

# VOLS PRO BONO FORUM

A Publication of *Volunteers of Legal Service*

FALL 2008

## CHILDREN: SCHOOL-BASED PROJECT

In this project, VOLS matches law firms with schools to address civil legal problems facing families—housing, immigration, termination of public benefits—that threaten to disrupt the education of their children.

**Simpson Thacher & Bartlett** is matched with the **Bushwick Campus** in Brooklyn comprising these four high schools: **The Bushwick School for Social Justice; Academy of Urban Planning; Academy for Environmental Leadership;** and the **New York Harbor School**.

Lawyers from the firm conduct monthly legal clinics at the Bushwick Campus on the first Tuesday of every month. Forty-one Simpson Thacher lawyers and five paralegals are participating in the project. In addition, the lawyers have held sessions with parents, teachers and students to discuss both legal issues and the project.

**Debevoise & Plimpton** is matched by VOLS with **KIPP Academy**, a middle school in the Mott Haven/Morrisana section of the Bronx. A grandmother, who is the legal guardian of a student there, writes about being a Debevoise client: “I was referred to two amazing young attorneys. More importantly, they both proved to be two amazingly talented people. Not only did they demonstrate professional excellence in making sure my granddaughter got the financial support she has been entitled to for years, they also demonstrated tremendous compassion, patience [and] concern....I kept a journal of my journey through the Family Court System. The tone of my journal transitioned from despair to confidence and assurance that I would gain victory...”

**Fried, Frank, Harris, Shriver and Jacobson** is matched with **P.S. 146**, an elementary school in East Harlem. The school has a large immigrant population and many

*(continued opposite)*

## CHILDREN: HOSPITAL-BASED PROJECT

In this project, volunteer lawyers work with doctors and social workers at hospitals as part of a team to improve health outcomes for poor children through the provision of pro bono legal services. VOLS has matched six law firms with seven hospitals.

**Lawyers at Dewey & LeBoeuf**, matched by VOLS with **Harlem Hospital Center**, provide legal assistance to many asthmatic children who have been treated at the hospital by doctors only to return home to apartments with falling plaster, rodents, and insects—conditions all too likely to cause asthma attacks. The lawyers work with landlords to remedy these conditions. In case after case reported by the firm, the legal issue is identified as being “substandard housing conditions” and the description of the outcome is, “conditions remedied”; a lawyer’s understated way of saying, we are making a huge difference in the lives of our clients.

**Patterson, Belknap, Webb & Tyler** is matched by VOLS with **Metropolitan Hospital Center**. Patterson lawyers leave their offices to call upon their clients to see first-hand the apartment conditions lived-in by these families. A landlord received photographs of mold taken on one such visit—“the worst we have encountered”, the lawyers wrote the landlord—along with a demand by the lawyers that the problem be addressed immediately. The lawyers later met with this landlord at the apartment, along with a roofer, interior workmen and the building superintendent. As a result, living conditions have vastly improved for this large family with many young children, some of whom suffer from asthma.

**Cravath, Swaine & Moore** is matched with two hospitals: **Morgan Stanley’s Children’s Hospital** of New York-

*(continued opposite)*

## NEW STAFF MEMBER

VOLS welcomes **Elizabeta Markuci** to the VOLS staff. Liz is an immigration lawyer.

We live in a city where 37 percent of the population is foreign-born, rising to nearly 50 percent in Queens. Among poor people, the percentage of foreign-born is far higher. Immigration law help is an ever increasing need for clients served by VOLS projects.

Liz attended the University of Western Ontario. She then worked with Bell Canada for several years before attending CUNY Law School. Following law school, Liz worked as an immigration lawyer in private practice. She will divide her time between working at VOLS and continuing her work with the CUNY Citizenship and Immigration Project. At VOLS, Liz will train and mentor volunteer lawyers who are working on immigration cases in our school-based and hospital-based Children’s Projects.

