that's great, and
17 the Bar, and we have testimony from the Onondaga
18 County Bar that they will go directly to the Bar,
19 but you're so important.

21 I hope we have done it in a way that doesn't
22 put, you know, all of the burden on you, but yet
23 recognizes your critical way, and we try to do and
24 we're going to shortly let Catherine do her thing,
25 but what we have tried to do is recognize your

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2 critical role and yet try to not say look, you
3 have to do this no matter what the cost is to
4 legal education because in the end your education
5 and we get that and we appreciate all you are
6 doing and we hear more what Syracuse is doing.

7 Catherine, tell us what a pro bono fellow
8 does.

9 MS. SINNWELL GERLACH: I'm the pro bono
10 fellow at the College of Law. The pro bono
11 fellowship, I'm lucky to have this opportunity,
12 it's a split position with the College of Law and
13 Onondaga County Bar Association.

14 JUSTICE LIPPMAN: So you're a graduate
15 when?

16 MS. SINNWELL GERLACH: Graduate in May of
17 2013.

18 JUSTICE LIPPMAN: Okay. So you're.

19 DEAN ARTERIAN: She's a student.

20 JUSTICE LIPPMAN: Still a student?

21 MS. SINNWELL GERLACH: Yes.

22 JUSTICE LIPPMAN: Yet you have this
23 position with the law school and the Bar. Tell us
24 about it. What do you do?

25 MS. SINNWELL GERLACH: First --

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2 JUSTICE LIPPMAN: Aside from going to
3 school.

4 MS. SINNWELL GERLACH: First, I'm a
5 student, but second I get to work with the local
6 Onondaga County Bar Association Volunteer Lawyer
7 Project.

8 JUSTICE LIPPMAN: We talked a little bit.

9 MS. SINNWELL GERLACH: I get to work with
10 her and Debra at the lawyer volunteer project ten
11 hours a week. Those days are spent in landlord
12 tenant court. Pro se divorce clinic. East
13 Syracuse justice court eviction defense program,
14 and talk to a lawyer clinics, also connecting
15 students is the other half of my job.

16 JUSTICE LIPPMAN: Other people like you
17 other fellows?

18 MS. SINNWELL GERLACH: I'm the only pro
19 bono fellow at the College of Law. Part of my job
20 is to engage students in the pro bono
21 opportunities. That's what the other ten hours of
22 my position is. I spend those ten hours with the
23 law school working with pro bono advisor board
24 which received the honor last year from the New
25 York State Bar.

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2 JUSTICE LIPPMAN: You do it and you get
3 others to do it?

4 MS. SINNWELL GERLACH: I get others to do
5 it. I coordinate a lot of activities with
6 students. Making connections in the local
7 community. State legal agencies. Prisoners legal
8 services.

9 JUSTICE LIPPMAN: A lot of kids take
10 advantage of that?

11 MS. SINNWELL GERLACH: Many students do
12 take advantage of the opportunities. In fact,
13 last year's graduating class 5 percent of the
14 class participated in a pro bono program.

15 JUSTICE LIPPMAN: Beyond the clinical
16 programs?

17 MS. SINNWELL GERLACH: Yes. We have a
18 graduation honors program at the College of Law,
19 you do over 30 hours of pro bono service, that's
20 at the time it was legal and community service
21 related hours, but 65 percent of students logged
22 well over those 30 hours, and received a cord to
23 wear at graduation. It has intrinsic value to
24 them. Provided no credit. They're doing it for
25 themselves.

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2 They have the cord to wear at graduation.
3 Over 65 percent, that's not including the people
4 logging the hours. I do have students that I talk
5 to who don't log hours because they feel they
6 don't need the recognition.

7 JUSTICE LIPPMAN: I think it is very
8 interesting, too, when we talked about it with the
9 Dean that this idea of law-related pro bono work
10 and this other whole area of community service we
11 grappled with that in trying to see where do we
12 draw the line on the 50 hours. We want you to do
13 both. Go ahead.

14 MS. SINNWELL GERLACH: Well, I think the
15 students that have embraced the 50-hour rule,
16 especially with how expensive it has been and open
17 for them to do many opportunities in public
18 service.

19 JUSTICE LIPPMAN: We found sometimes kids
20 are wildly enthusiastic.

21 MS. SINNWELL GERLACH: The 50-hour rule we
22 really -- I guess I don't like to see it as a
23 rule. More of a 50-hour kind of bonus they are
24 applying to the Bar for, Bar admission with 50
25 hours. Most of our --

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2 JUSTICE LIPPMAN: Send you around the
3 state with the program.

4 MS. SINNWELL GERLACH: Most of our
5 students have completed well over 50 hours by the
6 time they graduate. Especially --

7 JUSTICE LIPPMAN: Tell me what you got out
8 of it? What is the -- what do you feel when you
9 are doing pro bono work? Does it inspire you? Do
10 you think it's drudgery? What is it? What do you
11 make of it?

12 MS. SINNWELL GERLACH: Well, I went to
13 my -- first, you get to law school you think I
14 will be an attorney, this is going to be -- you
15 have this picture in your mind, you know, I
16 thought maybe it through moot court I would get
17 that opportunity and that gives you a little rush.

18 Then I realized when I went to my first pro
19 bono divorce clinic and sit down with someone and
20 fill out the pro bono application that's why I
21 came to law school.

22 JUSTICE LIPPMAN: Client contact is a
23 high?

24 MS. SINNWELL GERLACH: It is a high, I
25 agree. When you mention that once you instill

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2 that habit, I do believe that pro bono is a habit
3 we can begin in law school. That once you instill
4 that habit, it is -- there is no stopping the
5 students, and it is almost like I can't come up
6 with enough opportunities.

7 JUSTICE LIPPMAN: That's exactly what we
8 want it to be, a habit, or a stronger word of
9 attraction, something that stays with you and then
10 meaningful and that once you start, you can't
11 imagine being a lawyer without that component of
12 what you do, whether you devote your whole life to
13 it, you know, in some kind of a big legal service
14 provider or whether you're an attorney out making
15 lots of money, but hopefully wanting to still keep
16 your hand in pro bono.

17 MS. SINNWELL GERLACH: Connecting students
18 with those opportunities with the VOP and other
19 opportunities around the state. They get to work
20 hands on with an attorney who shows them that they
21 still have the habit of pro bono, and I noticed
22 students that get to work one on one with the
23 attorneys.

24 They not only develop the pro bono practice
25 and the importance of it, they also have developed

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2 a mentor relationship often times and can work
3 with an attorney and goes ways beyond just the pro
4 bono work that they are doing, so it really does
5 benefit all as much as the pro bono service
6 benefits a community that needs it the most, law
7 students do get just as much out of it, and I feel
8 like I've been given more than I gave.

