

Subject: New submission from Community Development Combined
Date: Friday, January 5, 2024 at 4:50:00 PM Eastern Standard Time
From: jnytko@govsol.org
To: jnytko@govsol.org

General Information
Date of application: 01/05/2024
Organization name: CDWBA The Legal Project
Organization TIN or EIN: 13-3841519
If available, provide your Unique Entity Identifier (UEI): NT9KPFBY7G36
Organization physical address: 24 Aviation Road Suite 101 Albany, New York 12205 United States Map It
Is the mailing address different from the physical address? No
Contact Information
Primary contact name: Michele Pollock Rich
Primary contact title: Executive Director
Primary contact phone: 518-435-1770
Primary contact email: mpollockrich@legalproject.org
What is the preferred method of contact? Email
Website (if available): http://www.legalproject.org
Organization Info and Structure:
Is the organization a nonprofit? Yes

If nonprofit, please attach to this application proof of your organization's Tax-Exempt Status

- [Documentation-of-Non-Profit-Status.pdf](#)

Date of establishment:

06/22/1995

Give a brief description of your organization. Please include information on the organization's activities or mission statement (150 words or less):

CDWBA The Legal Project (The Legal Project) is an Albany based 501(c)3 nonprofit organization founded in 1995 providing free civil legal services to residents of the Capital Region. We assist victims of domestic violence, crime victims, immigrants, homeowners facing foreclosure, veterans, the elderly, and other vulnerable people. All of our services are free and confidential. The Legal Project employs 20 staff attorneys, 16 support staff, and is supported by 136 active pro bono attorneys who volunteer their legal expertise. The majority of our clients reside in Albany County.

Mission Statement:

The Legal Project provides access to the protections of the law to advance the safety, stability and independence of the people we serve and strengthen our communities. We do this by advising, advocating for and representing people who have traditionally had difficulty obtaining civil legal assistance.

Provide the total number of full-time employees (if applicable):

31

Provide the total number of part-time employees (if applicable):

5

Provide the total number of volunteers (if applicable):

136

What is the organization's current annual budget?

4,198,000

Have you or the organization ever received any form of COVID-19 relief funds or loans specific to the negative impacts of the Pandemic?

Yes

If you selected "Yes" above, please specify type and amount.

The Legal Project received PPP Loan in rounds One and Two. These loans have since been forgiven.

PPP1= \$375,000

PPP2= \$200,000

Did your organization lose revenue as a result of the COVID-19 Pandemic? If yes, provide the amount of lost revenue (2020-2022)

Between 2020 and 2022 The Legal Project lost nearly \$1,100,000 in revenue related to COVID 19.

Project Proposal

Applicants may choose to apply for up to 2 program areas. Please select the primary program area for which you would like to apply.

Senior Services

What amount of funding is being requested (Must be at least \$100,000 and should not exceed program area totals)?

\$150,000

Is this a new project or expansion of an existing initiative, please describe.

We are requesting funding for our Elder Law Assistance Project. The Elder Law Assistance Project (ELAP) is an existing initiative. The ELAP project formally began in July of 2022 with pilot funding from MVP Health Care. Prior to that, we served seniors through our Pro Bono Legal Clinic Program. The requests for representation exceeded what our volunteer program could accommodate, and we began searching for partners to fund paid staff to augment the services provided.

This funding will allow us to expand and sustain the current Elder Law Assistance Project in Albany County, capitalizing on MVP Healthcare's pilot funding and our Pro Bono Legal Clinic model.

Please provide an executive summary of the proposed program or project for which you are requesting funds. Include a description of the target population, as well as the goals and objectives of your proposed project (500 words or less).

The Legal Project's Elder law Assistance Project will provide free legal services, including community outreach, consultations, and direct representation to Albany County Seniors and their caregivers on issues related to and of interest to seniors, including but not limited to: Wills, Health Care Proxy, Power of Attorney, Guardianship, Consumer Fraud, SS, Medicare, and Medicaid eligibility and enrollments and denials; disposition of remains ("death plans") and other issues faced by seniors.

