

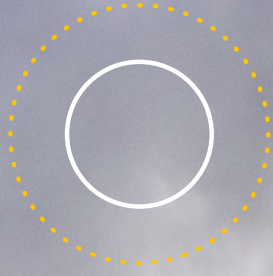
2020/2021 REPORT

351



HISCOCK LEGAL AID SOCIETY

PROMOTING JUSTICE FOR ALL SINCE 1949



Our Mission:
The Hiscock Legal Aid Society promotes the fundamental right of every person to equal justice under the law by providing high-quality legal assistance to individuals and families in need in Onondaga County and the surrounding region.





Our Vision:

The Hiscock Legal Aid Society strives to ensure that no one in our community is denied justice because of a lack of means.

A NOTE FROM THE EXECUTIVE DIRECTOR

We are pleased to present you with the Frank H. Hiscock Legal Aid Society (HLA) 2020-2021 Report covering some of the most challenging and yet most dynamic years of our agency's long history. HLA has been a force for justice in the Central New York Community for more than 70 years.

In 2020 and 2021, we fully realized just what we are made of. We not only made it through perhaps our greatest challenge but came out stronger and more able than ever to help people in need.

We discovered anew that HLA is made of people who have in one way or another dedicated their time and energy to our mission, promoting the fundamental right of every person to equal justice under the law.

When the pandemic came to CNY, our talented and tireless Administration, Management and Board of Director Teams worked to turn our brick and mortar office into a virtual office practically overnight. Our dedicated Client Services Coordinator and Law Assistants continued to answer our phones, open new client files, and schedule appointments and court appearances. Our hard-working attorneys continued to meet with clients, prepare and file documents seeking help for our clients. They appeared in court, learning the techniques for virtual court appearances and trials. Our stellar IT Department brought HLA into a new age allowing staff to utilize all that new technology has to offer to the pursuit of justice for all.

We discovered HLA could not be curtailed as a force for justice neither by a pandemic nor by conditions limiting the resources and support for those who want to help people in need with financial security,



safe housing, freedom from abuse, family support, and fair treatment in our courts.

Our funders, community partners, and supporters have stood beside us through it all so that now we are stronger and more determined than ever in our work to ensure that no one in our community is denied justice because of a lack of means. As we begin a new year, HLA welcomes a new Executive Director. I know that Gregory Dewan will lead the organization to do its best work, in spite of the challenges that organizations such as ours always face.

It has been such an honor to work at HLA as a Senior Attorney, Supervising Attorney, and Executive Director. HLA's work is the best that an attorney can do, and I will never forget all the joys of being in your midst.

Linda Gehron
Executive Director

NOTE FROM THE INCOMING EXECUTIVE DIRECTOR



The Hiscock Legal Aid Society holds a special place in my heart, and I care deeply about the mission, staff, and clients of the organization. I have been fortunate enough to spend my entire professional career at HLA, and I am proud to work alongside passionate advocates for justice who are dedicated to helping our community. I am honored to have the opportunity to serve as HLA's next Executive Director.

The world we live in is not perfect, and the pandemic shined an even brighter light on many of its existing flaws, including injustice and inequality. The pandemic disproportionately affected the working poor, women, and non-white communities, and HLA has been there to continue to help as many people as possible.

At the start of the pandemic, we shifted our staffing to ensure we could meet the increasing need for unemployment insurance benefit legal assistance. The demand for these services continues to this day. Our landlord/tenant and foreclosure prevention practice areas dealt with frequent new laws, administrative orders, and executive orders and continue to advocate for the rights of our clients. We saw a rise in the number of domestic violence, divorce, and family law cases, and provided representation to thousands of people going through what is often one of the most harrowing times of their lives. Our appeals and parole staff fought every day to protect the rights of those who entered the criminal system. Our immigration staff worked tirelessly to help people navigate a complex, bureaucratic system. I am proud of the work of my colleagues and the impact they have made in our community, handling more than 10,000 cases since the start of the pandemic.

