The Road Ahead: Marshalling Our Resources For Justice

BIANNUAL REPORT

2016-2017 and 2017-2018

FORDHAM UNIVERSITY
THE SCHOOL OF LAW
The Road Ahead:
Marshalling Our Resources For Justice:

BIANNUAL REPORT – 2016-2017 AND 2017-2018

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Introduction

In our 2017-2018 Biannual Report (“Report”),1 we feature the voices of staff, volunteers, and partners who are integral to the work of Fordham Law School’s Feerick Center for Social Justice. Many thanks to Joan Vermeulen, a center volunteer, for serving as principal author of the Report.

We are deeply grateful to the Law School students, alumni, staff, and faculty with whom we have had an opportunity to work during these two years. We also relied on the dedicated contributions of Dean’s Fellows, AmeriCorps VISTA members, New York Women’s Bar Association Foundation and other Fellows, and volunteers, without whom we could not accomplish all that we do.

Together, we supported access-to-justice initiatives on behalf of asylum-seeking women with children detained near the Southern Texas border and economically-distressed consumers in New York City. We paved the way to help veterans with low incomes in New York meet their civil legal services needs and championed educational equity through our efforts focused on public high school admissions. We have organized conferences and convenings on pressing social justice issues in our time and have engaged in fact finding and program innovation, with a focus on issues ranging from economic abuse and its devastating impact on survivors of domestic violence to engaging senior attorneys in meaningful pro bono service.

We are privileged and honored to be able to carry out the mission and mandate of the center. The center exists and thrives because of the support of Fordham University, Fordham Law School and the financial contributions of extraordinarily generous donors. We thank each and every one of them. We cannot express enough our deep gratitude to Father Joseph M. McShane, S.J., president of Fordham University, and to Dean Matthew Diller, dean of Fordham Law School, for their encouragement and support.

We thank our partners in the legal services and advocacy community, in the courts, and in government. Collaboration is central to all that we do; engagement with partners is at the heart of what we do, how we do it, and who we are.

Finally, we are proud of two honors received by the center this year in connection with the New York Unaccompanied Immigrant and Immigrant Families Project:

- The American College of Trial Lawyers bestowed on the Feerick Center, along with the Dilley Pro Bono Project, the 2018 Emil Gumpert Award, which will bring $100,000 to develop a model remote limited-scope legal project; and
- Jesuit Refugee Service / USA presented the center with the 2018 JRS Service Award for its participation with the Dilley Pro Bono Project.

Again, our deepest thanks to the law students, alumni, faculty, staff, volunteers, and partners who worked with us during the past two academic years.

John D. Feerick
Senior Counsel and Founder

Dora Galacatos
Executive Director

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1 This Biannual Report covers the activities of the Feerick Center primarily during two academic years, 2016-2017 and 2017-2018.
The Feerick Center for Social Justice promotes the rights of and addresses the problems facing marginalized and low-income New Yorkers. The center works with nonprofit, legal services, and public sector organizations and individuals to respond to the challenges of those in need. Through education and collaboration, the center engages with Fordham students, alumni, and faculty to create and implement long-term innovative solutions critical to lasting change.

The Feerick Center’s work of providing direct assistance and working in collaboration with others reflects the motto of Fordham Law School—“In the service of others”—as well as Fordham University’s expansive Jesuit mission and vision.

**OUR VALUES**

For this biannual report, we reflected on the collective values of center staff in guiding and inspiring our efforts and came up with the following:

- Respect and dignity for those from all walks of life.
- Social justice.
- Partnership and collaboration.
- Giving people a voice. By listening to the communities in which we work we strive to develop programs to meet their needs as they express them.
- Fighting poverty.
- Empowering those marginalized by society.
- Compassion. Seeing people in situations of distress and working to alleviate their distress.
- The imperative to do justice, which grows out of both legal ethics and the exhortations of faith.
- A world not dominated by wealth and power but one guided by the values of empathy and justice.
- Helping one person makes a difference in the world. Making that difference is the legacy of a life well-lived.

**Our Mission – Fighting Poverty Through Partnerships**

I learned as the first born of Catholic Irish immigrants to America the importance of striving to do what is right, especially for those in need. I learned from my law school dean, William Hughes Mulligan, the importance of aspiring to excellence as a practicing lawyer. I took from my mentors in law practice, the importance of extending to everyone with whom I came in contact an attitude of civility, courtesy, and decency. I also learned from them how essential it is to respect the law that each human being treat all others with that same respect, courtesy, decency and civility. I learned from those with whom I served on government commissions and bar association committees the importance of working collaboratively in the common interest. I took from my heroes the importance of helping extend the protective net of the law wider, to include those unrepresented and disenfranchised.

I want to relay the same advice that I give to my grandchildren: it is important to help strangers who come into our life because there are more people living in poverty and suffering in the world than we realize, and we have the capacity to make more small differences in the world than we realize.

We live in a time of great challenge and opportunity, with moral imperatives to serve justice and fairness. As dean of the law school, I encouraged students not to leave the school without leaving a legacy behind that makes Fordham better for these students having been here. This is my vision for myself—doing my best to make a difference in the lives of others through service to humanity.
Advancing the Rights of Immigrants

All of us are immigrants—except for Native Americans and indigenous peoples. The story of immigration is the story of America. It is the story of people who come seeking new opportunities and the story of the people who start businesses, sweep floors, invent technology, pick crops, join the army, staff hospitals, and build our cities. Some too are trying to escape persecution and violence in their own countries. Regardless of the imperative that brings people to the United States, their arrival opens us to a wider world, and the diversity that springs from it adds to the vibrancy, economic strength and creativity of our country.

