

LEGAL AID SOCIETY OF MID-NEW YORK, INC.

255 Genesee Street, Second Floor

Utica, New York 13501

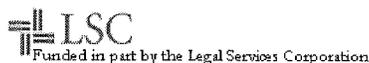
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Paul J. Lupia, Esq.
Executive Director

Reply to:
Utica Office

August 18, 2010

Cheryl Nolan, Program Counsel
Office of Program Performance
Legal Services Corporation
3333 K Street NW
Washington, DC 20007

RE: Recipient Name: Legal Aid Society of Mid-New York, Inc.
Recipient No.: 233150

Dear Cheryl,

This is the Legal Aid Society of Mid-New York, Inc.'s (LASMNY's) factual inaccuracy response to the Legal Services Corporation's (LSC) Draft Report from its Program Quality Visit to LASMNY on April 12-16, 2010.

I. Page 1, 4th Paragraph, 1st Sentence reads:

"LASMNY was established in 2004 as a result of the reconfiguration of two legal services programs in the State." Actually, LASMNY was incorporated on July 21, 1952 under the name of Legal Aid Associates, Inc., first changed its name to Legal Aid Society of Oneida County, Inc. on June 21, 1957, and changed its name a second time on August 31, 1984 to Legal Aid Society of Mid-New York, Inc. The present configuration began on January 1, 2004 as a result of the reconfiguration of three, not two Central New York legal services programs: LASMNY, Legal Services of Central New York, Inc. (LSCNY), and Legal Aid for Broome and Chenango Counties, Inc. (LABC).

II. Page 1, 4th Paragraph, 2nd Sentence reads in part:

"LASMNY provides legal services from nine offices – the Utica, the main office, and the Oneonta offices." The Oneonta office is actually a one person office; that staff member sees clients at another agency, Opportunities for Otsego, Inc., or the Law Offices of Donald Schwartz. Although LASMNY does not have a physical office in Oneonta, the staff member receives mail at a post office box.

Binghamton Office:
19 Chenango St., 2nd Fl.
Binghamton, NY 13901
Tel: (607) 231-5900
(800) 404-2782
Fax: (607) 724-7211

Cortland Office:
111 Port Watson St.
Cortland, NY 13045
Tel: (607) 428-8400
Fax: (607) 753-7257

Oneonta Office:
P.O. Box 887
Oneonta, NY 13820
Tel: (607) 433-2220
Fax: (607) 433-1433

Oswego Office:
108 W. Bridge Street
Oswego, NY 13126
Tel: (315) 532-6900
Fax: (315) 342-1891

Syracuse Office:
472 South Salina Street
Suite 400
Syracuse, NY 13202-2498
Tel: (315) 703-6600
(866) 475-9967
Fax: (315) 671-0062

Watertown Office:
44 Public Square
Watertown, NY 13601
Tel: (315) 955-6700
Fax: (315) 785-9118

Farmworker Law Project
52 South Manheim Blvd.
New Paltz, NY 12561
Tel: (845) 256-9096
(800) 804-8575
Fax: (845) 256-0494

III. Page 1, 4th Paragraph, Last Sentence reads:

“In 2008, it [LASMNY] received approximately \$2,340,650 from non-LSC sources and in 2009 it received approximately \$2,173,352 from non-LSC sources.” We believe that the correct figures are \$2,488,140 in 2008 non-LSC funds and \$2,259,201 in 2009 non-LSC funds.

IV. Page 4, 4th Paragraph, Last Two Sentences read:

“In 2009, it closed 900 family cases out of a total of 1,115 with a majority related to child custody and visitation matters. The 2009 Binghamton cases show 8 closed in health, 15 closed in housing, 22 closed in consumer, 56 closed in income maintenance, and 28 closed for wills and estates/advanced directives.” These figures are correct if you do not count any HelpLine or pro bono cases. In 2009, a total of 1,010 HelpLine and pro bono cases were closed for Broome County, including 9 more closed in health, 267 more closed in housing, 223 more closed in consumer, 99 more closed in income maintenance, and 65 more closed for wills and estate/advanced directives. Enclosed are separate 2009 CSR reports for Broome County pro bono and HelpLine closures.