I wish departing Executive Director Linda Gehron well as she steps away from HLA after five years in that role, and a decade with the agency. Her contributions to the organization are innumerable, and I am thankful for her leadership and mentorship over the years. I wish her the best!

Lastly, I would like to thank you for your support.

We could not do this work without our Board, donors, funders and community partners who care about our mission, our community and who want to make a difference.

As I transition into the role of Executive Director, I look forward to meeting more of you and working together to ensure Hiscock Legal Aid remains strong, vibrant and doing what we've done since 1949: promoting justice for all.

Thank you,

Greg Dewan

STATEMENT FROM THE BOARD CHAIR



Hiscock Legal Aid Society (HLA) has been providing free legal services in Syracuse and the surrounding areas of Central and Northern New York since 1949. For seven decades, the struggle to establish a legal system that truly created justice for all, regardless of a person's race, gender, financial position, or other characteristics, was a real and difficult one. However, it wasn't until the last two years that non-profit attorneys were asked to meet those expectations while also enduring a worldwide pandemic.

In addition to the direct tragedies it has caused for many of our families with sick and dying loved ones, the COVID-19 pandemic has also made it abundantly clear what many of us already knew: that justice for all is not yet a reality, but a goal that we must strive for. Difficulties ranging from a lack of reliable internet service to encountering roadblocks in retaining legal immigration status on the path to citizenship have been exacerbated by the pandemic, with a greater need to connect remotely and with increased restrictions on immigration. Affordable legal representation has always been essential in our community, but the widespread job losses caused by the pandemic have made the need for non-profit organizations such as HLA greater than ever.

Despite the often bleak and depressing nature of the last two years, there is reason to be hopeful. I have had the honor of leading HLA's Board of Directors as Board Chair since January of 2020 and the perseverance, dedication, and tenacity of HLA's staff during these difficult times has been nothing short of extraordinary.

Despite the challenges thrown their way, HLA's staff continues to fight the good fight, assisting more than 14,000 low-income individuals since the beginning of the pandemic. Whether it's something as basic as ensuring their clients have remote internet access to court when in-person appearances are not feasible, or something as complex as navigating the newest immigration policies, Hiscock Legal Aid has continued to deliver for those in need.

Through public and private partnerships and individual donations, HLA has managed to maintain and, in some cases, expand the reach of its various programs.

We are proud to have employed over 40 attorneys and over 30 support and administrative staff members throughout the pandemic. The staff has continually adapted to the ever-changing safety protocols the courts have necessarily implemented as the public health crisis has evolved, ensuring HLA's clients are provided fair access to the justice system and are properly represented by competent counsel.

We hope you take an opportunity to review this annual report to learn more about the accomplishments of Hiscock Legal Aid and its positive impact on the community.

On behalf of the Board of Directors, thank you for all your support and for your commitment to promoting justice for all,

Conor



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STATS

10,444

**CASES HANDLED SINCE
THE BEGINNING OF THE
PANDEMIC.**

14,202

**PEOPLE SERVED SINCE
THE BEGINNING OF THE
PANDEMIC.**



**We defend. We empower. We collaborate.
We promote justice for all.**

CIVIL

Our Civil Program, which consists of our divorce, domestic violence, unemployment insurance, and housing practice areas, has been able to operate at full capacity throughout the COVID-19 pandemic.

We have handled over 5,200 cases between March 2020 and November 2021, benefitting thousands of people in our community. Like the rest of the world, we had to adapt to ensure we could still offer our vital services while maintaining the safety of our staff and clients. When our staff began to work remotely in March 2020 our civil intake, which was already primarily telephonic but allowed for client walk-ins, switched to phone and email intake only.

This included switching to a new phone system that allowed our front desk and civil intake staff to answer and transfer live calls while working remotely and safely. We have been able to maintain our client-centered process and have also continued to receive referrals from other legal services agencies and New York state agencies.

Our work on behalf of our clients has continued throughout the pandemic without interruption.

