



NEIGHBORHOOD LEGAL SERVICES, INC.

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Dear Member of the Bar:

The federal Legal Services Corporation (LSC) is Neighborhood Legal Services' largest federal funder accounting for almost 30% of our funding. Unfortunately, Congressional appropriations to LSC have never kept up with inflation. Over the last thirty years, when adjusted for inflation, the federal government's commitment to LSC in 2009 is 60% less than what it was in 1980.

This matters all the more during the recession as demand for our services has dramatically increased at a time when support from the NYS Interest on Lawyers Trust Account fund (IOLA), and other state and federal sources, is spiraling downward in 2010.

NLS closed 6,710 cases in 2008 impacting 16,822 people. However, funding limits force us to turn away many more than we serve. NLS recently participated in a national LSC turn away study conducted for an eight-week period this spring. Lack of funding caused NLS to turn away 3,197 potential clients during that two-month period. The turn away rate is almost three times our present case load capacity. That will surely worsen in 2010 as government budget cuts reduce our funding even more. Those turned away are forced to pursue their legal problems on their own. The thousands of individuals and families we turn away each have cases with life altering consequences. These are people seeking our assistance with basic matters of food, shelter, electricity, heat, access to health care, domestic violence and otherwise asking us to pursue their fundamental legal rights. Some examples can be illuminating. See the attached case examples of Mr. R, Ms. A, and Mr. H.

NLS is also the local provider of legal services to the homeless population. Many of our clients are homeless families with young children living in crowded shelter conditions who are seeking only the bare essentials and a decent home. The children are often scarred by the economic insecurity, embarrassment and the hardships of homelessness. Often their parents slipped from the working class after the loss of a job, the onset of a disability, the breakup of the marriage, or the death of a loved one. Too many go unrepresented into agency hearings and into our courts, suffer the consequences, only to have their lives become even more challenging as a result.

This year we need the help of the bar even more than ever before. Our funding is in decline and NLS faces a reduction in staff and services in the coming year as a result. Every dollar of your donation will go to support the delivery of legal services to low-income and disabled people in Erie, Niagara, Orleans, Genesee and Wyoming Counties. The donations will only be used in a manner consistent with the requirements and restrictions of the Legal Services Corporation. We ask you to reflect on the impact your donation can have on the lives of the least fortunate in this community, and then give generously. In the best tradition of the legal profession, you can bring your resources to assist those who cannot afford representation. We thank you for your support of our efforts!

Randy C. Fahs, Esq.
Board President

William J. Hawkes
Executive Director



A United Way Agency

Web Page: <http://www.nls.org>
IOLA Fund of the State of New York



Examples of NLS Cases

Mr. R contacted the Housing Unit at Neighborhood Legal Services from the hospital. He was being treated for heart problems and was not expecting to be released any time soon. He was scheduled to be in eviction court in three days. According to Mr. R, he was being evicted from his federally subsidized apartment in part because his landlord was alleging that he no longer resided there. Because of his heart problems, Mr. R had asked the landlord to transfer him to a lower unit several months prior. The landlord had refused and because Mr. R rented a third floor walk-up, he had been temporarily staying with friends. Neighborhood Legal Services represented Mr. R in the eviction action - and lost. An appeal was filed in County Court. During that time, Mr. R was scheduled for open heart surgery. Before the appeal was heard, the parties came to a settlement agreement. Pursuant to its terms, Mr. R's landlord agreed to allow him to transfer to a more accessible unit in another location, and the parties entered into a six-month lease agreement at Mr. R's new address. Mr. R was able to recuperate in his own home. Had NLS not been available to him, Mr. R would have eventually become homeless during his recovery from heart surgery and would have needed to navigate the complexities of applying for emergency assistance while convalescing.

Ms. A, who is now deceased, was a 37-year-old single mother of three children ages 10, 8 and three years. Ms. A was diagnosed with refractory CML and advanced cervical cancer and had been hospitalized for about a month. Ms. A was referred to the NLS Medical-Legal Collaborative program at Roswell Park Cancer Institute by her social worker and medical oncologist. Ms. A needed assistance with a pending eviction from her apartment. Ms. A, too ill to be able help herself, needed assistance finding another suitable and affordable apartment for her family upon her discharge from the hospital. She also had concerns on the future care and custody of her three children as her prognosis was not good. NLS was able to assist Ms. A with rental and moving assistance grants through the Erie County Department of Social Services. The NLS Attorney was also able to obtain a \$200.00 cash grant from the Maria Love Foundation to help her set up her new apartment with her children; arrange for a home visit by the local department of social services concerning her public assistance case; obtain an increase in public assistance benefits for each of her children; have a stand-by guardianship designation in place for each of her children to be cared for after her death; and complete a Power of Attorney to designate someone to help her with paying her bills. With the stand-by guardianship in place, (instead of being sent to foster care), the children were placed in the care and custody of a loving relative when Ms. A passed away.

Mr. H is a 51-year-old gentleman who came to NLS explaining that he cannot read or write, and that he has trouble understanding complicated instructions. He said that his mother had always helped him with his daily responsibilities, but that she had recently passed away and he was having difficulty keeping his source of income. He was receiving public assistance and food stamps until he received a notice from DSS stopping his benefits because he allegedly failed to comply with the DSS work rules. NLS staff requested a fair hearing. Although it was apparent that Mr. H had very limited cognitive abilities, he was a middle-aged man who had never been tested in this area. Due to this lack of documentation, Mr. H was expected to comply with DSS work rules as if he had no limitations at all. NLS arranged a *pro bono* evaluation by a volunteer psychologist who agreed to perform a full psychological evaluation which revealed that Mr. H is in fact illiterate and has a low score IQ of 64, which qualifies him as borderline mentally retarded. At a fair hearing, NLS staff represented Mr. H on the termination of public assistance and food stamps and raised the county's failure to accommodate Mr. H's disability under the Americans With Disabilities Act (ADA). The case was won and Mr. H's benefits were reinstated. NLS staff remains in contact with the DSS liaison on ADA issues on behalf of Mr. H and others to monitor whether DSS continues to provide reasonable accommodations to the disabled.

**Yes, I want to help the Neighborhood Legal Services 2009
“And Justice For All” Bar Campaign.**

Enclosed is my check or money order for:

- \$2,500 \$500 \$50
 \$1,250 \$180 Other: \$_____

Name: _____

Firm/Employer: _____

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Please mail to:

Neighborhood Legal Services Bar Drive, 237 Main Street, Suite 400, Buffalo, NY 14203.

You may also use Paypal from our website, www.NLS.org to send us a contribution.

All contributions are tax deductible