

POVERTY¹⁰ JUSTICE



A Quarterly Report from Legal Services of New Jersey | Spring 2023

Legal Services expands anti-eviction efforts



LSNJ HELP Supervising Attorney Linda Babecki presents at a local library.

As low-income tenants across the state navigate the devastating impacts of the end of the COVID-19 eviction moratorium, LSJN and the regional Legal Services programs have increased outreach efforts and legal assistance to meet the growing need. Special funding from the U.S. Department of Housing and Urban Development has enabled Legal Services to assist more low-income tenants with legal advice, representation, and social work support through its new Housing Eviction prevention and Legal Assistance Project (HELP).

Partnering with local libraries and

community organizations, the HELP team also participated in know-your-rights presentations on topics such as rent increases and the right to safe and decent housing, and provided resources at local tabling events, reaching nearly 500 people in the first quarter of 2023." In addition to HELP's efforts, Legal Services has assisted low-income landlords as well, whose tenants may be eligible for rental assistance, through the Housing Stability Initiative. Together, these efforts help maintain stability in our communities.

In addition to this increased

outreach and assistance, LSJN has introduced a regular feature in its community legal education newsletter, *Looking Out For Your Legal Rights*, called "Renters' Rights." This special feature has covered topics such as case management conferences, in-person trials, what is a legal rent increase, and rules around confidentiality of certain eviction records. The newsletter can be viewed on the publications page of [LSNJ.org](https://lsnj.org). To receive digital alerts for new issues, sign up for our email communications at lsnj.org/pub/stay-in-touch.

President's Message



Dawn K. Miller, Esq.
President, Legal Services of New Jersey

Across New Jersey, which has one of the highest costs of living in the country, skyrocketing rents and rising costs of food, childcare, and other essentials continue to push more people into poverty and force those already experiencing deprivation to make even more harmful trade-offs in order to survive. According to the latest U.S. Census Bureau data, more than three million New Jerseyans—or 34% of residents—live in True Poverty (approximately 300% of the federal poverty level), an increase of almost 200,000 over the past two years.

Since the pandemic, our statewide system has responded to huge

increases in client need, across all civil legal areas, particularly housing. In 2022, advocates opened nearly 60,000 cases—a 30% increase over the year prior and a 50% increase over 2020. Of those, more than 25,000 were housing cases—accounting for 40% of cases statewide and, in some regions, more than 60%. In such cases, assistance from Legal Services can mean avoiding eviction or foreclosure.

Two innovative new statewide programs have helped advocates meet the urgent needs of clients facing eviction. The Housing and Eviction prevention Legal Assistance Project (HELP), funded by the U.S. Department of Housing and Urban Development, provides legal assistance to low-income tenants facing eviction and supports community outreach efforts across the state. The Housing Stability Initiative (HSI) provides information, advice, help accessing rental assistance, and representation in case management conferences. Under HSI, LSNJ also assists low-income landlords with docketed eviction matters.

Housing instability is closely and inextricably linked to other areas of poverty law and affects nearly every aspect of life, from mental and

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physical health to parental rights, job security, and educational outcomes.

According to the LSC's 2022 Justice Gap Study, 40% of low-income households experienced more than five civil legal problems and 20% experienced more than 10 civil legal problems in the past year alone. While we remain focused on meeting the current increased need for eviction defense and housing assistance, the entire statewide Legal Services system stands ready and well-equipped to assist clients with multiple, overlapping civil legal needs—whether that help is for elderly or disabled New Jerseyans to secure critical government aid for food or rent, or for DCCP-involved families to ensure housing instability is not a cause for family separation.

During this time of intensifying need, we thank you for your continued and generous support of our work and mission.

LSNJLAWSM Hotline celebrates 25 years of service



The LSNJLAWSM Hotline opened for business in 1997 in response to the growing need for civil legal assistance and the federal restrictions that had been placed on regional Legal Services programs. "Hotlines were starting to be much more prevalent at that time," recalls Andrea Auerbach, Senior Supervising Attorney of the Hotline, who was among its first hires. "We visited, I remember, Boston, Washington, California, Connecticut. ... We had to make decisions about what types of cases were best suited for hotline advice. We had to decide how cases would be scheduled. ... What advice attorneys would give. What advice paralegals would provide."