DIVORCE

Since the pandemic began through November 2021 we provided representation to more than 1,200 clients in divorce proceedings.

Throughout the pandemic, we have been able to operate at full capacity and provide our full range of services, even when the initial closure of the courts and clerk's office prevented us from filing new cases. During the closure, we prepared initial documents so that the matters were ready for filing as soon as the clerk's office reopened and also worked hard to resolve pending cases.

Once the courts and the clerk's office reopened we were ready to file new matters and continue matters that were unresolved. While virtual client meetings and court appearances are now routine, some in-person court appearances have resumed. Whether we are appearing virtually or in-person we always zealously advocate for our clients.

Our divorce attorneys have obtained many positive outcomes for clients after challenging trials or difficult negotiations. Whether our client is awarded primary custody of their children, a domestic violence survivor is able to relocate out of state with the children after fleeing their abuser, or our client receives a distributive award that allows them a financial foundation and a fresh start we always strive to achieve positive outcomes. While the method in which we serve our clients has changed, our standards and quality of representation remain at the same high level.

DOMESTIC VIOLENCE

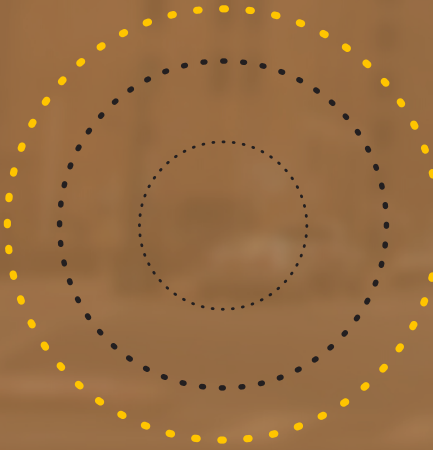
Our office has long focused on providing high-quality legal assistance to domestic violence survivors, and our civil program has received referrals directly from Vera House, Inc. for many years. We continued to see a high volume of referrals during the pandemic. We provide representation to survivors of domestic violence in a variety of legal matters. Some clients come to us seeking a divorce from their abusive partner, and we work with them to come up with a safety plan and provide expert representation throughout the process. Other clients come to us looking to obtain custody of their children, file for an order of protection,

or seeking child and/or spousal support. We are able to provide full representation in those cases as well. No matter the legal issue, we are able to provide high-quality, client-centered representation to survivors of domestic violence.

We are also thankful to continue to partner with Vera House, Inc., on a multi-year contract from the New York State Office of Victim Services through which we can offer expert representation to domestic violence survivors involved with the child welfare system.

UNEMPLOYMENT INSURANCE BENEFITS

The COVID-19 pandemic and the resulting economic fallout created an unprecedented need for individuals to seek unemployment insurance benefits. Fortunately, our office has provided unemployment claimant representation for many years, and our attorneys were ready to help those who suddenly found themselves without a job.



Since the start of the pandemic, there have been many changes to unemployment insurance law, and our attorneys ensured they were up to date on the rights afforded to our clients in the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the American Rescue Plan. We remain on top of developments as changes to unemployment insurance benefits continue to unfold.

Since March 2020, we have assisted nearly 600 clients seeking help with unemployment insurance issues, including but not limited to questions about the benefit application process, mask mandate compliance, lack of childcare during work hours, and health and safety concerns for clients related to COVID-19. While hearings were suspended during the initial months of the pandemic, unemployment insurance benefit hearings resumed by phone in 2020. We have continued to advise and represent far more clients than usual throughout 2020 and 2021 as the impact of the pandemic is still being felt by many in our community.

HOUSING

Our landlord/tenant and foreclosure prevention attorneys have worked hard throughout the pandemic to provide counsel, advice, non-litigation advocacy, and full representation to tenants and homeowners. It has been a turbulent time, with federal and state protections and moratoriums being instituted, revoked, struck down, modified, and extended with regularity, and our housing attorneys have been there to provide guidance to clients during this ever-changing time. Throughout the pandemic, we have handled more than 900 landlord/tenant cases and more than 150 foreclosure prevention cases, protecting the rights of both tenants and homeowners and helping families and individuals remain in their homes.

