



# Legal Aid Society

NORTHEASTERN NEW YORK

SERVING NORTHEASTERN NEW YORK with Offices in  
Albany, Amsterdam, Canton, Plattsburgh and Saratoga Springs

Thomas J. O'Connor  
President

Lillian M. Moy  
Executive Director

Peter D. Racette  
Deputy Director

Wendy Wahlberg  
Deputy Director

## Our Mission

*LASNNY provides effective, free civil legal services and education to and advocacy for people with low income or other barriers to accessing the legal system. We secure basic needs, protect and preserve legal rights, provide equal access to justice and seek fairness and dignity for our clients.*

## Our Services

The Legal Aid Society has attorneys and paralegals that provide legal assessment, advice, brief service and representation in a broad range of civil (not criminal) matters. Our target population is low income people, although in some special projects we can provide assistance to individuals whose income or assets exceed the "usual" Legal Aid guidelines. We will give advice on almost any civil matter.

Our offices are wheelchair-accessible; however, we will meet clients who are homebound when necessary. We have almost instantaneous access to telephone interpretation in any language, and staff who speak Spanish, French, Bulgarian, German, Gujarati and Hindi.

We work with private attorneys in the area who voluntarily provide pro bono legal services including advice, assessment, brief service and full representation to clients screened and referred by the Legal Aid Society through our Private Attorney Involvement (PAI) referral program.

*This paper covers the intake system and available programs in the Albany office of the Legal Aid Society of Northeastern New York. Albany, Columbia, Greene, Rensselaer and Schenectady counties are served from our Albany office. Our Albany office is located at 55 Colvin Avenue, Albany, NY 12206. The other four LASNNY offices offer similar intake and program services.*

## Intake System

### General intake:

Open daily on a first-come, first-serve basis, and clients are called back by the intake specialist (an attorney or paralegal) on the same day they call. General intake hours are 9:00 a.m. until 5:00 p.m.

### Emergency intakes:

Emergencies are court or hearing dates within 5 days, no food, income, or shelter, a safety issue or child taken by an unauthorized person or by Child Protective Services. Emergency intakes are taken any time of day, between 9:00 a.m. and 5:00 p.m.

### Special Projects:

If you call intake and are eligible for a special project described below you do not have to go through our general intake first come first serve system and can call at any time between 9:00 a.m. and 5:00 p.m. to receive a call back from an attorney or paralegal.

### Eligibility:

Clients must be eligible for our services according to our financial guidelines. In general, income must be at or below 125% of poverty, and cannot be above 200% of poverty. Also clients cannot have liquid assets which exceed certain monetary amounts. Special projects may have different financial eligibility guidelines. We urge people to call to be screened for eligibility and to learn about what services we provide to address their particular problem.

In general, clients must be citizens, permanent legal residents, asylees, refugees, or related to a citizen (marriage, parent or unmarried child under the age of 21) and have filed certain documents with USCIS. There is an exception as to citizenship status for victims of domestic violence and human trafficking.

### Specific Types of Cases

**Consumer/Finance** – We provide advice, brief service and representation in Chapter 7 bankruptcy cases. We also provide advice, brief service and representation in various debt collection matters, and have access to PAI referrals for similar services. We provide advice, assessment, brief service and representation in matters involving public utilities, harassment of debtors, wage garnishment, and frozen bank accounts. We conduct a monthly consumer clinic to educate consumers on how to manage their debt, debt collection practices, garnishments and whether to consider bankruptcy.

**Education** – We provide advice, brief service and representation in educational and special education matters to children with disabilities including Individualized Education Plans (IEPs), Section 504 Plans, school discipline, Behavioral Interventional Plans (BIPs), and the rights of homeless children.

**Employment** – We provide advice, brief service and referral on job discrimination, wage claims and other employment matters. We have an attorney who provides advice, brief service and representation in unemployment insurance benefits matters. We also have a PAI advice program available for individuals who would like to meet with an attorney and receive advice regarding an unemployment benefits matter. Appointments with the PAI lawyer take place at the Albany Legal Aid office. We provide rap sheet clean-up and advice and representation to individuals with criminal justice histories experiencing barriers to housing and employment as a result of their juvenile or criminal records.

**Family** – We provide advice, and, as resources permit, representation for victims of domestic violence in a broad range of family matters including orders of protection, custody/visitation, child support, and divorce/separation. We provide advice and referrals on all other family matters. We have a number of divorce programs, depending upon county of residence. Please call our office for more information, or visit our website at [www.lasny.org](http://www.lasny.org).

**Foreclosure** -- Our Foreclosure Prevention Project (FPP) provides staff to represent low to moderate income homeowners who are facing mortgage foreclosure. The homeowner must be facing foreclosure, typically having received a summons and complaint to be eligible for assistance from our FPP attorneys. We provide representation at settlement conferences and in litigation, negotiate with lenders, and assist homeowners who are seeking alternatives to foreclosure. We also can assist homeowners in tax foreclosures. We can assist tenants who are negatively impacted by foreclosures.

