

ONONDAGA COUNTY

LEGAL REFERRAL

GUIDE

April 2018 Edition

This Guide is meant to help make appropriate referrals for legal services for individuals with low-incomes within Onondaga County. Many of the legal services are also available in Cayuga and Oswego Counties, though agencies should be contacted.

Agencies listed in the table have their own intake procedure and eligibility criteria. No services are to be promised to clients.

This Guide was updated by the
Volunteer Lawyers Project of Onondaga County, Inc.

This Guide is meant to be printed 2-sided

If you have any questions about the Legal Referral Guide please contact
Cheri Blair at cblair@onvlp.org or 315-640-4892

We rely on users of this guide to ensure its accuracy. Please advise us of any needed corrections.

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REMINDERS....

Intake Workers and Attorneys:

Please be aware that the agencies listed in the table have their own intake procedure and eligibility criteria that may or may not be reflected in the chart.

No services are to be promised to clients under any circumstances.

Please tell everyone you refer, “I am going to give you contact information for an agency that *may* be able to help you. Whether or not they *will* take your case or provide you with any assistance is for that agency to determine.”

- Most of the legal issues listed are in lay person’s terms; look up the most common language used when searching for issues.
- It is important to look thoroughly through the table. There are often times subtopics that may be pertinent to your client’s legal issue. Often times, too, referral sources for topics spill over to a next page.
- Information is repeated sometimes under similar terms. For example: referral agencies listed under ‘Employment’ subtopic ‘Discrimination’ are again listed under ‘Discrimination’ subtopic ‘Employment’.
- There may be more than one agency you can refer a client to, based on their legal issue. Give clients all relevant referrals.

If you have any questions about how to use the Legal Referral Guide, feel free to contact the Volunteer Lawyers Project of Onondaga County, Inc.

If you have any input or corrections for the Legal Referral Guide, feel free to contact The Volunteer Lawyers Project of Onondaga County, Inc. at (315) 640-4892

2018 Federal Poverty Guidelines

Family Size	100% Annual	100% Monthly	100% Weekly	125% Annual	125% Monthly	125% Weekly	200% Annual	200% Monthly	200% Weekly
1	\$ 12,140	\$ 1,012	\$ 233	\$ 15,175	\$ 1,265	\$ 292	\$ 24,280	\$ 2,023	\$ 467
2	\$ 16,460	\$ 1,372	\$ 317	\$ 20,575	\$ 1,715	\$ 396	\$ 32,920	\$ 2,743	\$ 633
3	\$ 20,780	\$ 1,732	\$ 400	\$ 25,975	\$ 2,165	\$ 500	\$ 41,560	\$ 3,463	\$ 799
4	\$ 25,100	\$ 2,092	\$ 483	\$ 31,375	\$ 2,615	\$ 603	\$ 50,200	\$ 4,183	\$ 965
5	\$ 29,420	\$ 2,452	\$ 566	\$ 36,775	\$ 3,065	\$ 707	\$ 58,840	\$ 4,903	\$ 1,132
6	\$ 33,740	\$ 2,812	\$ 649	\$ 42,175	\$ 3,515	\$ 811	\$ 67,480	\$ 5,623	\$ 1,298
7	\$ 38,060	\$ 3,172	\$ 732	\$ 47,575	\$ 3,965	\$ 915	\$ 76,120	\$ 6,343	\$ 1,464
8	\$ 42,380	\$ 3,532	\$ 815	\$ 52,975	\$ 4,415	\$ 1,019	\$ 84,760	\$ 7,063	\$ 1,630
Each Addition	\$ 4,320	\$ 360	\$ 83	\$ 5,400	\$ 450	\$ 104	\$ 8,640	\$ 720	\$ 166

COMMON LEGAL ORGANIZATION REFERRAL LIST

NOTICE and DISCLAIMER: *Below is the contact information for an agency that MAY be able to help you with your legal problem. Whether or not they WILL be able to take your case or provide you with other assistance is for that agency to determine.*

- ☐ **Onondaga County Courthouse**
401 Montgomery St.
Syracuse, NY 13202
Location of Family Court,
Surrogate's Court, County Clerk
- ☐ **Syracuse City Court**
505 South State St.
Syracuse, NY 13202
Location of Landlord Tenant, Small
Claims, Criminal Court and Supreme
Court Clerk
- ☐ **Volunteer Lawyers Project of
Onondaga County, Inc.**
221 S. Warren St., Suite 200
Syracuse, NY 13202
(315) 471-3409
info@onvlp.org
www.onvlp.org

Family Court Clinic:
Weds 9:00am – 3:00pm &
Friday 9:00am – 12:00pm
Room 116, Onondaga
County Courthouse
401 Montgomery Street, Syracuse