Today, immigrants are coming under increasing attack, and the welcome enshrined in the Statue of Liberty is being challenged. Fewer asylum seekers are being granted access; the country accepts a small trickle of refugees. People who had been granted entry under programs that assist victims of natural disasters or civil disturbances and who have built lives and families here are now being told to leave. And yet people continue to come to the United States inspired by the promise of our values, safety and the opportunity for a better life.

How We Protect Those Fleeing Violence

Beginning in 2011 the United States saw a dramatic increase in the number of people coming from the northern triangle of Central America: Honduras, El Salvador and Guatemala. Unlike prior migration patterns, this wave included more women and children (many of whom unaccompanied minors). These refugees are fleeing one of the most violent regions in the world. The Northern Triangle, as these countries are known, is a region characterized by staggering homicide rates and sexual and gender-based violence, including rape, domestic violence, human trafficking, and the sexual exploitation and abuse of children. While fewer Mexicans were apprehended at the border in fiscal year 2017, which ended in September 30th, than in any year since the late 1960s, the numbers of Central American unaccompanied immigrant children are now a matter of concern.


VOICES

Robert J. Reilly

The Feerick Center for Social Justice was founded to embed into the life and intellectual core of the Fordham Law School experience a sensitivity to and concern for issues of poverty and social justice. Created as a concrete expression of the school’s Jesuit-inspired mission “in service to others” at the Centennial Celebration of its founding, the center is a living tribute to Dean John D. Feerick whose life work and values inspires the work of the center.

Dean Feerick did not just see poverty. He saw the human faces of those afflicted by poverty, discrimination and marginalization and dedicated his life’s work to expanding justice for those marginalized by society and to instilling in generations of students and lawyers the spirit of doing justice.

Central to the mission of the Feerick Center was to create opportunities through which students could work on social justice endeavors in cooperation with Fordham Law alumni and other lawyers, which would instill in each a lifetime commitment to social justice.

Beyond the Law School, the center reaches out to the larger Fordham University and New York City communities to share ideas and collaborate on social justice concerns that affect our city and our country.

Former Assistant Dean Robert J. Reilly

Robert J. Reilly served as Assistant Dean of the Feerick Center for Social Justice from its founding in 2006 until his retirement in June 2018. Dean Reilly’s legacy to Fordham Law School and Fordham University is legendary and his admirers is legion. His devotion and commitment to these institutions and their communities over a 36-year period is unmatched. Everyone at the Feerick Center greatly appreciates all of Dean Reilly’s contributions in so many areas. His presence at the center is deeply missed by colleagues, students, friends, alumni, and many others.
VOICES: Dora Galacatos

Since 2012, the center’s New York Unaccompanied Immigrant Children and Immigrant Families Project has been engaged in a range of access-to-justice efforts, fact finding, convening, legal research, and policy advocacy in connection with the Central American refugee crisis that has brought thousands of asylum-seekers to the U.S.-Mexico border and to our doors, here in New York City and New York State. Central to the Project’s efforts is its participation in the Dilley Pro Bono Project, which enables volunteers to provide limited-scope assistance to asylum-seeking women detained with children at the nation’s largest detention center, the South Texas Family Residential Center near the southern Texas border. The center has partnered with the Fordham Law School Immigration Advocacy Project, a student group that is a part of Fordham Law School’s Public Interest Resource Center. During the 2017-2018 and 2018-2019 academic years, 78 law students and 37 alumni, faculty, staff, and other volunteers participated in service trips sponsored by the center; in total 131 volunteers have joined Feerick Center service trips, many of them volunteering over multiple trips.

We are deeply grateful to all of the donors who have supported the center’s work related to family detention and to all of the donors who have sponsored service trips to Dilley. We are also deeply honored and privileged to have been able to serve in Dilley with extraordinary volunteers over many service trips.

We believe—in a time when protections for immigrants, asylum-seekers, and refugees are under threat—that there is an urgent call for the legal profession to assure the fair administration of justice, due process for those looking for opportunity and protection in our country, and humane treatment of children, families, and individuals.

I am proud to be able to partner with so many members of the Fordham Law School and Fordham University communities to advance these principles and goals.

Dora Galacatos
Executive Director
Fordham Law School Feerick Center for Social Justice

and women with children apprehended at the border remain at historic highs.3 After spiking in 2014, migration from across the border with Mexico began to decline, though still remaining at

3 From October 1, 2017 through August 31, 2018, a total of 355,106 individuals were apprehended at the southwest border of the United States, of which 45,704 were unaccompanied immigrant children, and 90,563 were “family units”—typically women and their children. U.S. Customs and Border Protection, Southwest Border Migration FY 2018, https://www.cbp.gov/newsroom/stats/sw-border-migration (last visited Sept. 19, 2018).

4 U.S. CUSTOMS AND BORDER PROTECTION, U.S. Border Patrol Southwest Border Apprehensions by Sector FY 2018, https://www.cbp.gov/newsroom/stats/usbpborderapprehensions (last visited Sept. 19, 2018) (reporting 71,431 apprehensions of family units in Fiscal Year To Date 2017 and 90,563 apprehensions of family units in Fiscal Year To Date 2018, a 27% increase).
VOICES: Emerson Argueta

Serving as an advocate for the Feerick Center on the issue of family detention has been invaluable to my law school education. In my 1L year, in March 2016, I participated in the center’s first student trip to an immigration family detention facility in Dilley, Texas. This rare opportunity for a first-year student helped me to see beyond the 1L curriculum to witness how law affects marginalized individuals and to envision my role as an advocate for the vulnerable immigrant community.

Through four subsequent trips, I developed various skills that are essential for effective advocacy, including client interviewing and counseling, affidavit drafting, oral advocacy, and resilience in the face of ever-changing policies.

