



“Moving Towards Civil Gideon”

2014 Legal Assistance Partnership Conference

Denison Ray Awards
September 11, 2014

The Albany Marriott
189 Wolf Road
Albany, NY 12205



Moving Toward Civil Gideon

*2014 Legal Assistance Partnership Conference
Denison Ray Awards Dinner*

Welcome

Edwina Frances Martin
Chair, 2014 Partnership Conference

Remarks

Byran Hetherington and Keisha Williams
Co-Chairs, Committee on Legal Aid

Introduction of Keynote Speaker

Adriene Holder
Attorney-in-Chief/Civil Division
The Legal Aid Society

Keynote Address

Honorable Steven Banks
Commissioner Human Resources Administration
City of New York

*Remarks & Presentation of the 2014
Denison Ray Awards*

Glenn Lau-Kee
President, New York State Bar Association
Edwina Frances Martin
Chair, 2014 Partnership Conference



Bryan Hetherington and Keisha Williams

“Justice cannot be for one side alone, but must be for both.”

– Eleanor Roosevelt

The New York State Bar Association (NYSBA) is pleased to host the 2014 Denison Ray Awards. Denison ‘Denny’ Ray passed away in 1994, the year the first biennial Partnership Conference was held, featuring the eponymous Denison Ray Civil Legal Services Awards. This year marks the 20th anniversary of this conference, and the 12th presentation of these prestigious awards.

The State Bar honors the contributions of every legal aid/legal services attorney. Without dedicated public interest lawyers, far too many low-income, limited English proficient (LEP), and physically or intellectually challenged clients would be unable to access our courts and administrative tribunals. During the Partnership Conference, New York’s legal services and pro bono community gathers to celebrate and laud the accomplishments of those lawyers whose work best represents the ideals exemplified by the career of Denison Ray.

An acclaimed civil rights lawyer for almost 30 years, Denison Ray was the personification of commitment – to the cause of civil rights and access to justice for all; excellence – representing and winning seminal cases; and ingenuity – making case law that continues to have a positive impact on the lives of low-income New Yorkers half a century later. From 1966 to 1968 he was Chief Counsel of the Lawyers’ Committee for Civil Rights in Mississippi, representing African-American plain-



tiffs in local courts. He won the first jury verdict in Mississippi for Black plaintiffs in a civil rights case. In 1969, he became the Executive Director and General Counsel of the Legal Aid Society of St. Louis. He later directed programs in New York, Maine, and North Carolina, before being named the Executive Director and Chief Counsel of the Legal Aid Society of Northeastern New York. During these years he brought many class action suits that secured access to social services for low-income clients, enforced the rights of consumers, and upheld prisoners' constitutional rights.

Commitment, excellence, and ingenuity: this was a life dedicated to service to the community. As Alexis de Tocqueville, the famous French philosopher and observer of American democracy, once noted, lawyers "assume a responsibility for the common good through public life" and they are particularly well-suited to this role because of their "training." Tonight's awards, named in honor of the estimable Denison Ray, celebrate these qualities of commitment, excellence, ingenuity, and call to service.

Joining us to celebrate tonight's awards is a bright star in the legal services and social justice constellation: the Hon. Steven Banks, Commissioner, New York City Human Resources Administration (HRA). His career, like Denny Ray's, exemplifies commitment, excellence, ingenuity, and a call to service. Prior to his appointment to head the HRA, Commissioner Banks was the Attorney-in-Chief of the Legal Aid Society in New York City, where, beginning in the mid-1980s, he was the chief legal architect of lawsuits challenging New York City homeless policies, such as the use of welfare hotels and barracks-style shelters, and a Bloomberg administration plan to place severe restrictions on assistance to homeless single adults – a plan which a state appeals court ruled violated the law.

Congratulations and best wishes to the 2014 Denison Ray Award honorees, their families, their organizations and the communities they serve. The statewide legal services community is strengthened and inspired by the example each honoree has set; Denny Ray would indeed be proud.

Sincerely,

A handwritten signature in black ink that reads "Edwina Frances Martin". The signature is written in a cursive, flowing style.

Edwina Frances Martin
Chair
2014 Partnership Conference

A Word of Thanks

The Committee on Legal Aid is grateful to the nominators for taking the time to identify so many worthy candidates. The nomination packets were assembled with great care and supported by letters from colleagues of the nominees who are personally familiar with their contributions to the legal services and pro bono communities.

The Committee also extends a heartfelt thank you to the members of the Nominating Committee. Nominating Committee members carefully vetted each nominee and selected the honorees by consensus based on the awards criteria. Because the nominating materials were so persuasively written, it was extremely difficult to choose among the many stellar nominees.

