

~
Annual
Report
2010
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Brooklyn Legal Services Corporation A

*Building Communities
Ensuring Opportunity
Achieving Justice*





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BROOKLYN
LEGAL SERVICES
CORPORATION A
("BROOKLYN A")

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*Annual
Report*
2010

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In
Memoriam
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SARGE SHRIVER
1915- 2011



We dedicate this year's Annual Report to the beloved memory of Sargent Shriver, founder of the national legal services program and our dear friend, who passed away earlier this year.

Sarge's vision and passion continue to inspire us to maintain our deep commitment to his founding mission, to not only bring justice to low-income neighborhoods, but to join with them as their legal arm in rebuilding and sustaining themselves.

In implementing that vision as part of the Johnson Administration's War on Poverty, neighborhood based, and community controlled organizations were created and funded throughout the country, with legal services programs part of that social community infrastructure.

Many of those groups, such as what became the Brownsville Community Development Corporation, whose community health center, the Brownsville Multi Service (BMS) Family Health Center, remains one of our major clients-partners, have survived to this very day and have grown into major instruments of the on-going revitalization of their neighborhoods, and have served as models for others elsewhere.

Much of this Annual Report reflects this continuing Partnership for Community & Economic Development, and our collaborative work with such great organizations as Bedford Stuyvesant Family Health Care Center, BHIP (Bushwick Housing Independence Project), Churches United for Fair Housing, Cypress Hills Child Care Corporation, Cypress Hills Local Development Corporation, Inc., El Puente, Los Sures (Southside United HDFC), Brownsville Multi Service Family Health Center, Make the Road New York, NAG (Neighbors Allied for Good Growth), North Brooklyn Coalition Against Family Violence, North Brooklyn Development Corporation, North East Brooklyn Housing Development Corporation, Nuestros Niños Child Development Center, People's Firehouse Inc., St. Nick's Alliance, and UJ CARE (United Jewish Community Advocacy Relations & Enrichment, Inc.

We are extremely proud of this work, but continue to struggle against substantial and increasing economic and other pressures, both nationally and locally, to further reduce and indeed eliminate the few remaining legal services programs such as ours; programs which adhere to the founding principles of legal services. As Bob Dylan (now 70 himself!) wrote, "What was will be again!," we stand as a model of what should be and refuse to abandon Sargent Shriver's mandate, which he so eloquently reiterated at our 25th Anniversary Event in 1993 and continued to strongly support throughout his life.

Your continuing support and encouragement, along with that of our many other partners and friends in our communities, at law firms, major corporations, banks, and government agencies have not just sustained us economically, but have also enabled us to keep our focus and enthusiasm in fighting for what's right and doing what's important for our client communities.

On behalf of our incredibly dedicated and effective staff, wonderful Board of Directors and Advisory Committee, thanks for helping us through another difficult but, at the same time, great year!

And, to Sarge, thank you again for your continuing inspiration!

Marty S. Needelman
Project Director and Chief Counsel

and

Paul J. Acinapura
General Counsel

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What We Do
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HOUSING

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FORECLOSURE DEFENSE

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COMMUNITY AND ECONOMIC
DEVELOPMENT (CED)

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GOVERNMENT BENEFITS
(DISABILITY, SOCIAL SECURITY
AND UNEMPLOYMENT)

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GROUP REPRESENTATION

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FAMILY LAW

HOUSING

The largest single issue facing low-income people in our neighborhoods is a lack of decent and affordable housing. Each individual we see faces a complex web of issues that has resulted in a threat to their shelter, and much of Brooklyn A's housing attorneys' time is taken up unraveling the combination problems which have led them to our offices. Our Housing attorneys tend to the needs of our clients in the following ways:

- Represent tenants before public housing agencies, or the court, when they receive notices of eviction in non-payment or hold-over cases
- Negotiate with landlords' attorneys in housing court on behalf of our clients
- Provide representation and advice to tenants when they receive a Marshal's notice and have five days to respond
- Represent tenants when illegal evictions occur
- Advocate for tenants when welfare or other benefits issues are the reason for a client facing eviction