The Legal Project has been providing presentations and legal clinics for seniors (55+) on end-of-life issues and topics related to senior life for the last 10 years. These clinics and presentations were staffed by our pro bono volunteer panel, and always in higher demand than volunteers could accommodate. The Legal Project began searching for a funding partner for a way to create a staff attorney position to help with the demand.

In December of 2021, The Legal Project and MVP Health Care announced the Elder Law Assistance Project to assist seniors in the Capital Region of low and moderate income. The project commenced July 1, 2022. MVP pledged 100% of the project funding as a pilot program for two years, with the understanding that their funding would decrease after the first two years as other stakeholders became engaged and contributed funding.

The majority of seniors who come to The Legal Project for assistance are residents of Albany County. We ask in this proposal that you consider awarding The Legal Project \$50,000 per year for the next three grant years, to be expended by 12/31/2026 as stated in this application, for a total of \$150,000 to support Albany County seniors. This will cover 40% of the costs of the program and greatly benefit Albany County seniors and their families. This will be matched with other funding sources, including MVP Health Care and New York State.

Seniors face many complicated issues – from Medicare and Medicaid eligibility, tax issues, consumer fraud, to lacking important documents like health care proxies or simple wills. Many have no one to assist them; or, if they do, their caregivers can also become confused and overwhelmed by the bewildering systems they encounter. These issues can cause the senior considerable stress and anxiety, contributing to a deterioration of their mental and physical well-being. When seniors die without wills, the family faces a potentially long probate process with no one to assist them. The goals of ELAP are to provide low and moderate income seniors and their caretakers with the legal services they need to reduce anxiety, secure health benefit entitlements, make known their wishes, preserve family wealth, and age with dignity.

The Legal Project has three main objectives: To provide 500 seniors and caregivers with community education presentations; to provide 200 seniors with a free legal consultation through our Legal Clinics and/or individual appointments; and provide 50 seniors and/or their caregivers with direct legal representation.

Please explain why this program or project is needed within the County.

Albany County is getting older! According to the Center for an Urban Future's 2023 article, "Keeping Pace with an Aging New York State" Albany County has experienced a 32 percent increase in its older adult population over the past decade.

Overall, the number of older adults in the county increased by 13,238—from 41,652 in 2011 to 54,935 in 2021, with adults over 65 making up nearly 18% of the County's population.

They report that 6% of seniors in Albany County live below the poverty line; that percentage jumps to 11% when looking just at the city of Albany. In addition to those living in poverty, there are many seniors of limited income and resources. The average income for a senior in Albany County is less than \$38,000.

Many seniors do not have the the financial resources to ensure they have basic legal documents to protect them – including health care proxies, power of attorney, simple wills, or even, when necessary, assistance with

guardianship. Some avoid going to medical appointments because they don't understand their insurance, or are afraid of getting large medical bills, because they do not understand Medicare or Medicaid eligibility or other benefits they may be entitled to. This leads to poor physical health outcomes.

The Legal Project was created help ensure access to justice, so that those of meager and modest means can also have access to expert, compassionate legal assistance. Our clients don't have "estates" but they still need things like simple wills to protect the little they do have and to make their wishes legal and binding. The benefits are numerous – not only does the senior have peace of mind and dignity, it reduces family stress and also relieves the burdens on the courts that inevitability arise when people die intestate. We have had much feedback from Albany County Surrogates Court that there is no assistance available for families trying to work through the courts after a loved one dies without a will. ELAP helps to keep families out of surrogates court. We also assist the caregivers of seniors with the legal needs of their loved ones - and have encountered situations of elder abuse, where the senior clearly did not want what the caregiver demanded (such as access to a bank account) In those cases, we can firmly explain to the caretaker the senior's rights and wishes so the senior can maintain their independence.

As the population of seniors rises, the need for services increases, to the point we can no longer meet the need with pro bono volunteers. 90% of meager or modest income the seniors who reach out for help reside in Albany County. This funding will help us continue to serve them.