More than practical training, the experience volunteering in Dilley was also a very powerful one for me. I was born in El Salvador, which is one of the three countries in the “Northern Triangle” of Central America where the majority of mothers and children detained in Dilley are from. Similar to them, my family fled violence during El Salvador’s civil war in the early 1990s and arrived in the United States as asylum seekers when I was barely a toddler. Much like my own family’s experience, the families detained in Dilley face daunting odds navigating this country’s complex immigration laws and must ultimately rely on the legal services of pro bono attorneys to save the lives of their children. Being able to marshal my personal background while serving asylum seekers in Dilley has helped my legal education and future career as an immigration attorney come full circle with my family’s origins in this country in a way that is deeply inspiring.

I am privileged and grateful to have been a part of the center’s commitment to improving access to justice for some of the most marginalized and vulnerable populations of our time.

Emerson Argueta ’18
Immigrant Justice Corps Justice Fellow
CARA Pro Bono Project* / Dilley Pro Bono Project Volunteer
March 2016, August 2016, January 2017, August 2017, January 2018

*The CARA Pro Bono Project was reorganized as the Dilley Pro Bono Project in December 2016.

In Spring 2017, the center helped organize, in partnership with immigration and child welfare experts, a convening titled Protecting Children in New York: Threats to the Principles of Child Protection in the Current Immigration Policy Environment. The program examined child welfare protection for immigrant families and children in the wake of new federal policies.

Growing out of the December 2016 Adelante conference, the center brought together a medical working group. Through the efforts of one of its members, the American Medical Association adopted new policies to improve the health of immigrants and refugees. A second working group addressed the need for emergency shelter for asylum-seekers who come to New York City and face housing insecurity. The center also helped organize a May 2018 conference, A Decade of Advancing Immigrant Representation, which commemorated the tenth anniversary of the Study Group on Immigrant Representation. Chief Judge Robert A. Katzmann of the U.S. Court of Appeals for the Second Circuit launched the Study Group to generate innovative solutions to the immigration representation crisis.

Finally, Executive Director Dora Galacatos co-authored a February 28, 2018 New York Times Op-Ed, which warned the nation about the then-unofficial separation of children from their parents at the border by federal immigration officials and condemned the practice.
A mother sits in a small room inside of the largest detention center in the nation crying uncontrollably as she relives the moment she and her son fled El Salvador. She explains how leaving was the only way to save her son from the Mara Salvatrucha’s (MS-13) unnegotiable interest in his life. Her fear is paralyzing, but not “credible” enough under American asylum law to barter for her freedom. I am not allowed to console her, but I do everything I can to thank her for her fearlessness and resilience. I want to get her and her son out of the detention center and on a plane to New York City, where her sister lives. I ask to speak to her son, desperately hoping he can help. She gives me permission but tells me that he has not spoken a word since fleeing El Salvador.

I sit in the same small interview room, but this time, staring at the terracotta skin and tear spangled almond eyes of a little boy whose innocence is inextinguishable. I try everything to help him find the strength to share what happened in El Salvador. I share with him parts of my own story. I try to explain how my parents left everything in the Dominican Republic in search of a better life. I try to share stores about how difficult it was growing up in the Bronx with too much pressure to survive but not enough food to eat. After an hour, he finally finds the courage somewhere to share with me the sound of his voice. I explain to him the legal boxes—that is the specific and complicated legal requirements of United States asylum law—to which America requires his nightmares to correspond. He doesn’t understand these legal requirements in a country where people are free. I want to try to explain to him why so many Americans see a socially-constructed idea of citizenship as a ticket to strip someone of their humanity, but instead I tell him that he is going to do great and I apologize for the complexity and oddity of the law.

I exhale deeply as he leaves the room. Just when the sadness begins to overwhelm me, another mother and her four-year old daughter walk into the room. Her daughter wears an ear-to-ear smile on her face as her mother tells me that after our interview her daughter decided to trade in her dreams of becoming a doctor so that she could become an attorney, just like me. Her mother shares with me her smile for the very first time as she says in Spanish, “I cannot remember the last time I smiled, but I have not stopped smiling thinking about how my daughter will one day write her United States of America college application essay about you.” I knew her daughter was not talking about just me. She was talking about all of the people working on the ground in Dilley who had treated her mother with dignity and respect. All of the people on the ground who smiled, listened and helped in one way or another to welcome her mother to America.

In welcoming these women, I also welcomed myself. I welcomed the new set of skills I gained by being on the ground in Dilley. I welcomed the law student who will take the experiences of Dilley with her into every classroom. And I welcomed the future lawyer who will spend her life working towards immigration reform.

Diana Imbert ’19
Dilley Pro Bono Project Volunteer
January 2018
VOICES:  
Jeremiah Quinlan

I was fortunate to have participated in the Fordham Law School Feerick Center service trips to Dilley, Texas in the past two years.

As volunteers, we prepared asylum-seekers to testify in credible fear interviews and, in certain cases, represented them in the hearing before immigration judges. Without legal assistance, approximately 46 percent would pass their credible fear interviews. With legal assistance, well over 95 percent do.

The stories of what these clients have endured in their countries were horrifying. The lawlessness and corruption in the countries (El Salvador, Honduras, Guatemala, and Venezuela to name a few) is unimaginable until you hear it over and over, day after day, from the people who have personal knowledge of the conditions in these countries.

Participating in these service trips has been one of the most powerful legal experiences of my life.