FORECLOSURE DEFENSE

Thousands of families and individuals in North and East Brooklyn are suffering as a result of abusive lending practices. Predatory mortgage lending practices strip borrowers of equity, and often force families into foreclosure, further crippling their communities and the infrastructure that they worked so hard to build. Brooklyn A counsels and defends homeowners facing foreclosure and files

affirmative cases for homeowners and other consumers who have been the victim of predatory lending. Brooklyn A attorneys provide the following services to homeowners facing foreclosure:

- Defend homeowners in court. Ensure that the foreclosure process is fair and the law is appropriately followed and applied
- Assist homeowners in settlement conferences with lenders and help renegotiate the terms of loans
- Assist homeowners in analyzing mortgages and other legal documents and determine appropriate legal defenses and counterclaims

Often this work will require the attorney to:

- Highlight civil rights abuses & racial targeting inherent in predatory lending
- Refer cases as necessary to the Attorney General or District Attorney for criminal prosecution or other remedial action
- This work has also involved targeting the perpetrators of massive fraud: corrupt sellers, lenders, lawyers, appraisers, title companies and financial institutions that purchase sub-prime paper and loans

COMMUNITY AND ECONOMIC DEVELOPMENT (CED)

Brooklyn A recognizes that in order to truly transform lives, we must help empower individuals and communities to effect change in their own lives and neighborhoods. To that end, Brooklyn A has made community and economic development (CED) a major program priority since 1976. Through our CED Unit, we are one of the only not-for-profit, neighborhood based, public interest legal service programs in the country to provide transactional and corporate representation to not-for-profit organizations and community development corporations in low-income communities. Community development corporations are not-for-profit entities formed by residents, congregations, and other local stakeholders

to revitalize low-income communities, produce affordable housing, provide healthcare, day care and educational services, and create jobs for individuals. Our list of clients includes: Brownsville Multi-Service Family Health Center, Cypress Hills Local Development Corporation, El Puente, Make the Road New York, and North East Brooklyn Housing Development Corporation. Examples of the legal services we provide are:

- Provide legal support and representation to community-led efforts to remedy social and economic inequalities, including:
 - Development of quality, truly affordable housing for low-income people
 - Preservation of existing affordable housing at risk of being converted into market-rate apartments
 - Bringing sustainable development to low-income communities, creating green jobs/harnessing green economy for benefit of communities we serve
 - High quality healthcare and education based in and controlled by the community

- Access to high quality educational and child care facilities
- Negotiate and draft contracts with consultants, architects, contractors, and funders
- Form and apply for tax exemptions for new not-for-profit organizations and subsidiaries for existing not-for-profit organizations, where appropriate
- Represent not-for-profit clients in real estate transactions, including pre-development coordination and title and loan closings
- Assist and represent not-for-profit clients with project financing
- Provide regulatory representation and negotiations with governmental authorities
- Provide corporate and tax law advice
- Advise and counsel clients in employee relations and other governance and operational matters
- Assist clients develop and implement sustainable development strategies and green buildings.



GOVERNMENT BENEFITS (DISABILITY, SOCIAL SECURITY AND UNEMPLOYMENT)

Thousands of people living in our communities are wrongfully denied the Government Benefits (Disability, Social Security or Unemployment) that are fundamental to their survival.

Nearly 90% of our disability clients have some type of mental illness. Unfortunately, cultural barriers and lack of support systems prevent them from receiving treatment and many turn to drugs and alcohol, further exacerbating their situation. Our attorneys

and paralegals pride themselves in their problem solving ability and work hard to find out how and why their clients were denied benefits and to challenge those decisions.

