

H.E.L.P.
(Homeless Experience Legal Protection)
New York City

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I. Introduction to our Homeless Program

Thank you for participating in our effort to provide legal consultation services and notary services for the homeless in New York City.

The following is what we are presently providing :

Legal consultation services: Legal consultation services will be provided at Project Renewal, at the Center for Employment Opportunities, and at Prince Transitional Residence every Friday from 9:00 a.m. to 10:00 a.m. The consultation services will be general in nature, although we are sensitive to the fact that the needs in New York City include:

- a. Immigration status and laws
- b. Child support
- c. Resolving indebtedness
- d. Resolving arrest warrants
- e. Disallowance from entitlement of benefits
- f. Criminal defense
- g. Re-entry issues
- h. RAP sheet review
- i. Obtaining certificates of relief
- j. Resolving indebtedness and child support issues
- k. Disallowance from entitlements of benefits, such as NYCHA housing.

The contact people at each of the centers are:

Project Renewal
Stephanie Cowles
8 East 3rd Street
(212) 620-0340
stephaniec@projectrenewal.org

Prince Transitional Residence/Common Ground
Carrie Bloss
220 Bowery
(212) 389-9361
Cbloss@commonground.org

Center for Employment Opportunities
Marta Nelson
32 Broadway
(212) 422-4430 ext. 344
mnelson@ceoworks.org

Please remember to bring your notary seal.

If you have any questions whatsoever, please feel free to call the contact person at each facility.

II. Schedule of Volunteers Providing Legal Consultation Services at Project Renewal and the Center for Employment Opportunities.

The following law firms are scheduled to provide legal consultation services at Project Renewal, the Center for Employment Opportunities, and Prince Transitional Residence on Fridays from 9:00 a.m. to 10:00 a.m.

SEPTEMBER

Proskauer Rose

(Contact Person: Stacey Fahey)

OCTOBER

Citigroup and Cleary, Gottlieb, Steen & Hamilton LLP

(Contact Person: Robert Underhill and Carrie Grimm)

NOVEMBER

Shearman and Sterling

(Contact person Saralyn M. Cohen)

DECEMBER

Shearman and Sterling

(Contact person Saralyn M. Cohen)

JANUARY

Dechert LLP

(Contact person: Jim Tohan)

FEBRUARY

Reed Smith

(Contact person: Stephanie Mann)

MARCH

O'Melveny & Myers LLP

(Contact person: Jerri Shick)

APRIL

Segal, McCambridge, Singer & Mahoney, Ltd.

(Contact person: Chris Gannon)

MAY

JUNE

Skadden Arps
(Contact person: Ron Tabak)

JULY

AUGUST

III. Referral Services

Additionally, the following attorneys are ready, willing and able to assist you with various problems which face our homeless brothers and sisters. Please feel free to call or e-mail these attorneys on any question that you may have in their particular field of expertise. The referral attorney will be more than happy to answer any questions that you may have, and will also be willing to provide pro bono legal representation for the client in the event that you are unable to do so. Please feel free to call the people listed below, or give their name and phone number to your clients. Be sure to have your clients inform referral counsel that they received the attorney's name from the volunteer lawyer at the community center.

VETERANS BENEFITS and related issues dealing with Veterans

Duke Williams (800) 256-1533 duke525@msn.com

CRIMINAL DEFENSE REPRESENTATION

SOCIAL SECURITY, EMPLOYMENT LAW, FOOD STAMPS and related issues

IV. VIA Link/United Way 211 Call Center - Social Service Assistance

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Below is a brief description of the information available to assist volunteer lawyers with social services issues they may run into while counseling clients at the homeless center clinics from the VIA Link Community Resources Directory and the information and referral services available from the counselors at the VIA Link/United Way 211 call center. The call center has been alerted that there may be calls coming in from volunteers and clients in this program. If anyone has further questions about the VIA Link, please call Norma Rutledge. Norma can be reached as follows:

Norma W. Rutledge
Executive Director
BR Crisis Intervention Center
(225) 924-1431 (office)
(225) 924-6964 (fax)
(225) 924-3900 (The PHONE)
2-1-1 United Way Info Line
nrutledge@brcic.org

In order to assist clients' with their social service needs that are not strictly of a legal nature, as described by clinic volunteers, copies of the ***VIA Link Community Resource Directory***, a comprehensive listing of numerous social service resources in the area, have been provided at each of the clinics. The online version of this directory is at **WWW.vialink.org**. The online directory is continually updated and contains the most current information on available programs and contacts.

We would also like call the volunteer lawyers' attention to the VIA Link/United Way **211** call center. **211** is the nationally designated number for easy access to community resources. The **211** call center is a valuable community service that is available to help you help your homeless clients get assistance with their non-legal, social service needs. By dialing 211, you or your client will reach counselors who can provide information and referrals for social services, including the basics of food, utility assistance, child care, etc. and numerous other social services that are available. It is important to note that if you or your clients are using a **cell phone** or calling from one of the office buildings with phone systems that are not programmed for **211** calls, you will need to call **924-3900** or **1-800-749-2673** (toll free) for this service .