Surrogate's Court Clinic:
Weds 11:00am - 1:00pm
Jury Room, 2nd Floor
Surrogate's Court
401 Montgomery Street, Syracuse
- ☐ **Hiscock Legal Aid Society**
351 South Warren Street
Syracuse, NY 13202
(315) 422-8191
 - Open Monday – Fri, 8:30am -
4pm for walk-ins
- ☐ **Legal Aid Society of Mid-New York**
221 S. Warren Street, 3rd floor
Syracuse, NY 13202
Helpline: 1-877-777-6152
Local line: (315) 703- 6600
- ☐ **Legal Services of Central New York**
221 S. Warren Street, 3rd floor
Syracuse, NY 13202
Helpline: 1-877-777-6152
Local line: (315) 703- 6500
- ☐ **Onondaga County Bar Association
Lawyer Referral Program**
431 East Fayette Street, Suite 300
Syracuse, NY 13202
(315) 471-2690
- ☐ **New York Attorney General's Office**
615 Erie Blvd. West
Syracuse, NY 13204
(315) 448-4800
- ☐ **www.LawHelp.org/NY**
(know-your-rights information)

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Abuse/Neglect of adult	This agency strives to keep impaired and vulnerable adults age 18 and over safe from themselves and others. Workers can assist individuals and families in applying for such benefits as Medicaid, SSI, SNAP, and HEAP, as well as referring for Medicare, legal interventions, and other services. Eligibility - (1) The client has a physical or mental impairment, (2) The client has an essential unmet need and is at risk of harm and (3) There is no one willing or able to assist responsibly.	Adult Protective Services	(315) 435-2815
	Agency provides services to Domestic Violence and Sexual Violence survivors and their children by providing shelter, advocacy, and counseling services for women, children & men, education and prevention programs and community coordination. Clients can call and ask to meet with a volunteer attorney in Syracuse on Monday nights.	Vera House	Crisis and Support Line: 468-3260 Offices: 425-0818
	Client must have HIV/ AIDS	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Legal problem MUST be related to or affecting an existing mental disability		
Abuse/Neglect of child	To report abuse or maltreatment of children	Child Protective Service	1-800-342-3720
	Family Court Assignment regarding abuse of a child, Onondaga County Only, 125% Federal Income Guidelines.	Hiscock Legal Aid Society	Assigned by court; call with questions 315-422-8191
Accommodations, Reasonable	Legal problem MUST be related to or affecting an existing physical or mental disability	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	ARISE	(315) 472-3171
Adoption	https://www.nycourts.gov/courthelp/family/adoptionBasics.shtml	Family Court of Onondaga County	Find forms for Family Court filing online or visit court in Rm. 111 at 401 Montgomery St., Syracuse, NY.

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Adoption	Federal Income Guidelines, Case by case review	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Adoption	Client must have HIV/ AIDS	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Q Law Program assists with LGBT second-parent adoption issues. Federal income guidelines, case by case review.	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 579-2576 or email qlaw@onvlp.org
	Surrender child in abuse/neglect proceedings - Family Court Assignment, Onondaga County Only, 125% Federal Income Guidelines	Hiscock Legal Aid Society	Assigned by court; call with questions 315-422-8191
Agencies -Problems With	Legal problem MUST be related to or affecting an existing mental disability	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Client must have been denied services because they do not speak English, Income Guidelines	Legal Services of Central New York (LSCNY)	(877) 777-6152
Aide Services	Legal problem MUST be related to or affecting an existing mental disability	Legal Services of Central New York (LSCNY)	(877) 777-6152
Appeals - Civil Matters	Helps persons of modest means who are taking, or responding to, appeals regarding fundamental civil legal issues, such as family stability, personal safety or subsistence income. Must submit a written application form, available online on nysba.org or printed version in back of this reference guide.	New York State Bar Association Pro Bono Appeals Program	Pro Bono Appeals Program, c/o Worker Justice Center of New York, 1187 Culver Rd., rochester NY 14609; Fax (800) 832-9150; email info@probonoappealsny.org
Appeals-Criminal Court	Assigned by Court after client has already filed a Notice of Appeal and Poor Person Motion.	Hiscock Legal Aid Society	Assigned by court; call with questions 315-422-8191
	Client should have their original attorney assist them with filing a Notice of Appeal and a Poor Person Motion.	Assigned Counsel Panel	Appointed by court
Appeals - Family Court	Assigned by Court after client has already filed a Notice of Appeal and Poor Person Motion.	Hiscock Legal Aid Society	Assigned by court; call with questions 315-422-8191
	Client should have their original attorney assist them with filing a Notice of Appeal and a Poor Person Motion.	Assigned Counsel Panel	Appointed by court