Jeremiah Quinlan ’75  
CARA and Dilley Pro Bono Project Volunteer  
June 2016, November 2016, June 2017, November 2017, June 2018

Protecting Economic Rights

Our country today is characterized by serious and historic levels of income inequality. As Reverend Martin Luther King, Jr. noted, economic inequality is a fundamental and tragic flaw in our society.5

In the United States, more than 43 million Americans live below the poverty line,6 and more than 14 million people are unable to find full-time employment.7 Across America, individuals and families are struggling to get by. Many working people and middle-class Americans are living perilously close to poverty. According to data from the World Bank, in 2016, 1.3 percent of Americans were among the world’s poorest people and living on less than $1.90 a day.8

New York State the top 1 percent of residents now earn 45 times more than the bottom 1 percent, the greatest disparity of any state.9

Over thirty years ago, the U.S. Conference of Catholic Bishops cautioned against growing economic inequality in its pastoral letter Economic Justice for All: “Economic decisions have human consequences and moral content. They help or hurt people, strengthen or weaken family life, advance or diminish the quality of justice in our land.”10

In times of economic insecurity such as we are living in today, the likelihood of vulnerable people being taken advantage of by fraud and abusive business practices is great.

6  Center for Poverty Research University of California, Davis, What is the current poverty rate in the United States? Current estimates on poverty in the U.S., https:/ /poverty.ucdavis.edu/faq/what-current-poverty-rate-united-states (last visited Sept. 19, 2018) (stating that “[t]he official poverty rate is 12.7 percent, based on the U.S. Census Bureau’s 2016 estimates” and that “[t]hat year, an estimated 43.1 million Americans lived in poverty according to the official measure”).
VOICES: Wilma Tamayo-Abreu

The people we serve on Thursday afternoons at the Bronx CLARO Program in New York City Civil Court, Bronx County (near Yankee Stadium) are diverse - Latinos, African-Americans, South Asians, Africans, and other immigrants. The CLARO visitors we serve are as diverse as New York City.

CLARO visitors come to CLARO because they are not able to afford an attorney to represent them in court. Some are economically distressed and owe money that they are not able to pay back. Others are on the brink of homelessness. Some were evicted from their homes and later sued by the former landlord. Others have serious illnesses and accompanying high medical debts.

It can be overwhelming to assist so many visitors with such limited resources. Someone once advised me “to always put myself in their shoes.” I have taken that advice to heart and, nine years later, every Thursday, I still try to put my feet in their shoes when I greet and assist CLARO visitors in the Bronx.

It is important for me that we have enough volunteer attorneys for each session and that Law School students get involved so that they can better understand the needs of our communities and witness what life is like for those in need. It is vital for the legal profession, and for Fordham Law School, to prepare the next generation of attorneys to make a difference in the lives of vulnerable people.

Every Thursday, since 2008, hundreds of CLARO volunteers have put themselves in the shoes of CLARO visitors who come seeking legal help.

I thank all of the CLARO volunteers on behalf of my community.

Gracias.

Wilma Tamayo-Abreu
Administrative and Program Coordinator
Feerick Center for Social Justice
How We Fight Back Against Economic Abuse

Our approach to helping those who are victims of either unfair or fraudulent business practices – particularly illegal, abusive, and deceptive debt collection – combines direct legal assistance with policy analysis and advocacy.

At the heart of our economic rights work is our involvement with the CLARO (Civil Legal Advice and Resource Office) Programs, which began for the center in 2008. CLARO Programs operate under the auspices of the New York State Unified Court System’s Office of Justice Initiatives and its Access to Justice Program. They involve collaborations among the courts, bar associations, legal services providers, and academic institutions. The center helped establish and operates the Bronx, Manhattan, and Staten Island CLARO Programs. On April 9, 2018, the center celebrated the 10th Anniversary of the Manhattan CLARO Program and honored the founders of the first CLARO Program in New York State – the Brooklyn CLARO Program.

Through CLARO, volunteer lawyers are trained and supervised to provide limited-scope legal assistance to unrepresented consumers on consumer debt issues. Volunteer law students conduct intake and assist volunteer attorneys during one-on-one consultations.

In addition to the services that the CLARO Programs provide to unrepresented New Yorkers who would otherwise come to court without an understanding of their legal rights, the CLARO sessions give consumer advocates a feel for emerging issues and which consumer needs are the most pressing.

Currently, some of the more challenging problems seen involve debt collection lawsuits brought by landlords (or “broken lease” cases) and auto loans. Other perennial problems involve improper service of process; abusive debt collection practices; debt settlement; and identity theft. At present, the Feerick Center is focusing its advocacy efforts on broken leases and debt settlement.

Broken lease cases arise after a tenant has moved out before the end of the lease and the landlord sues for the balance of the rent and other damages. These cases are particularly challenging for the CLARO Programs as expertise is required in both landlord/tenant and consumer debt collection law, are fact intensive, and are very difficult to contest without a lawyer.

To address these problems, the Feerick Center, Mobilization for Justice, and The Legal Aid Society created a Broken Lease Task Force. To date, the Task Force has developed model papers for CLARO Programs and organized training sessions for legal services attorneys and CLARO volunteers in order to strengthen our efforts to address this issue. The Task Force has also engaged in advocacy with court officials and other policy makers regarding the significant gap in legal services for these kinds of cases.

A major undertaking for the center involved a 10th anniversary consumer debt conference, which brought consumer advocates from around New York City and New York State to Fordham Law School together with over 250 participants.

The center thanks the grant-funded staff and fellows who helped support the Bronx, Manhattan, and Staten Island CLARO Programs during the 2016-2017 and 2017-2018 academic years:
• 2016-2017 AmeriCorps VISTA Member Brian Bowen
• 2016-2017 AmeriCorps VISTA Member Shannon Litvin
• 2016-2017 Dean’s Fellow Sara Purvin ’16
• 2017-2018 Dean’s Fellow Elizabeth Perez ’17

The Feerick Center has partnered with the Consumer Law Advocates, a student group that is a part of Fordham Law School’s Public Interest Resource Center, since the founding of Manhattan CLARO in 2008. The group and its members help operate the Manhattan CLARO Program and also volunteer through the Bronx CLARO Program. Law students have been instrumental partners to the center with the CLARO Programs.

Other key partners include Fordham Law School’s Consumer Litigation Clinic and Manhattan Legal Services.