While there are still many protections in place to keep tenants and homeowners from being forced out of their homes during a pandemic, we expect the need for our housing services to increase in the coming months, and we are proud to be able to provide high-quality legal assistance to those in need of help navigating a complex process.

APPEALS PROGRAM

The COVID-19 pandemic brought its fair share of challenges to our Appeals Program. For much of the pandemic, our attorneys appeared in court virtually via video. We were also unable to visit our clients in person because correctional facilities prohibited in-person visitation for a significant part of 2020. Nevertheless, our attorneys were able to navigate those challenges, while continuing to provide a high level of representation for our clients.

Over the last several years, the Appeals Program Caseload Relief Project has worked to reduce the backlog of pending appellate cases, which accumulated over years due to underfunding. The backlog resulted in significant delays in appellate cases being filed with the appellate court. After three years of work, that backlog is effectively nonexistent.

Over the last year, we were also successful in numerous cases. In three different appeals, we obtained new trials for our clients by convincing the appellate court that those clients were denied their constitutional right to counsel. In each case, our clients brought to the trial court's attention serious issues with the performance of their trial attorney—such as failing to meet with the client for nine months, and failing to make basic pre-trial motions—but the trial judge failed to take sufficient action to safeguard our clients' right to counsel.

In another case, we convinced the appellate court that our client's constitutional rights were violated by police when they illegally stopped and searched him without a proper basis. The appellate court reversed the client's conviction and dismissed the

charges against him. In addition, we obtained a new trial for a client, after the trial court denied him a fair trial by refusing to strike prospective jurors who made statements casting doubt on their ability to be fair and impartial. Finally, we also successfully convinced the appellate court that a teenage client should be afforded "youthful offender" status following that client's conviction for a felony. As a result, that client will not have a criminal record impacting the rest of the client's life.

During the pandemic, we also litigated several post-conviction motions and were able to obtain reduced sentences for several clients. In one case, we filed a petition under the Domestic Violence Survivors Justice Act, in which we argued that the serious domestic violence our client suffered was a significant contributing factor in her criminal behavior. We then successfully negotiated with the prosecutor for a reduced sentence. In another case, we successfully demonstrated that our client was illegally sentenced as a second felony offender based on a prior conviction that was not actually a felony, and obtained a reduced sentence for him.

Parole Program

The Parole Program also had its fair share of challenges during the pandemic. Restrictions on visitation at local correctional facilities have made it more difficult to communicate with our clients over the course of the pandemic, and until the summer of 2021, we had to principally rely on telephone communication to meet with and advise clients on their cases. Since March of 2020, parole revocation hearings have been held telephonically. While this arrangement has worked in the majority of cases, there have been challenges associated with questioning witnesses as well as introducing evidence.

Over the last year or so our office filed several habeas corpus petitions seeking release from custody of medically vulnerable clients, as well as clients whose cases were significantly delayed due to coronavirus-related facility lockdowns. In one of those cases, we successfully advocated for the release of a client who had been in custody for a prolonged period of time indefinitely awaiting entry into a drug-treatment program facilitated by the Department of Corrections and Community Supervision.

The coronavirus pandemic also limited the availability of community-based programming (such as drug-treatment programs) that are frequently utilized as alternatives to incarceration. This required our office to step up our advocacy seeking to have clients restored to parole supervision without any programming conditions. In several cases, our attorneys successfully obtained such release and our clients avoided a return to state prison.

The pandemic additionally saw an expansion of our work assisting current and former clients prepare for their appearance before the parole board after many years of incarceration. In one case, our social worker successfully helped a former Appeals Program client secure his release on parole after 27 years of incarceration.