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Appeals - Family Court	Helps persons of modest means who are taking, or responding to, appeals regarding fundamental civil legal issues, such as family stability, personal safety or subsistence income. Must submit a written application form, available online on nysba.org or printed version in back of this reference guide.	New York State Bar Association Pro Bono Appeals Program	Pro Bono Appeals Program, c/o Worker Justice Center of New York, 1187 Culver Rd., rochester NY 14609; Fax (800) 832-9150; email info@probonoappealsny.org
Arbitration Services	Agency provides reports on business firms and information about charity organizations, and helps resolving disputes with businesses through consultation, mediation and arbitration. Reports and complaint forms are available online. Most services are free.	Better Business Bureau	(800) 828-5000, www.bbb.org
Assigned Counsel - Criminal	Client will be assigned an attorney if they cannot afford to hire one. Income guidelines apply - generally 200% of poverty guidelines.	Assigned Counsel Panel	Appointed by court
	Will provide criminal representation upon assignment by the court	Federal Public Defender's Office	(315) 701-0080
Assigned Counsel - Denial	Income Guidelines -- if Judge refuses to assign counsel in a Criminal or Family Court matter.	Legal Services of Central New York (LSCNY)	(877) 777-6152
Assigned Counsel - Family	Client must call or ask Judge to be assigned an attorney if they cannot afford to hire one. Income guidelines apply. Court will assign an attorney in Custody/Visitation Matters (for parents and individuals with custody), Domestic Violence/Family Offense Matters, Neglect & Abuse Cases, & Child Support Violation Cases (for accused violater only)	Family Court of Onondaga County	Clerk's Office located at: 401 Montgomery St., Syracuse, NY 13202
Attorney Grievance	For Herkimer, Jefferson, Oneida, Onondaga and Oswego Counties. The complaint must be submitted in writing with an original signature. Complaints submitted by facsimile are not accepted. No special form or language is necessary. Your written complaint should include all important information. If letters, agreements, or other documents are involved, copies should be included if available. If more information than what you provide is needed it will, of course, be requested. There is no financial cost.	Attorney Grievance Committee (Fifth Judicial District -- 4th Judicial Department)	(315) 401-3344 Fifth Judicial District 224 Harrison Street, Suite 408 Syracuse, New York 13202-3066

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Bank Account -Frozen	200% Federal Income Guidelines	Legal Aid Society of Mid-New York (LASMNY) and Legal Services of Central New York (LSCNY)	(877) 777-6152
	Onondaga County Only, Federal Income Guidelines, Case by case review, Must be sued by debt collectors	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Bankruptcy	The bankruptcy clinic takes cases from the following counties: Cayuga, Cortland, Onondaga, Oswego, Tioga, and Tompkins	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
	We handle Frozen Bank Account, Wage Garnishment and Debt Collection, and Credit Problems, but generally only in connection with bankruptcy issues.	Syracuse Cooperative Federal Credit Union	(315) 473-0217
	Free referral for a free consultation with a private attorney. The attorney will charge fees for the representation after the consultation.	Lawyer Referral Service of the Onondaga County Bar Association	(315) 471-2690
	200% Federal Income Guidelines	Legal Aid Society of Mid-New York (LASMNY)	(877) 777-6152
Benefits - Disability related	Handles a wide variety of disability-related benefits issues including SSI/SSD denial and appeals, cases related to mental health, cancer, HIV status, etc.	Legal Aid Society of Mid-New York (LASMNY) and Legal Services of Central New York (LSCNY)	(877) 777-6152
	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living programs, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	ARISE	(315) 472-3171

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Benefits - Disability related	This agency strives to keep impaired and vulnerable adults age 18 and over safe from themselves and others. Workers can assist individuals and families in applying for such benefits as Medicaid, SSI, SNAP, and HEAP, as well as referring for Medicare, legal interventions, and other services. Eligibility - (1) The client has a physical or mental impairment, (2) The client has an essential unmet need and is at risk of harm and (3) There is no one willing or able to assist responsibly.	Adult Protective Services	(315) 435-2815
Benefits - General	Client must have issue regarding public assistance, food stamps, Medicaid, daycare assistance- i.e.: denials, discontinuances, reductions, or problems with access or associated work problems with these programs. 200% Federal Income Guidelines	Legal Aid Society of Mid-New York (LASMNY) and Legal Services of Central New York (LSCNY)	(877) 777-6152
	Onondaga County Only, 250% Federal Income Guidelines, 60 or older	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
	Agency provides help for those unable to work, unable to find a job or has a job that doesn't pay enough. TA may help with basic need expenses such as heat or rent and food. They may help with emergency assistance to stay in the home or for emergency relocation. Eligibility criteria apply.	Temporary Assistance	(315) 435-2700, Civic Center, 2nd Fl. 421 Montgomery Street Syracuse, NY 13202 8:00 AM - 4:30 PM (Monday-Friday)
Benefits - Senior community	Agency has various programs helping the senior community (age 60 or over) including but not limited to, transportation, applying for benefits, meals on wheels, help navigating the healthcare system, help with minor home repairs, home healthcare, and finding suitable housing. Agency also has Caregiver support services, including Caregiver mediation.	Onondaga County Office for Aging.	(315) 435-2362
Benefits - Veterans	Agency's mission is to obtain funding, medical treatment or nursing home care for eligible Veterans, their dependents and survivors. They provide information, assistance and advocacy for claimants in actions or claims against the VA or state/local veteran's related entitlements.	Onondaga County Veteran's Service Agency	(315) 435-3217
Benefits - Veterans	Agency helps veterans that need advocacy for VA compensation.	Disabled American Veterans	716-857-3354