The members of the Nominating Committee:

Bryan Hetherington

Co-Chair

Committee on Legal Aid

Keisha Williams

Co-Chair

Committee on Legal Aid

Edwina Frances Martin

Chair

2014 Partnership Conference

William Russell

Co-Chair

President's Committee on Access to Justice

Saralyn Cohen

Co-Chair

Pro Bono Coordinators Network

Deborah O'Shea

Co-Chair

Pro Bono Coordinators Network

Gloria Herron Arthur

Director

Department of Pro Bono Affairs

N Y S B A

**DO THE
PUBLIC
GOOD**

**VOLUNTEER
FOR PRO BONO**

Honorable Steven Banks Commissioner NYC Human Resources Administration



Steven Banks, appointed commissioner of the Human Resource Administration by Mayor Bill de Blasio, was formerly Attorney-in-Chief of the New York City Legal Aid Society, which has a staff of 1,600, including 1,000 lawyers who provide legal assistance in all five boroughs and in 300,000 legal matters annually through its criminal, juvenile rights and civil practices divisions.

Motivated by a commitment to represent indigent New Yorkers, Mr. Banks began his career at the society in 1981 as a staff attorney at the society. Throughout his career, he has earned the reputation of someone who understands the importance of diversity in the

public interest law model. While working with the Legal Aid management team, the Association of Legal Aid Attorneys, the Attorneys of Color of Legal Aid and 1199 SEIU, he has led efforts to implement several diversity initiatives. These include revamped recruitment initiatives, innovative investigator and law student internship programs, “Awareness Month” events and a new mentoring program.

As Legal Aid’s Attorney-in-Chief he led the organization through a complete financial and managerial restructuring to save it from bankruptcy. Prior to becoming the Attorney-in-Chief, Mr. Banks held the positions of Associate Attorney-in-Chief, Deputy Attorney-in-Charge of the Civil Practice, Coordinating Attorney of the Homeless Rights Project, and Director of Government Relations for the Civil Practice.

Mr. Banks received his B.A. magna cum laude from Brown University in 1978 and his J.D. from New York University School of Law in 1981.

Awards Criteria

These prestigious awards are bestowed in memory of Denison Ray, a career legal activist who led legal services programs in New York and other states.

Individual attorney nominees are evaluated based on a variety of criteria, including, but not limited to: the overall quality of their legal representation; impact of their representation on significant legal issues affecting a broad spectrum of members of the low-income/vulnerable population groups such as the elderly, domestic violence survivors, chronically and seriously ill individuals, and immigrants. Also considered are the individual attorney's personal efforts to inspire, mentor and support their colleagues; as well as their creative and innovative collaborations with pro bono volunteers to expand access to justice for all.

Many of these same criteria also are considered in evaluating nonprofit organization nominees. In addition, nonprofit organizations are judged based on their ability to enhance and expand access to justice opportunities through the development of successful collaborative relationships with other service providers and law firms. Another important factor in evaluating an organization is the extent to which it has been able to expand the pool of volunteers it can draw on for assistance in delivering legal services by creatively using law students, college students, and members of the private bar.

All of the above criteria are considered in evaluating nominees for the Director's Award. Moreover, the director's vision for her/his organization, ability to inspire staff to provide consistently high quality and zealous legal advocacy in all client matters is taken into consideration.

The Civil Legal Services Attorney Honorees¹



Susan C. Antos, Esq.

Senior Staff Attorney
Empire Justice Center
Albany, New York

Nominator: **Anne Erickson**
President & CEO
Empire Justice Center
Albany, New York

It is indeed fitting that Susan Antos is one of the 2014 recipients of the prestigious Staff Attorney Denison Ray awards since she began her public interest career under his tutelage as a staff attorney at the Legal Aid Society of Northeastern New York. Currently, Susan is a Senior Staff Attorney at Empire Justice Center, a statewide, multi-issue, public interest law firm focused on changing the “systems” within which poor and low-income families live.

Susan has earned a well-deserved reputation as a zealous, tenacious advocate, focusing her legal work primarily on issues relating to low-income families’ access, adequacy and the fair administration of public benefits, such as food stamps, child care, and child support. She has demonstrated a keen interest in the equal protection and due process rights of recipients, especially their right to challenge the wrongful denial, reduction, or termination of benefits. Susan also serves as a statewide resource for other organizations and coalitions, offering her expertise and knowledge on a variety of issues affecting low-income New Yorkers.