Bronx, Manhattan, and Staten Island CLARO Data Combined

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The Domestic Violence and Consumer Law Working Group

Public awareness in the United States of the degree of domestic violence across economic and class lines has grown over the past several decades. While this has led to improved policies and practices for addressing domestic violence, and programs to provide shelter and counseling for survivors and their children, it is only recently that the role of economic abuse in perpetuating domestic violence has come to be understood.

Economic abuse is a tool abusers use to try to maintain control of the survivor’s life after he or she has left the relationship. Its many forms include obtaining credit cards, mortgages or loans in the survivor’s name; stealing money and personal papers; ruining credit scores; and selling the survivor’s personal information to identity thieves. Often the survivor will be unaware of the abuse until the survivor tries to rent an apartment, get a credit card or find a job and learns that his or her credit report is a disaster. Without a good credit score it is hard to build a new life with a secure financial future. While domestic violence organizations can provide help to survivors in many areas of need, their staff have little experience in addressing and resolving the legal issues that may arise in the context of credit reports and consumer debt.

When my court date arrived, I went to the clerk’s office and showed my papers from the debt settlement company. The clerk told me that these companies do not represent people in court and that I should go seek help from CLARO, which was in the Civil Court building. When I told my story to a CLARO volunteer, she said that they would try to help me get my money back.

The following week I met with a Feerick Center staff member and told her that the money I was paying the debt settlement company was coming out of my Social Security benefits and that I was basically starving in order to pay them $330 a month. She picked up the phone, called the company and demanded my money back. A Feerick Center volunteer then worked intensively with me. Although they gave me the run around for several weeks, I finally received a check from them returning all of my money.

Cecile Bass

VOICES: Cecile Bass

When drowning in debt we always look for a life line. Someone or somewhere to go for help. In April 2017, I was overwhelmed with debt. The constant phone calls demanding money had me worried all the time. One day I received a solicitation from a debt settlement company describing how I could get out of debt with their help. I called and spoke to a “debt solution counselor” who told me that they could solve my problems. I would make a monthly payment to the company instead of my creditors; it would bring down my debt and stop the calls from creditors. She worked out a payment plan and had me provide a voided bank check for electronic withdrawals from my checking account. In May payments began.

Four months later a process server came to my home and served me with a summons; one of my creditors had sued me and I had to appear in Bronx Civil Court. I called the company immediately and at their request faxed the papers to them. Then I heard nothing. Frustrated and confused, I called again to ask if someone was working on my case and was told that someone would start working on it in two weeks. Again no follow up. As my court date approached I called again and was told that I had not paid enough money for them to work on my case. I was shocked - they had never told me that I had to pay a certain amount before they would start working for me. Desperate, I asked for the contact information for the lawyer assigned to my case, but when I called I got only a voicemail. My call was never returned.

In 2007, at the request of social services organizations, the Feerick Center began to examine financial issues that frequently affect survivors. This work led to the creation of the Domestic Violence and Consumer Law Working Group and the DV CLARO Program. The latter model brings consumer advocates with expertise in domestic violence and consumer law to domestic violence shelters to meet with survivors. The Working Group has engaged in a range of fact finding, policy advocacy, and training of frontline staff at domestic violence organizations to better address economic abuse issues.
In September 2018, the Feerick Center, along with CAMBA Legal Services and The Legal Aid Society, issued a pioneering report – Denied: How Economic Abuse Perpetuates Homelessness for Domestic Violence Survivors – that examined how unmet consumer legal services needs contributes to housing instability for this vulnerable population.

Using its traditional approach of combining direct legal assistance with advocacy, the center has been working to strengthen protections for victims of economic abuse, focusing on broken leases and issues related to filing identity thief reports with the police.

“Kathryn (the LEEAP volunteer), not only helped me pick out high schools, but also gave me guidance as to how to become a successful student; she really cared about me and really took an interest in who I was. My parents both work and have very time consuming professions so having Kathryn took the burden off of them. I don’t feel like I could have done this without her guidance. She pushed me to apply to schools that I had the grades for, but wasn’t quite confident to make that step. Kathryn’s positive support gave me the confidence to aim high! I’m very grateful for the experience.”

LEEAP Ed. Project Eighth-Grade Participant
Equity in Education

A bedrock belief in the United States is the right of every child to a decent education that will pave the way to future success and achievement. Despite this belief, the American dream of equal education opportunity remains unrealized.

Too many public school systems are segregated by income and race. Those schools with a majority of low-income and minority students receive less funding, have fewer qualified teachers, a less challenging curriculum, larger classes and poorer facilities than schools attended by more affluent and largely white students. In New York City, where we work, the public school system is one of the most segregated in the country.

The impact of a poor education on one’s life is devastating, especially for those children from low-income backgrounds. But educational inequality has an enormous cost not only for individuals but for the nation. Beyond the economic costs in lost tax revenue; health, public benefits and criminal justice costs, educational inequity places a heavy toll on the social and civic fabric of our democracy.

Because life’s opportunities depend so heavily on education, it is critical that educational inequalities be addressed.

How We Address the Problem

LEEAP: The Legal Economic and Educational Advancement Project

The New York City public school system, with more than 1.1 million students and 1,700 schools, is the largest school system in the nation. In developing a project to address inequity in the system, the Feerick Center focused on one of the crucial points in the system, the important transition from middle school to high school. During the administration of Mayor Michael Bloomberg, the city sought to reduce the achievement gap among students by expanding high school choice in order to enable students to escape from low-performing neighborhood schools. To do this, a computer algorithm was created to match students’ school choices with schools’ selection criteria.