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Benefits - Veterans	Assistance with discharge upgrades and VA benefits appeals.	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
	The Advocate for Injured Workers handles the most complex cases. Provides education and training for workers, unions and advocate on benefits and rights in the workers' compensation system. The agency resolves disputes and provides information to injured workers to enable them to protect their rights within the system. Also accepts and resolves complaints regarding discrimination related to worker's compensation.	Advocate for Injured Workers	1-877-632-4996
Birth Certificate Changes	Client must have HIV/ AIDS or Cancer	Legal Services of Central New York (LSCNY)	(877) 777-6152
Birth Certificate Changes	Onondaga County Only, Federal Income Guidelines, Case by case review	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
	Q Law Program assists with transgender name and gender marker changes. Federal income guidelines, case by case review.	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 579-2576 or email qlaw@onvlp.org
	Federal Income Guidelines, Case by case review	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Business Accreditation/ Inquiries	Agency provides reports on business firms and information about charity organizations, and helps resolving disputes with businesses through consultation, mediation and arbitration. Reports and complaint forms are available online. Most services are free.	Better Business Bureau	(800) 828-5000, www.bbb.org
Business Formation & Business Law Generally	Legal Assistance to entrepreneurs and small business owners. Federal Income Guidelines, Case by case review.	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 930-3505 or business@onvlp.org
	Federal Income Guidelines, Case by case review	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Car - repair/fraud	Client must call	Attorney General	(315) 448-4800 or (800) 771-7755
	Onondaga County Only, Federal Income Guidelines, Case by case review	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
	The DMV can investigate fraud related to identity theft, as well as odometer and mileage fraud. The	Department of Motor Vehicles	1-518-486-9786 http://www.dmw.ny.gov
	200% Federal Income Guidelines	Legal Aid Society of Mid-New York (LASMNY)	(877) 777-6152
	Lemon law arbitration	New Justice Services	(315) 471-4676
Child Abuse/Neglect	Client must want to report abuse or maltreatment of children	Child Protective Service	1-800-342-3720
	Client can obtain forms at the clerk's office or online at www.courts.state.ny.us/forms/familycourt/index.shtml	Family Court of Onondaga County	Clerk's Office located at: 401 Montgomery St., Syracuse, NY 13202
	Family Court Assignment, Onondaga County Only, 125% Federal Income Guidelines	Hiscock Legal Aid Society	Assigned by court; call with questions 315-422-8191
	Client must have HIV/ AIDS OR be related to or affecting an existing physical or mental disability	Legal Services of Central New York (LSCNY)	(877) 777-6152
Child Care Subsidies	Client denied benefit, 200% of Federal Income Guidelines	Legal Aid Society of Mid-New York (LASMNY) and Legal Services of Central New York (LSCNY)	(877) 777-6152
Child Protective Services Matters	<i>See Child Abuse/Neglect.</i>		
Child Support	VLP Family Court Clinic: Pro bono attorneys provide free assistance to low income clients preparing family court petitions and motions for custody, visitation and child support. Limited pro se assistance only.	Volunteer Lawyers Project of Onondaga County, Inc.	Drop-in clinic: Wednesdays from 9:00am - 3:00pm and Fridays 9:00am - 12:00pm in Room 116 of the Onondaga County Courthouse located at 401 Montgomery St., Syracuse, NY 13202