Members of our staff:

- Interview clients and obtain supporting medical documentation that helps to support their claims
- Review and evaluate medical records as well as exhibit files to determine if they have meritorious claims
- Prepare pre-hearing memos and submit them in support of their claims
- Prepare clients to give testimony at administrative hearings
- Represent clients at hearings and cross examining expert witnesses called upon by the Social Security Administration to testify
- In addition we work with two private firms by referring cases and providing supervision to their associates (Cleary Gottlieb Steen & Hamilton LLP and DLA Piper)

The current economic crisis facing this country has had a drastic impact on the residents in our communities. More of our clients are struggling with unemployment, and many are wrongfully denied benefits, or do not fully understand their entitlements. The legal services we provide in the context of Unemployment benefits are:

- Provide representation to claimants in Unemployment Insurance Hearings when they have been wrongfully denied benefits or are defending their rights to benefits in cases where their employer is contesting their eligibility
- Provide advice on a monthly basis at the Claimant's Advice Table at the Unemployment Insurance Appeal Board hearing office assisting claimants who have scheduled hearings or need advice with upcoming hearings
- Assist clients with obtaining relevant documentation in support of their claims, including obtaining and reviewing their files at the Department of Labor
- Provide assistance to clients who have been paid in cash so they can obtain appropriately higher benefits
- When providing advice only, we will assist a client in preparation of their case, including assisting in preparation of their direct examination, cross examination of their



- employer and any witnesses, submission of relevant documents and closing statements
- When appropriate, we will file and draft Appeal Briefs to the Appeal Board in instances where there is a meritorious defense and/or the claimants' rights have been violated during the hearing
- Provide trainings and support to associates at Morrison & Foerster, LLP (a corporate law firm) who represent Brooklyn A's clients in Unemployment Hearings after referrals have been made



GROUP REPRESENTATION

Low-income residents of many of our neighborhoods disproportionately experience abuse, harassment and/or neglect from landlords, as a result of the extreme, more recent displacement pressures caused by the rapid influx of wealthier people from Manhattan and indeed all over the world. Among other work, the Group Representation Unit at Brooklyn A represents tenants and tenant associations in buildings where affordable housing units are threatened by these injustices. In collaboration with some 15 full time tenant organizers from a network of community organizations throughout North Brooklyn, we prevent tenants and their families' displacement from their homes, keep their low-income co-ops financially viable, and their buildings free of hazardous conditions. Additionally, as a result of sustained and combined efforts of this community housing network and Brooklyn A, we have created an extraordinary infrastructure of tenant organized and/or owned, affordable housing in the area. The network includes Los Sures (Southside United Housing Development Fund Corporation), St. Nick's Alliance, North Brooklyn Development Corp., People's Firehouse, NAG (Neighbors Allied for Good Growth), and Bushwick Housing Independence Project. These efforts have helped prevent long-term residents from having to leave their homes and neighborhoods, and have ensured that they remain affordable and decent.

The Group Representation Legal Services we provide include:

- Meeting on a monthly basis with the tenants in buildings where they are being subjected to neglect and/or harassment by landlords trying to get them out, and where they have begun to work together in conjunction with a tenant organizer.
- Receive lists of conditions, prepared by the tenants and organizers, and advise the landlord that they are expected to address these problems immediately, and request that the City's housing department (HPD) inspect for these conditions, record them as violations of the relevant codes,

and mandate that the landlord correct them.

- Should the landlord not respond in a meaningful way:
 - Initiate affirmative cases (a) seeking orders requiring the landlord to correct the conditions in the time provided by law, requiring the City to impose the fines and penalties provided by law for the landlord's failure to have corrected conditions previously recorded as violations, mandating that the City record as violations any such conditions that the tenants can establish that exist that the City has not done so already, ultimately imposing fines and penalties for the failure to so correct and for contempt of court for the landlord's failure to comply with the Court's orders to make those repairs (HP action); and/or (b) seek to oust the landlord and have an administrator from the community organization appointed to operate the building and use the rents exclusively for repair and maintenance of the building (7A case).
 - Defend non payment actions, once the tenants begin to collectively withhold rent payments and begin putting those monies in a tenant association account;

In addition, we:

- Provide legal representation to a number of the 125 low-income co-ops in North Brooklyn, most of which evolved from

prior tenant struggles over the past 35 years, with respect to a variety of critical issues (governance, real estate tax and water/sewer charge pay out agreements, arranging and/or renegotiating mortgages, developing and/or updating sales policies to retain the low-income nature of these coops, etc.).