Since those early days, the Hotline has expanded in every way—in terms of staffing, clients helped, and types and level of assistance provided. Clipboards, handheld phones, and snail mail have given way to

pre-recorded walk-throughs for clients, Zoom phone and messaging capabilities, and easy online access to court records, allowing advocates to quickly get a sense of where a caller's legal case stands, rather than relying on them to try to explain it. Says Hotline Supervisor, Stephanie Setzer, "In the beginning of the Hotline, people would call and say they had some paper that they received and they don't know what it is and

they don't know what it says. ... And it was a real struggle. Now we can go online and get that information for ourselves, read through the file and tell clients, 'Ok, we know what's going on. We know where you are. We know what's happening, and we can give you advice now.'"

Over the years, Hotline staff have developed special family-like bonds with each other. They also describe a collective experience of connections with repeat clients, making the difference in individual clients' lives, and treasuring memories of those who took the time to call back to share how their case was resolved or send a thank you note.

Milva Diaz, another Hotline veteran, shares, "I don't have just one special memory. I have all of them. And they all kind of blend into one great experience here."

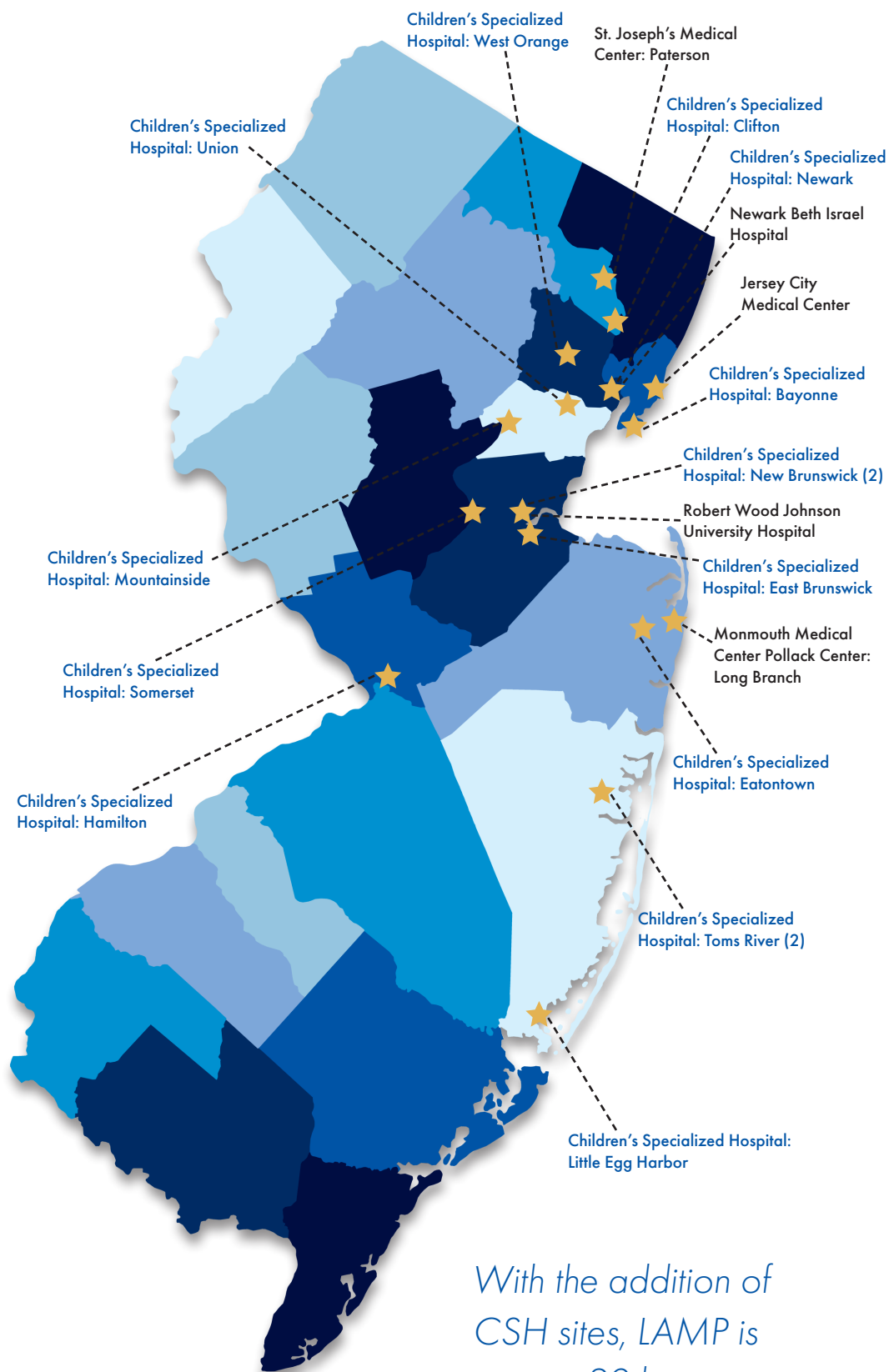


Legal Assistance to Medical Patients project expands to Children’s Specialized Hospitals

In 2022, LSNJ’s Legal Assistance to Medical Patients (LAMP) project, New Jersey’s first medical-legal partnership, continued its expansion by adding all 15 Children’s Specialized Hospital (CSH) locations in the state. CSH, a RWJBarnabas Health facility, provides both inpatient and outpatient care for children ages birth to 21 years of age who are diagnosed with complex medical needs.

LAMP helps resolve the socio-economic impediments to health faced by low-income clients-patients through coordinated advocacy by lawyers and medical providers using a three-pronged approach to achieve its mission:

- Substantive and ongoing training for medical providers on the legal issues that can negatively impact their patients’ health and wellbeing
- Referrals of patients from medical providers to LAMP’s legal team
- Direct legal services that range from advice and counsel to representation



With the addition of CSH sites, LAMP is now at 20 locations throughout New Jersey.

LSNJ's partnership with CSH is unique in that trainings and outreach are not just for medical staff, but are also provided to CSH families and the surrounding communities on a regular basis. Recent seminars, held in English and Spanish, included education rights and housing, eviction, and tenants' rights and responsibilities.

