



IN THE BALANCE

Partners in Advocating for Victims of Domestic Violence

Westchester/Putnam Legal Services (W/PLS) and the Putnam/Northern Westchester Women's Resource Center (P/NWWRC) join forces to advocate for victims of domestic violence in Putnam County. A new program, made possible by a grant from the Office of Justice Program's, Violence Against Women Act, (VAWA), will provide comprehensive legal representation to women who have been the victims of violence and abuse.

This program will be staffed on the premises of P/NWWRC in Mahopac and staffed by W/PLS staff attorney Antonia Godsey, Esq. and Carol Pomeroy, Paralegal. Joanne DePaola, Executive Director of P/NWWRC and her staff have graciously accommodated our staff in their offices. They are the only domestic violence agency in Putnam County providing counseling, support and shelter to battered women and their children. At a press conference on the steps of the Putnam County Courthouse in March, Barbara Finkelstein, Executive Director of W/PLS thanked Hon. Robert J. Bondi, Hon. Vincent Libell and all the Putnam County Legislators who were instrumental in our obtaining this grant. Their letters of support together with their ongoing commitment to the people of Putnam speaks loudly of their dedication to this much needed project.

Rosalie Cicogna, Director of Administration

A lawyer has an obligation to render public interest and pro bono legal service. A lawyer may fulfill this responsibility by providing professional services at no fee or at a reduced fee to individuals of limited financial means or to public service or charitable groups or organizations, by participating in programs and organizations specifically designed to increase the availability of legal services. In addition, lawyers or law firms are encouraged to supplement this responsibility through the financial and other support of organizations that provide legal services to persons of limited means.
-from the New York State Lawyers Code of Professional Responsibility



Back Row L to R: Alan Steiner, Esq., Vice President of the Board of Directors W/PLS, Hon. Terry Intrary, Hon. Vincent Tamagna, Putnam County Board of Legislators, Gene Funicelli, Director of Probation, Putnam County

Front Row L to R: Barbara Finkelstein, Esq., Executive Director, W/PLS, Joanne DePaola, Executive Director, P/NWWRC, Theresa Giovanello, Chief of Staff for Hon. Robert J. Bondi, Putnam County Executive, Antonia Godsey, Esq., Staff Attorney W/PLS and Carol J. Pomeroy, Executive Secretary/Paralegal W/PLS

From The Desk of the President



Lawrence McGovern, Esq., President
Westchester/Putnam Legal Services

One of the most rewarding experiences of my professional life. That is how I would describe my tenure on the Board of Directors of Westchester/Putnam Legal Services which is now entering its 23rd year.

Westchester/Putnam Legal services (W/PLS) is the primary provider of civil legal services to low income residents of Westchester, Putnam and Dutchess counties in areas such as housing, domestic violence, elder law, civil rights, children's advocacy, public benefits, disability AIDS, consumer law and education. With an excellent and experienced administration and staff, W/PLS has garnered a high reputation for effectiveness and professionalism among the bench, bar and public.

The 24 member Board of Directors of W/PLS is unique in that it is composed of practicing attorneys appointed by local Bar Associations and client eligible representatives appointed by community organizations. The Board as a whole and its various committees meet regularly during the year and work closely with the Executive Director in fulfilling its responsibility for the policy and direction of the organization. Over the years we have been blessed with many actively involved board members who have contributed greatly to the success of our program.

In my tenure on the Board of Directors I have witnessed many changes. We have survived, and in fact thrived, despite efforts in the Reagan years and later by congress either to eliminate the Legal Services Corporation, the primary source of funding, or to severely restrict the kinds of representation Legal Services organization can provide to the poor. Initially this caused the closing of branch offices and cutbacks in staff and services. But in more recent years alternate sources of funding have been acquired through the outstanding leadership of our Executive Directors. Our staff has grown to over 50 employees.

In 1996 Dutchess County was added to the Westchester and Putnam service areas and our Poughkeepsie off ice is fully staffed and serving clients. In 2000 we reopened our Yonkers office. In 2002 these offices, together with our main office in White Plains and outreach facilities in Putnam County, opened nearly 5,100 cases and closed over 4,100 cases, benefiting an estimated 25,000 individuals.

One of the biggest changes in the history of W/PLS will occur on January 1, 2004 when our service area expands enormously to include Rockland, Orange, Ulster and Sullivan Counties (More on this in the next issue of this newsletter.)