All funded activities must meet the objective of responding to the public health and negative economic impact of the pandemic. Please describe how your proposal will help address this objective and assist with recovery (250 words or less).

During the pandemic, many seniors became even more isolated and suffered negative health outcomes. Anxiety about not having legal end of life documents has skyrocketed since COVID 19. This is contributing to anxiety and depression in the seniors we encounter. Seniors need assistance to ensure that they are getting all benefits through Medicare and Medicaid, and social security disability (SSD) to which they are entitled, and they need help when assistance is denied or claims rejected. This would include those seniors who may have been working to supplement their meager incomes but can no longer do so due to long Covid or other Covid –complications. And sadly, we learned acutely during COVID that when people die intestate, or are medically incapacitated without health care proxies in place, the emotional toll on families and economic toll are severe. ELAP will help to ensure better mental health outcomes for seniors, and better physical outcomes by making sure they have all available health care entitlements. It will also help preserve family resources and family harmony. A residual benefit is achieved when seniors come to our community education events, as they provide the seniors with a social activity that helps to break through their isolation, and, allows them to inquire about non-legal assistance they may be in need of (such as food pantries, transportation, or pet health for example) While we do not provide these services, we are happy to connect seniors to those who do provide them.

If an award is made, describe how Albany County stakeholders will benefit. Where possible, please use measurable outcomes to quantify impact.

We all benefit when the most vulnerable in our community have full access to justice. Our seniors are among the most vulnerable of all.

Our seniors deserve peace of mind, but often face complicated legal problems. Even when there are family or friends to help, the legal systems can be bewildering. Without the assistance of an attorney to understand and protect their rights, it is common for a senior to be unable to access services, lose what little assets they have that could have been preserved, or unnecessarily die intestate. The seniors themselves will benefit by having their rights protected, assets preserved, and end of life wishes honored. The families and caretakers will benefit. When end of life documentation is in order, families have the comfort of understanding their loved ones wishes and have the ability to make confident decisions on their behalf. Systems, such as surrogate court, also benefit when litigants are represented and documents are in order.

When a person dies without a will, it often causes great family turmoil and fighting over meager assets.

ELAP is not just about dying well, however! It is about living well; seniors having access to whatever Medicare/Medicaid benefits they are entitled too so they can enjoy good physical health; it is about seniors not being taken advantage of by consumer fraud; it is about allowing our seniors to have an advocate on their side that they can call when they have a question. Many of the families and caretakers of our seniors also reside in Albany County, and turn to The Legal Project with questions about how they can help their senior.

Please describe your organization's ability to implement the project you propose including organizational structure, staff members involved, a summary of similar initiatives you have undertaken and the date they were completed:

The Legal Project has been providing free civil legal services to Albany and the Capital Region since 1995 with a track record of successful programs. Over the years, we have added programs in response to our community's needs.

The issues facing our community continue, so our programs are designed to be sustainable. We were formed to assist victims of domestic violence in Albany Family Court who could not afford legal representation so they could fight for custody of their children, retain their rights, and maintain economic stability. The Domestic Violence Legal Connection is still the largest program at The Legal Project. Our Legal Clinic Program provides free 45 minute legal consultations with a volunteer attorney, in many areas of law, including family law, small business advice, employment law, bankruptcy, and others. We hold two clinics per month exclusively for veterans. In 2008, in response to the foreclosure crisis, we began representing distressed homeowners facing foreclosure through funding from NYS Homeowner Protection Program. This program is still helping keeping our neighbors in their homes today. Our immigration assistance program began in 2011 is celebrating nearly thirteen years of helping immigrants with free legal services, which includes helping the recent migrants with critical assistance.

The Legal Project is a nonprofit organization, lead by our Executive Director and Senior Leadership team, and governed by a Board of Directors. We employ twenty staff attorneys and sixteen supporting staff.

The Elder Law Assistance Project is an outgrowth of our Elder Law Clinics. In our clinics, we rely on staff attorneys and on our pro bono panels of volunteer attorneys to meet the needs of our community. The Wills Clinic is a forerunner of the ELAP program.