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Child Support	Onondaga County only, income guidelines up to 200% of the poverty level or on SSI, SNAP or other DSS assistance. Cannot represent in all cases -- call for intake. More likely to take case if already represented by HLA in other matter.	Hiscock Legal Aid Society	Call (315) 422-8191 or in person intake Mon-Fri 8:30am - 4pm at 351 S. Warren St., Syracuse, NY.
Child Support - Enforcement	Special fee attorney panel for collection of support arrears, attorney fee taken out of any support collected, non-attorneys provide assistance to custodial parents filling out support, violations of support-3 or more payments behind, modification and paternity petitions- especially helpful when party lives out of state	Child Support Enforcement Office	(888) 208-4485, Help Line hours are Mon-Fri 8:00- 4:30pm
Child Support - Modification	VLP Family Court Clinic: Pro bono attorneys provide free assistance to low income clients preparing family court petitions and motions for custody, visitation and child support. Limited pro se assistance only.	Volunteer Lawyers Project of Onondaga County, Inc.	Drop-in clinic: Wednesdays from 9:00am - 3:00pm and Fridays 9:00am - 12:00pm in Room 116 of the Onondaga County Courthouse located at 401 Montgomery St., Syracuse, NY 13202
	Service region: Onondaga County. Court assignments up to 125% of the poverty guidelines, and others up to 200% of poverty guidelines. Case by case review.	Hiscock Legal Aid Society	Call (315) 422-8191 or in person intake Mon-Fri 8:30am - 4pm at 351 S. Warren St., Syracuse, NY.
	Special fee attorney panel for collection of support arrears, attorney fee taken out of any support collected, non-attorneys provide assistance to custodial parents filling out support, violations of support-3 or more payments behind, modification and paternity petitions- especially helpful when party lives out of state	Child Support Enforcement Office	(888) 208-4485, Help Line hours are Mon-Fri 8:00- 4:30pm
	Do-it-yourself computer programs for Support Modification, Small Estates, Name Change, Paternity, Child Support Enforcement, Small Estate, 17A Guardianship, Safe Deposit Box, and Landlord petitions.-T	Do-It-Yourself Forms	www.nycourthelp.gov, See TAB 6
Child Support -Collection (NOT if divorce action is in progress)	Onondaga County Only, Federal Income Guidelines, Case by case review	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Child Support -Denial by Child Enforcement	Income Guidelines. Call HelpLine (877) 777-6152, Monday-Friday, from 9:00 a.m. to 3:00 p.m.	Legal Services of Central New York (LSCNY)	(877) 777-6152

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Child Support -Violations	VLP Family Court Clinic: Pro bono attorneys provide free assistance to low income clients preparing family court petitions and motions for custody, visitation and child support. Limited pro se assistance only.	Volunteer Lawyers Project of Onondaga County, Inc.	Drop-in clinic: Wednesdays from 9:00am - 3:00pm and Fridays 9:00am - 12:00pm in Room 116 of the Onondaga County Courthouse located at 401 Montgomery St., Syracuse, NY 13202
	Family Court Assignment, Onondaga County Only, Respondents Only, Income Guidelines Apply	Hiscock Legal Aid Society	Assigned by court; call with questions 315-422-8191
	Client can obtain forms at the clerk's office or online at www.courts.state.ny.us/forms/familycourt/index.shtml	Family Court of Onondaga County	Clerk's Office located at: 401 Montgomery St., Syracuse, NY 13202
	Special fee attorney panel for collection of support arrears, attorney fee taken out of any support collected, non-attorneys provide assistance to custodial parents filling out support, violations of support-3 or more payments behind, modification and paternity petitions- especially helpful when party lives out of state	Child Support Enforcement Office	(888) 208-4485, Help Line hours are Mon-Fri 8:00- 4:30pm
Civil Legal Issues	Income Guidelines. Call HelpLine (877) 777-6152, Monday-Friday, from 9:00 a.m. to 3:00 p.m.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Telephone service used for clients who are looking to hire an attorney in Onondaga County. Possible free consultations with attorney to discuss legal issue as well as cost of representation.	Lawyer Referral Service of the Onondaga County Bar Association	(315) 471-2690
	Walk-in legal clinics provide general legal advice by volunteer attorneys on all civil matters	Walk-in clinics	Times/ Locations In TAB 4
Civil Rights	Income Guidelines. Issues include denied services because the person doesn't speak English, related to mental disability, related to incarceration, related to race, etc.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	The NYCLU provides a multiprong approach, including advocacy, legal advice, litigation, etc., to advance civil rights and liberties. For legal advice, potential clients must write a 1-2 page summary of civil liberty/right concern and send to agency by mail, fax or e-mail	New York Civil Liberties Union -- Central New York Chapter	(315) 471-2821, 731 James Street, Ste 205, Syracuse NY 13203, cnyintake@nyclu.org
	Agency handles discrimination complaints regarding employment, housing, public accommodations, education, etc. Complaint forms can be found on their website.	NYS Division of Human Rights	(315) 428-4633 www.dhr.ny.gov InfoSyracuse@dhr.ny.gov

