“[LASROC] has restored my faith in the existence of good attorneys and the purpose of the work done in the courts.”
- FAMILY LAW UNIT CLIENT
DEAR FRIENDS,

It is with full hearts and immense gratitude that we share 2017 was yet another banner year for The Legal Aid Society of Rochester, NY (LASROC). Many thanks to our generous supporters, dedicated staff and Board, and committed community partners. Thanks to all of you, we were able to build on and improve both our reach in the community and our technological infrastructure this year. Our goal continues to be increasing access to justice in the Greater Rochester area by providing high-quality legal services to as many people as possible.

This past year we completed a full overhaul of our website and launched the new and improved LASROC.org. We have increased our social media presence, allowing us to keep the community informed of the work we do. In the coming months, we will continue to strive to provide full and meaningful access to justice, to counsel, and to the court by providing high-quality legal services to all those who seek it.

The renewal of several crucial domestic violence grants and increased immigration funding provided for growth in our financial base, allowing us to expand services in our Immigration Law Unit. Since 2014, our Immigration Law Unit has grown from two full-time staff members to seven full-time and two part-time staff members.

In 2017, our Housing and Consumer Law Unit took a hard look at one of the most compelling issues facing many of our clients. Homelessness prevention. They work tirelessly to provide quality legal representation and advice to an incredibly high volume of eviction defense cases in Rochester City Court. In 2017 there were over 8,000 eviction cases in Rochester City Court. LASROC provided representation in less than 16% of those cases (1,300 cases). The need far outweighs the available resources; close to 88% of eviction cases go unrepresented. LASROC has begun to look at this issue more systemically. New York City offers a right to counsel in housing cases, and we hope to lead the discussion in this area. Our attorneys are not only providing day to day advocacy and representation but also work closely with community partners to resolve issues such as these in a much more proactive and systemic way.

Many, many thanks to you for all you do to support LASROC in our mission to ensure our citizens have full and meaningful access to justice. Our work would not be possible without you!

Richard N. Chapman  
Chairman, Board of Directors

Carla M. Palumbo  
President and CEO

PROGRAMS AND ACCOMPLISHMENTS

Our attorneys and staff obtained more than $2,800,000 for the benefit of our clients through child support and maintenance awards, equitable distribution, preventing improper judgments and foreclosures, and assisting with debt relief.

ATTORNEY FOR THE CHILD

Our Attorney for the Child Unit, formerly known as Law Guardians, are appointed by the court to provide free legal representation to children in a variety of cases, including abuse, custody, foster care, juvenile delinquency, or Person In Need Of Supervision (PINS). The wishes and feelings of the child are the primary concern of the Attorney for the Child.

Direct representation provided in **5,246 cases**

EDUCATIONAL LAW

The attorneys and advocates of our Education Law Unit support children from birth to 21 years old in Genesee, Livingston, Monroe, Ontario, Orleans, and Wayne Counties with legal representation and advocacy in education-related matters. This includes representation for Committees on Special Education (CSE), school suspensions, reasonable accommodations for children with disabilities, eligibility for school enrollment, enrollment for homeless students, and access to appropriate school or community services.

Direct representation provided in **328 cases**

FAMILY LAW

Our Family Law Unit provides high-quality legal representation and advocacy to low-income residents of Genesee, Monroe, Ontario, Orleans, and Wayne Counties. We strive to support survivors, end domestic violence, and reduce poverty among our clients through legal representation in divorce, custody, visitation, child support, and other family law matters. Our domestic violence legal services are provided in collaboration with Willow Domestic Violence Center and other domestic violence service providers.

Direct representation provided in **1,404 cases**

HOUSING & CONSUMER LAW

Our Housing and Consumer Law Unit provides a continuum of housing and transactional services, including eviction prevention, foreclosure prevention, bankruptcy and consumer law, representation of first-time home buyers and wills and advance directives for seniors and Homeowners.

Direct representation provided in **1,837 cases**

IMMIGRATION LAW

Our Immigration Law Unit provides legal representation and technical assistance in immigration-related matters to persons residing in a 32-county area of western New York. Representation includes cases involving asylum, permanent residence, removal defense, meritorious appeals, extension of immigration status, and work authorization. Services also includes technical legal assistance on immigration law to indigent defenders representing individuals in criminal matters.

Direct representation provided in **155 cases**

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LASROC, and our Housing & Consumer Law Unit, recognizes that genuine freedom comes from accessing stable housing and financial security. In the last year, more than 1800 clients came to us with housing issues. We are honored to be able to provide assistance to these clients, yet for each client we serve, we know there are many others in need. Our desire to ensure dignity, equality, and fairness to everyone in need is limited due to the fact that there is simply not enough funding to assist the volume of Rochesterians facing unstable housing.

As of March 2018, one in every 1452 homes within the City of Rochester were in foreclosure. That’s a rate 15% higher than that of New York State. Between April 2017 and March 2018, LASROC assisted 40 clients who were facing foreclosure, and successfully prevented foreclosure for more than 75% of those clients.

We first met Ozzie in 2009, when after working hard to be financially prepared, he purchased his first home with the assistance of our Housing & Consumer Law Unit. His late 20th century home with its parklike yard nestled in a suburban feeling Rochester neighborhood was a dream come true. Since moving to the Rochester area with his family when he was 16, he was thrilled to establish roots in the community he calls home.

A few years later, Ozzie was struck by hard times. After working for more than five years as a driver for a local vending company, he lost his job. He separated from his partner, and later experienced some challenging health issues. These compounding issues made it difficult for Ozzie to stay current on his mortgage.