V. Page 5, 2nd Paragraph, 2nd Sentence reads:

“Six are bilingual in Spanish” We have learned that a seventh LASMNY staff member is bilingual in Spanish.

VI. Page 6, 4th Paragraph, 3rd Sentence reads:

“The FLP does not have a written outreach plan.” That was true at the time of the visit in April, but since that time a 30 month written outreach plan has been developed. It begins by memorializing what has been already accomplished from January of 2009 through June 2010 and continues prospectively through June 2011, week by week, for each individual advocate.

VII. Page 8, 1st Paragraph, 2nd Sentence reads:

“The program provides pro bono attorneys with laptops” LASMNY has loaded the software directly on to a pro bono attorney’s own computer. In addition, two attorneys were provided laptops.

VIII. Page 9, 3rd Paragraph, 1st Sentence reads:

“The FLP unit is staffed by an experienced managing attorney, a paralegal, and an intake specialist.” FLP has two full time bilingual paralegals, not one.

Cheryl Nolan, Program Counsel
Page 3
August 18, 2010

IX. Page 14, 3rd Paragraph, 1st Sentence reads:

“The program is currently developing an attorney of the day project that will place a volunteer attorney at Binghamton City Housing Court to provide counsel and advice on housing cases.” The program being developed will have the volunteer attorney provide full extended representation in the Binghamton City Housing Court, not just counsel and advice.

X. Page 18, 1st Paragraph, 2nd Sentence reads:

“The management team is comprised of the executive director, the senior managing attorney, a director of advocacy shared with LSCNY, a managing attorney for each office and the HelpLine, and the certified public accountant (CPA) financial administrator.” In addition, LASMNY has a pro bono managing attorney, who works out of the Binghamton office.

Thank you for the opportunity to correct any factual inaccuracies. We look forward to receiving the final report and believe that it will be an essential planning tool for future LASMNY planning. Please contact me should you need clarification of the factual inaccuracies we have presented or would like any other information.

Hope all is well.

Very truly yours,

LEGAL AID SOCIETY OF MID-NEW YORK, INC.

By: _____



Paul J. Lupia
Executive Director

PJL:mvg
Enclosure

BROOMFIELD COUNTY

PAI

CSR Report New

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01/01/09-12/31/09

Problem Code

| Problem Code | A | B | F | G | H | Ia | Ib | Ic | K | L | Totals |
|-----------------------------------|------------|-----------|----------|----------|----------|-----------|----------|----------|----------|----------|------------|
| a. Consumer 0 to 9 | | | | | | | | | | | |
| 1 Bankruptcy/Debtor Relief | 8 | 0 | 0 | 0 | 1 | 34 | 0 | 0 | 1 | 0 | 44 |
| 2 Collect/Repo/Def/Garnish | 62 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 62 |
| SubTotals | 70 | 0 | 0 | 0 | 1 | 34 | 0 | 0 | 1 | 0 | 106 |
| d. Family 30 to 39 | | | | | | | | | | | |
| 31 Custody / Visitation | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| 32 Divorce / Sep. / Annul. | 100 | 2 | 3 | 0 | 2 | 34 | 4 | 0 | 0 | 0 | 145 |
| SubTotals | 101 | 2 | 3 | 0 | 2 | 34 | 4 | 0 | 0 | 0 | 146 |
| f. Health 50 to 59 | | | | | | | | | | | |
| 51 Medicaid | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| SubTotals | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| g. Housing 60 to 69 | | | | | | | | | | | |
| 62 Homeownership/Real Prop. | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| 63 Landlord/Tenant not Pub.H | 13 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 13 |
| 69 Other Housing | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| SubTotals | 14 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 |
| i. Individual Rig 80 to 89 | | | | | | | | | | | |
| 81 Immigration / Natural. | 17 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 17 |
| SubTotals | 17 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 17 |
| j. Other / Multip 90 to 99 | | | | | | | | | | | |
| 95 Wills and Estates | 0 | 15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 |
| 96 Advance Directives/Powers | 1 | 20 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 21 |
| SubTotals | 1 | 35 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 36 |
| Grand Totals | 204 | 38 | 3 | 0 | 3 | 68 | 4 | 0 | 1 | 0 | 321 |

