

A composite image showing two hands shaking in a firm grip. The background is a bridge, likely the Manhattan Bridge, with a cityscape and water visible. The image is split vertically, with the left side in blue and the right side in green, meeting at a central white vertical line.

# *Uniting for Justice*

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2018 Legal Assistance Partnership Conference

**Denison Ray Civil Awards  
and Phil Dailey Award Dinner  
October 3, 2018**

Albany, NY





# *Uniting for Justice*

## 2018 Legal Assistance Partnership Conference Denison Ray Civil Awards and Phil Dailey Award Dinner

### *Introductory Remarks*

Michael Miller  
NYSBA President

### *Welcome*

Sergio Jimenez  
Chair, Committee on Legal Aid

### *Guest Speakers*

Associate Judge of the Court of Appeals Jenny Rivera

Assembly Member Harvey Epstein

### *Presentation of the 2018 Denison Ray Civil Awards and Phil Dailey Award*

Sergio Jimenez  
Chair, Committee on Legal Aid

Edwina Martin  
Co-chair, President's Committee on Access to Justice

### *Closing Remarks*

Sergio Jimenez  
Chair, Committee on Legal Aid

# A Word of Thanks

The Committee on Legal Aid is grateful to the nominators for taking the time to identify so many worthy candidates. The nomination packets were assembled with great care and supported by letters from colleagues of the nominees who are personally familiar with their contributions to the legal services and pro bono communities.

The Committee also extends a heartfelt thank you to the members of the Nominating Committee. Nominating Committee members carefully vetted each nominee and selected the honorees by consensus based on the awards criteria. Because the nominating materials were so persuasively written, it was extremely difficult to choose among the many stellar nominees.

## **The members of the Nominating Committee:**

**Sergio Jimenez**

**Chair**

**Committee on Legal Aid**

**Edwina Martin**

**Co-Chair**

**President's Committee on Access to Justice**

**Saralyn Cohen**

**Co-Chair**

**Pro Bono Coordinators' Network**

**Deborah O'Shea**

**Co-Chair**

**Pro Bono Coordinators' Network**

**Kristen Wagner**

**NYSBA Director of Pro Bono Services**

\* If a member of the Nominating Committee is nominated for an award, he or she recuses him or herself from the selection process for that category.

# Guest Speakers

## Associate Judge of the Court of Appeals Jenny Rivera



Jenny Rivera, Associate Judge of the Court of Appeals, has spent her entire professional career in public service. She clerked for the Honorable Sonia Sotomayor, on the Southern District of New York, and also clerked in the Second Circuit Court of Appeals Pro Se Law Clerk's Office. She worked for the Legal Aid Society's Homeless Family Rights Project, the Puerto Rican Legal Defense and Education Fund (renamed Latino Justice PRLDEF), and was appointed by the New York State Attorney General as Special Deputy Attorney General for Civil Rights.

Judge Rivera has been an Administrative Law Judge for the New York State Division for Human Rights, and served on the New York City Commission on Human Rights. Prior to her appointment, she was a tenured faculty member of the City University of New York School of Law, where she founded and served as Director of the Law School's Center on Latino and Latina Rights and Equality.

Judge Rivera is an elected member of the American Law Institute. She has published extensively on interpersonal violence, women's rights, and issues that impact the Latino community. She served on the American Bar Association Commission on Hispanic Legal Rights and Responsibilities from 2010 to 2012, and as the Reporter to the Commission authored the Commission's Report. Judge Rivera has received several awards, including the ABA Spirit of Excellence Award and the NYSBA Diversity Trailblazer Lifetime Achievement Award.

She graduated from Princeton University, and received her J.D. from New York University School of Law, where she was a Root-Tilden Scholar. She received her LL.M. from Columbia University School of Law.

## Assembly Member Harvey Epstein



Assembly Member Harvey Epstein represents the East Side of Manhattan, including the neighborhoods of the Lower East Side, East Village, Alphabet City, Stuyvesant Town/Peter Cooper Village, Murray Hill, Tudor City and the United Nations. Harvey was a public interest lawyer in New York City since graduating from CUNY Law School in 1994 until he was elected the Assembly Member of the 74th District in 2018. Throughout his career serving our city, Harvey has worked on critical economic devel-

opment and housing issues; at the same time, he has worked tirelessly on dozens of pieces of legislation that help the lives of everyday New Yorkers. Specifically, Harvey's efforts during the five years he served as a tenant member of the Rent Guidelines Board were instrumental in successfully orchestrating the first rent freeze for one-year leases in the 47-year history of the Rent Guidelines Board. Harvey resides in the East Village with his wife, Anita, two children, Leila and Joshua, and their rescue dog, Homer.