9 JUSTICE LIPPMAN: It's a terrific point.
10 One of the things we tried to emphasize is that
11 not only helping people and that is so important,
12 you are helping yourself, you know, to be a
13 lawyer. What it means to be a lawyer getting
14 practice skills. You are great, we will keep you
15 doing pro bono forever. Presiding Justice
16 Scudder, want to ask the Dean or Catherine?

17 JUSTICE SCUDDER: No.

18 JUSTICE LIPPMAN: Judge Prudenti?

19 JUSTICE PRUDENTI: No.

20 MR. SCHRAVER: It illustrates the
21 important role that law schools have in all of
22 this.

23 JUSTICE LIPPMAN: Absolutely. So, Dean,
24 always great to see you.

25 DEAN ARTERIAN: Great to see you.

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2 JUSTICE LIPPMAN: Catherine, great to see
3 you.

4 MS. SINNWELL GERLACH: Thank you.

5 JUSTICE LIPPMAN: Thank you so much.
6 Appreciate it. Now I will ask another Dean to
7 come forward from our upstate law school, Dean
8 Stewart Schwab, the Allan R. Tessler Dean and
9 Professor of Law at Cornell Law School, and Sara
10 Heim come up with him, law student at Cornell Law
11 School.

12 Okay. Dean Schwab, nice to have you here.
13 Any thoughts that you have? I know you are
14 putting your best foot forward over there to your
15 left. We will start with what you have to say.

16 MR. SCHWAB: Thank you for starting with
17 what I have to say because I do think that Sara
18 will be the highlight of this panel, but thank you
19 for the opportunity. I'm pleased to be here.
20 With me is a third-year Cornell law student, Sara
21 Heim, very active in our pro bono efforts.

22 Well, the overall mission of Cornell Law
23 School is to provide a world-class center for the
24 study of law, which promotes cutting-edge legal
25 scholarship and trains "lawyers in the best

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2 sense," as we Cornell tagline advertise.

3 And our goal is then to produce graduates
4 who are profession ready. As they say, a phrase
5 that I learned nationally at a conference with
6 you, Judge Lippman, I think it is really
7 appropriate, it's not that our students will be
8 able to do all aspects of law upon graduation, and
9 there's still a lot of learning to do, but they
10 will be professional ready.

11 And we hope to instill in all of our
12 students a sense of service as part of really
13 defining the characteristic of being a member of
14 the legal profession.

15 That being said, I do want to sort of
16 highlight in this day of legitimate concern about
17 the cost of legal education, law schools indeed
18 have to be careful about undue mission creep, and
19 we cannot do all things for all people. Our
20 graduates will do that, but not the law school
21 themselves.

22 And so getting to the important issue today,
23 outreach and access to justice, that is an
24 important part of the Law School's overall
25 mission.

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2 And at Cornell we already do have, you know,
3 a lot of activities. It's -- indeed, every
4 self-respecting law school is geared toward pro
5 bono service.

6 They certainly include a variety of clinics
7 at the state and national and international level
8 we have clinics, including LGBT Clinics, Labor Law
9 Clinic, Securities Law Clinic, Death Penalty
10 Clinics, International Human Rights Clinic, among
11 others.

12 For us a very important part is the summer
13 internships, particularly after the first summer
14 we fund them internally with what we call Public
15 Interest Fellowship grants, as well as externships
16 during the academic year, during part of the time
17 or in full time where students are embedded for a
18 semester in a pro bono organization.

19 The faculty do a lot of pro bono work sort
20 of on their own or you know not a requirement of
21 the job, it's sort of a hope, expectation of the
22 job, and we'll use students very often to assist.

23 These can range from helping local residents
24 in a land-use case, to amicus briefs in the Court
25 of Appeals or the U.S. Supreme Court, to assisting

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2 emerging countries like Southern Sudan in writing
3 a constitution. So they can take the gamut.

4 Maybe I will say a couple of words about our
5 most recent -- our Dreamer Pro Bono project. This
6 is -- comes with a recent announcement this summer
7 of the somewhat controversial maybe in the
8 discussion we talked about this, this pro bono
9 stuff when it comes to law schools can be -- can
10 have a bit of controversy to it.

11 But this project is an executive order,
12 President Obama did that, allows undocumented
13 aliens if they can prove they have been in the
14 United States since before age sixteen to get
15 lawful status and hopefully a work permit.

16 These residents, and we estimate there are
17 quite a few in Upstate New York, are very scared
18 of any part of the legal system, and we do think
19 that putting the Cornell Law School name out there
20 will assist.

21 This is, you know, above board thing. We
22 just had this past weekend sort of our first kind
23 of workshop on that. It was -- and that's just an
24 example of the effort that a number of our
25 students are very excited in doing.

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2 We do recognize this when we have our pro
3 bono certificate program for students who log 25
4 hours of pro bono service. It's true to date we
5 have included, lump together legal and nonlegal
6 work.

7 JUSTICE LIPPMAN: That interested me
8 talking about that. Very -- one of the issues
9 that we have to deal with and we took a lot of
10 time to look at was whether the general community
11 service has to be law related.

12 MR. SCHWAB: Right. Right. So let me
13 turn with just a few specific remarks about the
14 50-hour pro bono requirement that is certainly on
15 everybody's mind.

16 Certainly grateful to the committee that
17 worked hard to make a workable set of rules over
18 the summer recently promulgated, and the May 22
19 access to justice meeting was helpful, kick off to
20 that whole summer long conversation or at least
21 that's how I viewed it.

22 We did have three representatives attend
23 from Cornell Law School who have been very active
24 in this area and continue to be. Professor John
25 Blume, who directs our clinical, skills and

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2 advocacy program and director of our death penalty
3 project; Assistant Clinical Professor Susan
4 Hazeldean, Director of our LGBT Clinic; and Karen
5 Comstock, the Assistant Dean for Public Service.

6 All three were there in all of the sessions
7 and did -- found it useful just in the discussion
8 of what programs worked, how can we do this, how
9 can we integrate this with the normal academic
10 load of our students, and very importantly how
11 best to work with the actual providers, the legal
12 service providers.

13 JUSTICE LIPPMAN: Very helpful to us, too.

14 MR. SCHWAB: And many others. I believe
15 Cornell Law School will have adequate options for
16 our students to meet the requirements, and indeed
17 although we're working right now most students
18 have already done it.

19 I can't tell you today the percentages. How
20 many sort of in a normal course say this past year
21 have done this because we're not to date separated
22 out legal work from other work. We are working on
23 that. I'm working to sort of get that number.

24 Again, to reemphasize, I think both summers
25 will be very important. Very often the first

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2 summer students will work in -- for qualifying
3 organizations, either work for a Judge or work for
4 a government agency or work for a not-for-profit,
5 using, again, what we call our public interest
6 fellowships to support themselves that first
7 summer.

8 And so I think this new requirement will
9 sort of validate, I mean already we have over half
10 the first-year class does get a PIF grant, this
11 will happen.