Under this “choice” system, students and their families select from over 700 high school programs located in 400 schools, which are described in a 600-page directory issued at the end of seventh grade, and rank up to 12 schools in order of preference. Unfortunately for many families with low incomes as well as families with language barriers, those new to New York City and those with children with disabilities, the “choice” system has not ameliorated an already difficult situation. To address the challenges presented by this process and to help families and students to make the right choices, resources are needed to navigate high school admissions. This is where the LEEAP Project comes in. Through LEEAP the Feerick Center currently partners with eleven community- and school-based host organizations that provide services to families in their neighborhoods. The center trains volunteers in the intricacies of the application process so that they can work with students and their families to examine the various options and make the best choice of schools to prepare them for their futures.

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Last year, LEEAP volunteers assisted 106 students and some of their families with the application process. In addition to offering one-to-one assistance at partner organizations, volunteers also help at the New York City Department of Education’s borough-based school fairs and offer support to students in the foster care system. Following the December deadline for high school applications, the center shifts its focus to orienting, educating and preparing seventh-graders and their parents to give them a head start on the fall process.

**LEEAP Partner Organizations**

Beat the Streets
CAMBA BEACON
CAMBA
Goddard Riverside Community Center
The GO Project
Grand Street Settlement
Mount Sinai Medical Center
New York City Administration for Children’s Services
New York City Department of Education M.S. 331
New York City Department of Education P.S. 129
Riverdale Neighborhood House

New York City High School Application Advisory Committee

Central to the center’s work on educational equity has been its New York City High School Application Advisory Committee (“HSAAC”), which the center convened in 2012 and has staffed and supported ever since. HSAAC has served as a forum for information sharing and problem solving among New York City Department of Education Office of Student Enrollment staff members, nonprofit service providers, researchers, and advocates. Over the years, because of these discussions, city policy and practice has responded to feedback from practitioners in the field.

**Special LEEAP Volunteer / AmeriCorps VISTA Member**

For many years, the Feerick Center has been very fortunate to have longtime volunteer Jeanne Bolger Ceriello ’81 involved with the LEEAP Project. Jeanne has devoted hundreds of hours assisting students and families navigate high school admissions. Her knowledge and expertise regarding the high school application process are as broad and deep as her commitment and dedication to working with seventh- and eighth-graders and their parents.

In addition, since 2012, the Corporation for National and Community Service has provided support for the LEEAP Project through AmeriCorps VISTA members. The center salutes all of the VISTA members who have overseen LEEAP and, in particular, Azalea Capers, who will be serving two terms of service:

- 2012-2013 AmeriCorps VISTA Member Brandon Ruben ’16
- 2013-2014 AmeriCorps VISTA Member Priscilla Alabi
- 2014-2015 AmeriCorps VISTA Member Liza Carroll
- 2015-2016 AmeriCorps VISTA Member Christine Brathwaite
- 2016-2017 AmeriCorps VISTA Member Luigi Bonifacio
- 2017-2018 and 2018-2019 AmeriCorps VISTA Member Azalea Capers
Access to Justice

Millions of Americans today do not have adequate access to legal assistance to either know their rights or to defend those rights. Data from the Legal Services Corporation indicate that, in 2017, approximately 86% of the legal needs of those in poverty are unmet.\(^{14}\) Middle-income Americans do little better, with between 40% and 60% able to access legal help.\(^{15}\)

Our civil justice system is now dangerously tilted against low-income Americans. Lost court cases result in families being separated, homes lost, and mental health coverage denied. Veterans, the elderly, tenants, and survivors of domestic violence struggle with foreclosure, eviction, bankruptcy, and the denial or loss of benefits. The lack of meaningful access to justice acts as a barrier to those trying to break out of the cycle of poverty. “Can there be a just society when some do not have justice?” asked the late Justice Antonin Scalia.\(^{16}\)

Access to Justice is essential in a democracy for without it rule of law becomes a joke for those unable to afford a lawyer. Many of life’s necessities often bring people into contact with the law – education, health, shelter, to name just a few. Expanding the pool of lawyers willing and prepared to represent those in need is essential if we are to be a just society.

One of the original members of the Attorney Emeritus Program (AEP) Advisory Council appointed by then New York State Chief Judge Jonathan Lippman expressed the view that establishing a pro bono program that would draw on retired lawyers would require no less than a change in the culture of the legal profession. It turned out he was right.

Initial inquires to legal service organizations during the early years of the AEP elicited more than a little skepticism about the successful placement of experienced lawyers in pro bono positions. But after seven years of hard work by the Chief Judge, the Feerick Center, former Deputy Chief Administrative Judge Fern A. Fisher and many pro bono supervisors, the successful placement of experienced lawyers is becoming more common. Indeed, calls for older lawyers specifically to take on projects are increasing as previous obstacles have been overcome. The support of the AEP by the current New York State Chief Judge Janet DiFiore has further catapulted the program’s success. What were once New York State Office of Court Administration lists of interested attorneys that numbered in the hundreds have now grown to over a thousand. The culture is evolving as more lawyers understand the pressing need.

**How We Are Expanding Access to Justice**

Though pro bono programs have grown exponentially over the past three decades to address unmet legal needs, one group of lawyers who were not being actively recruited were senior lawyers who had retired or significantly reduced their practice. In 2010 the Feerick Center, in collaboration with then New York State Chief Judge Jonathan Lippman, spearheaded an initiative to develop this underused and important resource: the Attorney Emeritus Program (“AEP”).


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**VOICES:**

**Fern Schair**

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**Fern Schair**
Advisory Board Chair
Feerick Center for Social Justice
During my career as an attorney, I always wanted to give development fund corporations, people seeking to start businesses, and with tenants in housing had no expertise. I've worked with nonprofits, with low-income Society has done that for me. I've learned areas of law in which I would challenge me mentally. Volunteering at The Legal Aid and books was not going to be enough. I wanted to do something back to the community. I think I was motivated because I grew up as an immigrant in Chicago’s Chinatown, and my parents had to scrimp and save to make ends meet for our family of six. I knew firsthand that in poor communities, people do not always have the resources available to get the assistance they need, whether it be in healthcare, law, or other fields. But the reality of having to make a living and to support a family made volunteering difficult for me while I was working full time. So when I retired, I was finally able to look for volunteer opportunities with the Attorney Emeritus Program. The Feerick Center is very fortunate to have Cora Vasserman serve as an AmeriCorps VISTA member supporting the AEP for two annual terms of service.