# Awards Criteria

## *Denison Ray Civil Awards*

Denison ‘Denny’ Ray passed away in 1994, the year the first biennial Partnership Conference was held. During NYSBA’s Legal Assistance Partnership Conference, New York’s legal services and pro bono community gathers to celebrate the accomplishments of those whose work best represents the ideals exemplified by the career of Denison Ray.

An acclaimed civil rights lawyer for almost 30 years, Denison Ray was the personification of commitment to civil rights and access to justice for all. From 1966 to 1968 he was Chief Counsel of the Lawyers’ Committee for Civil Rights in Mississippi; in 1969, he became the Executive Director and General Counsel of the Legal Aid Society of St. Louis. He later directed programs in New York, Maine, and North Carolina, before being named the Executive Director and Chief Counsel of the Legal Aid Society of Northeastern New York. During these years he brought many class action suits that secured access to social services for low-income clients, enforced the rights of consumers, and upheld prisoners’ constitutional rights.

This year, a total of three awards will be presented. Two awards will be given to staff attorneys employed by nonprofit entities that provide free civil legal services to low-income clients; and one award will be presented to a director of a civil legal services program.

The Civil Legal Services Staff Attorney Awards recognize individual attorneys’ extraordinary commitment to:

- The provision of creative, skilled, and zealous representation of low-income clients;
- Collaboration with pro bono volunteer attorneys from the private bar to expand access to justice opportunities for low-income clients; and/or
- Efforts to inspire, mentor, and support colleagues in the delivery of exceptional legal representation to low-income clients.

The Director Award recognizes outstanding leadership at a civil legal services or pro bono program by an executive director or legal director who inspires the kind of extraordinary commitment by staff and service to the community set forth in the above criteria.

## *Phil Dailey Award*

Phil Dailey was among the earliest champions in the civil legal services community of the importance of focusing on the needs of veterans. His work influenced both his own program, which is now a leader on providing culturally competent civil legal services to veterans, and the broader civil legal services community.

Phil started working in the Geneva office of Legal Assistance of Western New York as an AmeriCorps Paralegal in 2001 and served two 12 month terms of service. At the end of his second AmeriCorps term, LawNY hired Phil as a staff paralegal, and he continued in that role until he passed away on April 22, 2016.

Phil had an unparalleled commitment to the rule of law and the concept of equal justice under the law. He dedicated his career to the notion that the law must be applied uniformly to all people, regardless of their circumstances or their station in life. He served in a rural part of New York State, where staff of local agencies and judges knew the background and family history of the people that they judged on a day to day basis. Phil held these folks accountable for the biases that they exhibited toward his clients, and forced them to follow the requirements of the law. He exhibited a photographic memory and encyclopedic knowledge of the rules and regulations that applied to public assistance benefits, veterans' benefits, subsidized housing, and landlord-tenant law.

Much of the advocacy work in civil legal services and pro bono programs is done by advocates who are not attorneys. The Phil Dailey Award was created in 2016 in memory of Phil Dailey, to acknowledge the vital services of non-attorney staff who demonstrate an excellence and dedication to providing equal access to justice.

Selection criteria:

- A non-attorney staff member of a civil legal services or pro bono provider who is recognized for creative, skilled, and zealous representation of low-income clients; and/or
- Collaboration with pro bono volunteer attorneys from the private bar to expand access to justice opportunities for low-income clients; and/or
- Efforts to inspire, mentor, and support colleagues in the delivery of exceptional legal representation to low-income clients.



# Denison Ray Civil Awards

## The Civil Legal Services Staff Attorney Awards

### Jennifer Metzger Kimura, Esq., Staff Attorney, Legal Aid Bureau of Buffalo



Jennifer Metzger Kimura is a staff attorney in the Civil Unit at the Legal Aid Bureau of Buffalo, Inc. She currently serves as a public defender in Buffalo City Housing Court, defending homeowners with code violations. She also represents many clients throughout Erie County in need of housing related representation in the areas such as City and County In Rem tax foreclosures, landlord/tenant issues, and fair housing law.

Prior to her joining the Legal Aid Bureau, she was a staff attorney at Housing Opportunities Made Equal, Inc. (HOME), a non-profit fair housing organization fighting housing discrimination in Western New York. During her time at HOME, her primary focus was housing discrimination litigation, but throughout her tenure, she also extensively reviewed, drafted, and reported on various jurisdictions' Analysis of Impediments to Fair Housing Studies which were submitted to the U.S. Department of Housing and Urban Development. She continues to be invested and passionate about preserving affordable housing throughout Western New York and often collaborates with other municipalities and organizations to educate and encourage development of affordable housing in their neighborhoods.