The Elder Law Assistance Project is staffed by LaVonda Collins, Esq, Staff Attorney; Cheryl Garner, Program Coordinator; and is supervised by Legal Director Carla Brogoch, Esq. They are assisted by Laurie Allan, Pro Bono Programs Manager, and our panel of pro bono attorneys.

The need for our services has not ended, so our programs continue.

How will you track performance goals and define success? Include at least two key performance indicators and expected annual outcomes/impact?

We track all activities in our cloud based case management system. Success is defined by achieving deliverables listed below. (Deliverables are for a 12 month period of time.)

Performance Goal #1 – Community Education and Outreach

500 seniors, caretakers/family members, service providers, or affiliated community partners, will receive community education about Elder Law Issues through a Legally Speaking Presentation in an area of need to seniors, including but not limited to: Wills, Living Wills, Medicare/Medicaid, Guardianship, Health Care Proxy, Consumer fraud targeting seniors, or related topics. Legally Speaking may be in person or virtually, or both. As a result, seniors, caretakers, service providers, and affiliated community partners will better understand the legal concerns that impact seniors. In addition, seniors, their caretakers, service providers and affiliated community partners will understand how to access legal assistance through ELAP at The Legal Project and self refer (or be referred) for additional services, including consultation or representation.

Performance Goal #2 Legal Clinics and Free Consultations

200 seniors or caregivers/families will attend a Legal Clinic (Wills, or other clinic targeted to Elder Law issues) and receive a free 45 minute legal consultation from our ELAP Staff Attorney or a Pro Bono Volunteer Attorney. As a result of the consultation, the senior will understand their particular legal issue and have an action plan of next steps they may want to take. This can include being accepted as a case for representation by our ELAP staff attorney or Pro Bono Volunteer. At least 12 Legal Clinics will be conducted per year, either virtually or in person, or both.

Performance Goal #3: Direct Representation

50 seniors, or their caretakers/families will receive direct representation in a legal matter related to Elder Law (Including, but not limited to: Creation of wills/living will; estate preservation, Guardianship, Health Care Proxy, or Power of Attorney; Medicare/Medicaid Enrollment) free of charge. As a result, these individuals will be able to access justice and the legal system. This will help these individuals preserve assets, have peace of mind, and get the full range of entitled benefits available to them, thereby improving their physical and mental health.

Performance Goal #4

Seniors or their caregivers will express that as a result of receiving legal assistance, they improved peace of mind and dignity, as expressed through satisfaction surveys.

The Legal Project gives every client a satisfaction survey when their service is complete. The survey helps us to evaluate the program and make adjustments and improvements.

Project start date:

07/01/2022

Project End date:

12/31/2025

Please provide key project milestones inclusive of the anticipated timelines and descriptions

Milestone	Anticipated Timeline	Task Description
Project Staff Hired	Completed	The Staff Attorney, Program Coordinator, and Legal Director are all hired and have been working on the project since 7/1/2021
Materials Developed	Completed	Brochures, Satisfaction Surveys, and Press releases, and intake forms are all complete and in use.
500 Seniors and/or Caregivers will attend community information or outreach sessions per year	Ongoing	In a 12 month period, at least 500 Albany County seniors and/or thier caregivers will attend a community information or outreach activity.
200 Seniors and/or Caregiver will receive a free consultation with an attorney	Ongoing	In a 12 month period, 200 Albany County seniors and/or caregivers will have a free legal consultation with an attorney.
50 Seniors and/or Caregivers will receive direct representation in a legal matter	Ongoing	In a 12 month period, 50 or more seniors and/or caregivers will receive representation in a legal matter.
Satisfaction Surveys	Ongoing	Seniors and/or their caregivers will be encouraged to complete a satisfaction survey to gauge program effectiveness

At the top of this page is a downloadable project budget. Please download the budget form and upload it here.