As the reality of impending foreclosure set in, Ozzie embodied resiliency and hope. With our help, he and his family moved into temporary housing. He found work as a long distance trucker to assist in paying his mortgage in arrears. Ozzie and his team made it possible for me to get back on track."

"Zach was phenomenal. He never gave up on me. He and his team made it possible for me to get back on track."

Ozzie remained hopeful, and after months of back and forth, LASROC was able to stall the bank’s foreclosure and secure funds from New York State’s Mortgage Assistance Program and prevent the bank from selling Ozzie’s home. Ozzie has regained his health and now works as an independent delivery contractor. Thanks to the work of Zach and his team, Ozzie can get back to enjoying life with his two boxer pups and carry on living his dream of homeownership in Rochester.

On most days, you can find at least one of our Housing & Consumer Law attorneys at Rochester City Court, Landlord Tenant part, ready to provide direct representation to low income tenants facing eviction. In the last year, 70% of the clients served by our Housing & Consumer Law Unit were eviction related cases and thanks to our highly qualified and zealous advocates 98% of those clients avoided immediate eviction, allowing additional time to find safe and stable housing. 300 of the eviction cases handled by our Housing & Consumer Law Unit were tenants facing warranty of habitability issues.

"The property has to be free from health and safety violations or violations impairing the enjoyment of the house. It’s an implied warranty that exists in every landlord-tenant relationship."

Michael A. Furlano, a staff attorney in our Housing & Consumer Law unit, explains warranty of habitability.

It was in Rochester City Court that we first met Jamie. She was living with her family in a home filled with health and safety violations that squashed any possible enjoyment of their home. Jamie alerted her landlord of the leaks from the bathroom soaking into the bedroom, the sewage flowing into her basement, and the unwelcomed bed bugs and rats taking over her space. Each of her requests went unanswered and ignored.

After months of unreturned pleas to her landlord, Jamie received an eviction notice for nonpayment of rent and sought our assistance. Mark Muoio, a staff attorney in our Housing & Consumer Law Unit, worked with Jamie to defend her nonpayment with the defense that the landlord had breached the warranty of habitability.

"It is sufficient that respondent raised a triable issue of fact. She was therefore entitled to a trial without posting what, on appeal, she appropriately characterizes as a ‘pre-determination judgment bond.’"

"The property has to be free from health and safety violations or violations impairing the enjoyment of the house. It’s an implied warranty that exists in every landlord-tenant relationship."

A trial was set, and Jamie was ordered to deposit the full amount of the alleged rent owed into escrow before the trial. Unable to deposit the significant sum, Jamie was issued a warrant and full judgment by the court. Mark attempted to emphasize the fact that the landlord had violated the warranty of habitability, and therefore Jamie was entitled to a reduction of a portion of the rent. The court disregarded these facts because Jamie hadn’t deposited the money as directed, ultimately conditioning Jamie’s ability to defend her nonpayment and refusing to hear her side of the story. Jamie and her family were forced to move and had a judgment for the full amount of rent against them.

After finding a healthy and safe place for her family, Jamie expressed interest in appealing her case and helping correct this injustice for others. She worked with Michael, who filed the appeal with Monroe County Court, arguing that the court did not exercise proper authority in requiring her to post a judgment bond before hearing an affirmative defense. The County Court ordered the City Court’s decision be reversed and returned to City Court, stating the following within their decision:

LASROC believes those who seek justice have the right to receive a full and fair hearing and we are incredibly proud to be a part of this decision. Requiring tenants, who are living in unhealthy and unsafe conditions, to pay large sums of money before the court even hears both sides of the story is simply unjust. It is in decisions like these we are thrilled to see the implementation of our mission on a systemic level.

"It is sufficient that respondent raised a triable issue of fact. She was therefore entitled to a trial without posting what, on appeal, she appropriately characterizes as a ‘pre-determination judgment bond.’"

Jamie was entitled to a reduction of a portion of the rent.
LINDSAY RABITZ | Assistant General Counsel at Rochester Regional Health

Lindsay was first introduced to us shortly after graduating from the University at Buffalo Law School when she landed a one-year fellowship at LASROC. She recalls the profound impact that year had on her both personally and professionally, “I was constantly amazed by the dedication and selflessness of the Legal Aid staff and the bravery and spirit of the Legal Aid clients.” When Lindsay’s fellowship ended, she made a point to keep a finger on the pulse of LASROC and was thrilled to be nominated to the board in 2017. Lindsay finds no shortage of inspirational cases at LASROC and enjoys when staff members come to Board meetings to discuss positive outcomes they have secured for clients. In a world where bad news seems to dominate the news cycle, Lindsay finds it incredibly rewarding to be part of an organization fighting the good fight.

In her spare time, Lindsay is an avid fan of the New York Yankees, Buffalo Bills, and Buffalo Sabres and is inspired to learn something new every day. We are delighted to have Lindsay rejoin the LASROC team!
The Legal Aid Society of Rochester is a not-for-profit organization that provides direct civil legal services, including lay advocacy and related human services, to adults and children. We ensure that those who seek justice have an opportunity to receive a fair and full hearing. We obtain legal solutions that have a beneficial impact on our clients and the community.

The Legal Aid Society of Rochester believes in the guarantees of due process and equal protection as promised in our State and Federal constitutions. To ensure that those rights have real meaning, we will strive to provide a highly qualified and zealous advocate to anyone who cannot otherwise obtain representation in civil legal matters. We will create an environment in our community that values access to legal counsel, so every person is treated with dignity, equality, and fairness.