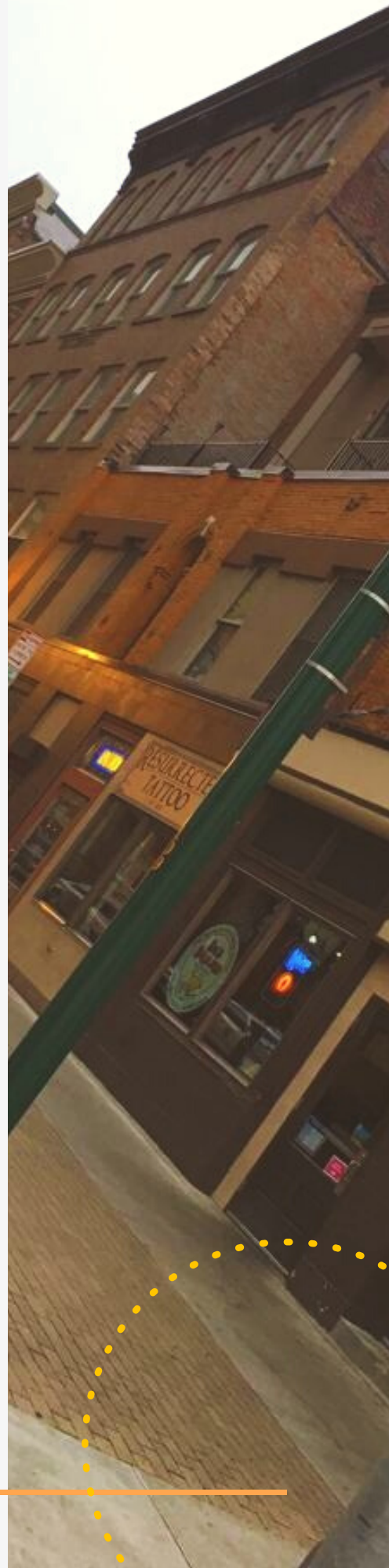


Immigration Program

Our Immigration Program, which serves an eighteen county region of Central and Upstate New York, continued to meet the high demand for immigration legal services in our community. Because of the pandemic, our physical offices closed down in March 2020, but despite working primarily remotely we were still able to operate at full capacity. Since the pandemic began, through November 2021 we handled over 1,500 immigration cases.

The immigration courts and offices closed down for a while at the beginning of the pandemic, but the need for immigration legal assistance remained. While the government may not have been actively pursuing cases or adjudicating benefits our Immigration Program was still able to conduct outreach and make contracts with hundreds of new clients who needed assistance and representation. Now that courts and government agencies have reopened, at least remotely, we continue to advocate zealously for our clients.

Although the pandemic has changed our primary method of interacting with clients, we have managed to continue full representation by obtaining information, documents, and signatures through remote and electronic means. We have successfully obtained benefits for clients and have even successfully represented clients in removal proceedings despite the challenges presented by the pandemic. We expect the high demand for our services to continue, and look forward to helping as many people as we can.



Upgraded office space

As Hiscock Legal Aid Society continues to evolve, it has worked to create new, dynamic workspaces conducive to operating a 21st century public interest law office that serves thousands of clients annually.

As part of these upgrades, the agency installed modern flooring and upgraded the work stations used by law assistants.

“As HLA looks to the future, we have intentionally brought our physical plant in line with what is needed to continue doing what we do best: serving our clients,” said Executive Director Linda Gehron. “We are confident that these improvements will allow us to continue the critically important work of promoting justice for all.”

The organization expanded into a newly built out part of the fourth floor which offers additional offices for HLA attorneys and support staff. In addition to this new workspace, this area also has new bathrooms as well as conference space that can be used both by HLA staff as well as for court hearings hosted online. This conference room allows our agency to continue to serve our clients while observing social distancing protocols brought on by the pandemic.

HISCOCK LEGAL AID SOCIETY





Born in Syracuse.
Proudly serving CNY since 1949.



HISCOCK LEGAL AID SOCIETY
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