- Work with and represent other neighborhood groups and coalitions via in house counseling and/or litigation to address critical issues of importance to the larger community (e.g. environmental concerns, rezoning issues and the need to sustain and increase affordable housing in the area, racial discrimination in housing and otherwise, political preferences that exclude the larger community from participation in planning for the future of their neighborhoods, etc.)

FAMILY LAW

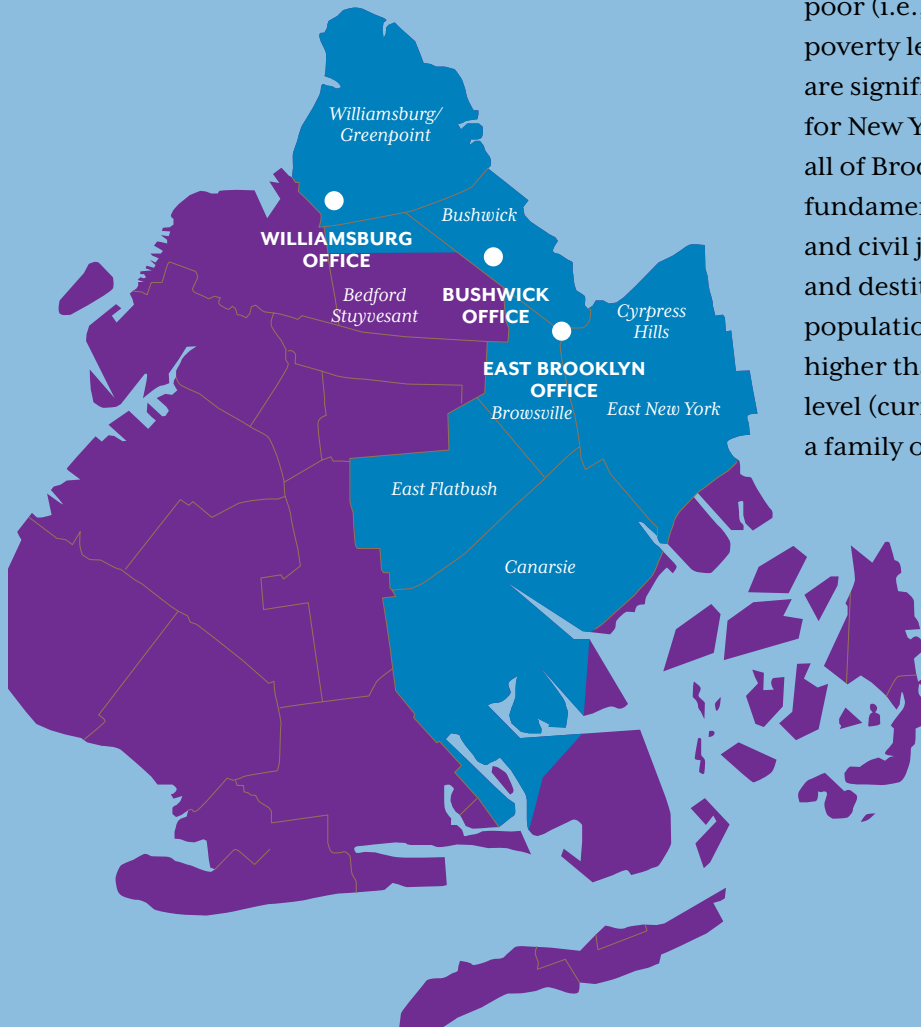
Brooklyn A's family law practice is reflective of the multiple ways poverty can affect families. One individual family can be touched by a range of issues, from domestic violence to HIV infection to homelessness.