¹The biographical summaries of the Denison Ray Awards honorees are based on information provided by their nominators and supporters. After reading about the honorees’ accomplishments there will be little doubt that these recipients are extremely deserving of this prestigious recognition. Each recipient has shown extraordinary creativity, zealotness and skilled representation. Each also has demonstrated an exceptional ability to lead, not only within their individual organizations and communities, but also across the state-wide legal services community, and in some instances, the honorees are recognized as national leaders as well. Furthermore, each honoree has successfully cultivated strong collaborative relationships with the courts and diverse groups of pro bono volunteers to vastly expand and enhance the overall delivery of quality legal services to the poor.

Susan has selflessly mentored colleagues and law students, imbuing within them a passion for advocacy. As a trainer, she is always willing to share her vast knowledge of Social Security Law with others. Writing in support of Susan's nomination, Douglas Ruff, Director of Litigation at Nassau/Suffolk Law Services, commented that he has known and worked with Susan for more than 25 years. *"Twenty years ago, when Susan supported my nomination for the same award, she wrote how much Denny Ray valued mentoring and how he made a special effort to recognize excellence in the legal services community. I am sure that Denny would be extremely proud that a person he once mentored is carrying on his legacy and the qualities that he cherished."*

Susan is a skilled litigator who began her career by co-counseling two cases which established the right to notice and opportunity to be heard in the child support context - *Schwartz v. Perales*; and *Broniszewski v. Perales*. These cases were followed by due process litigation successfully challenging the lack of notice in the recovery of public assistance benefits through the tax offset process. Susan also co-counseled two successful federal court class actions challenging public assistance application delays and resulting in improved processing times and on-going monitoring of the defendant social services district - *Howard v. Soldato* and *Travis v. Mossman*.

Besides being a skilled litigator, Susan is a patient, tactful and persistent negotiator, who during the course of her career, has successfully effected incremental systemic changes in social services departments' policies and procedures, gradually improving the situation of low-income clients who rely on public benefits.

Anne Erickson described Susan as *"a community treasure, a resource for all who work to improve access to justice and fair treatment..."* *"Through her tireless efforts as a litigator, a policy advocate, a provider of direct client services, a trainer and a mentor, Susan has long been one of the most respected legal services attorneys in our state."*



Lori M. O'Brien, Esq.

Supervising Attorney
Legal Assistance of Western NY, Inc.
Rochester, New York

Nominators: Louis Prieto, Esq.

Managing Attorney
Legal Assistance of Western NY, Inc.
Rochester, New York

Amy Christensen, Esq.

Deputy Director
Legal Assistance of Western NY, Inc.
Bath, New York

Described by her nominators as an “exceptional staff attorney”, Lori O'Brien is being recognized for her ground-breaking work designing a community partnering system to address the legal and non-legal needs of Rochester New York's low-income communities. Lori quickly recognized that these communities were beset by an array of problems related to poverty, some legal, others not. To address these multifaceted issues, Lori focused on partnering with community organizations and coordinating legal services delivery with social-work, health, housing, and other community based services. By addressing client's issues holistically and getting at the root causes of problems besetting clients, Lori aimed to maximize existing resources to achieve more effective and permanent client outcomes.

Lori reached out to the Emergency Services and Family Stabilization Network (ESFSN), a group of community based organizations that LawNY had partnered with on an individual basis for many years. Building on past relationships, Lori convinced the Network partners that LawNY should be made a formal member of the Network because including a legal services provider in ESFSN would dramatically improve outcomes for the at-risk families it served. Recognizing the value LawNY would bring, Network members agreed to reduce their United Way allocations in order to provide an adequate funding base for effective LawNY participation. As a result of this partnership, Lori has established client-friendly, community based legal referral systems so that LawNY's partners can connect customers who are experiencing legal problems directly with staff attorneys. Lori has invested a substantial amount of time assuming an active leadership role in the Network, providing twice monthly trainings for members and working on governance issues. By developing community partnering, Lori directly increases the number of clients served, as well as LawNY's presence in the community.

Lori has replicated this community based model to provide critical legal services to other difficult to reach client populations. For example, she has arranged for the provision of in-house legal services to veterans at veteran support centers and coordinated services to former offenders with the local reentry services network. In order to reach out to Rochester's large Somali immigrant population and overcome difficult cultural and linguistic battles, Lori partnered with the Rochester City School District's school for LEP students, the Rochester International Academy. Lori established a protocol whereby social workers at the International School call her directly whenever they learn that a student's family is encountering problems with access to government benefits or other legal issues.