Another striking change over the past 15 years is the sources of funding. When I first came on the board of directors funding came almost exclusively from the Legal Services Corporation in Washington, DC, with funds appropriated by congress. Today our financial resources come from 17 separate Federal, State, and County agencies. In addition, we receive funds from Interest on Lawyers' Accounts (IOLA) although this has declined significantly in recent years with the drop in interest rates. WE have also been successful in raising funds from corporations, private foundations and individuals.

Despite this increase in funding and the high volume of work produced by W/PLS' attorneys and staff, we still fall far short of meeting the legal needs of low income persons. Each year we have to turn away hundreds of deserving clients for lack of resources. Census figures show that the poverty population in Westchester, Putnam and Dutchess counties during the 1990's increased by 36%. One can only imagine how that figure has increased in the wake of the economic downturn since 2000. As Barbara Finkelshtein, our Executive Director, pointed out in the April issue of In The Balance, legal representation is guaranteed by the Constitution.

In these circumstances, it is incumbent upon our board of directors and administration to redouble efforts to encourage the private bar to recognize its ethical obligations through increased financial support and through increased participation in pro bono services. Although some attorneys and firms have responded positively to our fund raising efforts, the overall response has been disappointing. We hope this will change.

W/PLS has an organized pro bono program with ample assistance available to all volunteer attorneys from our pro bono coordinator and staff attorneys. All attorneys are encouraged to participate in the pro bono program. The rewards for a pro bono attorney may be even greater than the benefits provided to very needy clients.

Lawrence McGovern, Esq., President
Westchester/Putnam Legal Services

WPLS' COMMUNITY LEGAL EDUCATION

SOCIAL SECURITY BENEFITS IN A NUTSHELL

WHAT KIND OF DISABILITY BENEFITS DOES SOCIAL SECURITY PAY?

The Social Security Administration is responsible for two major programs that provide benefits to eligible individuals based on disability. The medical requirements for disability payments are the same under both programs and a person's disability is determined by the same process. Eligibility for Social Security Disability (SSDI) payments are made on the basis of prior work considered under the Social Security Act, Supplemental Security Income (SSI) disability payments are made on the basis of financial need.

Social Security Disability Insurance

Social Security Disability Insurance(SSDI) program pays benefits if you are a disabled or blind worker insured under the Social Security Act, the child of an insured worker, or the widow, widower, or surviving divorced spouse of an insured worker. To be insured as a worker, you must have earned a minimum number of credits from work covered under Social Security. The required number of credits varies depending upon your age at the time you became disabled. Generally you need 20 credits earned in the last 10 years ending with the year you became disabled. However, younger workers may qualify with fewer credits. Family members who may qualify for benefits on your work record do not need work credits.

Supplemental Security Income

Supplemental Security Income(SSI) program provides payments to you based upon disability or blindness if you have limited income and resources. Under this program, Social Security will also pay children under age 18 who are disabled or blind and have limited income and resources.

SSI payments are funded through the general federal tax revenues. You can be eligible for SSI even if you never worked or paid taxes under FICA.

The amount of payments depends upon where you live, as some states, like New York, provide a subsidy. For a single person, living alone in New York State is paid \$780 in SSI per month. Generally, to be eligible for SSI payments, you must be a citizen of the United States or meet certain requirements for non-citizens.

What are disability requirements for an adult ?

The definition of disability in the Social Security law is a strict one. To be eligible for benefits , a person must be unable to do any kind of substantial gainful work because of a physical or mental impairment (or combination of impairments) which is expected either to last at least 12 months or to end in death.

If a person cannot do the work that they performed in the past, then age, education, and past work experience must be considered in determining whether a person can do other work. If the evidence shows the person can do other work, even if it involves different skills or less pay than their previous work, they cannot be considered disabled for Social Security purposes.

...Is that it? How does Social Security determine whether I meet the definition of disability?

Don't worry- more information on this topic in our next newsletter!!!

***Mary Grace Ferone, Esq. Managing Attorney
White Plains***



W/P L S SALUTES A GOOD FRIEND

THE ALTRIA EMPLOYEE FUND

Over the years I have heard a lot of opinions as to charitable giving. It seems that when it comes to gifts that nearly everyone has their own theory. How many times have I heard such statements as, "They give because they have to", "They give only for the publicity", "They give only for the tax benefits", and the perennial "Your donors aren't your friends - it is only a business arrangement.." My reply is a simple one - Not True! There is a nobility to sharing and to the compassion one feels for those who are not as fortunate.

For any who doubt, I have one simple suggestion. Spend just a few moments learning about the Altria Group and the Altria Employee Fund. Spend just a few moments learning about the care and compassion which these concerned individuals express for those in need. Spend just a few moments learning what true philanthropy is about.