Jennifer's dedication to providing justice to low-income individuals and families extends past the area of housing. Her career also includes volunteering to defend low-income individuals in federal detention who were facing deportation. Seeing the challenges and burdens these individuals endured during deportation proceedings had a major impact on her, and she later organized a Naturalization Drive and CLE with a local refugee resettlement organization. The program served to train pro bono attorneys

to handle citizenship applications for lawful permanent residents that were eligible to apply for citizenship.

Jennifer remains involved in the legal community and is an active member of the Minority Bar Association of WNY where she has held multiple positions within the organization. Her most recent position was a member of the Judicial Ratings Committee. She is a strong advocate for diversity and she is a co-founder of the Diversity and Inclusion committee at the Legal Aid Bureau where she currently sits as Vice-Chair. She also sits on the Erie County Family Court Disproportionate Minority Representation committee and the Erie County Bar Association's Minority Outreach committee. Jennifer was recently named one of WNY's 40 under 40 by Buffalo Business First.

## **Mary Beth Conway, Esq., Managing Attorney, Volunteer Legal Services Project of Monroe County**



Mary Beth Conway is Managing Attorney at Volunteer Legal Services Project of Monroe County, based in Rochester, NY. Mary Beth oversees VLSP's Matrimonial and Family Law Unit, which represents low-income individuals who are survivors of domestic violence. Since she started working at VLSP in 1999, Mary Beth has been a trailblazer creating programs, partnering with community agencies, and recruiting and training pro bono attorneys. Her dedication to serving victims of domestic violence has changed

the lives of countless individuals who would otherwise not have had any meaningful access to justice.

Mary Beth recruits, trains, and provides continuous advice and assistance to pro bono volunteer attorneys who represent clients in relation to divorce, family offense proceedings, custody, child support and spousal support matters. She places 100-120 cases with volunteer attorneys every year. In addition to the direct representation she oversees, she runs VLSP's custody clinic and pairs clients with volunteer attorneys for advice, counsel, and brief service. Mary Beth continues to attend evening advice clinics at

Willow Domestic Violence Center and also at Strong Memorial Hospital through the HEAL Program.

Mary Beth's unparalleled expertise has been recognized by her peers, clients, and community agencies and partners addressing the needs of this vulnerable population. In 2010, Mary Beth was the recipient of Willow Domestic Violence Center's Stop the Hurt Award. In 2017, Mary Beth was appointed to serve on the NYSBA/WBASNY Domestic Violence Initiative. This groundbreaking collaboration brought together dedicated attorneys and judges throughout New York State to expand services for victims of domestic violence.

## The Director Award

### Barbara Finkelstein, Esq., Executive Director, Legal Services of the Hudson Valley



Barbara Finkelstein oversees every aspect of Legal Services of the Hudson Valley (LSHV), the largest provider of free civil legal services to almost 600,000 poor and low-income individuals in Westchester, Putnam, Dutchess, Orange, Rockland, Sullivan and Ulster Counties.

Since Ms. Finkelstein became Executive Director in 1995 and now CEO, Legal Services of the Hudson Valley has increased its budget by eightfold, and has grown to a 135-person staff with a \$16 million-dollar budget

and nine offices. She is the first woman to lead the organization.

Ms. Finkelstein's accomplishments on behalf of Legal Services of the Hudson Valley are many. Under her leadership LSHV has made great strides in securing funding from public and private sources to increase services to low income residents of the Hudson Valley facing civil legal problems affecting the necessities of life. Motivated by a desire to make justice a promise for every member of society, Ms. Finkelstein created partnerships with governments, community-based organizations, and law schools to ensure solu-

tions to the problems facing the low-income population. She has expanded free civil legal services to the neediest and most marginalized communities in the seven-county region to make justice a reality for every member of society.

Among her many achievements are the creation of domestic violence, family law, children’s advocacy, veterans and military families, foreclosure and LGBTQ units. Significantly in 2014 Ms. Finkelstein created an LSHV affiliate, the Hudson Valley Justice Center, to serve clients without status whom LSHV cannot serve due to Legal Services Corporation restrictions. Prior to joining LSHV, Ms. Finkelstein was the Assistant Project Director at Queens Legal Services where she directed services to clients and assisted with overall program operations.