Examples of the legal services we provide are:

- Represent abused clients in family court or supreme court to get orders of protection and/or divorces
- Represent clients in custody disputes and or visitation matters
- Represent clients in other family law matters including custody, guardianship, Article 10 proceedings and child support matters
- Assist abused spouses or intimate partners to escape domestic violence
- Defend clients improperly accused and/or arrested on allegations of domestic violence
- Assist undocumented victims of domestic violence to file for adjustment of status and to receive legal status in the U.S. as well as assisting such clients to attain a work permit and /or other benefits to which they are entitled.



~
*Service
Area*
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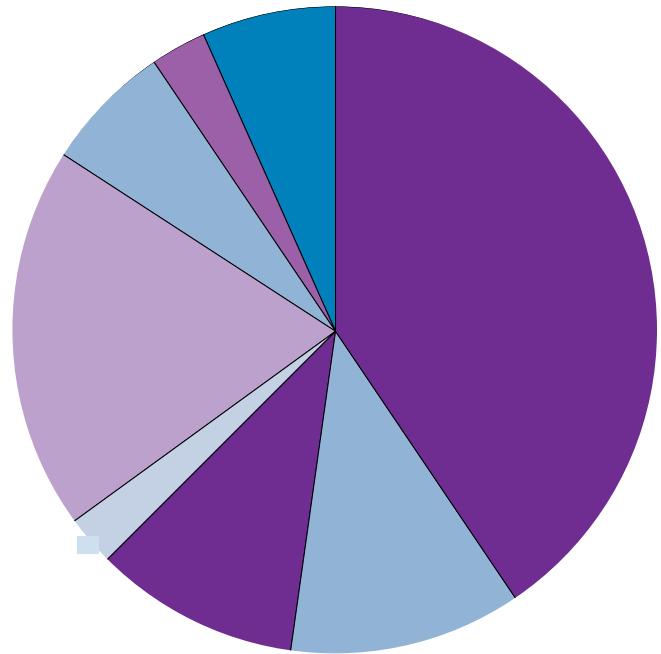


INCOME ELIGIBILITY AND POVERTY GUIDELINES: North and East Brooklyn contain some of the most disadvantaged neighborhoods in the nation. Based on 1999 Economic Census data, an unprecedented rate of 42 percent of households in the area are poor (i.e., live below 125% of the federal poverty level). These poverty levels are significantly higher than the average for New York City (29%), as well as for all of Brooklyn (36%). Adhering to its fundamental mission of striving for social and civil justice for the underserved and destitute, all of Brooklyn A's client population is poor, with incomes no higher than 125% of the federal poverty level (currently about \$27,938 per year for a family of four).






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*Brooklyn A
By the
Numbers*
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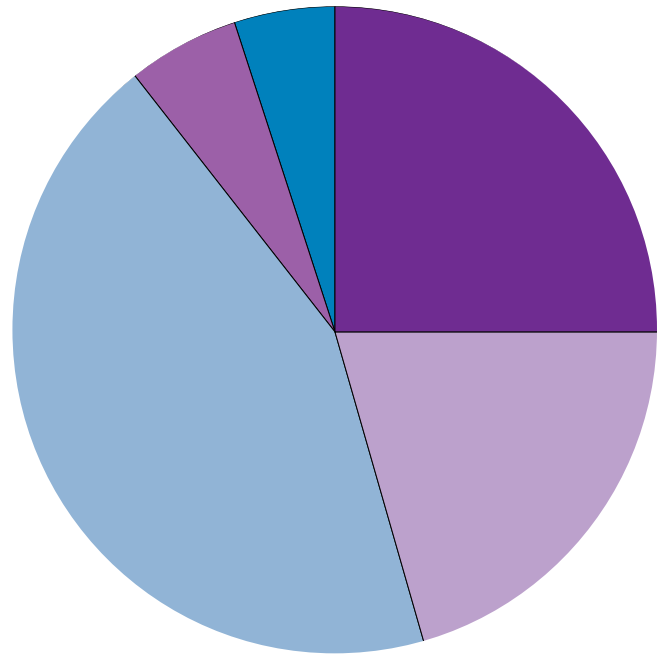
SUPPORT AND REVENUE