Another example of Lori's creativity and resourcefulness in bringing legal services to the community is her work on a homeless outreach program called Project Homeless Connect. Launched in 2012, this annual event brings together in one place a myriad number of services for the homeless, such as social, medical, dental, housing and legal services. Participants can apply for public benefits, food stamps, and non-drivers' license identification cards that are critical to accessing essential services. In addition to using LawNY staff, Lori also recruits volunteer lawyers from both the private and public sector to give legal advice to the homeless.

Lori has earned a reputation as an "emerging leader" and mentor to colleagues, law student interns and other volunteers who work at LawNY. *"Her compassion for clients and colleagues is unmatched; her unique approach to legal services advocacy involves community partnering; and she has mentored and inspired AmeriCorps paralegals and summer interns to continue working in public interest after their term of service,"* wrote staff attorneys Kelly McGovern and Rebecca Russo.

Legal Services Program Director Honoree



Alan S. Harris, Esq.

President & CEO
The Legal Aid Society of Rochester, NY
Rochester, New York

Nominator: **Carla M. Palumbo, Esq.**
Chief Operating Officer
The Legal Aid Society of Rochester, NY
Bath, New York

Thirty-seven years ago, fresh out of law school, Alan Harris started his career at the Legal Aid Society of Rochester, NY as a staff attorney. In 1981 he became the organization's Assistant Executive Director and later was appointed Executive Director in 1990 upon the retirement of his predecessor, James R. Boyle. In 1998 Alan was appointed as the President and CEO. Believing that the Society was not reaching all of the clients that it could, especially victims of domestic violence and homelessness, Alan revamped the organization's managerial structure and service delivery model. Alan envisioned a service delivery model that consisted of specialized units with attorneys trained in a particular area to focus services to vulnerable populations.

Under Alan's guidance, the Legal Aid Society developed specialized programs in Domestic Violence, Housing, Hispanic Outreach and Immigration. The specialized units allowed Legal Aid to focus resources and resulted in a surge in the number of clients served and increased agency efficiencies. During his 24 years of leadership, the Legal Aid Society has represented over 200,000 people who otherwise might have gone unrepresented.

Alan, the directors of the four other major legal services providers¹, and the Monroe County Bar Association envisioned housing the major legal services providers within a single location so that Monroe County's most vulnerable citizens would have only one place to go when seeking free legal services. After many years of brainstorming, this vision became a reality in 2005 with the opening of the Telesca Center for Justice, a "one-stop-shop" which has greatly improved the delivery of civil legal services to the poor. Each partner organization has its unique niche in

¹The collaborating providers include: Legal Assistance of Western NY (LawNY), the Empire Justice Center, and Volunteer Legal Services Project (VLSP).

the delivery of free legal representation, resulting in the elimination of duplicative services delivery. The Legal Aid Society provides walk-in-and telephone reception for all the providers and is able to screen clients to insure they are matched with the correct agency to serve their legal needs. Prospective clients are better served because there is only one place to go to have their legal needs met.

A key component of providing comprehensive legal services under one roof was having the providers' buy-into a common fund-raising strategy. In collaboration with the Monroe County Bar Association the four major legal services providers embarked upon a successful joint capital fund raising campaign.

In addition to being a progressive leader in managing the Legal Aid Society, over the years Alan has distinguished himself as a statewide leader in not-for-profit management, promoting funding for civil legal services and in the community. Among other activities, Alan has served on numerous boards and committees; was one of the founding members of the Monroe County Council of Agency Executives and served as Chair; and a member of the New York State Bar Association's Committee on Legal Aid. Through his involvement with the state bar association, Alan worked on the New York Legal Needs Study; served as a member of the Steering Committee which plans the biennial Partnership Conference; and was a member of the Commission on Providing Access to Legal Services to middle income litigants. He is presently serving as Chair of the Legal Assistance Funding Alliance.

Writing in support of Alan's nomination for the Denison Ray Legal Services Director Award, C. Kenneth Perri, Executive Director of LawNY, summed up why Alan was most deserving of this recognition, "*Alan has devoted his career to [the legal services] community and our clients and I am hopeful that, at the Partnership Conference in September, his life's work will be honored by the bestowing of the Denison Ray Award.*"

Nonprofit Organization Honoree



Prisoners' Legal Services of New York

Albany, New York

***Nominators:* Eileen Guinan**

Pro Bono Coordinator
Albany County Bar Association
Albany, New York

Jessica M. Gorman, Esq.

