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## 'Pro bono' business is booming

By **ELIZABETH STULL**  
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*Pro bono* coordinators from Buffalo to the Hudson Valley gathered in New York City recently to compare notes and exchange ideas for supplying one of the year's most rapidly growing markets — free legal services.

"Business is booming over here," Linda Kostin, *pro bono* coordinator for the Seventh Judicial District, said.

In fiscal 2007, the Volunteer Legal Services Project (VLSP) provided direct civil legal representation to 4,730 low-income people in Rochester and the surrounding area. In fiscal 2008 — which ended in April — it served 5,455 individuals.

The court's *Pro Bono* Action Now initiative aims to support existing *pro bono* programs in each judicial district. A committee of local judges and lawyers in each region develops and directs projects to help address unmet civil legal needs of low-income persons.

Kostin supports the work of the VLSP, where Sheila Gaddis, the newly-announced diversity partner at Hiscock & Barclay LLP, will continue to serve as executive director.

"I work many, many hours at the firm and many, many hours at VLSP, and that's not going to change," Gaddis said last week.

After almost six months on the job, Kostin said she has been eager to connect with other coordinators and gained insight and inspiration from the meeting Downstate. Their challenges are diverse but their mission is the same: provide free legal services to poor and low-income individuals. Five of the state's 13 judicial districts have *pro bono* coordinators, and lessons learned in one corner of the state may be applied in other regions, Kostin said.

The newest position is in the Sixth District.

The coordinator there, Susan Myette, may face one of the position's more daunting tasks: Her rural 10-county district in the Southern Tier has no existing *pro bono* panel. Unlike the Seventh District, where the VLSP has assembled a panel of more than 900 volunteer lawyers, the Sixth District has no such bank of dedicated providers.

Myette's territory includes Ithaca, Binghamton and Cortland, and she said she hopes to draw as many as 50 rural lawyers to an April CLE seminar in Norwich.

Eighth Judicial District coordinator Amanda Warner said she is recruiting Buffalo law firms and reaching out to address rural needs as well.

She enlisted support from the bench by asking judges for letters to raise greater awareness of *pro bono* opportunities.

Downstate, the new *pro bono* coordinator in the Ninth Judicial

District — encompassing Westchester and Rockland counties — is trying to establish a bankruptcy clinic. Carol Neiditch is recruiting state attorneys and may ask transactional attorneys to handle limited issues, such as debt restructuring, to avoid potential conflicts of interest.

The Fifth Judicial District *pro bono* project, housed at the Legal Services of Central New York, became the first staffed, court-funded *pro bono* program in 2006.

In the past year Fifth District coordinator Jim Williams has focused on developing a bankruptcy clinic and expanding *pro bono* in matrimonial cases.

Williams said his hoffice was inspired by a Rochester initiative that uses a new judiciary law to enlist *pro bono* assistance in divorce cases.

Judiciary Law §35(8) provides the right to assigned counsel in certain divorce actions involving custody and orders of protection. Attorneys are paid for their work on these particular matters.

In Central New York, the Frank H. Hiscock Legal Aid Society contracted with the Office of Court Administration to accept assignments in such cases, and Williams has established paths for private attorneys to receive the assignments as well.

The Fifth District office, which has two paralegals in addition to Williams, this year plans to expand *pro bono* opportunities for paralegals. It also is providing legal services to families in the Syracuse City Schools through a partnership with the foundation Say Yes to Education Inc.

Kostin, the state's only part-time *pro bono* coordinator, said she often must "get creative" in order to maximize her time.

Her office is housed in VLSP's offices in Downtown Rochester but, like many of the state's other judicial districts, represents urban, suburban and rural populations. Kostin said she plans to use resources such as [probono.net](http://probono.net) and Webinars to reach communities she ordinarily may not be able to visit. Some *pro bono* attorneys are practicing in Geneva and Bath; about 20 are in the Canandaigua area, Kostin said.

"We just need to have a whole heck of a lot more," Kostin said.

She said many rural attorneys are doing *pro bono* work that is not captured statistically because it's for family or friends.

Other attorneys simply need to be encouraged, she said.

Kostin now is at work organizing a four-hour ethics CLE program, co-sponsored by VLSP and ProBonoNY — another initiative of the Office of Court Administration. The seminar, set for April, will be free for lawyers who volunteer to take two cases for VLSP.

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