

NYC Bankruptcy Assistance Project

A Project of Legal Services for New York City



About the Project:

The New York City Bankruptcy Assistance Project (NYC BAP) was born out of an initiative by attorneys at New York's leading bankruptcy and litigation firms, as a response to the passage of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA). These attorneys wanted to create a Project that would alleviate some of the obstacles to bankruptcy relief that BAPCPA was going to create for New York's neediest debtors. The Project is housed at Legal Services for New York City (LSNY), the largest provider of civil legal services in the United States.

Students participating in this program will be working to save New York's most vulnerable residents from wage garnishments, property seizures, and foreclosures. We target low-income working families for whom bankruptcy relief can make the difference between being able to participate as functional members of the economy or not.

In less than a year of operation, NYC BAP has developed into a model of pro bono/pro se bankruptcy advocacy in the post-Bankruptcy Reform world. Since we began in February, 2006, nearly 200 volunteers have been through our training program, and over 200 debtors have been helped in our bankruptcy clinics with advice and petition preparation.

The Training:

This training is required for students who want to do pro bono work with NYC BAP. Prior bankruptcy experience is not necessary, and most of the work can be done anywhere the student can find an internet connection. However, participation is ideal for students who can come to New York to meet with clients: two contacts is ideal; one contact is good; but even completely remote participation is possible.

The training orients students to bankruptcy practice from the debtor's perspective, with a focus on assessing new bankruptcy cases and preparing them for filing. The class will train students to spot bankruptcy "red flags," and to direct clients in the gathering of documents and in how to represent themselves at the Meeting of Creditors. The training will include extensive hands-on exercises in the preparation of the bankruptcy petition and supporting documents.

The volunteer's first petition preparation case takes about ten hours. We use a paperless file system, combined with a "remote access capability" that enables pro bono volunteers to access case files and bankruptcy software any place that has an internet connection. This lets the volunteer spend their time helping the needy—instead of sitting in a cab coming to our office, or hunting for files and documents.

In all the cases that our volunteers work on, whether a petition preparation, or a contested matter, we provide them with all the training, materials, and support they need to do whatever it is that we've agreed to do for the client. This includes our four and-a-half hour CLE-accredited training in petition preparation, as well as realtime petition preparation support, in which I, or another skilled attorney, reviews the volunteer's work with them online, and collaborates with them in solving problems and completing the work.

The Project's design insures that participation works for our pro bono volunteers:

- They have access to the support they need to do the work;
- they are protected from liabilities imposed by Bankruptcy Reform;
- their obligations to the client end with preparing the petition, and

- their firm is protected from potential conflicts with institutional clients.
- >**Please bring your own laptop computer to the training if you can.**
-->**In exchange for this training, students are asked to assist at least 3 people needing bankruptcy petition assistance--approximately 22 hours of work.**

List of participating law firms:

Bingham McCutchen
Brown Rudnick
Bryan Cave LLP
Cadwalader, Wickersham & Taft LLP
Cleary Gottlieb Steen & Hamilton LLP
Debevoise & Plimpton LLP
DLA Piper Rudnick Gray Cary
Fried Frank
Hogan & Hartson
Jones Day
King & Spalding LLP
LeBoeuf, Lamb, Greene & MacRae LLP
Loeb & Loeb
Milbank Tweed Hadley & McCloy LLP
Ropes & Gray LLP
Rosen, Slome, Marder, LLP
Schulte Roth & Zabel, LLP
Shearman & Sterling LLP
Simpson Thacher & Bartlett, LLP
Stroock & Stroock & Lavan LLP
Thompson & Knight
Wachtell, Lipton, Rosen & Katz
Weil Gotshal Manges LLP
White & Case LLP
Willkie Farr & Gallagher, LLP
Windels Marx Lane & Mittendorf, LLP