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Civil Rights	Supports the 'NYS Human Rights Law', which deals specifically with 'Protected Classes' of people (race, creed, color, national origin, sexual orientation, sex, age, marital status, disability, prior arrest or conviction record and familial status in housing). Assists in the areas of employment, housing, and public accommodation.	Human Rights Specialist for Syracuse and Onondaga County	(315) 435-3565
	Client must call	Attorney General	(315) 448-4800 or (800)771-7755
	Agency handles various issues regarding discrimination due to past criminal records. In most cases the client must be facing barriers to employment, education or occupational licensing. Client must be also experiencing difficulty obtaining or retaining employment and unable to pay for privately retained counsel	Center for Community Alternatives	(315) 422-5638
	Agency serves low wage workers, including migrant and seasonal agricultural workers, through direct representation in civil matters regarding employment and wage issues. They also address domestic violence and human trafficking issues.	Worker Justice Center of New York	(800) 724-7020
Civil Rights -- LGBT	Provides representation for discrimination based on sexual orientation, gender identity or gender expression. Assists with transgender name changes, health insurance denial and health care discrimination. Provides legal services to LGBT veterans and elders.	LGBT Rights Project	Empire Justice Center One West Maine Street Suite 200 Rochester, NY 14614 (585) 295-5721
	Q Law program assists clients facing discrimination based upon LGBT status. Federal income guidelines apply.	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 579-2576 or email qlaw@onvlp.org
Clinics, Walk-In	Walk-in legal clinics provide general legal advice by volunteer attorneys on all civil matters	Walk-in clinics	Times/ Locations In TAB 4
Community Residence - Care & Services	Income Guidelines. Call HelpLine (877) 777-6152, Monday-Friday, from 9:00 a.m. to 3:00 p.m.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Agency offers a wide range of services to those with various types of disabilities and their families.	ARISE	(315) 472-3171
Consumer Issues	Income Guidelines. Assistance with consumer frauds, scams, deceptive practices, collection.	Legal Aid Society of Mid New York (LASMNY) and Legal Services of Central New York (LSCNY)	(877) 777-6152

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Consumer Issues	Agency protects consumers against questionable business practices and product recalls, represents the interests of consumers before the Public Service Commission and other state and federal agencies, and helps victims of identity theft.	NYS Division of Consumer Protection	1-800-697-1220
Consumer Issues	Onondaga County Only, Federal Income Guidelines	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
	Reporting consumer fraud.	Attorney General	(315) 448-4800 or (800)771-7755
	Agency provides financial education classes including; those for DV women survivors, teens in summer job programs, low wage workers, food pantry recipients, and section 8 clients. They may also help in refinancing in Onondaga County.	Syracuse Cooperative Federal Credit Union	(315) 473-0217
	Agency provides reports on business firms and information about charity organizations, and helps resolving disputes with businesses through consultation, mediation and arbitration. Reports and complaint forms are available online. Most services are free.	Better Business Bureau	(800) 828-5000, www.bbb.org
	Agency provides free mediators which help to resolve issues involving family, neighbors, employers, businesses, etc	New Justice Services	(315) 471-4676
Consumer Issues -Exploitation	Income Guidelines	Legal Services of Central New York (LSCNY)	(877) 777-6152
Contract Disputes	Agency provides free mediators which help to resolve issues involving family, neighbors, employers, businesses, etc	New Justice Services	(315) 471-4676
CPS (Child Protective Services) Matters	<i>See Child Abuse/Neglect.</i>		
Credit Problems - creditor harassment, credit reports, etc.	Income Guidelines	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Agency protects consumers against questionable business practices and product recalls, represents the interests of consumers before the Public Service Commission and other state and federal agencies, and helps victims of identity theft.	NYS Division of Consumer Protection	1-800-697-1220
	Onondaga County Only, Federal Income Guidelines, Case by case review, Sued by debt collectors	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Credit Problems - creditor harassment, credit reports, etc.	Client must call	Attorney General	(315) 448-4800 or (800)771-7755
	Agency provides financial education classes including; those for DV women survivors, teens in summer job programs, low wage workers, food pantry recipients, and section 8 clients. They may also help in refinancing in Onondaga County.	Syracuse Cooperative Federal Credit Union	(315) 473-0217
Crime Victims	Agency provides direct services to victims of crime, including compensation for crime related expenses, reimbursement for forensic rape/sexual assault examinations and advocacy for innocent victim's rights. Education and outreach is also provided.	NYS Office of Victim Services	1-800-247-8035 ovs.ny.gov
	Agency provides services to Domestic Violence and Sexual Violence survivors and their children by providing shelter, advocacy, and counseling services for women, children & men, education and prevention programs and community coordination. Clients can call and ask to meet with a volunteer attorney in Syracuse on Monday nights.	Vera House	Crisis and Support Line: 468-3260 Offices: 425-0818
Criminal	Client must ask Judge to be assigned an attorney if they cannot afford to hire one. Income guidelines apply.	Assigned Counsel Panel	Appointed by court
Criminal	Agency handles various issues regarding discrimination due to past criminal records. In most cases the client must be facing barriers to employment, education or occupational licensing. Client must be also experiencing difficulty obtaining or retaining employment and unable to pay for privately retained counsel	Center for Community Alternatives	(315) 422-5638
Criminal	Agency provides direct services to victims of crime, including compensation for crime related expenses, reimbursement for forensic rape/sexual assault examinations and advocacy for innocent victim's rights. Education and outreach is also provided.	NYS Office of Victim Services	1-800-247-8035 ovs.ny.gov
Criminal - Illegal use of criminal records	Income Guidelines; helping those with criminal records to correct RAP sheets and obtain Certificates of Relief from Disability and of Good Conduct so that they can more easily obtain employment.	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 579-0177 or email newstart@onvlp.org
	Income Guidelines	Legal Services of Central New York (LSCNY)	(877) 777-6152