12 I do think it is important in the second
13 summer for a lot of our students. They go to the
14 large law firms, certainly not all, but I would
15 say probably a majority do.

16 JUSTICE LIPPMAN: Yup.

17 MR. SCHWAB: And I think to have them -- I
18 predict there will be a little extra request as
19 one of my summer projects for a week undoubtedly a
20 50-hour week, can I work on a pro bono project.

21 JUSTICE LIPPMAN: We hope so. That really
22 is one of our great hopes.

23 MR. SCHWAB: It will be critical going
24 back to the main theme that I don't want all of
25 the work or all of the hours to count to be hours

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2 that sort of the Law School provides, because I
3 think that combined with the supervision can be
4 expensive.

5 Let me address sort of the question you
6 asked to Dean Arterian, which is on everybody's
7 mind, particularly about Upstate, because I do
8 think there are some challenges, although it can
9 be exaggerated, I suppose now to the location of
10 Upstate.

11 Unlike downstate, the city, we don't have a
12 ose concentration of large agencies or Bar
13 associations that can offer the volunteer students
14 opportunities for our students.

15 So finding qualified supervisors will be an
16 issue. Most are too busy with their workloads to
17 take on volunteers. That can indeed swamp them.
18 Now, we can do some matching with the New York
19 City. I want to put it -- I don't think it's that
20 the, you know, the City has greater opportunities.

21 Of course, this is a funny aspect of greater
22 opportunities. There are plenty of poor people in
23 up the Upstate area. In fact, I'd wage, without
24 getting into a political commentary, there are
25 sort of many, probably not per acre, but per

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2 something else.

3 JUSTICE LIPPMAN: I think the problems are
4 every bit as deep.

5 MR. SCHWAB: The funding is perhaps a
6 bigger problem. Just to take one example of
7 something we've been doing the last couple of
8 years.

9 The local Legal Services in Ithaca received
10 Federal funding from AMERICO to fund an attorney
11 in their office who was providing volunteer
12 opportunities for our students, essentially go to
13 them between the local divorce attorneys and the
14 students and so that they're running a divorce
15 clinic.

16 That was terrific. Number of our students
17 did it, but unfortunately the funding ended. The
18 doors to the clinic is closed. I think this type
19 of example could go on and on and on. This is
20 particularly a severe problem here in Upstate that
21 the dollars are being stretched extremely,
22 extremely thin.

23 So in short, we have lots of willing
24 students. Lots of poor clients here in Upstate.
25 They are kind of spread out and many of them are

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2 invisible, even more invisible than they are
3 downstate. And the lack of funds just overall I
4 think is a severe issue.

5 I think to view this positively, for lack of
6 funds, lots of poor clients can be viewed as a
7 positive. I think this focus will give the
8 opportunities for the law schools working and
9 pointing out the challenges that the local service
10 providers have, and the fact, I think, if we dump
11 students that sort of have the -- have the
12 obligation of the 50 hours, have had the
13 willingness to do this more generally, but I think
14 it can have a swamping effect, and I hope that
15 that message is heard not so much by you, you
16 don't need to hear it, but others, including some
17 of the funding providers here.

18 This is a -- remains a major issue on the
19 access to justice. But thank you for the
20 opportunity to have this conversation.

21 JUSTICE LIPPMAN: Great. Thank you. And
22 as at Syracuse, I think Cornell, as virtually all
23 our law schools, I think is a culture of
24 commitment to access to justice. Law schools, and
25 certainly we believe that the best infrastructure

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2 for students getting this 50 hours and putting
3 aside this 50 hours, giving the kind -- getting
4 the kind of commitment that we would like them to
5 have to a culture of service clearly comes in the
6 law schools.

7 We commend all of you really, what you have
8 been doing, and as I indicated, we want to create
9 a situation with law schools that are clearly
10 the -- at the head of the -- this effort in terms
11 of being the ones responsible for providing this
12 next generation of lawyers with not only the
13 scholastic skills, but also the ethical and
14 cultural parts of being a lawyer, and we hope that
15 the program that we created is broad enough in
16 terms of the kinds of service that qualify,
17 whether it be the clinics or the externships or
18 the internships or directly with the providers or
19 wherever they will go or the Bar associations that
20 we can have this great synergy.

21 I think that conference that you talked
22 about that was -- really emphasized all of this to
23 us together, whether the courts, the profession
24 and the academy kind of meet together and
25 recognizing it's our responsibility in a

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2 partnership to make sure that the next generation
3 of lawyers understands what their obligations are
4 in terms of serving others and being leaders of
5 the community.

6 To great degree also there is very basic
7 filling this justice gap in New York, so I want to
8 thank you, Stewart and Hannah, before you and
9 really all of our fifteen law schools in the state
10 for being so helpful and helping us, as you
11 indicated, to put together a program that I hope
12 is responsive to the feedback that we receive from
13 the different law schools and the other parts of
14 our community.

15 So, again, I want to thank you as I did to
16 Hannah for all of your hard work and in terms of
17 this whole idea. There is so much. You raised a
18 very good point so much need Upstate, but it's
19 harder to -- without using the word "access" that
20 need because it is more hidden, more spread out,
21 so much of it goes on. It's not even -- doesn't
22 come to the surface, and you have providers
23 Upstate who are covering huge geographic areas and
24 as we talked about, maybe before you came in, you
25 know the -- you need such dedicated people to do

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2 problem.

3 MR. SCHWAB: It is. I think highlighting
4 and to be recognizing it is itself important. I
5 mean it -- because I think you said it's just more
6 hidden, but it's equally real. I think just a
7 little example to go back to this recent one of
8 the Dreamer project with the immigrants.

9 A lot of those will be downstate and in the
10 City and sort of they can be neglected, but there
11 are lots of undocumented folks here Upstate, some
12 of them migrant workers, some of them the same
13 backgrounds, but they are just more hidden, just
14 kind of there.

15 So I think a challenge of communication is
16 even bigger Upstate in reaching out, you know,
17 and, of course, as downstate working with the Bar
18 association, the legal aid societies, etcetera, is
19 the same formula.

20 I don't want to overstate differences either
21 between downstate and upstate law schools or legal
22 education or legal needs, but they are there.
23 Yes, if I had the answers in a can to outline that
24 would be nice, Judge.

25 JUSTICE LIPPMAN: You raise such on

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2 interesting issue. One thing then we will have
3 the real heart of Cornell Law School so to speak.
4 You raise this issue and we grapple with, too,
5 talk about a little controversial some of the
6 things might be doing. You know, legal services
7 cooperation.