LEGAL SERVICES CORPORATION	40.8%
NON-GOVERNMENTAL FUNDING AND FOUNDATIONS	19.3%
NEW YORK STATE	11.5%
NEW YORK CITY	10.3%
OTHER	6.5%
INDIVIDUAL GIFTS AND CORPORATE CONTRIBUTIONS	6.4%
COMMUNITY DEVELOPMENT WORK	2.8%
INTEREST ON LAWYERS ACCOUNT FUND	2.4%



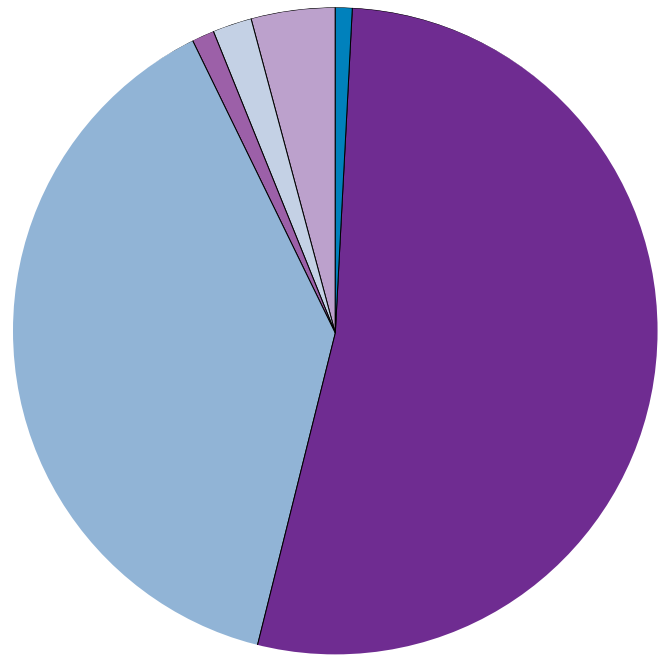
INDIVIDUAL PERSONS HELPED

 HOUSING	1731
 GOVERNMENT BENEFITS	1429
 CED/GROUP REPRESENTATION	3024
 FORECLOSURE DEFENSE	391
 FAMILY LAW	329



CLIENTS BY ETHNIC BREAKDOWN

AFRICAN AMERICAN	53%
LATINO	39%
WHITE	4%
OTHER	2%
NATIVE AMERICAN	1%
ASIAN	1%



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*Who
We
Serve*
~

BROOKLYN A SERVES INDIVIDUALS,
AND GROUPS, ALL OF WHOM ARE
SUFFERING FROM THE MULTIPLICITY
OF PROBLEMS STEMMING FROM
THEIR LOW-INCOME STATUS. EACH
OF OUR UNITS HAS BEEN ABLE TO
HELP CLIENTS WHEN THEY WERE AT
THEIR MOST VULNERABLE

HOUSING

A property manager in a low-income housing complex in Williamsburg made sexual advances on a 23 year old working mother living in the complex, who received public assistance to pay her rent. The young mother rebuked his advances. Soon thereafter, the property manager sued her for nonpayment of rent. After settling the case and having welfare resend checks the property manager “lost,” the young mother received a Marshal’s notice of eviction. She immediately went to court and requested an order to show cause to stop the eviction and had welfare send the checks again. She then received yet another Marshal’s notice and the property manager claimed the rent had not been paid, even though welfare had sent the checks again. This pattern was repeated five times, before she



walked into Brooklyn A's housing attorney's office, for help in solving the mystery of why her landlord had stopped receiving her checks.