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Criminal Charges	Misdemeanor or violation level charges in Syracuse City Court - not DWI	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Criminal Records	Income Guidelines; helping those with criminal records to correct RAP sheets and obtain Certificates of Relief from Disability and of Good Conduct so that they can more easily obtain employment.	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 579-0177 or email newstart@onvlp.org
	Agency handles various issues regarding discrimination due to past criminal records. In most cases the client must be facing barriers to employment, education or occupational licensing. Client must be also experiencing difficulty obtaining or retaining employment and unable to pay for privately retained counsel	Center for Community Alternatives	(315) 422-5638
Criminal -denial of assigned counsel	Income Guidelines.	Legal Services of Central New York (LSCNY)	(877) 777-6152
Criminal -Federal	Will provide criminal representation upon assignment by the court	Federal Public Defender's Office	(315) 701-0080
Custody (original or modification)	Client can obtain forms at the clerk's office or online at www.courts.state.ny.us/forms/familycourt/index.shtml	Family Court of Onondaga County	Clerk's Office located at: 401 Montgomery St., Syracuse, NY 13202
	VLP Family Court Clinic: Pro bono attorneys provide free assistance to low income clients preparing family court petitions and motions for custody, visitation and child support. Limited pro se assistance only.	Volunteer Lawyers Project of Onondaga County, Inc.	Drop-in clinic: Wednesdays from 9:00am - 3:00pm and Fridays 9:00am - 12:00pm in Room 116 of the Onondaga County Courthouse located at 401 Montgomery St., Syracuse, NY 13202
	Custody or Visitation - Original or Modification or Enforcement or Violations. Onondaga County only. Both family court assigned and up to 200% of poverty guidelines in special cases. Case by case assessment.	Hiscock Legal Aid Society	Call (315) 422-8191 or in person intake Mon-Fri 8:30am - 4pm at 351 S. Warren St., Syracuse, NY.
	Federal Income Guidelines, Case by case review or by request from Family Court	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Custody (original or modification)	Client must have Custody/ visitation issue. Federal Guidelines apply. Must request counsel from Judge at first appearance.	<i>Court Appointed Counsel</i>	assigned by court.
	Client must be a cancer patient or a family member of a cancer patient OR client must have HIV/AIDS	<i>Legal Services of Central New York (LSCNY)</i>	(877) 777-6152
	Agency provides free mediators which help to resolve issues involving family, neighbors, employers, businesses, etc	<i>New Justice Services</i>	(315) 471-4676
Custody -denial of assigned counsel	Income Guidelines.	<i>Legal Services of Central New York (LSCNY)</i>	(877) 777-6152

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Debt Collection (medical bills, loans, student loans, etc.)	Agency protects consumers against questionable business practices and product recalls, represents the interests of consumers before the Public Service Commission and other state and federal agencies, and helps victims of identity theft.	NYS Division of Consumer Protection	1-800-697-1220
	Client must call to report unlawful debt collection practices.	Attorney General	(315) 448-4800 or (800)771-7755
	200% Federal Income Guidelines.	Legal Aid Society of Mid-New York (LASMNY) and Legal Services of Central New York (LSCNY)	(877) 777-6152
	Onondaga County Only, Federal Income Guidelines, Case by case review, Sued by debt collectors	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
	Agency provides financial education classes including; those for DV women survivors, teens in summer job programs, low wage workers, food pantry recipients, and section 8 clients. They may also help in refinancing in Onondaga County.	Syracuse Cooperative Federal Credit Union	(315) 473-0217
Defending Lawsuit for Debt	200% Federal Income Guidelines	Legal Aid Society of Mid-New York (LASMNY)	(877) 777-6152
	Onondaga County Only, Federal Income Guidelines, Case by case review, Sued by debt collectors	Syracuse University College of Law Clinical Program	Telephone 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Denial of Counsel -Criminal Court	Income Guidelines	Legal Services of Central New York (LSCNY)	(877) 777-6152
Denial of Counsel -Family Court	Income Guidelines	Legal Services of Central New York (LSCNY)	(877) 777-6152
Department of Social Services Collection	Collection by DSS or Medical Revocation Department of DSS, 200% Federal Income Guidelines	Legal Aid Society of Mid-New York (LASMNY)	(877) 777-6152
Disability	DRNY provides legal assistance for persons with disabilities in New York through Protection & Advocacy System and Client Assistance Program (P&A/CAP). DRNY advocates for the civil and legal rights for people with disabilities.	Disability Rights New York	1-800-993-8982 / 518-432-7861