8 In Washington one of the big issues over
9 there is Congress has limited the kinds of things
10 that they can give money for such as class actions
11 or whatever, and we are grappling with this issue.
12 We didn't want to draw those lines as to why there
13 is what is acceptable for kids. I don't mean --
14 madam, in the best sense, law students, to be
15 doing on a pro bono basis what is acceptable by
16 whose standards in terms of helping people who
17 need assistance, and we basically as you probably
18 saw from reading our piece, basically left it up
19 to the students and their supervisor to determine
20 what makes sense. You know, civil rights action,
21 a class action whatever, we're not going -- the
22 only thing we drew the line which we thought and
23 sort of borders on this issue that you and Hannah
24 are great about community service, and whatever,
25 partisan political activity said okay we -- that's

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2 going to get us into trouble. And we can't get
3 credit for that, even though it is kind of a
4 lawyer legal related, but that is an interesting
5 issue, and I don't think you can make the
6 valuations.

7 I'm curious what your view -- say certain
8 things are good and certain things, gee, you
9 shouldn't be doing them.

10 MR. SCHWAB: I think even stated that way
11 sort of shows we have to try very hard not to do
12 that. It's a challenge with some of our programs
13 that Cornell Law School is standing behind and
14 experience for students and the quality the
15 recognizing that they are students in this case
16 but not wanting to endorse or one way or the other
17 the political aspects of the position, and I think
18 if we as sort of leaders, the Bar, where this
19 usually comes up is in sort of a reactive
20 situation. Somebody didn't like a position taken
21 by one of the clinics. I can imagine it coming.

22 You know, it has arisen sort of
23 environmental ways. Can come up in anything. I
24 think my view is that we are form of providing the
25 educational experience and indeed to -- just two

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2 sides to an issue. Of course, there are more than
3 two sides, the students will flip to the other
4 side and the other side is perfectly fine in some
5 of this, and I think in the larger context it's
6 inculcating the culture of service can sort of --
7 exactly what you're doing now, legal related.

8 I think that's probably appropriate, but you
9 know, other than that, I think the Court of
10 Appeals or the Bar examiners or the law schools
11 should not -- should really be from not taking a
12 position, but take the position that all of it
13 will lead to greater good.

14 JUSTICE LIPPMAN: I agree. Tough call.

15 MR. SCHWAB: I mean I may need your help
16 in years ahead.

17 JUSTICE LIPPMAN: Just towards an aside
18 then, we will -- absolutely, let's hear Sara talk.

19 We had an interesting issue -- interesting
20 issue came up, too, governmental service that some
21 people said, well, okay it's okay that you are
22 putting under this banner of pro bono, come, but
23 certain kinds of government service is not good if
24 you're going to work for the corporation council
25 and they are doing -- helping a poor person,

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2 that's fine, but what about when they do what
3 government entities have to do and, you know,
4 they're saying, gee, we're going to evict you.

5 These are hard lines to draw, and again, I
6 believe, as you said, it's about a culture of
7 service, and very hard to make these kind of
8 distinctions, and it is good to be in service to
9 others, we're not going to judge you exactly on
10 that service.

11 Any way, now most importantly, tell us about
12 what you do -- been doing, Sara, at Cornell, and I
13 assume you have been doing some pro bono work?

14 MS. HEIM: Yes, I have.

15 JUSTICE LIPPMAN: Tell us what it is and
16 what it means to you what you've been doing.

17 MS. HEIM: Sure. Hello, I thank you for
18 having me here today. My name is Sara Heim and
19 I'm a third-year student now at Cornell Law
20 School.

21 I'm just going to talk a little bit about
22 some of the specific projects I've been involved
23 in over the past two and a quarter years at
24 Cornell.

25 JUSTICE LIPPMAN: You've done more than 50

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2 hours?

3 MS. HEIM: Easily. So this semester I'm
4 participating in the U.S. Attorney's clinic here
5 in Syracuse. So we spend about 15 hours a work
6 working with Assistant U.S. Attorneys on different
7 legal matters that Assistant U.S. Attorneys are
8 currently working on, specifically working on
9 civil litigation, complaints filed against the
10 government. Also Appellate criminal litigation
11 right now. We have approximately ten students who
12 participate in that clinic every semester.

13 During my first year at law school, also my
14 second year of law school, I participated in a
15 couple of direct service opportunities that were
16 offered through the public interest law union of
17 which I was a community service chair.

18 One of those was a program called Starving
19 Children, which is a nonprofit organization that
20 packages food and sends these packages to very low
21 income parts of the world where people are really
22 in need of just very basic nutrition, especially
23 for children.

24 JUSTICE LIPPMAN: Got as much satisfaction
25 from that as doing legal work. You got as much

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2 satisfaction from that as if you were doing strict
3 legal work?

4 MS. HEIM: Yes, I definitely did.

5 JUSTICE LIPPMAN: Lots of ways to help
6 people is my point.

7 MS. HEIM: Yes. And prior to starting law
8 school, I did work at -- as an AMERICO staff in
9 Vermont doing hunger and food access work. I
10 enjoyed being -- going back and do more of that
11 work as a law student.

12 Also, last year, a group of 18 law students
13 went to Owego to participate in flood cleanup
14 efforts there. Worked alongside members of the
15 community cleaning out debris and rubble from a
16 church that was destroyed by the floods.

17 Something else I'm participating now this
18 new Dreamer Program Project. They did the first
19 clinic for community members to come to last
20 weekend, and I -- they actually had too many
21 volunteers sign up, which is never a bad thing,
22 and so I didn't actually go to the clinic itself,
23 I helped to prepare a list of educational programs
24 that these eligible people would then be able to
25 sign up for once they cleared through the

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2 to do?

3 MS. HEIM: I will likely be working at a
4 big firm for awhile. I worked at a large law firm
5 in New York City this past summer. I have to do
6 pro bono work with them as well. I worked on a
7 death penalty appeal case, and I'm hoping to
8 continue to actually work on the same case when I
9 join the law firm next October.

10 JUSTICE LIPPMAN: But I'm not putting
11 words in your mouth. You tell me, when you go on
12 to -- let's say go to the big firm, this is
13 something that is meaningful to you in terms of
14 your own personal satisfaction to continue doing
15 pro bono, you know, let's say it's someone in a
16 big firm.

17 MS. HEIM: Yes, definitely. I think more
18 so for large law firms, which I think in the same
19 vein as what I said going to law schools, kind of
20 puts you in a very privileged position in big law
21 firms, also, you know, to have all these wonderful
22 resources.

23 They have amazingly intelligent attorneys
24 that work for them. I think that part of their
25 responsibility to their surrounding community is

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2 also to give back and offer legal services to
3 those that can't afford to pay God knows how many
4 dollars an hour for their representation. So I
5 think that's --

6 JUSTICE LIPPMAN: You know that was kind
7 of the theory behind the 50 hours, it's a
8 privilege to practice law, and you are going to
9 practice law in our state. Part of being a lawyer
10 is understanding that you give back. You serve
11 others. That's what we are all about. The
12 profession which is, we think, a noble one that
13 goes back so many years. And you're terrific. We
14 appreciate that you're going to go out and pro
15 bono throughout your career. And, Judge Prudenti,
16 questions?