The Program recruits, places and supports senior lawyers who commit to doing 60 hours of pro bono work during a two-year period for legal services providers or court pro bono programs. At the start of the AEP in 2010, 42 lawyers signed up for the program. By 2017 that number had grown to approximately 2,400 lawyers over all time. Since 2012, according to the data collected by the center for the Emeritus attorneys with whom they were in contact, AEP lawyers have provided over 37,800 hours of pro bono work. This number is almost certainly an undercount of the total hours that senior attorneys serve in a pro bono capacity.

From the start, the success of the AEP rested on addressing two challenges. First, how to bring experienced lawyers into new areas of practice for clients with whom they were not familiar. And second, persuading already overburdened legal services offices to take on additional lawyers who would need to be trained and supervised.

At the end of 2017, well over 60 legal services organizations were participating in the AEP as host organizations for Emeritus volunteers. With the assistance of center AmeriCorps VISTA members, host organizations develop “volunteer job descriptions” outlining the work available and the experience needed. Despite the success in both recruiting AEP volunteers and organizations to host them, there has been a gap between those signing up and those taking on a project. AEP staff attribute this in part to a hesitation on the part of some who are motivated to volunteer but uncertain what that will entail. To address this concern and increase enrollment, AEP staff have recently developed three new approaches to tackle the problem.

Through the Ambassador Project, the AEP partners with volunteers who have integrated successfully into the program to act as “ambassadors” to assist with outreach to those who have expressed interest.

Much of the work of moving an interested volunteer to become active occurs at periodic information sessions organized by the AEP. Unfortunately, attendance at these sessions has been limited to New York City. With its new Welcome Webinar, the AEP is extending the reach of the sessions statewide. The Webinar consists of a moderated panel discussion with AEP volunteers and host organization staff as well as a Question and Answer session. Volunteers can watch it live or stream it at their convenience.

A third recruitment tool launched in 2017 is the monthly AEP E-Newsletter for both volunteers and host organizations. The newsletter provides updated information on opportunities and volunteer recognition and helps to create a sense of community among all the participants in the AEP.

The Feerick Center is very fortunate to have Cora Vasserman serve as an AmeriCorps VISTA member supporting the AEP for two annual terms of service.

**Cora Vasserman, 2017-2018 and 2018-2019 AmeriCorps VISTA Member**

**Feerick Center Attorney Emeritus Program Staff**

Brian Bowen, 2016-2017 AmeriCorps VISTA Member
Naama Hod, 2017-2018 AmeriCorps VISTA Member
Cora Vasserman, 2017-2018 and 2018-2019 AmeriCorps VISTA Member

18 In addition to AmeriCorps VISTA Members, Feerick Center Advisory Board Chair Fern Schair, former Assistant Dean Robert J. Reilly, Executive Director Dora Galacatos, and Administrative and Program Coordinator Wilma Tamayo-Abreu are all involved in the center’s work in connection with the Attorney Emeritus Program.
VOICES: 
John E. Schmeltzer, III

Although I retired reluctantly after forty years at Patterson Belknap Webb & Tyler, I knew that it was important that I “give back”, particularly with the long tradition of public service which was one of the most important elements of the firm. I continue to sit on a number of not-for-profit boards, but Westchester CLARO has provided a new, exciting and humbling opportunity. As a corporate lawyer, my colleagues at CLARO have been generous in their teaching of day-to-day elements of court practice, consumer debt, landlord and tenant, and many other areas needed to help these clients.

Each Thursday, there is a stream of people who are worried, upset and overwhelmed by actions by debt collectors, attorneys and court process. The complexity of process both before and during litigation can be unnerving and frightening. I’m regularly impressed by the kindness, patience and professionalism shown by supervising attorneys and volunteers, both students and attorneys. There is often real relief that can be gotten for these clients. In some cases, there is little that can be done. However, in every case a concerned professional turns to, and makes an effort, to explain the situation and offer meaningful assistance to an unrepresented person in need.

The professionalism and engagement demonstrated each week by the supervising attorneys and volunteers, both students and lawyers, truly makes one feel that we are delivering help and hope.

John E. Schmeltzer, III ’74
Attorney Emeritus Program Volunteer
Westchester CLARO Program

Dilley Pro Bono Project Volunteers, March 14, 2018 Feerick Center Friend Raiser
VOICES:
Joseph Crowley

As a veteran I understand the challenges of transitioning from military to civilian life even under the best of circumstances. Although our soldiers, sailors, airmen, Marines and Coast Guard members must be willing to put themselves in the way of bodily harm on the job, the military is a very protective environment thanks to the unparalleled trust and camaraderie felt among members of a unit. Civilians do not look out for one another the way service members do. Military life is simple in that if there is something you should be doing and you are not doing it someone will be yelling at you. Service members never lack direction in their lives; veterans must learn to find it themselves. It can be challenging for veterans to adjust to these realities.

The transition is even more difficult for veterans facing uncertainty around their civilian lives after long periods deployed away from home and those suffering from service-related physical injuries or mental health problems. Emotional well-being and peace of mind can be difficult to find. The everyday stresses of life, many of which relate to financial security, can be overwhelming.