In addition to information and referral services, the VIA Link call center also provides suicide prevention and crisis intervention counseling 24 hours a day, seven days a week. The early morning hours when the law clinics are open are among the busiest times at the call center. The counselors are answering calls on a priority basis as promptly as possible with the resources available, however, you may have to wait to speak to a counselor; if so, your patience will be appreciated. Of course, the counselors' ability to help clients obtain utilities assistance, or to place clients in substance abuse programs, for example, will be limited by the availability of funds or services in the community at any given time. Sadly, in too many situations, the safety net is not there.

V. Procedure to be applied if a person does not have a certified copy of identification on file at a homeless center.

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VI. Obtaining a Birth Certificate When a Person Has No Identification

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In addition to providing legal consultation and notary services, we are scheduling attorneys to specifically handle assisting the homeless in obtaining their birth certificates.

According to Ms. Valerie Helmstetter with the Bureau of Vital Statistics, there are three ways in which a person can obtain a birth certificate without having identification:

IS THERE A SIMILAR LAW IN NEW YORK?

- 1) If the person was in jail, he merely needs to present a copy of his prison release papers or prison identification card to the Bureau of Vital Statistics;
- 2) AN ATTORNEY (such as our volunteer attorneys) can request the birth certificate if the attorney writes a letter on his/her letterhead stationary, and states that he/she represents the person for purposes of obtaining a birth certificate. (See R.S. 40:41, as amended). The attorney will have to personally submit the letter, OR, the attorney, on his/her letterhead, can authorize someone (i.e. the director of the homeless center) to obtain the birth certificate on behalf of the person. There is a fee of \$9 for a birth card, and \$15 for a birth certificate.
- 3) Birth certificates can now be ordered on-line at www.vitalchek.com. Ms. Helmstetter has advised that other documents (such as an application to register to vote, or Social Security card) can be used by the person to obtain his/her birth certificate.

Remember, if a person does not have an ID card, and does not have a certified copy on file at the center, he/she has to first obtain a birth certificate (as outlined above).

State residents are able to order copies of birth and death certificates by using the following website: www.vitalchek.com

VII. Cover Letter to Authorize Staff Member of Homeless Center to Obtain Client's Birth Certificate

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VIII. Transportation to the Office of Motor Vehicles to Obtain Identification Cards

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IX. Sample Issues Being Addressed at Homeless Centers

A number of volunteers have asked about issues being addressed at the homeless centers.

The following is an excerpt from a message received from a volunteer who provided volunteer consultation to the homeless. It provides a great summary of issues that were addressed.

(1) What issues were presented to you?

Most of the clients I have dealt with have had a problem with SSI benefits being denied or discontinued and require help with / advice regarding the appeal process. This was far and away the most presented issue to me. I had one individual with a problem regarding VA health benefits due to a discharge from the army prior to the required two year period of service. One client had a problem with traffic tickets and a suspended drivers license, which prevented him from obtaining re-employment as a truck driver after time served in jail. An individual who needed assistance in completing SSI forms due to illiteracy. A few individuals were seeking financial assistance for various reasons. (Energy bill, which considering this is a homeless shelter was a little strange). One client could not afford required prescription medication. Finally, a few of the people I have dealt with related stories of mass conspiracies against them; medical malpractice committed against them (based on the outrageous account delivered, I believe this story was prompted by my initially answering the question, "what type of lawyer are you"); a family fraud relating to the exact nature of a testamentary disposition contained in a parent's will for which a succession was opened in St. Mary Parish in the mid 1970's and until now he did not care that he was fraudulently induced into signing away his actual inheritance and only receiving roughly half of his claimed entitlement; and an individual who claimed to have been run over by an alcoholic doctor in Eugene Oregon only six months ago resulting in a coma which lasted until roughly the week before he consulted me.

(2) The approximate number of people with whom each of you spoke:

I have been to the center twice. Once with Ricky Crisler on the day you were also present and again by myself the following Monday. The first time I was there, I spoke with four individuals and the second time I spoke with six. Thus, a total of ten people.

(3) How much time did you have to spend "away from your normal daily functions"?

Including walking to the center from the office, seeing clients, returning from the center and preparing a summarization email, I would say that I have spent roughly four hours (2 hours per day of counseling) thus far.

(4) Suggestions:

As I indicated to you in previous correspondence, I believe that just a lawyer's presence in the center to allow individuals to be able to voice their stories helps out. SSI and other benefit programs is definitely an issue that does and will continue to come up at the center, so volunteers with experience in these matters is a good idea. You have provided a list of contacts for these areas of concern, so that will help tremendously. Other "issues" (as described above) can be helped simply by lending an ear.

Finally, the ability to keep the clients on track must be stressed to all future volunteers. If you allow the clients to ramble, they will.

X. Law Student Volunteers

We are coordinating a program with Fordham Law students in which they will assist the homeless apply for Social Security benefits. Fordham Law students will meet at the Centers with homeless people who are interested in applying for Social Security benefits. Copies of the application, as well as Social Security approved medical release forms will be available at the center so that the students can assist the homeless in completing the application, and so that the students, with the executed medical release forms, can obtain copies of the applicants' medical records.