17 JUSTICE PRUDENTI: I want to follow-up on
18 the Chief Judge's question, Sara, please -- can I
19 call you Sara? If I can wave my magic wand
20 professionally, where do you see yourself in ten
21 years?

22 MS. HEIM: It's a loaded question. I mean
23 to be honest I came to law school because I was
24 very passionate about public service. I saw it as
25 a way to effect change on a much bigger level than

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2 working with the smaller community nonprofits,
3 which I worked with previously between my
4 undergraduate and law school.

5 So I guess if I could wave the magic wand
6 and have the career of my dreams doing something
7 where I did get to work more with community
8 members, and one area that I really was interested
9 in doing pro bono work and also is working with
10 domestic violence victims, and you know offering
11 them legal services that they really desperately
12 need in their situation.

13 So I think, you know, long term plans I'm --
14 we'll see what happens. But I will in all
15 likelihood probably go into more of a public
16 service pack further down the line.

17 JUSTICE LIPPMAN: Hard to find that
18 balance, but starting out in the big places is
19 great. You know, you learn a lot. Presiding
20 Justice Scudder?

21 JUSTICE SCUDDER: Only one thing. I never
22 heard the term poor per acre, but I'm going to
23 think about that. I'm not sure which way is best,
24 but that's all.

25 JUSTICE LIPPMAN: Dave?

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2 MR. SCHRAVER: As I was listening to you
3 almost if I understood it correctly one of the
4 challenges here is to match needs with the
5 lawyers, particularly maybe the Upstate area where
6 these are less visible and more spread out.

7 Are the Upstate law schools working to try
8 to develop some models for that? I know each one
9 is a little different situation. Working with the
10 local Bar associations. As I was listening, I was
11 trying to think what if any is the role of the
12 state Bar trying to help with those kinds of
13 issues.

14 But it seems to me those are some of the
15 significant challenges here as we try to implement
16 the new pro bono requirement for admission to the
17 Bar.

18 MR. SCHWAB: Yes. To be frank, I think --
19 I think we can have more -- should have more
20 discussions along these lines, so maybe this is
21 the prod that will do that, along with others.

22 But, for example, recent -- actually not so
23 recent. A graduate who does legal aid work in
24 Geneva, New York, now that's not so far from
25 either here or Ithaca, but it is not a trivial --

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2 you know, it's about an hour drive more less.

3 Yes, he like some students to come up there, but
4 then is stretched very, very thin himself in the
5 cuts, you know, to what -- and barely has the
6 time.

7 While he would like the labor, put them to
8 meaningful use consistent with the limited amount
9 of time that they can realistically give.

10 I'm sort of thinking, especially if it is
11 one thing, if they go on full semester externship.
12 But if it is just for a week or two, I think
13 that's a big challenge, you know, particularly in
14 these offices and organizations that are just so
15 thinly staffed and have such budget issues.

16 But working ahead, we have to creative about
17 this. I think is a really important challenge for
18 us to try to approach.

19 JUSTICE LIPPMAN: I think that's the point
20 we made, we're all in this together, particularly
21 you know this -- the academy, the Bar, and the
22 judiciary, and I think it is -- there are no easy
23 answers. Have to understand. But thank you both.
24 And, Sara, good luck. Dean, thank you. I would
25 ask before we get to Judge Doran, Anthony Marshall

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2 initiative. It was essentially designed to remove
3 the socioeconomic obstacles that most often
4 prevent inner city kids from graduating high
5 school and attending college.

6 The program recognizes that many students do
7 not go to college, and may not even consider
8 college a possibility, not solely because of
9 academic reasons, but mostly because of crippling
10 social and emotional, legal, health and wellness
11 and financial difficulties that they and their
12 families experience.

13 "Say Yes" brings educational professionals,
14 research capacity, social workers, counsellors,
15 healthcare providers, lawyers, and basically the
16 entire Syracuse community of other professional
17 volunteers to inner city schools to address the
18 impediments faced by inner-city students and their
19 families.

20 The Legal Support Services component to the
21 "whole child and family" approach of "Say Yes" is
22 really critical to the success of the overall "Say
23 Yes" program.

24 My personal work has been engaged in
25 organizing the "Say Yes" legal support program,

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2 which impart involved establishing pro bono legal
3 clinics for students and their families that
4 attend a school in the Syracuse school district.

5 JUSTICE LIPPMAN: What kind of issues do
6 they come to you with?

7 MR. MARSHALL: It's mostly I would say
8 family law issues is the number one issue.

9 JUSTICE LIPPMAN: Could it be a more
10 critical issue in terms of keeping kids in school
11 and keeping families straight, together or --

12 MR. MARSHALL: Custodial issues.
13 Guardianship issues. Just marital issues.
14 Housing is probably our second most need. A lot
15 of landlord tenant there is also some
16 homeownership-type issues. Condition of home
17 issues. Things like that. And I'd say the third
18 is just generally consumer rights and finance-type
19 issues.

20 JUSTICE LIPPMAN: All of which go in the end
21 to keeping the kids in school.

22 MR. MARSHALL: Absolutely. I mean the
23 essential role of our program is to mitigate the
24 issues that otherwise impact a child's focus on
25 academic success and not bringing those kinds of

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2 issues to school.

3 I mean if a child comes home from school on
4 Tuesday and the furniture is on the sidewalk, I
5 think that's going to have an impact on the child.

6 JUSTICE LIPPMAN: Right.

7 MR. MARSHALL: So my involvement began --
8 excuse me -- in early 2008 with my commitment --
9 with my firm's full support -- to take on the
10 charge of designing, implementing and basically
11 achieving the legal support aspect of the "Say
12 Yes" program. We do this through legal clinics
13 and through other legal-base programs.

14 During the summer of 2008, we developed the
15 scope, the means of delivery, the criteria for
16 delivery of legal services. Those services were
17 defined as essentially based on a clinic approach
18 staffed by lawyers and paraprofessionals from
19 participating law firms and service providers
20 at -- right at the Syracuse city schools
21 themselves.

22 We had clinics based at schools. The
23 purpose for that was to try to develop a sense of
24 community between the lawyers attending class and
25 providing service with the school community

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2 itself.

3 JUSTICE LIPPMAN: What kind of volume do you
4 have?

5 MR. MARSHALL: Well, we work on that
6 consistently. I think last year we served 74
7 clients at four clinic school wide. This got
8 rolled out in four quadrants. The "Say Yes"
9 program got rolled out in four quadrants. We have
10 four high schools in the city, so we rolled out
11 beginning in the 2008-09 school year through last
12 year.

13 We're now finally fully enrolled, and we had
14 four school based clinics last year, and it is
15 once a week and so we -- I'm not sure if Sally
16 already had testimony, but the new joint VLP "Say
17 Yes" program that Sally is currently the newly
18 installed director for is we're going to
19 essentially merge those two models because we're
20 really essentially serving the same community
21 through both programs, so that collaboration we
22 think is going to, you know, raise the Bar.