Brooklyn A realized that the property manager was responsible for deceiving the company he worked for, by withholding the rent checks and not depositing them. He was effectively harassing and bullying our client with these actions. Once our housing attorneys communicated with the landlord, and facilitated the change of address for where the payments were sent, bypassing the manager and sending the checks directly to the company that owned the building, the Marshal's notices ceased.

FORECLOSURE DEFENSE

We brought an affirmative action on behalf of our client against a defendant who had trolled the public filings for impending foreclosures and solicited those in trouble, by promising to rescue them from their crisis. Many such predators send letters or call on the phone; in this case the defendant rang her doorbell.

The defendant's visit was the first step in a well oiled machine of deception and theft which all too often ends in homelessness. He offered to act as a mortgage broker for our client in order to find a bank willing to refinance the home and end the threat of foreclosure. After a short time, the defendant reported that because of her indebtedness, no bank would provide a loan but he knew an investor, who would provide a loan for a period of a year that



would stop the foreclosure and put a bit of capital in our client's pocket. In exchange, the client would pay a monthly fee. Under pressure and in fear of losing her home, our client accepted this offer and found herself entering, "a one stop shop" of attorneys, financiers and other professionals who had come together in a common goal, to obtain our client's title by deception and strip the equity that had been built into her home by her original mortgage payments. Our client was shocked to find that she no longer owned her home and that the payments she had to make were higher than the payments that originally caused her to default.

Our client was contacted by Brooklyn A as part of our investigation for witnesses in another case with the same actors. Upon determining the scope of the deception, Brooklyn A obtained an injunction preventing the property from being sold. This year



we were able to restore title to her by invalidating the duplicitous deed. We were also able to assist her in obtaining sufficient financing to relieve our client's financial difficulties and obtain a financial payment as well.

COMMUNITY AND ECONOMIC DEVELOPMENT (CED)

Since the founding of the Brownsville Community Development Corporation (BCDC) in 1974, Brooklyn A has served as its in-house counsel and helped it to become one of the main primary health care providers (as well as the second largest non-government employer) in East Brooklyn. In 1982, with the assistance of Brooklyn A, BCDC opened its

first community health center in a rented 4,000 sf space. It was the first community health center in the medically-underserved community of Brownsville, Brooklyn. In 1992 through an innovative use of tax-exempt bond financing discovered by Brooklyn A, BCDC purchased the 27,000 sf facility that it renovated. In the intervening years, BCDC has grown dramatically in correlation with the increasing need of community residents for health services beyond just primary care—offering a wide range of comprehensive medical and non-medical services from over a half dozen service sites. In 2010, BCDC provided more than 60,000 patient visits. Currently, BCDC has embarked on a major capital improvements project (*Towards a 21st Century Medical Home*) that will further expand and improve its medical facilities. As it has done for over 30 years, Brooklyn A is representing BCDC in this project and partnering with it to make this dream a reality. The project will result in three new locations from which additional health care services will be provided and significant up-grading to its main facility now 20 years old. When completed, the new facilities will enable BCDC to deliver more than 30,000 additional annual visits each year. The scope of Brooklyn A's representation for this project has included: negotiating funding agreements with New York State; working with BCDC and its consultants to coordinate the flow of funds from both public and private sources; negotiating and drafting long-term commercial net leases; negotiating and drafting architect, construction, and other contracts; and

assisting with the preparation and submission of the New York State Department of Health Certificate of Need application. Construction at the various sites is expected to commence in the fall of 2011 and be completed in the fall of 2012.

GOVERNMENT BENEFITS (DISABILITY, SOCIAL SECURITY AND UNEMPLOYMENT)

Our client was a 35 year-old college graduate who was gainfully employed and sailing through life when she began having emotional difficulty. She, like a number of our clients, had a long history of physical and sexual abuse. She was able to block out the painful memories for several years by keeping busy, attending school and getting good grades. Eventually, her nightmares caught up with her and she began self medicating with alcohol and pain pills as a means of coping with her trauma. Our client's depression made it impossible for her to work full-time and she filed for disability benefits. Like so many people in this client's situation, she was denied benefits. Thanks to Brooklyn A's representation and advocacy, the court granted our client the benefits she had been wrongfully denied, and she was able to get the medical help that she so



desperately needed.