Once the student has the completed application and the medical records, he can accompany the person to the Social Security office to meet with the Social Security staff member, submit the application and determine if the staff member needs any further information. Since access to transportation is very limited, plans are underway to set aside a particular day of the week (bi-weekly) for the homeless and their law student volunteer to meet with the staff members to formally submit their applications and medical records, and that transportation for the applicant could be provided from the homeless center to the Social Security office.

This procedure benefits the applicant because it expedites processing his application since he will be submitting his medical records with his application. This procedure benefits the Social Security office because it decreases the amount of time a staff person takes in assisting a person in applying for benefits, as well as the time in requesting medical records and following up to make sure that the records are received. Another advantage is that those people who fit the criteria of being in dire need will be able to receive benefits to which they are entitled in an expeditious manner.

XI. Reflections By One of Our Volunteers

Webster's defines ignorance as "the absence of knowledge".

Several weeks ago I wrote to you regarding the "eye opening" experiences I had encountered as part and parcel of participating in your program to help the homeless. I know that you are extremely busy, and certainly apologize for intruding on your day, but I am compelled to

share with you another poignant example of just how wrong, and ignorant, my preconceived notions of "the homeless" have proven to be. Before I joined your program, the "homeless" were, in my mind's eye, this mass of humanity with neither shelter nor gainful employment, and all OBVIOUSLY due to lack of ambition, laziness, etc. After all, anyone can get a job somewhere, right? McDonald's is always hiring, isn't it? Certainly anyone with even the slightest bit of desire can get a job washing dishes, hauling garbage, digging ditches, or something, right? Well, I have learned that is not only not always the case, it can be the norm in a surprisingly large number of homeless cases. Circumstance can strike in such a manner that, despite one's best efforts, a roof over one's head, and/or a job, are impossible to attain, or maintain.

Case in point: A gentleman seeking help this past Wednesday presented with the following facts: I'll call him "Benjamin". Benjamin is a 35 year old gentleman of African-American descent who, until 5 weeks ago, had never been homeless in his life. Benjamin worked 2 part time jobs to provide for himself, i.e., he worked 3-4 days/week washing dishes and busing tables at a local cafeteria, and 1 day a week for a local construction company. Benjamin never received public assistance of any kind., i.e., no food stamps, welfare, disability, etc. The income from both jobs, while not exorbitant by any means, nonetheless provided for his sustenance. In June, Benjamin was working his construction job when a pipe broke, covering him in commercial grade cement. Apparently, commercial grade concrete contains various chemical compounds/hardeners/etc. that can cause severe chemical burns. Benjamin sustained 2nd and 3rd degree burns of his chest, stomach, and arms. Because of his burns, Benjamin was unable to work washing dishes or busing tables at the cafeteria, and was fired. Hold on, you might say: What about worker's compensation? Benjamin was certainly hurt on the job and hence is entitled to W.C. benefits. True, but since Benjamin was injured on the job where he only worked an average of 1 day per week, the law mandates that his employer only has to pay him 66 & 2/3rds % of his average weekly wage; which in Benjamin's case amounts to 2/3rds of 1 day's wages of \$ 56, i.e., W.C. benefits of less than \$ 38/week. At \$ 38/week, Benjamin knew he could not pay his rent. Benjamin asked his landlord to bear with him until he could get back to work; his landlord evicted him. Benjamin is now homeless, without either job ,and "earning" the total sum of \$ 38/week. It is Benjamin's fervent desire to return to work as soon as humanly possible. His burns, however, will prevent him from doing so for at least another 4-6 weeks. Without a permanent address, Benjamin is worried that employers will not hire him once he is fit to return to work. Even if successful in securing employment, it will take him months to save enough money for the required damage deposit, and first month's rent, even for a modest one bedroom apartment. In the interim, Benjamin reports that he has never been more scared in his life. The "streets", he reports, are a dangerous place. Most nights he has been successful in securing a room at the Ozanam Inn or other homeless shelter; some nights he has not been so lucky, being relegated to sleeping in the bushes or in public parks, on top of his remaining belongings to prevent their theft. Benjamin reports that the police have stopped and questioned him 3 times in the past week. So far, he has avoided being arrested and charged with "obstructing a public passage" for standing on the sidewalk, or "criminal trespass" for sitting on the steps of One Shell Square or other downtown hi-rise buildings. Many of his fellow homeless have not been so lucky, having spent many nights in Central Lock-up. Naturally, Benjamin fears that his days as a "free" man may be numbered. Sooner or later he believes that he too will be arrested, essentially for being homeless. An arrest record will undoubtedly further hamper his efforts to secure employment.

I volunteered to help the homeless program to help the disadvantaged. At this moment I fervently believe that I have benefitted much more than those I was, and am, seeking to help. At the very least, my "ignorance" of the plight of the homeless has been eradicated. . . .Val