23 JUSTICE LIPPMAN: This is all about
24 collaboration.

25 MR. MARSHALL: It's all about

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2 collaboration. You know, the "Say Yes" program
3 was a stand alone. One of the things I found,
4 Judge, in putting in my work in '08, in putting
5 the legal support program together is while I have
6 some pro bono background, I didn't really
7 understand, you know, each service provider's
8 model, their source of revenue, and how they
9 function.

10 And what I realized was while there is lots
11 of legal support being provided in this community,
12 they were all being done independent of each
13 other.

14 JUSTICE LIPPMAN: I think that's the
15 point. Have a flavor a little bit from your two
16 colleagues before, and I see from your testimony
17 this is also interrelated. People have -- but as
18 I said to Sally earlier, the connection between
19 education and legal services is not always
20 self-evident to people, and they don't realize
21 that there are so many legal issues that relate to
22 kids being able to -- families being able to
23 interact with the education bureaucracy.

24 MR. MARSHALL: The challenges these kids
25 face are enormous. And, you know, just on a

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2 personal note, I grew up in a family full of
3 support. There is a number of professionally
4 educated persons in the family, people that have
5 achieved, and it's because we had all the support
6 at home. We're trying to provide that same level
7 of support to kids who otherwise just don't have
8 advantage of that.

9 JUSTICE LIPPMAN: It sounds like a great
10 program.

11 MR. MARSHALL: So that's what we are
12 trying to accomplish so --

13 JUSTICE LIPPMAN: I think you're
14 accomplishing a lot.

15 MR. MARSHALL: -- we'll try to -- we know
16 we can do more. We are -- as we morph, this is
17 our fifth full year, we are now collaborating with
18 the volunteer law project which is a great
19 undertaking. Great press yesterday in our
20 newspaper about that, if you happen to see it.

21 And we're also starting to coordinate and
22 create synergies with the community-based
23 organizations who are otherwise not providing
24 legal service for the community, which it's
25 essentially, again, the same community, they're

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2 providing other social services for that. We can
3 piggyback and, you know, whether it is immigration
4 areas or other needs that are out there. So I'm
5 willing to take any questions.

6 JUSTICE LIPPMAN: Great. Why don't we
7 hear from Mr. Wiles and see if there is anything
8 the panel has further questions.

9 MR. WILES: I'm Chris Wiles. I'm Chairman
10 of the County Bar Association Pro Bono Practice
11 Committee which probably if not the most active,
12 one of the most active committees at the Bar.

13 Onondaga County has about 31 or 32 percent
14 of its population below the poverty level, and
15 within the City of Syracuse, 43 percent of the
16 population is black, 21 percent is Hispanic and 35
17 percent is white.

18 We have a large number of college students,
19 and we also have a large number of foreign-born
20 population. So our clinics that we have been able
21 to establish over the course of time, and we have
22 spent a lot of years in the community working at
23 VOP, most of our activities are partnership
24 related. In other words, we try and fill gaps
25 that legal services cannot fill.

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2 JUSTICE LIPPMAN: How much is the message
3 of communication between your practice committee
4 and the Bar and the particular organization, the
5 providers themselves, the "Say Yes to Education",
6 is it -- how do you do it? Is it through --
7 partially through the volunteer program?

8 MR. WILES: We have a number of task
9 forces. Our coordinator, Deb O'Shea, meets
10 regularly with Hiscock Legal Aid, Neighborhood
11 Legal Services, all of these agencies work
12 together to say -- to provide services where the
13 need is most felt or where we have to go.

14 I think we are on the cusp now because the
15 partnership "Say Yes" and the hiring of Sally
16 Curran, who was our first attorney coordinator,
17 gives us the oversight and the mix that we need to
18 begin to recruit and serve the public.

19 JUSTICE LIPPMAN: What about this Telesca
20 type approach we talked about before.

21 MR. WILES: Well, we're also working in
22 that area.

23 JUSTICE LIPPMAN: Is that the final step
24 to pull this together?

25 MR. WILES: Yes. I think that is rather

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2 long term at this point, but certainly is a final
3 step to put it altogether. And we have -- we
4 meet, as you may be aware, through Judge Lowe. We
5 meet regularly on that project to try and bring
6 all of the agencies together, including the
7 University, the law school, everybody working
8 together so that you only go to one spot when you
9 need legal services.

10 JUSTICE LIPPMAN: And the practice
11 committee particularly focuses on this?

12 MR. WILES: Practice committee really
13 focuses on programming. The "one roof project" is
14 a subcommittee which incorporates all of the legal
15 service providers and the law school together
16 working to find a building -- a suitable building.

17 We probably met over the course of the last
18 two years on that project. The VOP programs have
19 been going about 15 or 20 years. One of the
20 things we do unique to the community, we partner
21 with hospital and medical clinics.

22 One of our partnerships is on the north side
23 with a Franciscan community that also has a
24 medical clinic next door. The other clinic that
25 we do is at the Crouse/Upstate that's during the

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2 day which partners with referrals from social
3 service providers and the hospital of patients
4 that have legal problems.

5 And our new one will be downtown with the
6 church downtown that also has a medical component.
7 We try and take the resources that we have in the
8 community and use those as partners to penetrate
9 even more.

10 JUSTICE LIPPMAN: What's the -- have to
11 sum up what is the overall role of the Bar
12 Association?

13 MS. YAGAN: Excuse me, Your Honor. I very
14 much apologize. My name is Desaray Yagan, and I
15 have an eviction hearing at three o'clock. I have
16 a statement, I have prepared a statement that I
17 would like to read. It is three pages. I promise
18 you --

19 JUSTICE LIPPMAN: You can forgive me, but
20 you can submit written testimony. Happy to have
21 it. But we have scheduled witnesses and the
22 hearing will be ending at two o'clock. Love to
23 have your written testimony.

24 MS. YAGAN: Thank you very much, Judge. I
25 appreciate that.

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2 JUSTICE LIPPMAN: I appreciate that. So
3 why would you sum up -- are you the facilitator
4 between the communicator?

5 MR. WILES: The role of the Bar
6 Association is to incorporate the private Bar in
7 providing legal services, pro bono legal services.
8 That's the real purpose of our committee. That is
9 what we talk about every day. That is what we do.

10 JUSTICE LIPPMAN: Great.

11 JUSTICE PRUDENTI: One question, Sally.
12 Are you the person that coordinates all the
13 meetings and all the phone calls, all the
14 teleconferencing that gets all of these groups
15 together?

16 MS. CURRAN: That's my new role. I have
17 been on the job only a month at this point. One
18 of my new roles up to now. There has been a
19 handful of people that -- that have fallen on Deb
20 O'Shea, the pro bono coordinator, she does a
21 marvelous job with it.

