

Richard Sloane

From: Rasmussen, Raun <rrasmussen@ls-nyc.org>
Sent: Wednesday, July 11, 2012 11:13 PM
To: Richard Sloane
Subject: comments on LSC's Strategic Plan
Attachments: LSNYC Comments on LSC's Strategic Plan 2012.doc

Mr. Sloane:

Please accept our comments on LSC's Strategic Plan. Have a good summer.

Raun

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July 11, 2012

Legal Services New York City strongly supports LSC's Strategic Plan. We submit the following comments for your consideration.

Legal Services NYC Fights Poverty And Seeks Justice For Low-Income New Yorkers

Legal Services-NYC's mission is to fight poverty and seek justice for low-income New Yorkers. As the largest civil Legal Services program in the nation, we are devoted to sophisticated, aggressive advocacy that addresses the most pressing problems of low-income New York City residents. We serve nearly 46,000 clients and family members annually. LS-NYC provides services throughout New York City, with nearly 250 advocates and more than 40 offices and intake sites throughout all five boroughs.

Our work includes:

- **Protecting Housing**

LS-NYC stops foreclosures with the largest foreclosure-prevention team in the country. Our housing practice prevents and stops evictions, and obtains repair of unsafe dwellings, for thousands of low-income tenants and their families each year.

- **Strengthening Families**

LS-NYC's family law advocates secure safe environments and financial stability for victims of domestic violence and their children. LS-NYC attorneys and social workers stabilize at-risk families by providing legal services and obtaining support services, including helping immigrant domestic violence and crime victims and their families to adjust immigration status to put them on the path to citizenship. Our new certified mediation program helps low-income people resolve issues involving divorce, custody and visitation arrangements, child and spousal support, and equitable distribution.

- **Gaining Access to Education and Health Care**

Advocates in LS-NYC's education practice secure access to education and protect students' rights by stopping inappropriate school discipline and ensuring that students with disabilities have access to meaningful education. LS-NYC also: represents low-income, uninsured New York City residents who need public health insurance benefits; partners with health care providers so that patients have

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representation in housing, financial security, and access to health coverage cases; and provides legal services that support the development of health care services in underserved neighborhoods.

- **Securing and Safeguarding Subsistence Income**

LS-NYC's Disability Benefits, Public Assistance, Unemployment and Employment, Consumer, Tax and Bankruptcy advocates ensure that thousands of low-income families each year have and retain essential sources of subsistence income.

We operate targeted projects designed to meet the needs of especially vulnerable populations. For example, LS-NYC recently launched the Veterans Justice Project to serve New York City's low-income veterans. Approximately nine months into our start-up year, the Project has already served 498 veterans from across New York City, through innovative partnerships with the VA and more than 30 veterans-serving organizations.

Too Many of New York City's Poor People Do Not Have Access To The Justice System

The economic situation for low-income New Yorker City residents is increasingly grim. A significant and increasing number of our residents are low-income. Census data released late last year show that the number of New York City residents living in poverty grew to 20% -- and a full 40% live below 200% of the federal poverty line.

Under the leadership of the State's Chief Judge Jonathan Lippman, the Task Force to Expand Civil Legal Services in New York has documented New York's "crisis of the unrepresented." The Task Force reports that while the need for civil legal assistance for low-income New Yorkers is dire, a severe lack of resources means that *at best* only 20% of that need is met. 99% of tenants are unrepresented in eviction cases in New York City; 99% of consumers are unrepresented in debt cases; 97% of parents are unrepresented in child support cases; and 44% of homeowners in foreclosure are unrepresented. At Task Force hearings, testimony from judges confirmed that many of these unrepresented people lose valid claims because they lack representation.

One of the Task Force's key findings is that the unmet need for civil legal assistance is "profoundly impacting vulnerable New Yorkers and costing taxpayers millions of dollars by increasing homelessness, failing to prevent domestic violence and increasing poverty."

Legal Services NYC Supports LSC's Strategic Plan

- **LS-NYC strongly supports LSC's efforts to become a leading voice for civil legal services for poor Americans.**

In New York City, our LSC funding is being slashed from \$17.5 million in 2010 to less than \$10 million in 2014. We have cut staff and are closing offices. The single biggest strategic need is to increase funding so that we can provide effective high-quality advocacy to more low-income people who need help. The doors of the justice system must be open to all low-income Americans – not just to a tiny fraction of those who need legal representation and advocacy.

We especially appreciate LSC's commitment to helping our programs identify and access other sources of federal funding. Although we currently receive funding from the Department of Housing and Urban Development, the Department of Justice, and the Internal Revenue Service, we know there are other

federal agencies that would be willing to fund the important work that we do to address civil legal problems. We hope LSC can help us find those funding sources.

We also agree that identifying the “business case” for legal services is critical. This is a new approach that our Chief Judge has embraced, and it is important to continue to expand the variety and power of arguments to support the funding for our services, particularly as the competition for a shrinking pool of federal dollars intensifies.

LSC commands a unique position in the nation, and we look forward to LSC’s leadership in bringing the importance of civil legal assistance to national prominence. Collectively, we must do a better job of telling our clients’ heart-wrenching stories and explaining the importance of our advocacy. LS-NYC is ready to partner with LSC and our sister legal services organizations to accomplish this important goal and strongly supports its inclusion in LSC’s Strategic Plan.

➤ **LS-NYC also strongly supports the Strategic Plan’s focus on improving the availability, quality and effectiveness of legal services.**

LS-NYC stands for the principle that that poor Americans deserve professional, high-quality and effective legal services that are delivered by compassionate, skilled and dedicated lawyers. While in times of extremely scarce resources it is tempting to erode services so that more people at least get “something” and fewer are turned away, this approach can be a dangerous trap. The problems that poor Americans bring to legal services offices are often desperate and complex, and require skilled lawyering to resolve. We applaud LSC’s initiative to cultivate “best practices” that will enable programs and advocates to tackle and resolve pressing legal problems. We are confident that we already employ many “best practices” that could be a guide for others, and look forward to continuing to learn from our colleagues.

We also caution that the metrics, standards and measures employed by LSC must support the efficient delivery of only the right kind of legal services: those that are effective in resolving the most critical legal problems. We understand that the “unbundled” approach to providing services may allow a more flexible service delivery model, but we remain concerned that problems may not get solved by the simple provision of information or assistance that allows clients to proceed pro se: if legal problems do not get solved, we think there should be a serious inquiry about the efficacy of the services provided. Metrics should support the delivery of services with proven results.

We applaud LSC for undertaking this planning process and for identifying these critical goals to advance all our work. We would be very happy to participate in the implementation process in any way that would be helpful.

Thank you for the opportunity to submit these comments.

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