We can use our skills as lawyers and the resources of the Feerick Center to help our veteran population. We can get creditors to stop harassing them. We can help them secure the VA benefits to which they are entitled. We can make sure family support obligations are fair and achievable based on the circumstances and capabilities of the noncustodial parent. We can prevent situations from becoming desperate so that veterans can focus on building happy, successful civilians lives. Just as importantly we can show them that there is trust and camaraderie outside the service.

Joseph Crowley
Volunteer Co-Director
Volunteer Lawyers for Veterans Project

New Initiatives: Supporting Veterans

In the fall of 2017, through a grant from the Corporation for National and Community Service, the Feerick Center launched a new program, the Volunteer Lawyers for Veterans Project. Many veterans, particularly those returning from wars overseas and adjusting to life back home, too often find themselves having to deal with unexpected legal problems. The Veterans Project will provide support to low-income veterans who have unmet civil legal needs to help them stabilize and strengthen their lives.

Drawing on its past experience in developing legal assistance programs for vulnerable populations, the center began with a process of fact-finding and outreach to identify those areas in which veterans are most in need of assistance. Through outreach to law-focused organizations working with veterans, government agencies serving veterans, and social service providers working directly with veterans, the Project will recruit, train and provide back-up to volunteer lawyers to enable them to provide limited legal assistance in the areas of family law, consumer debt collection, and veteran’s benefits.

As of the beginning of 2018, recruitment is underway for volunteer lawyers; an Advisory Committee has been formed to assist in the development of project priorities, design and implementation; Know-Your-Rights programs are in preparation in collaboration with Services for the UnderServed; and a monthly consumer law legal advice clinic is being organized in the Bronx.

The center is deeply appreciative of the efforts of Camilla Leonard, 2017-2018 AmeriCorps VISTA Member, who helped establish, pilot, and launch the Volunteer Lawyers for Veterans Project.

Camilla Leonard, 2017-2018 AmeriCorps VISTA Member
Nurturing New Generations of Socially Committed Lawyers

Regardless of students’ future career paths, the Feerick Center seeks to create opportunities for them to experience and become familiar with social justice lawyering. Whether in the private or public practice of law, many lawyers want the opportunity over the course of their careers to play a part in addressing important societal issues and doing justice.

During the past two academic years, the center continued its partnership with the Legislative and Policy Advocacy Clinic, headed by the center’s Faculty Director, Professor Elizabeth B. Cooper. In close partnership with attorneys from the center, The Legal Aid Society and Mobilization for Justice, students from the clinic advanced the work of the Broken Lease Task Force, seeking to amend laws to better protect the rights of tenants. More specifically, the students sought to create a landlord’s duty to mitigate breached residential leases, which would bring New York State law in line with the majority of states; to create a safe and direct way for those who have experienced domestic violence to break a lease and seek safety; and to ensure greater accuracy of tenant screening reports in New York City. Although all of these projects would protect a broad swath of New Yorkers, they are designed to assist low-income tenants who are most at risk for abusive landlord action.

Through its Speakers Series, the center brings attorneys and activists to the law school who are engaged in cutting-edge approaches to advancing justice on issues of current importance. The series is open to the full student body and attracts several hundred students each year.

In 2017-2018, the speakers addressed the following topics:
• the pros and cons of convening a New York State constitutional convention;
• the impact of current immigration enforcement policies on immigrant survivors of domestic violence and human trafficking;
• discrimination in health care; and
• partnerships between community organizers and lawyers to advance environmental justice and community economic development.

In 2016-2017, the speakers presented on the following issues:
• poverty lawyering;
• the campaign to increase the minimum wage;
• implicit bias; and
• housing discrimination.

VOICES:
Professor Elizabeth B. Cooper, Cameron R. Kummer, Ellen McCormick

New York is one of the few states in the country where landlords have no affirmative duty to mitigate their damages when a tenant breaks a lease. As part of the Legislative Policy and Advocacy Clinic we worked with the Broken Leases Task Force to protect tenants’ rights by encouraging the state legislature to enact a bill that would require residential landlords to mitigate their damages.

Our project work was demanding but rewarding. This was, in part, as a result of the substantive work we did, but also as a result of having had the opportunity to work with and learn from community partners who are, themselves, effective social justice advocates and respected leaders in their fields. As a result of their leadership and guidance throughout the semester, we developed the skills necessary to be effective advocates, a deeper understanding of the range of efforts involved in working to improve the lives of people in a given community, and we left the Clinic better advocates than when we entered.
The Road Ahead

We find ourselves at a time when the individuals, communities and issues that drive our work face new conditions and challenges. Our commitment to our work has grown stronger. We will continue to reach out to those who share our vision of service and expand the network of those committed to helping our vulnerable neighbors and others in need, those victimized by unscrupulous, illegal, and exploitative practices, and the strangers at the gate. To all those who work with us and support us, we extend our deepest thanks and appreciation.
Supporters – Fiscal Years 2016 and 2017

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<td>Harvey Feldmeier '74</td>
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Denis J. McInerney ’84
Irene M. McInerney
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Jaye P. McLaughlin ’94
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Jeremiah J. Quinlan
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Keara E. Reilly
Mary Jane Reilly
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William J. Rizzo ’93
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Professor John D. Feerick, Founder and Senior Counsel
Dora Galacatos, Executive Director
Derek Hackett, Assistant to Professor John D. Feerick (until January 2018)
Robert J. Reilly, Assistant Dean (retired as of June 30, 2018)
Fern Schair, Advisory Board Chair
Clementine Schillings, Assistant to Professor John D. Feerick (starting in September 2018)
Olga Tomasello, Administrative Assistant (starting in March 2018)
Wilma Tamayo-Abreu, Administrative and Program Coordinator

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Naama Hod, 2017-2018 AmeriCorps VISTA Member
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Sara Purvin ’16, 2016-2017 Dean’s Fellow
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Joseph Crowley
Kristy Watson Milkov ’02
Joan Vermeulen