22 I want to say one more thing which is that
23 the -- I hope that the -- we take away from this
24 partnership is that the collaboration is really
25 making it so that we're able to reach a lot more

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2 community members and provide better service by
3 combining our services.

4 JUSTICE LIPPMAN: Couldn't be more clear,
5 community is pulling together.

6 MS. CURRAN: Really the one other
7 community support that we haven't mentioned is
8 that the courts have played a big role in helping
9 us identify needs and have been welcoming to our
10 pro bono attorneys.

11 We have pro bono attorneys every morning in
12 City Court and those Judges welcome us, and we
13 have had the opportunity recently to meet with the
14 surrogate Judge, Judge Raphael. Some of the
15 family court judges, Judge Hanuszcak. They have
16 been playing a critical role, as well as the Fifth
17 Judicial District.

18 JUSTICE LIPPMAN: Thank Judge Tormey for
19 his --

20 MS. CURRAN: Judge Tormey, yes.

21 JUSTICE LIPPMAN: I mean it seriously.
22 This is a community, including the courts, that
23 have pulled together. It is obvious and thank you
24 for your testimony.

25 MS. CURRAN: Thank you.

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2 JUSTICE LIPPMAN: Thank you. And our
3 final witness for today is none other than the
4 Administrative Judge, Judge Tormey's partner in
5 arms, here is the Administrative Judge for the
6 Seventh Judicial District, Craig Doran, who is --
7 in the vernacular -- our cleanup hitter.

8 JUSTICE SCUDDER: Chief Judge, can I
9 request he be sworn first, please.

10 JUSTICE LIPPMAN: You can request, yes.

11 JUDGE DORAN: Thank you very much, Judge
12 Chief Lippman. It's great to be here. I do
13 appreciate being last up, because I wouldn't want
14 to hold anybody else up. I have an hour of
15 prepared remarks. I hope that is all right.

16 JUSTICE LIPPMAN: We are disappointed.

17 JUDGE DORAN: My thanks to you, Chief
18 Judge Lippman, and to Chief Administrative Judge
19 Prudenti, and to our Presiding Justice Scudder.
20 This is a great time to be working in this court
21 system. And this is a unique opportunity for me
22 to have the chance to address my three bosses, so
23 to speak, and thank you for creating a culture of
24 creativity and a culture of collaboration.

25 This does seem to be a great time of a

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2 convergence of a lot of needs and a lot of
3 opportunities, which for a guy like me, who gets
4 up in the morning thinking about collaboration,
5 this is really a terrific opportunity.

6 I'm here today to let you all know about an
7 exiting new project that we have just received
8 approval for in the Seventh Judicial District and
9 that is the location of an Access to Justice Help
10 Center at the Hall of Justice in Monroe County.

11 We've heard a lot of discussion about the
12 Telesca Center, and there are people in this room
13 right now who deserve a whole lot of credit for
14 the establishment of that model, really nationwide
15 for the coalition of the services.

16 What we are so thrilled to be able to do now
17 is to take that collaboration to the next step and
18 have the court system join in the initiation of
19 this Help Center, which will be located on the
20 fifth floor of the Hall of Justice, and what this
21 will allow us to do is leverage the resources of
22 the Telesca Center and the partners there, which
23 are the very enthusiastic folks that work in the
24 court system so that we can provide these very
25 important services to folks who come through our

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2 doors.

3 JUSTICE LIPPMAN: Kind of a reference
4 thing, Judge Doran. In other words, you're
5 interfacing with Telesca, with people coming to
6 the court. How does it work exactly?

7 JUDGE DORAN: That will be part of it. It
8 will be much more than that. We actually plan to
9 utilize court staff and partnership with staff
10 from the volunteer legal services project.

11 JUSTICE LIPPMAN: Be like a help desk?

12 JUDGE DORAN: Absolutely.

13 JUSTICE LIPPMAN: Office center.

14 JUDGE DORAN: Absolutely. We will do some
15 linkage to outside resources through either
16 teleconferencing or videoconferencing. Also a
17 very important component of this will be the
18 physical location of folks on site who will be
19 able to assist.

20 JUSTICE LIPPMAN: Some of the help will be
21 provided onsite, some will be referral?

22 JUDGE DORAN: Absolutely. We've been able
23 to make office space available, and I have to give
24 credit to Sheila Gaddis, who I hope is still here,
25 it's Sheila that came to us at the suggestion of

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2 Judge Fisher for the Help Center in the Hall of
3 Justice, that was only about three months ago, so
4 this has moved very quickly, and it is really a
5 great example of a collaboration.

6 We're able to use existing space. We have
7 to provide this service to folk that come through
8 our doors. You heard all kinds of testimony about
9 the need, and I don't think anything further needs
10 to be said there.

11 JUSTICE LIPPMAN: You will have your
12 people and the some of the folks from Telesca in
13 an office or desk or whatever it is?

14 JUDGE DORAN: Absolutely.

15 JUSTICE LIPPMAN: People just come in,
16 just come, we need help, is that the idea? They
17 can come and say, this is my problem, what do I
18 do?

19 JUDGE DORAN: Absolutely. If people
20 present themselves at our counters, and the
21 counter staff on one of the other floors in one of
22 the other courts realizes a litigant might need
23 some additional assistance, gets sent to the fifth
24 floor, and during regular court hours we are able
25 to talk with a person there and perhaps be

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2 referred to somebody off site, if there is a need.

3 And there has been a lot of talk about the
4 definition of the folks we are serving here. You
5 said it best earlier, Chief Judge Lippman, there
6 is no stereotype here. These are not folks we can
7 have an image of in our minds. These are folks
8 that if you stand at the magnetometer at any
9 courthouse, they are not necessarily just poor
10 people, as it has been said.

11 These are folks that need the assistance of
12 our courts to make sure that there is an equal
13 opportunity for everyone coming through our doors
14 to seek justice, and I might also add, this gives
15 us an opportunity and the court system to make
16 better use of our own resources.

17 You well know the Judges that I'm speaking
18 to here of the wealth of devotion, dedication and
19 enthusiasm we have among our own staff. And in
20 many instances they get no better satisfaction
21 than being able to go a little bit extra along the
22 way of helping somebody that comes through our
23 doors or assistance and this will give them that
24 vehicle to create the infrastructure for the
25 collaboration and the partnership, really

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2 model, you know, for around the state. I think
3 it's a great idea. I think it makes a lot of
4 sense. There are variations on the theme in
5 someplaces around the state, but not enough of it.
6 So it's -- really couldn't be happier about it,
7 Judge.

8 JUSTICE SCUDDER: I'm curious. This was
9 done -- at least partially done in Erie County for
10 quite sometime.

11 JUDGE DORAN: Right.

12 JUSTICE SCUDDER: I'm not sure it has the
13 cooperation with the outside as much. I think it
14 was done just within let's say have somebody near
15 the Family Court area that could help, that kind
16 of thing. You're talking about something bigger
17 than that?