## THE VOLS MATCHING MODEL

In a match, a law firm agrees to accept pro bono cases from the entity with which it has been matched by VOLS. The entity may be a hospital, school, economic development agency, or other non-profit organization. There are many advantages to a matching arrangement. Pre-screened pro bono cases identified by the matched partner come to the law firm on a regular basis. The law firm and matched partner develop close and productive working relations. The firm develops areas of pro bono expertise and so can handle a larger number of cases expeditiously.

In addition, lawyers at the firm work as a team on the project, sharing experiences and information. Participating lawyers feel part of a collegial undertaking, instead of doing pro bono work in isolation. An esprit de corps develops among lawyers that generates more volunteers. A law firm sees tangible results from its pro bono program, instead of dispersing its energies and efforts in many directions at once. Finally, pro bono projects that are identified as law firm undertakings encourage lawyers, who might otherwise be reluctant to initiate pro bono matters on their own, to participate on a project in which the firm has a proprietary interest.

### THE TWO NEWEST VOLS MATCHES ARE:

**Wilmer Cutler Pickering Hale and Dorr**, matched by VOLS with **Bronx Lab School** in the VOLS school-based **Children’s Project**. There are 400 students at the school.

**Katten Muchin Rosenman**, matched by VOLS with the

**NYC Business Solutions** site at the **Science, Industry and Business Library** of the New York Public Library. The VOLS Microenterprise Project provides pro bono legal services on business law matters to low-income microentrepreneurs in New York City. Legal services include discussions with microentrepreneurs concerning the appropriate legal structure for their businesses and then creating it; review of commercial leases; preparation and review of other contracts and legal documents; and intellectual property issues (copyright, patent and trademark).

“MY DEAR,” SAID MR. MICAWBER, “COPPERFIELD,” FOR SO HE HAD BEEN ACCUSTOMED TO CALL ME OF LATE, “HAS A HEART TO FEEL FOR THE DISTRESSES OF HIS FELLOW-CREATURES WHEN THEY ARE BEHIND A CLOUD...”

—DICKENS

## SCHOOL-BASED (continued)

children with mental or physical disabilities. The social worker at the school writes of the project: Families “have come up to me to thank me and update me on the progress they are making in cases the firm has helped them with. This project is such a success! They are feeling so supported and hopeful...”

Last spring, 15 administrative personnel from **Fried, Frank** volunteered at P.S. 146, in partnership with **Children for Children**, to read books to first and second graders and then work with the children to make cat toys and dog bandanas to donate to a local animal shelter. As can be imagined, there was much enthusiasm and goodwill generated by the visit.

## HOSPITAL-BASED (continued)

Presbyterian and the **Children’s Hospital at Montefiore**. Forty-six Cravath lawyers and legal assistants participate in the project. Clients include young diabetic children with special education needs.

Lawyers at **White & Case**, matched by VOLS with **New York-Presbyterian Hospital (Weill-Cornell Campus)**, work on cases relating to housing, public benefits and immigration, as do lawyers at **Pillsbury Winthrop Shaw Pittman**, matched with New York University Medical Center.

## THE ELDERLY POOR

In this project, pro bono legal services are provided to poor persons living in Manhattan who are over the age of 60. VOLS conducts twelve legal clinics each month at senior centers and receives case referrals from an additional 90 community-based centers.

For the first seven months of this year, the Elderly Project has provided legal services on 992 matters, with 228 cases being referred to volunteer lawyers. From June 1, 2007— June 30, 2008, the project provided legal services to about 300 homebound clients, largely in the area of preparing life planning documents (wills, medical directives, powers of attorney).

### Other examples of the project's work:

A retired senior was denied a pension from his union. The union claimed that he had too few years of qualified employment. Volunteer attorneys established that the union member had, in fact, completed sufficient years of qualified coverage. The client will now receive pension payments.

