

POVERTY¹⁰ JUSTICE



A Quarterly Report from Legal Services of New Jersey | Spring 2024

What Is Legal Services? Our Clients Say It Best.



DORIS contacted Legal Services at the end of the summer of 2023. She had fallen behind on her property taxes, which constituted a default on her reverse mortgage. She did not fully grasp the severity of the situation until she received a notice that her home was in foreclosure.

Advocates in LSNJ’s Foreclosure Defense Project (FDP) recognized that Doris was just a couple months shy of 80, when she could apply for an At Risk Extension (ARE), a Housing and Urban Development (HUD) program

that permits a one year deferment of the foreclosure process for homeowners over 80 with critical circumstances and cannot afford a repayment plan. Her advocate with FDP helped her to get two back-to-back 30-day adjournments on the foreclosure sale, pushing it from November, 2023 to January, 2024. He then assisted her with obtaining the necessary medical documentation to support her application, calling her physicians directly to explain what she needed and the reason.

Continued on page 3

“I have been living here over 21 years. This is my family home, where my kids, my grandkids and great grands and friends come together sometime—have cookouts. And this house means a lot to me. ... This is where I belong.”

President's Message



Dawn K. Miller, Esq.

President, Legal Services of New Jersey

In 1974, New Jersey adopted the most sweeping statutory protections for tenants in the nation—creating a right for tenants to remain in their leased premises and only be evicted for cause. Early Legal Services attorneys were among those who testified before the Landlord-Tenant Relationship Study Commission about the need for such protections. Meanwhile, New Jersey's Legal Services system defended low-income tenants across the state—bringing such landmark cases as *Marini v. Ireland* (1970), *Stella Wright Association v. HUD* (1971), and *Southern Burlington County NAACP v. Township of Mount Laurel* (1975).

Since then, we have represented hundreds of thousands of low-in-

come tenants in cases involving habitability, notice requirements, discrimination, and more. But, despite zealous advocacy by many, defendants in landlord-tenant court remain in a disadvantaged position fifty years later—still largely unrepresented and at great risk of eviction as a result. The eviction crisis has worsened in the past decade. New Jersey's annual eviction filing rate ranks among the highest in the nation, and there are devastating racial, ethnic, and gender disparities in eviction risk.

Unlike in most criminal matters, there is no right to counsel in eviction matters in New Jersey, or in most of the other civil legal matters faced by Legal Services' clients. For many low-income people who cannot afford an attorney, civil legal aid is a last resort to equal justice.

This newsletter highlights the life-changing impact of Legal Services' advocacy, as told by clients. As profiled in this issue, Legal Services advocates helped Hazel and Doris preserve safe, stable housing and maintain home ownership and equity. Unfortunately, Legal Services is not able to assist every eligible client with a merited case.

In recent years, rising poverty, the COVID-19 pandemic and its aftermath, and lingering effects of the Great Recession have increased

both the risk of civil legal problems and the number of residents eligible for legal assistance. More than 3.1 million New Jerseyans currently live in "True Poverty," or below the minimum income needed to afford basic necessities and avoid deprivation, and therefore qualify for Legal Services. And research shows that most low-income households face multiple—often intersecting or compounding—civil legal issues.

While the statewide New Jersey Legal Services system works efficiently to meet client need, LSNJ's Poverty Research Institute estimates that we have been able to assist with only about 20% of the civil legal issues experienced by low-income New Jerseyans.

Closing the civil legal justice gap is a core tenet of our mission, but we cannot do so alone. As featured in this newsletter, our incredible pro bono volunteers play a key role in meeting rising client need.

We are deeply grateful to partner with large firms, individuals, and solo practitioners alike, on issues ranging from expungements and guardianships to bankruptcy and asylum cases. As part of our partnership with the New Jersey Judiciary to assist unrepresented low-income litigants with state tax issues, LSNJ recently held a free State Tax training series for staff and pro bono attorneys, featuring the

Continued on next page

Honorable Mala Sundar, P.J.T.C. In another exciting development, Bill Singer, a standout pro bono volunteer who, years ago, generously agreed to accept all our referrals of transgender clients seeking name changes, is now also supporting our latest pro bono project to provide legal assistance to patients throughout the Robert Wood Johnson Barnabas Health network.

As always, we thank you for joining us in this important work, and humbly ask for your continued support. To lend your time and expertise as a pro bono attorney, please visit PROBONONJ.org, or email probono@lsnj.org.

What Is Legal Services? Our Clients Say It Best.

Doris, continued from cover

It was a race against the clock with stumbling blocks each step of the way. She had difficulty getting appointments with the correct medical providers and the plaintiff's counsel was hard to reach during the December holidays. Doris's attorney managed to assemble the necessary forms, obtain her signature, and submit her completed application on January 3, just six days before the scheduled sheriff's sale. Her right to two adjournments had already been used, so further advocacy was needed to

convince the mortgage servicer to adjourn the January 9 sheriff sale until her ARE application was approved. After numerous additional calls and emails to the plaintiff's attorneys, the sheriff's sale was finally cancelled. "I got the best lawyer in the world," says Doris. "He really did a great job with me."