18 JUDGE DORAN: I think so. If I can brag
19 for a little bit here without getting in too much
20 trouble. I think you already have some of the
21 testimony in this regard. In our neck of the
22 woods, we're a little bit further ahead of others,
23 largely thanks to our private partners and Bar
24 Association, and otherwise who have really taken
25 us a long way down this road. We need to meet

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2 them now. A lot of the work has been done.

3 JUSTICE LIPPMAN: You're exactly right.
4 We do have, you know, clerks dedicated to this for
5 help desk. I think it is the collaboration of the
6 kinds of people in Telesca, the providers and the
7 different services.

8 JUDGE DORAN: The other benefit -- one of
9 the many benefits of this that I see is that we
10 get a lot of litigants that come through the door.
11 I'm also a multi-bench Judge, I see this every day
12 in cases I preside over who unnecessarily file
13 petitions, file the wrong kinds of petitions.

14 If they had a little bit of assistance that
15 would allow them to have more control in their own
16 destiny to better utilize the court system, to
17 seek the justice that they really need to seek
18 rather than sometimes a misdirected effort. So I
19 think actually --

20 JUSTICE LIPPMAN: A lot of energy and not
21 necessarily getting anywhere.

22 JUDGE DORAN: Absolutely. It happens
23 every day in every one of our courthouses.

24 JUSTICE PRUDENTI: I'd like to ask Judge
25 Doran, we do see limited models, and Judge Scudder

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2 was exactly right, other places, you know, Suffolk
3 and Nassau counties helped us in the library
4 things. Like that would your idea would be?

5 If you could share some of your experiences
6 with your other Administrative Judges in other
7 districts, they have a resource coordinator like
8 Sheila on staff that in the courthouse would --
9 that would help expand the ability to get --
10 gather resources needed for this.

11 JUDGE DORAN: Absolutely. Without
12 question. That's absolutely an essential
13 component of this. Judge Lippman used the phrase
14 earlier about infrastructure. This dovetails
15 nicely with the rural issues we have, and in our
16 neck of the woods, Judge Scudder, we have a
17 limited legal community. If we can help in the
18 court system, create this infrastructure, bringing
19 these partners together, we really don't need to
20 have a new infrastructure or new bureaucracy. We
21 can do this with limited resources by just
22 bringing together the partners and perhaps
23 providing them with the infrastructure where they
24 can work together.

25 Doesn't take more than an office in one of

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2 the smaller courthouses. In a larger courthouse
3 you have a bit larger facility. Really, this has
4 great potential to solve a lot of the issues in
5 some of our smaller counties as well.

6 JUSTICE LIPPMAN: Absolutely. Take maybe
7 some of the -- what you can do actually in the
8 courthouse is take some of the pressure off the
9 providers a little bit.

10 JUDGE DORAN: Absolutely.

11 JUSTICE PRUDENTI: Judge, one final
12 question, did Judge Tormey give you this idea,
13 Judge Doran?

14 JUDGE DORAN: Actually, I brought some
15 charts and graphs with me. I left them in Judge
16 Tormey's office. I don't know where they went.
17 They mysteriously disappeared.

18 JUSTICE LIPPMAN: Dave, do you have
19 anything?

20 MR. SCHRAVER: I think the only thing I
21 would add is that one of the major themes today
22 seems to be -- has been collaboration. To me that
23 is and from the time Judge Doran assumed his
24 current position he made it clear to the Bar
25 associations, and I think to the legal service

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2 providers in our community, that he was a willing
3 and eager partner, and I think that collaboration
4 is so important, and I thank you for that.

5 JUDGE DORAN: Thank you for being a great
6 partner in those collaborations.

7 MR. SCHRAVER: The other thing that has
8 impressed me about the testimony we have heard
9 today is that these people have all kinds of
10 needs, but one piece of that is the legal need.
11 The need for civil legal services, and in order to
12 deal effectively with the needs they have, if that
13 piece is missing, that undermines their ability to
14 be successful.

15 JUSTICE LIPPMAN: I think that's the segue
16 to really summing up here. We have heard some
17 very interesting testimony. I think the testimony
18 of veterans needs, how that fits into this general
19 category of civil legal services.

20 The law students and the role that the
21 academy plays in access to justice. The
22 collaborations that Dave refers to. I do want to
23 include without any -- I don't mean this in any
24 way other than sincerely that Judge Tormey and
25 Judge Doran and the courts have played a critical

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2 role in pulling together these collaborations.

3 The bottom line is we have a state where our
4 task force report tells us that we're meeting
5 maybe 20 percent of the need for civil legal
6 services in this state, and that's, you know, says
7 it all.

8 Again, you're talking about a date where we
9 have been able and thank our partners in
10 government, the legislature and executive, we've
11 been able to obtain more public funding for legal
12 services than any other state in the country, and
13 yet we are meeting only a small percentage of the
14 need.

15 So what we see today helps us in terms of
16 figuring the -- quantifying what this justice gap
17 that we're all trying to eliminate is. We cannot
18 approach this problem until we have a better idea
19 of what the need is and what the different models
20 that people are using to try and deal with.

21 So the hearing is really very helpful. What
22 we are going to do is take the information we
23 gained in the first three hearings and what we are
24 going to hear in Nassau County on Thursday, have a
25 task force take a good look at all of that. They

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2 will make some recommendations to me, and then
3 we're going to make our recommendations to the
4 legislature.

5 And, again, I think it's two parts of a
6 puzzle. We will certainly again recommend
7 significant funding to help those most in need
8 with their legal problems, and it's my hope and
9 belief that the legislature and its government
10 will continue to be our partners in increasing
11 funding, but also very importantly it was
12 emphasized in a good part of this hearing was the
13 pro bono efforts of the Bar are critical.

14 And as I indicated earlier, there isn't
15 enough money in the world to meet the need, and we
16 need lawyers to understand that we have as part of
17 our noble profession a culture of service and
18 that's who we are, that's what being a lawyer is
19 all about, no matter what you do as part of the
20 legal profession.

21 And I think if we can prioritize this issue
22 in terms of getting more funding for the providers
23 and have lawyers meet this standard that again as
24 long as time and memorial lawyers have been
25 serving others.

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2 I think together we can really make
3 significant gains, and I do believe that New York
4 has set a template in this whole -- on this whole
5 issue of closing the justice gap that's being
6 replicated in many states around the country.

7 I'm very proud of what we have done, but
8 there is so much more to do, and again the need is
9 really so great so I want to thank everybody who
10 has been here, provided the testimony, or who sat
11 through the entire hearing, it's really very
12 helpful to us.

13 And I remind -- not that any of you need a
14 reminder, that it is our unique mission in the
15 judiciary and the profession to force equal
16 justice and that's what we are trying to do and
17 that's what this hearing was all about today. So
18 thank you all. Greatly appreciate you being here.

19 (Proceedings adjourned.)
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