**Health** – We provide advice, assessment, brief service and representation in Medicaid, Medicare, and some other health issues. PAI referrals are also sometimes available. We provide information, advice and representation to individuals who need long term care services (help with activities of daily living) and need assistance with matters related to Medicare and Medicaid Managed Care applications and benefits. Eligible patients of St. Peter's Hospital receive assistance in a broad variety of civil legal problems which are related to their health.

**Housing** – We provide advice, assessment and representation in the areas of federal subsidized housing rights and public housing (admission, termination or eviction). We provide advice, assessment and full representation in landlord-tenant matters including and especially, eviction representation through our Solution to End Homelessness Project (STEHP) and our Emergency Solutions Grant Programs for clients who are facing imminent eviction or homelessness or who are homeless.

**Income Maintenance** – We provide advice, assessment, brief service and full representation in all types of entitlement program cases, including Family Assistance, Safety Net Assistance, Social Security Disability/SSI, Unemployment Insurance Benefits and SNAP, formerly known as food stamps. Our Disability Advocacy Project, Children's Law Project and the HIV/AIDS Law Consortium Project help people qualify for federally funded disability benefits. Our STEHP and ESGP Project staff also assists clients to secure income in order to obtain or maintain housing and prevent homelessness and evictions.

**Individual Rights** – We provide advice and brief service in many individual rights cases such as mental health, physically disabled rights, other individual rights, but we generally do not provide extended representation in these matters. We cannot represent prisoners in litigation or cases involving jail conditions.

**Juvenile** – We provide advice and/or brief service in most matters. We can assist youth up to age 24 resolve barriers to residing in public housing which result from juvenile or criminal justice involvement.

**Miscellaneous** – We also provide PAI referrals for incorporation or dissolutions for community groups which are eligible under our group eligibility guidelines. We give advice on license issues and torts. We provide advice and representation in will/estates. PAI referrals are often available.

**Tax** – We provide advice, assessment, brief service and full representation in income tax disputes before the IRS and United States Tax Court. As long as there is a related federal tax dispute, we can also help with New York State tax problems. Issues include Innocent Spouse Relief Requests, Injured Spouse Claims, Audits/Examinations, Earned Income Tax Credit Appeals, Deficiency Notices, Liens and Levies, Alternative Collection Methods, Settlement of Tax Debts, and Identity Theft Issues.

**Veterans** – We have one program specifically for Veterans, although veterans are frequently served through other LAS programs. We provide advice to veterans regarding various civil legal issues. If eligible, a veteran is scheduled to meet with a volunteer at the VA Stratton Medical Center in Albany. This program takes place the 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month and appointments are in the morning. Space for this program is limited. For this program, veterans call our PAI program directly at 518-689-6334. Intake is Monday through Friday, from 8:00 a.m. to 4:00 p.m.

### **Special Projects**

**Capital Region Re-Entry Project (CRRP)** – Funded by the New York State Bar Foundation, the CRRP provides legal representation to individuals with criminal justice histories to remove barriers to employment, licensure and housing which result from criminal records, including rap sheet clean-up, certificates of good conduct and relief from disabilities.

**Children's Law Project (CLP)** -- provides representation for children and youth with disabilities, especially in Supplemental Security Income (SSI), special education and school issue cases, but also including other areas affecting the child such as public assistance or housing.

**Closing the Gap (CTG)** – Pro bono urban lawyers assist rural clients remotely using computer generated pro se forms in eviction and debt collection court cases.

**Community Legal Education** – Legal Aid has a series of written informational brochures, Legal Lifelines, on a variety of topics. Legal Aid also posts legal information on the Internet at [lasnny.org](http://lasnny.org) and refers callers to [www.lawhelp.org/ny](http://www.lawhelp.org/ny).

**Consumer Law Project** – provides representation for consumers who are being harassed by debt collectors and/or are subjected to illegal collection activities. We also provide representation to consumers who have had their bank accounts frozen or their wages garnished by creditors. Additionally, we hold a monthly consumer clinic in which we provide advice and information to consumers about their rights against debt collectors, how to protect their income and assets, and how to get out of debt. We provide advice and representation in public utility matters (denial of service, shut-offs and replevin of meters) and Chapter 7 bankruptcies.

**Disability Advocacy Project** – funded by the NYS Office of Temporary and Disability Assistance to provide representation to disabled individuals whose applications for federally funded disability benefits (Social Security or SSI) have been denied.

**Domestic Violence Legal Assistance Project (DVLAP)** – provides comprehensive, specialized, holistic legal services and representation to victims of domestic violence, assisting individuals fleeing domestic violence and representing individuals in Family Court to obtain and enforce comprehensive safety measures.

**Economic Justice Project (EJP)** – provides advice, referral and representation to ensure that low income households can access and receive financial supports necessary to meet their daily needs such as public assistance, including emergency assistance, SNAP, Medicaid, child care assistance, unemployment insurance benefits and SSI. EJP attorneys assist in unemployment insurance benefit hearings and appeals and in the SSI/SIB application process. They also represent households with DSS problems in fair hearings and appeals of denials and discontinuances of public assistance, SNAP or Medicaid.