Since the partnership's recent launch, LAMP has already served over 400 CSH clients/patients. The majority of cases focus on special education matters and guardianship, but have also included housing and habitability matters, immigration, family law, and public benefits. These are a few examples of the families and lives LAMP has helped.

Avery (not his real name) is a transgender student who was being badly bullied by classmates, to the point that he was hiding under the stairwells to avoid going to class. Avery's father wanted him to be transferred to a therapeutic school setting where he could be comfortable and reach his considerable academic potential, but the school insisted he should return to the same school setting as before, with the same cohort of bullies. LAMP successfully represented this client at mediation and was successful in having Avery transferred to a safer, more appropriate educational setting.

Marissa (not her real name), whose son is autistic, was referred by the hospital social worker after sharing that the ceiling in his room was collapsing, and that she was being threatened with eviction after withholding her rent due to the needed repairs. The landlord listed other complaints, in addition to the non-payment allegation, and intended to terminate her month to month tenancy, stating that he planned to move into the property. A defense of uninhabitable conditions was not possible due to insufficient evidence, but the landlord did not provide proper notice, charged improper fees, and did not follow the requirements of the Security Deposit Act. With assistance from LAMP, Marissa did not become homeless and has more time to find a better rental unit for herself and her disabled son.

In 2021, Darlene (not her real name), now 20 years old, suffered a brain aneurysm and two strokes that left her completely debilitated. Darlene is seen regularly at one of LAMP's new CSH sites, where doctors and social workers recognized the need for legal assistance and made a referral. LAMP represented Darlene's mother in filing an application to the court seeking to have Darlene declared legally incapacitated and to name her mom as guardian. Since the court process requires Darlene to also to have representation and she could not afford a private attorney, LAMP made a request to the court for a pro bono attorney on her behalf. The guardianship was granted and LAMP has since received dozens more referrals for similarly situated families with severely disabled children soon to turn 18.

We look forward to celebrating the 15 year anniversary of our LAMP project at the upcoming Equal Justice Awards Reception!

Pro Bono Updates



Congratulations and thank you to Jacqueline Rocci!

TJ (not his real name) had a record of arrests in New Jersey spanning several decades. As a result of his last conviction, he was sentenced to a five-year term of incarceration. Upon his release from state prison, TJ went to a halfway house and then a six-month substance abuse program. By 2007, he had completed his sentence and paid off all associated fines.