Another client worked as a home health aid for 9 years with the same employer. She was fired after her supervisor, who did not speak Spanish, misinterpreted a statement she made about clocking in at her patients' home. When she tried to clarify the misunderstanding, instead of investigating and making further inquiries, she was fired for "lying" to her supervisor. After filing for Unemployment Insurance, she was denied benefits based on the Department of Labor's finding of misconduct because she "lied" to her employer. During the almost 5 months that it took to resolve this case, our client fell into terrible debt, was forced to go on public assistance and became severely depressed. Brooklyn A represented her at her hearing and won. As a result, she became eligible for unemployment insurance and received \$9,000.00 in retroactive benefits.



GROUP REPRESENTATION

Tenants of 155 South 4th Street, Williamsburg, Brooklyn: The tenants in this 30-unit low-income apartment building have been struggling for several years against neglect by their landlord that caused hazardous living conditions threatening their health and safety and that of their families. Their apartments were nearly uninhabitable: mold was growing on the walls, many apartments were roach and rodent infested, and tiles and planks were missing in the flooring. At one point the tenants experienced a month with no hot water and on and off again electricity. The tenants banded together and sought assistance from the Southside United Housing Development Fund Corp. (“Los Sures”). Los Sures and Brooklyn A have been community partners for over three decades. Working with Los Sures’ organizers and Brooklyn A lawyers, the tenants began a rent strike to force their landlord to make the necessary improvements to their building. After a prolonged struggle over two years that

was only recently concluded, the old landlord sold the building to a new landlord who, in order to avert the appointment of a 7A administrator and/or the imposition of significant fines and penalties, and/or the grant of major rent abatements, quickly addressed most major issues and restored services and normalcy to the building. As a result, the tenants were able to withdraw their cases against the landlord, and obtain significant financial reimbursement for their extended lack of services and suffering, and regained normalcy to their lives, knowing that the owners were hopefully finally understanding of and respectful to the collective power that these low-income tenants now had.

FAMILY LAW

Our client learned that her husband of over a year had been unfaithful, and was HIV positive. Once she was tested, and learned that she too was HIV positive, she was emotionally devastated. Upon confronting her husband about his HIV status, he physically assaulted her and threatened further abuse, should she continue to discuss his status and infidelity. The client came into our office seeking legal support for issues stemming from her HIV status, the domestic violence and a divorce. Brooklyn A successfully represented her in a divorce action on the grounds of cruel and inhuman treatment and obtained counseling from our partner community organization to overcome the trauma she was still experiencing.

~
*Board of
Directors*
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*Advisory
Committee*
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Terri Thomson

Grace Lyu Volckhausen

~
Gratitude
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Brooklyn A is deeply grateful to those individuals, corporations, foundations and law firms that have sustained us over this past year. Our annual Partnership Campaign and our Awards Benefit provide the critical financial support we need to accomplish our work

\$25,000 – \$50,000

Citi
Kramer, Dillof, Livingston and Moore
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Astoria Federal Savings Bank
Block O'Toole & Murphy
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Duffy & Duffy
Hudson Valley Bank
Patricia Hynes & Roy Reardon
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\$1,000 – \$2,499

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2010
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Traci Bronfeld, Esq.
Cardozo Law School Fellow

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Senior Paralegal

David Bryan, Esq.
Director, Foreclosure Defense Unit

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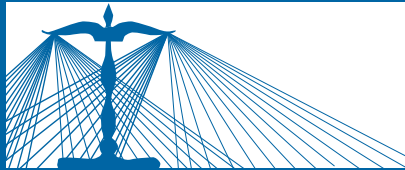


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