**Foreclosure Prevention Project** – provides legal assistance to low and moderate income homeowners facing mortgage foreclosure, typically who have been sued by their lender. We provide representation at settlement conferences and in litigation, negotiate with lenders, and assist homeowners who are seeking alternatives to foreclosure. We also provide representation to homeowners in tax foreclosures. We can assist tenants who are negatively impacted by foreclosures.

**HIV/AIDS Law Consortium (HALC)** – provides centralized coordinated intake for individuals and families living with or affected by HIV/AIDS. Intake and referral occurs at the Legal Aid Society and advice, brief service ongoing legal assistance is provided by the Legal Aid Society and the Health Law Project of the Albany Law School Clinic and Justice Center. Legal assistance available through HALC addresses a wide range of civil legal matters, with priority given to Social Security benefits, health care proxies, wills, powers of attorney, discrimination, breach of confidentiality, public assistance and housing.

**Independent Consumer Advocacy Network (ICAN)**. As partner to the Community Service Society of New York, LASNNY provides education, individual assistance and advocacy services helping eligible consumers apply for and receive long term care services in order to manage their activities of daily living.

**Immigration Intake Project** – in partnership with the Legal Aid Society of Rochester and Hiscock Legal Aid in Syracuse, provides intake and referral to LAS of Rochester of persons with immigration questions and problems. LASNNY staff also provides ongoing representation to qualifying clients with immigration and naturalization cases. LASNNY can serve immigrant domestic violence victims or victims of trafficking regardless of their immigration status.

**Juvenile Re-Entry Assistance Project (JRAP)** — As subcontractor to the Albany Housing Authority, LASNNY provides assistance to ameliorate the collateral consequences of criminal or juvenile justice records of 18-24 year olds with a connection to a public housing household in the Capital Region. Legal services will include correction and sealing of criminal records as well as many optional legal and social services to address family, credit, employment, education and housing barriers.

**Low-Income Taxpayer Clinic (LITC)** – provides assistance to low income taxpayers with disputes with the IRS, questions about tax status and possible penalties, letters, notices or bills from the IRS, withheld tax refunds, denials of Earned Income Tax Credit (EITC) or tax returns being audited or examined. Assistance can be provided on related NYS income tax matters.

**St. Peter's Medical –Legal Partnership** – provides assistance to Medicaid or hospital financial assistance eligible patients of St. Peter's Hospital who are inpatient/observation status at the time of intake who have a serious illness and have a civil legal needs related to their health. The attorney is stationed at St. Peter's Hospital and provides a broad range of legal assistance to address health harming legal problems

**Nutrition Outreach and Education Project (NOEP)** – pre-screens and assists households in applying for and establishing and maintaining eligibility for the Supplemental Nutrition Assistance Program, formerly known as food stamps. The NOEP staff does intake at various senior service, food pantry or other community food sites and receives direct referrals from food pantries, WIC and other service providers, and conducts community outreach and education. We provide NOEP services for residents of Albany, Clinton, Fulton, Montgomery, Saratoga and Washington Counties.

**PAI (Private Attorney Involvement)** – Private attorneys provide legal assistance to our clients free of charge. Through the Assigned Counsel Program and pro se clinics private attorneys assist our clients in divorce matters. Bankruptcies are also referred to the private bar. Clients get assistance from private attorneys by going through regular intake, special project intake and special bankruptcy and divorce intake. Through the PAI Program, private attorneys also conduct ask a lawyer clinics for individuals who are LGBT, veterans, or unemployed.

**Senior Legal Services (SLS)** – provides advice and representation for seniors 60 years and older who reside, funded by various Departments of Aging. In addition to advice SLS provides brief service and representation on all civil legal issues including consumer, housing, benefits, family, Medicare, Medicaid, estate planning, wills, and advance directives. We provide legal services to seniors in Albany, Clinton, Fulton, Rensselaer, St. Lawrence and Washington Counties and the St. Regis Mohawk Reservation.

**Solutions to End Homelessness Project (STEHP) and Emergency Solutions Grant Programs** – provides eviction representation and shelter-related public assistance representation for those facing imminent homelessness or who are homeless. Housing advocates also secure income and benefits to help families maintain permanent housing. Paralegal/case managers also assist homeless families placed at Marillac Family shelter, Mercy House and Schuyler Inn in locating and maintaining permanent housing.

**Substance Abuse and Mental Health Services Administration (SAMHSA)** – As subcontractor to the Schenectady Community Action Program (SCAP), referred by SCAP, LASNNY will provide legal assistance,

education and advocacy for individuals and families who are chronically homeless with a history of substance abuse or co-occurring mental health issues in order to achieve housing stability.

*LASNNY does not discriminate in the determination of what applicants to serve or in the quality of service on the basis of race, creed, color, national origin, age, sex, handicap, political affiliation or belief, sexual preference, marital or parental status, religion, membership in or association with the activities of any employee organization, or any basis prohibited by applicable law.*