Law Office of Jessica M. Gorman
Albany, New York

Prisoners' Legal Services (PLS) is one of the few statewide organizations that provides legal representation, assistance, and advocacy to indigent prisoners housed in New York State Correctional Facilities, where other counsel is not available. Despite its small staff of twelve attorneys, situated among four statewide offices, PLS is highly proficient at leveraging its resources to meet the needs of an exploding prison population. PLS has been a long-time advocate for reform in the incarceration of minors and developmentally disabled persons in Special Housing Units (i.e., solitary confinement); the proper provision of medical and mental health care; and the protection of vulnerable prisoners. PLS is also active in the reformation of parole, the movement to reduce the use of solitary confinement, and the push for humane criminal justice and prison systems. Annually, Prisoners Legal Services responds to more than 10,000 requests for legal assistance.

Over the last two years, PLS has implemented the Pro Bono Partnership Program which is spearheaded by attorney Samantha Howell, Director of Pro Bono and Outreach. The Pro Bono Partnership Program has increased the availability of counsel for purposes of advocacy and litigation on behalf of the incarcerated. Since the launch of the Pro Bono Partnership Program, Samantha has referred over two dozen cases to private pro bono counsel on a diverse range of cases, such as a father challenging a paternity acknowledgement; assisting an inmate's sister in obtaining power of attorney to allow her to make vital health care decisions; successfully challenging disciplinary hearings thereby overturning years of segregated housing confinement time; and working on freedom of religion issues. PLS and the Pro Bono Partnership Program are also accredited to provide CLS credits for-in-person trainings and for pro bono volunteers.

Prisoners' Legal Services also has partnered with a host of organizations in order to maximize its services. PLS partners include Albany Law School, the Legal Aid Society of Northeastern NY, the Albany County Bar Association, the New York State Bar Association, Albany County Supreme Court, the Department of Corrections and Community Supervision (DOCCS) and CUNY. In collaboration with DOCCS, PLS developed a reentry video which is shown to all incarcerated persons. PLS works closely with Albany Law School's Prisoners' Rights Project which uses students to transcribe tapes of disciplinary proceedings; respond to prisoners letters regarding their legal matters; and screen letters seeking legal assistance for claims which PLS may be able to provide representation; when possible, PLS will match a student with a pro bono attorney to work on the incarcerated person's legal matter.

In concluding her nomination letter Jessica Gorman stated, "PLS' accomplishments are extraordinary by any measure, but especially so given the size of the organization, the difficulty of the issues it takes on, and the vulnerability of the people it assists. PLS is an outstanding organization and it is especially deserving of the Denison Ray nonprofit organization award."

PRISONERS' LEGAL SERVICES ALBANY CENTRAL OFFICE STAFF

Front row (L-R): Rosa Cohen-Cruz, Esq.; Patricia Kane, Executive Administrative Assistant; Karen Murtagh, Esq., Executive Director; James Bogin, Esq., Managing Attorney; Jennifer Cunha, Esq., Pro Bono Attorney.

Back row (L-R): Maureen Whitcomb, Secretary; Mik Kinkead, Esq.; Sophia Heller, Esq.; Matt McGowan, Esq.; Samantha Howell, Esq., Director of Pro Bono & Outreach; and Hector Nayo, Comptroller.

Previous Denison Ray Honorees

Civil Legal Services Attorney Honorees

- 2012 Michael Hanley
Ian F. Feldman
- 2010 Pamela J. Bayer
Jeff Hogue
- 2008 Jason D. Hoge
James T. Murphy
- 2006 David E. Ralph
- 2004 Sarah Betsy Fuller
Judith Studebaker
- 2001 Carole Boccumini
Joshua Zinner
- 2000 Marc Cohan
Peter O'Brien Dellinger
- 1998 Michael Hampden
Mary M. Withington
- 1997 Leslie D'Cora Holmes
Barry Strom
- 1995 Margaret H. McDowell
Douglas Roy Ruff
Wendy H. Wahlberg
- 1994 Sheryl Randy Karp
Jerrold M. Levy
William F. Mastroleo

Previous Denison Ray Honorees

Civil Legal Services Program Director Honorees

- 2012 Michael Rothenberg*
- 2010 Steven B. Telzak*
- 2008 Lillian M. Moy

Pro Bono Program Director Honorees

- 2012 Richard S. Hobish
- 2006 Lisa A. Frisch

Non-Profit Organization Honorees

- 2012 New York Legal Assistance Group (NYLAG)
- 2010 LegalHealth, a Division of the New York Legal Assistance Group (NYLAG)
- 2008 The Worker's Rights Law Center of New York, Inc.
- 2006 Western New York Law Center of Buffalo and its Executive Director, Joseph Kelemen, Esq.
- 2004 inMotion Inc.
- 2001 Greater Upstate Law Project (GULP), Inc.

* Awarded Posthumously.



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