The Altria Employee Fund is unique because the employees themselves determine what organizations and issues they wish to address and to support. Rather than these decisions being made by a single person or a committee which has not had the opportunity to experience the true needs of our communities, it is our neighbors that are stepping to the forefront to lend both their support and their belief in extending a helping hand to those most in need.

The Altria Employee Fund has been a great friend to our Elder Law Program. Through their generosity literally hundreds of seniors have benefited. They have made it possible for us to ensure that our seniors remain in their homes, receive medical care, and maintain their independence. On behalf of these men and women we say thank you.

My words do not come close to capturing the true nature of the philanthropic spirit of these dedicated individuals. Diana Echevarria, Manager/Contributions Outreach, says it best. Why do they give and why are they so involved? "It is part of who we are. It is the right thing to do. We try to help because these issues and these people are near and dear to our hearts." In speaking with Diana, it immediately becomes obvious that charity is not a responsibility at Altria - it is a way of life.

Quietly, and without fanfare, she shared with me that Altria looks to be more than donors. They are looking to be partners. They are most interested in the changing needs of people and communities, and that they see themselves as a part of these communities. They speak of WPLS not as a recipient, but as a partner in recognizing and addressing the many needs of our neighborhoods. Philanthropy is not a static thing, but it is a living and responsive means of extending a hand. In fact, Diana referred to giving as being "organic". Truly this is the real meaning of neighbor-helping-neighbor.

This is not the opinion of one person, but rather it is a theme that carries through Altria and the Employee Fund. Christine Cappello, Manager/Contributions, is a dynamic and thoughtful individual, one who sees charity in its truest form. Over the years, I have had the fine opportunity to get to know Christine, and can readily state that she is a true believer in the role that charity plays. In speaking with her recently, she noted that "The employees of Altria established their fund and administer it because they want to be involved. They take giving to a higher level - they understand issues, they appreciate the needs of organizations and communities, and they volunteer at numerous organizations.



L to R: Kristine Koelsch-Gonzalez, Sophia Saheib-Scwinn, Cristine Cappello, Laura Graham, Margot Cochran, Nneka Hyson-Pediford and George Colabella

Christine made a point which is dear to the hearts of all those associated with charitable organizations. Altria views charity as a means of “making real changes in people ... not just in one area, but in their overall lives.”

There are many others who devote their time to helping others. It is not possible to acknowledge them all, but I would be remiss if I did not mention such dynamic people as Margot Cochran, Kristine Koelsch-Gonzalez, Sophia Saheib-Scwinn, Laura Graham, and Nneka Hyson-Pediford. They are the team that makes it all happen.

It has been my good fortune to work with these caring individuals and to learn more about the Altria Employee Fund. These are not nameless people whose gifts are anonymous. These are men and women who truly embody the spirit of

philanthropy. It is through their commitment and dedication to our communities, that the lives of so many of those who come to us are made better.

On behalf of Westchester/Putnam Legal Services and myself, I would like to close with a few simple remarks to all those at Altria and the men and women of the Altria Employee Fund.

Thank you for your support

Thank you for believing in us

Thank you for being our partner

Thank you for your friendship

George Colabella, Development

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W/PLS HOSTS FAMILY LAW FORUM

In March 2003, WPLS established the Family Law Program. Based upon the success of our Children's Advocacy Program, it was decided that we wished to extend our services to the many families and children who are addressing issues of critical importance. Through a major gift from the Lanza Family, the program was established with a focus upon such issues as foster care, adoption, permanency planning, and kinship care. Headed by Jill Soto, Esq., in only the first few months of its operation several families have received the legal representation and assistance which has made it possible for these families to remain together.

In order to extend our services to those organizations who are working with these families, WPLS hosted a forum on May 28th at our White Plains Office. With a goal of presenting our work to those organizations similarly committed to families and children, and to learn of their particular needs. We were joined by directors from Abbott House, Leake & Watts, Children's Village, and Family Service Society of Yonkers. Following an insightful presentation by Ms. Soto, the forum was opened to questions. All involved had numerous questions as to how they might access our services and work cooperatively with us. These directors noted that they would most certainly make use of our services.

This forum made it possible for us to establish new relationships and explore the means of working collaboratively. The Family Law Program promises to be a significant addition to the full range of legal services provided by WPLS, and we foresee its growth in the years to come.



L to R. Barbara Finkelstein, Executive Director, W/PLS, Mrs. Patricia Lanza



L to R. Jill Soto, Staff Attorney W/PLS, Lewis Creekmore, Managing Attorney, Yonkers Office