- [ARTS-Budget.the-legal-project.final_.pdf](#)

If you are funding a multi-year initiative, please provide a breakdown of funding level per year below:

2024	2025	2026
50,000	50,000	50,000

Use this space to provide a narrative supporting and clarify anything from the proposed project budget above. In addition, if "Other Funds" or "Other Uses" are included above, please specify the source(s) below.

The budget above reflects a three year budget for the Elder Law Assistance Program. 2024, 2025, and 2026.

Salary covers a full time attorney and a part time program coordinator and a portion of the Legal Director's time. The staff attorney will provide community education, individual legal advice and legal representation to seniors in need of legal assistance with a variety of legal needs critical to seniors. The program coordinator will conduct intakes, participate in community outreach and education, reporting and general program support. The Legal Director will provide supervision for the staff attorney and ensure program excellence. Salary for the full time attorney is \$70,000 for 1 FTE for one year, three years total, \$210,000. Salary for the Program Coordinator is \$45,000 per 1 FTE prorated to \$22,500 for one year. Salary for the Legal Director to manage project is \$90,000 for 1 FTE prorated to 5%, or \$4,500. Salary total for the first year of the project is \$97,000. Year Two assumes a 3% salary increase (\$99,910) Year Three assumes a 3% increase (\$102,907.) Three year total for salary is 277,500. Combined salaries for the staff attorney and program coordinator total \$277,500. Fringe is calculated at 19% and includes employer's FICA, Health Insurance, Worker's Compensation, FSA and 401K administration, based on salary totals outlined above for a total of \$55,634 Travel includes local travel at .67 per mile, tolls, and parking for program staff for three years. Equipment is for computer for program coordinator. Administrative cost reflect those costs necessary to support the program.

Explain why ARPA funds are needed to complete the proposed program/project. Would the proposal be possible without ARPA assistance? Describe how your proposal would be impacted if you are awarded a smaller grant than requested?

The ELAP project was piloted through funding from MVP Healthcare, at \$130,000 per year for two years, with the plan that as the project advanced, other stakeholders would see the value of the program and contribute as MVP reduced their initial support. NYS Legislature committed \$25,000 for this year, which we anticipate will continue for the next two years. The ELAP program is a fine example of a public-private partnership funding a nonprofit to solve a problem in the community. The Legal Project requests \$50,000 per year for \$150,000 for the ELAP for three years to assist vulnerable Albany County seniors. A reduction in the requested amount would mean a proportionate reduction in services to seniors.

ARPA funds must be expended by December 31, 2026. Please describe how your project will be sustained if it will continue beyond this date.

The Legal Project will continue to work with private foundations, such and MVP Health Care, and state government, while also looking for new funding partners to continue this project for as long as there are seniors in need.

List any project partners/subrecipients:

We do not have any paid partners for the ELAP program, but we have many community partners and stakeholder that we work with. For example, Albany Guardian Society has been a partner for many years in our efforts to help seniors.

Please list any matching funds:

MVP Health Care and NYS Legislature currently contribute funds to this project. The attached budget shows their support will provide 60% of the total project cost in 2024, 2025, and 2026. This funding would provide 40% of the total project costs. Albany County seniors are expected to be 90% of the total served population. In 2025 and 2026, we anticipate funding from MVP Healthcare in the amount of \$50,000 per year. We anticipated \$25,00 per year from the NYS Legislature. We will continue to seek more funding partners, as we hope to add a second staff attorney in the future to meet demand. Our seniors need help.

Tax Information or Additional Information

Please upload Federal tax returns for tax year 2019

- [2019-9901.pdf](#)

Please upload Federal tax returns for tax year 2020

- [TLP-990-2020-AMENDED.pdf](#)

Please upload Federal tax returns for tax year 2021

- [rd.990-Final-12-31-21.pdf](#)

Please upload Federal tax returns for tax year 2022

- [2022US-X1701.0-Copy-of-990-Public-disclosure-without-schedule-B.pdf](#)

Please upload IRS Form W-9

- [TLP-signed-W-9.pdf](#)

(OPTIONAL) please feel free to upload anything which you feel would strengthen your application.