**One Stop Senior Services, Echo Apartments** and the **Visiting-Nurse Service CHOICE Program** made a concerted effort to have their members and residents execute health care proxies and powers of attorney. Volunteer attorneys from the VOLS Elderly Project manned tables at these sites to provide needed legal services. We are now working with **Goddard-Riverside Senior Center** to provide a similar service.

## INCARCERATED MOTHERS

In this project, volunteer lawyers provide one-on-one legal counseling to mothers on child custody and visiting issues at **Rikers Island** and at these two state prisons for women: **Taconic Correctional Facility** located in Bedford Hills and **Bayview Correctional Facility** at 550 West 20th Street in Manhattan.

*A volunteer lawyer participating in this project writes:* “We serve as advocates for a constantly overlooked and underserved population. While these women have broken the law, imprisonment is a sentence that punishes not only the wrongdoer but their families as well. I cannot imagine what it is like for these children to go without [family] contact. I also do this work for the parents...whose children provide them with a reason to keep going, to keep working, and to stay out of prison once they are released. Preventing contact between an incarcerated parent and his/her child is devastating and depressing. I like to hope that the work we do with these women and

their families contributes to breaking the cycle of incarceration that so often pervades generations of families. And I know that our presence in these correctional facilities serves as a beacon of hope for all the women incarcerated there. I cannot think of a more essential and fulfilling experience.”

*An incarcerated mother wrote her pro bono lawyer:* “I want to thank you so much for all of your help. I did get my visit with my son on July 4th. I’m still in shock! I can’t believe how grown my son is. I just kept staring at him in amazement! That was truly a blessing to see him.”

*Another incarcerated mother wrote her lawyer:* “I want to take time to thank you for not leaving/giving up on me. I know I can be very...What’s that word you used? (Yeah, that!). But you found it somewhere deep within you to push past that and move forward with me. No one in my life has ever thought enough of me to stick it out with me and because of your dedication, I’ve learned patience and self-control.”

EVERY ONE OF US IS GIVEN THE GIFT OF LIFE, AND WHAT A STRANGE GIFT IT IS. IF IT IS PRESERVED JEALOUSLY AND SELFISHLY IT IMPOVERISHES AND SADDENS, BUT IF IT IS SPENT FOR OTHERS IT ENRICHES AND BEAUTIFIES.

—IGNAZIO SILONE, *BREAD AND WINE*

## MICROENTERPRISE PROJECT

During the first three months of 2008, 107 lawyers participated in the VOLS Microenterprise Project, providing pro bono legal services to low-income micro-entrepreneurs on business law matters.

**Cadwalader, Wickersham & Taft** is matched by VOLS with the **Pace University Small Business Development Center**. The business counselor at the center emailed Cadwalader: “I was grateful for the opportunity to see your lawyers in action. I see why our clients are usually awed by the experience. I could tell that [this client], like our other clients, was touched that a leading institution like yours would devote so much time and resources to him....I look forward to bringing more budding entrepreneurs to you in the future.”

## NEW BOARD MEMBERS

VOLS welcomes these new Board members: Isaac S. Greaney, partner, Sidley Austin; Vilia B. Hayes, partner, Hughes Hubbard & Reed; Patricia M. Hynes, President, New York City Bar Association; Barry Kamins, partner, Flamhaft Levy Kamins Hirsch & Rendeiro, and past president, New York City Bar Association; Robert C. Sheehan, executive partner, Skadden, Arps, Slate, Meagher & Flom; Dietrich L. Snell, partner, Proskauer

Rose; and Mark A. Underberg, partner, Paul, Weiss, Rifkind, Wharton & Garrison.

Philip M. Susswein, a partner at Proskauer Rose, ended his service on the VOLS Board this past June. Phil writes: “I, and other members of our firm, will continue to participate actively and passionately in the VOLS AIDS Project. With gratitude to VOLS for having given trusts and estates lawyers like ourselves a unique opportunity to apply our skills pro bono publico.”

Pro Bono Forum is published by VOLS. Your comments are welcome.



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