Despite having no subsequent involvement with the justice system, TJ continued to experience significant employment and housing barriers. When he initially contacted Legal

Services for help, he was not eligible to expunge his criminal convictions. Then, in 2019, the expungement statute was amended to provide for expanded eligibility under the “clean slate” expungement provision. Under “clean slate,” a record of arrests and convictions (excluding serious crimes such as murder, robbery, or aggravated sexual assault) can be cleared 10 years after the most recent conviction, payment of fine, satisfactory completion of probation or parole, or release from incarceration—whichever comes later. Legal Services reached back out to TJ to see if he still needed assis-

tance. He did. His case was referred to pro bono attorney Jacqueline Rocci, who filed an expungement petition through the eCourts portal and appeared virtually in Superior Court.

Rocci had never done an expungement before, but had recently taken one of LSNJ’s pro bono expungement trainings and was willing to represent the client. Despite initial objection from the county prosecutor, she was successful in expunging the client’s record in its entirety. Thanks to Rocci’s assistance, TJ can move on in life without the multiple barriers of a criminal record.

Legal Services staff celebrates pro bono efforts at the annual NJ State Bar Association Pro Bono Awards event

Advocates from LSNJ and regional Legal Services programs attended the NJ State Bar Association (NJSBA) Pro Bono Awards event in February where 20 pro bono volunteers were recognized for their outstanding commitment to people in need of assistance throughout the state. Shown here: Sharon Yoo (LSNWJ), The Hon.



Dalya Youssef (formerly of CJLS), Michelle Nuciglio (SJLS), Akil Roper (LSNJ), and Rosalyn Scriven (LSNJ).

Yoo, Youssef, Nuciglio, and Roper are members of the NJSBA Pro Bono Committee.

Our Clients Speak

Rich, Monmouth County Pandemic Overpayment Waiver

Rich received unemployment benefits during the pandemic but struggled to meet the ongoing requirements of a fully automated system. When the retired teacher and coach, who does not consider himself particularly “tech savvy,” received a notice that a reporting document was missing, he did his best to comply, but became frustrated and discouraged. At one point, after forgetting his password and incorrectly entering the answer to a security question, he found himself locked out of the system, unable to complete the required paperwork, and unable to get through on the phone to anyone who would help. As a result, he later received a letter stating that he would have to repay \$6,930.

Rich had already appealed the

decision when he reached out to South Jersey Legal Services (SJLS). His appeal was unsuccessful, but SJLS attorney Justine Digeronimo helped Rich request a waiver of his repayment obligation through a special pandemic-related program. The waiver was granted, and Rich was not required to repay the benefits he had received. Regarding Justine, Rich describes her

as his “Clarence,” from the movie, *It’s a Wonderful Life*, and says she kept him going when he wanted to quit. “She never quit. She never gave up. She is an outstanding lawyer, but she is an even better person.”

View Rich’s video at www.lsnj.org/ClientsVideosStories.



Save the date for the next Melville “De” Miller, Jr. Justice Series Webinar!

AAPI in New Jersey: Representation, Discrimination, and Other Critical Issues Facing the Community –
Wednesday, May 31 at 12:00 p.m. EST

May is Asian American and Pacific Islander Heritage Month. We hope you will join us for a conversation about issues impacting the AAPI community, including affirmative and preventative work around bias incidents. Speakers will include representatives from the NJ Division on Civil Rights and Rutgers University, and the Hudson County Bar Association. The event is sponsored by Verizon, Inc. Visit www.lsnj.org/JusticeSeries.aspx for more details.

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www.LSNJLAW.org – A legal information website to help you learn more about your civil legal rights in New Jersey and access materials to help you represent yourself pro se.

www.LSNJ.org – An organizational website where you can learn about the work of Legal Services.

www.PROBONONJ.org – A site where attorneys can learn about and sign up for pro bono opportunities.

www.NJEJLA.org – The New Jersey Equal Justice Library and Archive is an educational resource that includes a history of Legal Services in New Jersey, interviews with current and former staff, and tributes to major contributors to social justice.

POVERTY to JUSTICE

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Poverty to Justice quarterly newsletter includes updates on our work, our clients, and our volunteers as we move together toward the shared mission of justice.



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