View Doris's *Our Clients Speak* video on our website (LSNJ.org/clientsvideostories) or our YouTube channel (youtube.com/@LegalServicesNJ).

Spry 82-year-old **HAZEL** (not her real name) has lived in her Atlantic City home for nearly 25 years. She worked to the age of 70 in local hotels and casinos and now relies solely on her Social Security retirement income.

Hazel contacted LSNJ's Foreclosure Defense Project (FDP) in 2022, four days after her home was sold at a sheriff sale. She had fallen behind on her property taxes back in 2016, but believed that the repayment plan she signed effectively ended the foreclosure process. In spring of 2022, when a Notice of Sheriff Sale was placed on her door, she immediately contacted her new mortgage servicer, who claimed she had not paid her first quarter taxes. Hazel promptly faxed proof of payment for the first quarter

taxes, along with early payment for the second quarter. She called to confirm receipt of the fax and was assured that the sheriff's sale would be cancelled. "They said to disregard it—that they wouldn't go through with it." Not long after, a man knocked on her door. "This man told me he bought my house. I told him, *Oh no, you didn't*. And that's when I got in touch with Legal Services."

Hazel's lawyer helped her gather evidence of the taxes, homeowners insurance, flood insurance, and repayment plan she had paid over the last few years—no small feat that involved numerous trips to the bank, the tax collector's office, and various insurance brokers during the tail end of COVID-related restrictions. They discovered that a new mortgage

servicer had erroneously doubled her monthly payments in 2021 to an amount that was higher than her monthly income. She had made two payments; then was hospitalized with COVID for six weeks; then made two more payments—a bit late due to the hospitalization.

The lawyer filed a motion to vacate the sheriff's sale on Hazel's behalf and made sure her account was properly credited for the months of overpayment. Her monthly payment was reduced to a manageable amount and, in March, 2024, Hazel made her final payment under the repayment plan. "He really helped me a lot, yes he did. He helped me get everything together. He proved that they were in the wrong."

Second Chance Month

LSNJ’s Reentry Project Supports Second Chances



L-R: Debbie Morgan (CJLS), Akil Roper (LSNJ), Diana Cardenas (CJLS) and Rosalyn Scriven (LSNJ) deliver an expungement presentation at the Elizabeth Public Library in April.

April is Second Chance Month—a time designated to raise awareness and draw attention to the impact of past criminal and juvenile justice system involvement on individuals, and to the continued need to support people’s right to participate in society free from unnecessary restrictions. Such restrictions can impact a person’s ability to secure a job, housing, and education, among other things, but individuals with a record do have important rights in New Jersey.

through individual representation and pro se resources for decades. Advocates from LSNJ and each of the regional programs also partner with the NJ Court system to offer in-person and virtual events to guide registrants through the expungement process.

As an extension of these critical efforts, and in honor of Second Chance Month, LSNJ has also released a special reentry edition of *Looking Out For Your Legal Rights*. The newsletter, available at no cost on our website, is another step towards making good on the promise of a second chance. It includes information about driver’s license suspensions, expunging a record, bank levies, educational rights, and name changes. View this special edition at [LSNJ.pub/Reentry24](https://lsnj.pub/Reentry24) (English) | [LSNJ.pub/Reentry24-sp](https://lsnj.pub/Reentry24-sp) (Spanish) or visit [LSNJLAW.org](https://lsnjlaw.org) for more information and resources about civil legal rights in New Jersey.

LOOKING OUT For Your Legal Rights® 2024 SPECIAL REENTRY EDITION



LSNJ’s Reentry Project has been assisting clients with the expungement process

Renters’ Rights

In 2023, a new feature titled **“Renters’ Rights”** was introduced in the **Looking Out For Your Legal Rights** newsletter, covering a range of topics such as rent increases, lease terms, and what to look for in an apartment. This year’s articles to date include: *What if my lease term expires? Am I still a tenant?; Finding a Place to Rent Using a Referral Agent or Real Estate Broker; When Your Landlord Must Notify You if the Property is in a Flood Zone and What Notice is Required; and Housing Protections for Victims of Domestic Violence Under Federal Law.*

This critical information is disseminated through regional programs, where printed copies of the newsletters are available in every waiting area, as well as on LSNJ’s website and social media platforms, and at outreach events led by staff of the **Housing and Eviction prevention and Legal assistance Project (HELP)**. It is estimated that each article has reached approximately 22,000 people to date.