A-Counsel and Advice
 B-Brief Services (other than Counsel and Advice)
 F-Negotiated Settlement (without Litigation)
 G-Negotiated Settlement (with Litigation)

H-Administrative Agency Decision
 Ia-Uncontested Court Decision
 Ib-Contested Court Decision
 Ic-Appeals

BROOME COUNTY

HELPLINE

CSR Report New

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01/01/09-12/31/09

Problem Code

| <i>a. Consumer</i> | <u>0 to 9</u> | A | B | F | G | H | Ia | Ib | Ic | K | L | Totals |
|----------------------|-------------------------------|------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|------------|
| 1 | Bankruptcy/Debtor Relief | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 |
| 2 | Collect/Repo/Def/Garnsh | 88 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 90 |
| 3 | Contracts / Warranties | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 8 |
| 4 | Collection Practices / Credit | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| 6 | Loans/Installment Purch. | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| 7 | Public Utilities | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4 |
| 8 | Unfair Sales Practices | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| 9 | Other Consumer / Finance. | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 8 |
| | SubTotals | 115 | 2 | 0 | 117 |
| <i>b. Education</i> | <u>10 to 19</u> | A | B | F | G | H | Ia | Ib | Ic | K | L | Totals |
| 12 | Discipline (Including Expuls | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 |
| 13 | Special Education/Learning | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| 19 | Other Education | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| | SubTotals | 9 | 0 | 9 |
| <i>c. Employment</i> | <u>20 to 29</u> | A | B | F | G | H | Ia | Ib | Ic | K | L | Totals |
| 21 | Job Discrimination | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 7 |
| 24 | Taxes (Not EITC) | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| 25 | Employee Rights | 15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 |
| 29 | Other Employment & Ceta | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 6 |
| | SubTotals | 29 | 0 | 29 |
| <i>d. Family</i> | <u>30 to 39</u> | A | B | F | G | H | Ia | Ib | Ic | K | L | Totals |
| 30 | Adoption | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 |
| 31 | Custody / Visitation | 13 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 13 |
| 32 | Divorce / Sep. / Annul. | 45 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 46 |
| 33 | Guardianship / Conserv. | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 |
| 34 | Name Change | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 6 |

A-Counsel and Advice
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 F-Negotiated Settlement (without Litigation)
 G-Negotiated Settlement (with Litigation)
 H-Administrative Agency Decision
 Ia-Uncontested Court Decision
 Ib-Contested Court Decision
 Ic-Appeals
 K-Other
 L-Extensive Services

Problem Code

| | | | | | | | | | | | | | | | | | | | | |
|--|------------|----------|----------|----------|----------|-----------|-----------|-----------|----------|----------|---------------|----------|----------|----------|----------|----------|----------|----------|----------|-----------|
| 74 SSDI | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 8 |
| 75 SSI | 16 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 16 |
| 76 Unemployment Compensato | 50 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 51 |
| 78 State & Local Income Maint | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| 79 Other Income Maintenance | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 9 |
| SubTotals | 98 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 99 |
| <i>i. Individual Rig 80 to 89</i> | A | B | F | G | H | Ia | Ib | Ic | K | L | Totals | | | | | | | | | |
| 81 Immigration / Natural. | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | | | | | | | | | 1 |
| 82 Mental Health | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | | | | | | | | | 2 |
| 85 Civil Rights | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | | | | | | | | | 3 |
| 89 Other Individual Rights | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | | | | | | | | | 2 |
| SubTotals | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 8 | | | | | | | | | 8 |
| <i>j. Other / Multip 90 to 99</i> | A | B | F | G | H | Ia | Ib | Ic | K | L | Totals | | | | | | | | | |
| 94 Torts | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | | | | | | | | | 4 |
| 95 Wills and Estates | 13 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 13 | | | | | | | | | 13 |
| 99 Other Miscellaneous | 12 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 12 | | | | | | | | | 12 |
| SubTotals | 29 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 29 | | | | | | | | | 29 |
| Grand Totals | 684 | 4 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 689 | | | | | | | | | |

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