In addition to her leadership of LSHV, Ms. Finkelstein is a member of Chief Justice Janet DiFiore’s Permanent Commission on Access to Civil Legal Services in New York, The New York State Bar Association’s Committee on Legal Aid, Vice President of the New York Legal Services Coalition, and Secretary of the Board of NonProfit Westchester.

Ms. Finkelstein received her J.D. from Rutgers School of Law – Newark, and her B.A. from Hunter College of the City University of New York.

## **Phil Dailey Award**

### **Deborah O’Shea, Pro Bono Coordinator, Onondaga County Bar Association**

Deborah O’Shea was hired 14 years ago by the Onondaga County Bar Association to coordinate its fledgling Volunteer Lawyers Project (VLP). She was challenged to initiate pro bono opportunities for attorneys which could address the most pressing legal needs in the Syracuse community. First to be identified were the housing problems which brought over 10,000 families to eviction court each year. The goal became to schedule volunteer attorneys in court five days a week to represent tenants through this emotionally difficult process. Understanding at the time the difficulty of being a solo coordinator obligated to train attorneys on the court defenses, Deborah sought funding through IOLA to write and produce a 50 minute video “A

Day In Landlord Tenant Court” where attorneys watch court cases play out illustrating best practices on the defenses. Through recruitment, training and the support of volunteer attorneys VLP grew to represent over 1000 families this past year.



Along with eviction Deborah developed uncontested divorce programs, Talk To A Lawyer community opportunities, estate planning clinics, veterans clinics, not-for-profit incorporation and an annual Elder Law Fair serving over 400 seniors. Grant writing, public speaking events to community partners and law firm recruitment became the requisite building blocks for long term program success. Each program was developed with the needs in the community in mind. The message to all VLP attorneys who volunteer, as well as the law students who VLP mentors,

is to encourage them to find hope in even the most discouraging of cases thus empowering our clients at a time they are most vulnerable. Of great joy to Deborah has been the five years serving as the Co-Chair of the NYSBA Pro Bono Coordinators Network working alongside of Saralyn Cohen. The professional connections with leaders from all across the state has solidified VLP program decisions because Deborah knew whose expertise to query to avoid missteps. Working with fellow civil service providers, the courts, volunteer attorneys, law students and most importantly the clients VLP serve has made for a truly meaningful career.

Prior to moving to Syracuse Deborah Coordinated the Gifted and Talented Programming for the Rome City School District. After leaving education she was hired and spent 5 years as the Executive Director for the Rome Art and Community Center. She earned a Bachelor of Science degree in Anthropology at the University of New Mexico in Albuquerque.

# Previous Denison Ray Civil Award and Phil Dailey Award Honorees

## Denison Ray Civil Awards

### *Civil Legal Services Staff Attorney Honorees*

2016	David Kagle Josh Cotter
2014	Susan C. Antos Lori M. O'Brien
2012	Michael Hanley Ian F. Feldman
2010	Pamela J. Bayer Jeff Hogue
2008	Jason D. Hoge James T. Murphy
2006	David E. Ralph
2004	Sarah Betsy Fuller Judith Studebaker
2001	Carole Boccumini Joshua Zinner
2000	Marc Cohan Peter O'Brien Dellinger
1998	Michael Hampde Mary M. Withington
1997	Leslie D'Cora Holmes Barry Strom
1995	Margaret H. McDowell Douglas Roy Ruff Wendy H. Wahlberg
1994	Sheryl Randy Karp Jerrold M. Levy William F. Mastroleo

# Previous Denison Ray Civil Award and Phil Dailey Award Honorees

## *Civil Legal Services Program Director Honorees*

2016	Karen Nicolson
2014	Alan S. Harris
2012	Michael Rothenberg*
2010	Steven B. Telzak*
2008	Lillian M. Moy

## *Pro Bono Program Director Honorees*

2012	Richard S. Hobish
2006	Lisa A. Frisch

## *Non-Profit Organization Honorees*

2016	Community Service Society of New York– Next Door Project
2014	Prisoners’ Legal Services of New York, Albany
2012	New York Legal Assistance Group (NYLAG)
2010	LegalHealth, a Division of the New York Legal Assistance Group (NYLAG)
2008	The Worker’s Rights Law Center of New York, Inc.
2006	Western New York Law Center of Buffalo and its Executive Director, Joseph Kelemen, Esq.
2004	inMotion Inc.
2001	Greater Upstate Law Project (GULP), Inc.

## **Phil Dailey Award**

2016	Phil Dailey*
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\* Awarded posthumously.



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