Sexual Assault Awareness Month

Building Connected Communities Now and Always

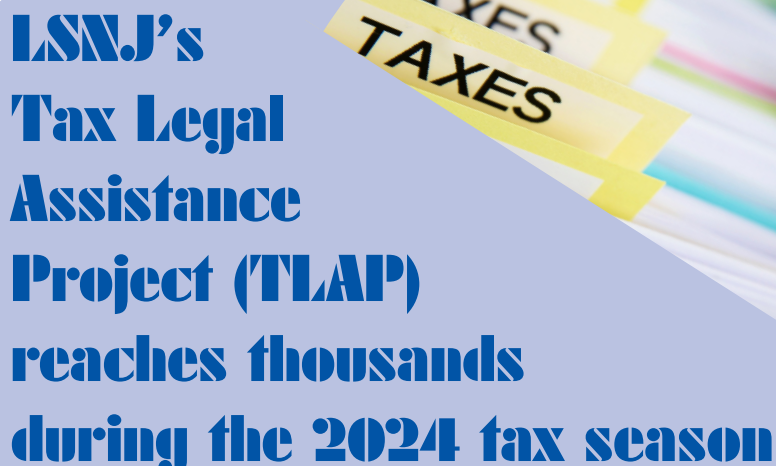
April is Sexual Assault Awareness Month (SAAM). The theme during this 23rd annual awareness campaign was “Building Connected Communities,” something Legal Services is busy doing year-round.

LSNJ’s Domestic Violence Representation Project (DVRP) provides legal advice and representation in cases of domestic violence and sexual assault and regularly offers presentations that include legal rights information and domestic violence resources.

During 2023 and the first quarter of 2024, the DVRP unit completed 43 outreach events, reaching 556 participants, including college students, community organizations, domestic violence and sexual assault service providers, agencies that provide services to sexual assault survivors, anti-trafficking coalitions, family resource centers, mental health agencies, counseling centers, and social services agencies.



LSNJ’s Monica C. Gural shares resources at a recent college fair.



LSNJ’s Tax Legal Assistance Project (TLAP) reaches thousands during the 2024 tax season

During the 2024 tax filing season, **LSNJ’s Tax Legal Aid Project (TLAP)** continued its outreach efforts to provide educational presentations to low-income individuals, limited English proficiency individuals, and practitioners that assist taxpayers.

A total of 13 presentations were conducted during the first quarter of 2024, shedding light on topics such as tax filing obligations, identity theft, and other emerging tax issues to over 350 taxpayers, including parents, residents of senior and Section 8 housing, and volunteers. Many in-person tax consultations were conducted and new clients accepted, who are now receiving assistance with their tax issues from LSNJ’s tax clinic.

Additionally, the *Understanding Your 2023 Taxes* article, published in the January-February issue of **Looking Out For Your Legal Rights**, was viewed nearly 1,000 times on the LSNJLAWSM website and distributed through every regional program (1,200 copies). Social media posts and reels sharing the same content reached an additional 22,621 viewers.

Pro Bono Updates



State Tax Legal Assistance Program (S-TLAP) Ramps Up With Free Training

LSNJ recently held a three-day State Tax training series with two Zoom sessions and one live in-person event. The series addressed common state tax issues and considerations facing lower-income individuals, such as real estate and property tax, the NJ Anchor Benefits Program, Homestead Rebate, NJ income tax form 1040, and Earned Income Tax Credits audits.

The third day of training was held in person at LSNJ and was attended by S-TLAP pro bono volunteers and advocates from LSNJ and regional Legal Services programs. The Honorable Mala Sundar, P.J.T.C., presiding judge of the New Jersey State Tax Court, was the featured speaker, followed by a panel discussion moderated by LSNJ Senior Vice President Akil Roper, with pro bono volunteer trainers Jamie M. Zug

(Law Office of Jamie M. Zug), Lance Rothenberg (Rothenberg Tax Law), Farhan Ali (McCarter & English), and Joseph Norcia (McCarter & English), as well as LSNJ's TLAP staff Agata Papis and Valerio Gonzalez. A special thank-you to all who took the time to support this important initiative and helped make the event successful.

In partnership with the New Jersey Judiciary, S-TLAP supplements LSNJ's longstanding federal Tax Legal Assistance Project (TLAP) and connects clients with legal assistance for their state tax matters. Clients in need of assistance can apply through the LSNJLAWSM Hotline at www.lsnjlawhotline.org or by calling 1-888-LSNJ-LAW (1-888-576-5529).

"We know as tax attorneys that there are many, many people with tax disputes who can't afford an attorney, or—even if they could afford an attorney—the amount at issue wouldn't justify paying for an attorney. There are so many litigants who are in that situation."

- Jamie M. Zug



Left: L-R, Dawn K. Miller, LSNJ President; the Honorable Mala Sundar, P.J.T.C.; Akil Roper, LSNJ Senior Vice President

Right: Jamie M. Zug, Law Office of Jamie M. Zug, Pro Bono Volunteer Trainer

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Follow us on LinkedIn to read our quarterly newsletter and get early notice of job openings, pro bono opportunities, and upcoming events.

Instagram



Follow our Instagram account so you never miss an update—view the newest community legal education material in reel and video format.

YouTube



Follow our YouTube channel to view client testimonials, legal rights series, videos about the history of Legal Services, tribute videos, and special events.

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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

A Quarterly Report from Legal Services of New Jersey

To be added to the mailing list for this newsletter, email development@lsnj.org.

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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