

Association Section Creates Pro Bono Senior Clinic Project

By Ellen G. Makofsky

Hundreds of older adults around New York State received free legal counsel on elder law-related issues from members of the NYSBA Elder Law Section as part of the Section's newly created pro bono senior clinic project. The pro bono clinics were offered twice this past year in every judicial district within the State and were coordinated by the Elder Law Section's District Delegates. The clinics were very successful from the perspective of the seniors and that of the participating attorneys.

The District Delegates worked hard and had the ultimate responsibility for securing a location, recruiting volunteer attorneys to staff the clinics and publicizing the event to the seniors within their District. Refining the presentation of the clinics was an ongoing process. There were many conference calls between Delegates and evaluations of the clinics as they occurred. The Delegates' hard work was rewarded by the success of the clinics and the satisfaction of knowing that a valuable service was provided to the seniors who attended.

Individual Consultations Provided

The premise of the project was simple. The idea was to provide a small cadre of Elder Law attorneys in each District location who were available for face-to-face individual consultations with seniors on issues that concerned them. The NYSBA was able to provide malpractice insurance for the day to those attorneys who participated in the event. The clinics were promoted in local newspapers with the help of the NYSBA's Media Services Department. Seniors were for the most part required to pre-register in order to participate. On the day of the clinic, Elder Law attorneys were seated at individual tables and provided 15- to 20-minute consultations on basic issues. When a senior's legal problem was beyond the scope of the



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attorney's knowledge or was too complicated to solve within the allotted time frame, the attorney directed the senior to additional referral sources for answers to his or her questions.

Many seniors have never met with an attorney. Older adults often do not know where to seek answers to very basic legal questions. The pro bono senior clinic project was designed to help this segment of the population and to provide good legal counsel to those who sought it. The seniors really appreciated the efforts of the attorneys who volunteered and the volunteer attorneys took pleasure and satisfaction from participating in the pro bono clinics. Plans are already underway for a new series of senior clinics in the fall of 2007.

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Brink of Change

What an exciting and encouraging time in access to justice in New York. We have seen the doubling of state money for civil legal services and the potential for an explosion in IOLA funding thanks to proposed new regulations. At the same time, NYSBA is exploring new cy pres and Civil Gideon initiatives. In pro bono, we have the new Empire State Counsel program, the growing judicial district pro bono activities, and the planned Pro Bono Net-upstate provider partnership. And in the mandated representation arena, we may be on the brink of major reform in indigent defense. The Association's access efforts are led by a great president, great new chairs in all three access standing committees (President's Committee on Access to Justice, Legal Aid, and Volunteer Lawyers) and great continuing chairs in the vibrant Pro Bono Coordinators Network and in all three access special committees (Funding for Civil Legal Services, Quality Mandated Representation, and Student Loan Assistance for the Public Interest).

In supporting all Association access initiatives, Pro Bono Affairs has long played a proud role, and I've been privileged to be part of that tradition for five years. Now it is time for someone else to take a turn and bring fresh energy and ideas to the position and to learn from our access leaders about creativity and collaboration, dedication and leadership. Pro bono activity after 9/11 drew me from appellate practice in Manhattan to Pro Bono Affairs in Albany; and my role at the State Bar inspired me to do pro bono appeals on my own time. Nothing has made me more fulfilled as an attorney than to have used my legal skills to offer free services to those most in need. Recent pro bono successes, including in *Matter of Julia BB*, 837 NYS2d 398 (3rd Dept 2007), are drawing me back to private practice, where I'll serve as of counsel to an Albany law firm and will make pro bono a steady part of my professional life.

— Cynthia Feathers