- [Elder-Law-Assistance-Program-Brochure-draft-3.pdf](#)

Risk Assessment:

Has the organization adopted and/or implemented policies relating to: records retention, conflict of interest, code of ethics, and/or nondiscrimination policies

Yes

If you selected "Yes" above, please specify:

The Legal Project uses a cloud based case management system, Legal Serve, to store and manage legal case management files. Closed paper files are stored securely and destroyed at the statutorily specified dates. Our code of ethics and non discrimination policy is outlined in our employee handbook, which is provided to all employees upon hire, and employees are required to provide a read receipt that they have read and understood policies. Board members are required to sign conflict of interest forms which are kept with Board documents.

Is the organization properly insured?

Yes

If you selected "Yes" above, please specify the types of insurance held and the limits:

Hartford -Broker: Houlihan & Associates Package and Umbrella Business Personal Property Limit \$115,000/Special Form/Replacement Cost/Deduct \$1,000 General Liability Limit \$2m/\$4m Hired and Non-Owned Auto Limit \$1,000,000 Umbrella Limit \$3,000,000 **Data Breach Limit \$500,000 Workers Comp Class 8820=\$1,600,000 Columbia Casualty Company (CNA) -Broker: Houlihan & Associates Professional Liability (Malpractice Insurance) Per Claim: Aggregate \$1,000,000/\$1,000,000 Criminal Defense: \$50,000/\$50,000 sublimit Injunctive Relief Defense: \$50,000/\$50,000 sublimit Outside Practice of Law: Included within LPL limit Primary Pro Bono: Included within LPL limit Great America- Broker : Marshall & Sterling D&O: 1,000,000 EPL: \$1,000,000 Retention(Each loss) D&O and EPL: \$1,000 Shelterpoint: - Broker: Onedigital NYS Disability: Statutory DBL Paid Family Leave: Paid Family Leaver Rider

Does the organization have a financial management system?

Yes

If you selected "Yes" above, please specify:

The Legal Project uses Quickbooks accounting system to manage our accounting.

Has there been any change in your organization's key staffing positions in the last 2 years?

No

Has the organization previously done work for the Federal government (i.e. Is the entity experienced in managing Federal funds)?

Yes

If you selected "Yes" above, please specify:

The Legal Project is very familiar with managing Federal grant funds with a long history of multi year federal awards. Over or 29 year history, we have been awarded grants through OVW, VOCA and OVC. Our Human Trafficking Assistance program just received a three year renewal with increased funding from to continue and expand from the federal Office of Crime Victims (OVC). Our program staff and accounting staff understand reporting and billing of federal programs. Our SAM registration is current. We use Just Grants and ASAP regularly.

Certifications

Acknowledgment 1

I Have Read and Understand the U.S. Treasury's Compliance and Reporting Guidance for State and Local Fiscal Recovery Funds (see below link)
U.S. Treasury's Compliance and Reporting Guidance for State and Local Fiscal Recovery Funds:
<https://home.treasury.gov/system/files/136/SLFRF-Compliance-and-Reporting-Guidance.pdf>

Acknowledgment 2

Should the County Allocate ARPA Funds, I am Able to and Pledge to Adhere to ALL Compliance and Reporting Requirements of the U.S. Treasury as it relates to any State and Local Fiscal Recovery Funds

Acknowledgment 3

I Understand the County Will Contact me if/when Additional Information is Needed and that Information will be Promptly Provided to the County to Support Reporting Requirements

Acknowledgment 4

If for Any Reason I am Unable to Comply with the U.S. Treasury's Compliance and Reporting Requirements I will Immediately Notify the County in writing by email or letter

Acknowledgment 5

All Information Submitted in this Application is True & Accurate

Electronic Signature Agreement

I agree

By checking the "I agree" box, you agree and acknowledge that 1) your application will not be signed in the sense of a traditional paper document, 2) by signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and 3) you may still be required to provide a traditional signature at a later date.

Type name

Michele Pollock Rich