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Disability	Client seeking SSI, 200% Federal Income Guidelines	Legal Aid Society of Mid-New York (LASMNY) and Legal Services of Central New York (LSCNY)	(877) 777-6152
	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living programs, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	ARISE	(315) 472-3171
	Agency assists people on temporary assistance in qualifying for SSI, SSD, and SNAP. Help with home energy assistance program. They help applicants fill out applications and obtain medical evaluations. This Unit works closely with Legal Aid Society of Mid NY to appeal adverse decisions.	Department of Social Services – Economic Security	(315) 435-2700 (follow automated prompts)
	Agency's mission is to obtain funding, medical treatment or nursing home care for eligible Veterans, their dependents and survivors. They provide information, assistance and advocacy for claimants in actions or claims against the VA or state/local veteran's related entitlements.	Onondaga County Veteran's Service Agency	(315) 435-3217
	For information regarding Disabled Veterans please see "Veterans Issues -- disability claims and appeals" in this table		
Disability -Accessing/ Receiving Services	Legal problem MUST be related to or affecting an existing physical or mental disability	Legal Services of Central New York (LSCNY)	(877) 777-6152
Discharge Planning -From Institution/ Facility	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living programs, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	ARISE	(315) 472-3171
	Legal problem MUST be related to or affecting an existing physical or mental disability	Legal Services of Central New York (LSCNY)	(877) 777-6152
Discharge Upgrade-Military/Veteran	Onondaga County Only, Federal Income Guidelines, Case by case review, Sued by debt collectors	Syracuse University College of Law Clinical Program	Telephone 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Discipline Hearing -- Education	Income Guidelines	Legal Services of Central New York (LSCNY)	(877) 777-6152
Discipline Hearing -- Education	City of Syracuse students.	Center for Community Alternatives	
Discrimination	Income Guidelines. Will consider a wide array of discrimination cases, including based upon disability, immigration status, national origin, HIV status, etc.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	The NYCLU provides a multiprong approach, including advocacy, legal advice, litigation, etc., to advance civil rights and liberties. For legal advice, potential clients must write a 1-2 page summary of civil liberty/right concern and send to agency by mail, fax or e-mail	New York Civil Liberties Union -- Central New York Chapter	(315) 471-2821, 731 James Street, Ste 205, Syracuse NY 13203, cnyintake@nyclu.org
	Supports the 'NYS Human Rights Law', which deals specifically with 'Protected Classes' of people (race, creed, color, national origin, sexual orientation, sex, age, marital status, disability, prior arrest or conviction record and familial status in housing). Assists in the areas of employment, housing, and public accommodation.	Human Rights Specialist for Syracuse and Onondaga County	(315) 435-3565
	Agency handles discrimination complaints regarding employment, housing, credit, volunteer fire departments, public accommodations, education, etc. Complaint forms can be found on their website.	NYS Division of Human Rights	(315) 428-4633 www.dhr.ny.gov InfoSyracuse@dhr.ny.gov
Discrimination- Access to places of public accommodation	Income Guidelines	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Federal Income Guidelines, Case by case review, Discrimination based on disability	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Discrimination - Access to State and Local Government Services	Income Guidelines	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Federal Income Guidelines, Case by case review, Discrimination based on disability	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Discrimination -Based on a Disability	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living programs, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	ARISE	(315) 472-3171

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Discrimination -Based on a Disability	Federal Income Guidelines, Case by case review	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
	Income Guidelines	Legal Services of Central New York (LSCNY)	(877) 777-6152
Discrimination - Housing	Investigates housing discrimination claims including rentals and home purchases, home financing, refinancing, predatory lending, and homeowner's insurance. Can provide free legal representation to those who have faced housing discrimination. Assists with reasonable accommodations and modifications for individuals and families. No income guidelines apply. Agency serves an eight-county region throughout CNY including Onondaga, Tompkins, Madison, Oneida, Oswego, Jefferson and St. Lawrence Counties.	CNY Fair Housing	(315) 471-0420 info@cnyfairhousing.org www.cnyfairhousing.org
	Income Guidelines -- consider cases based upon mental disability, immigration status, and more.	Legal Services of Central New York (LSCNY)	(877) 777-6152
Discrimination- LGBT status	Provides representation for discrimination based on sexual orientation, gender identity or gender expression. Assists with transgender name changes, health insurance denial and health care discrimination. Provides legal services to LGBT veterans and elders.	LGBT Rights Project	Empire Justice Center One West Maine Street Suite 200 Rochester, NY 14614 (585) 295-5721
	Q Law program assists clients facing discrimination based upon LGBT status. Federal income guidelines apply.	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 579-2576 or email qlaw@onvlp.org
Discrimination -Employment	Agency handles various issues regarding discrimination due to past criminal records. In most cases the client must be facing barriers to employment, education or occupational licensing. Client must be also experiencing difficulty obtaining or retaining employment and unable to pay for privately retained counsel	Center for Community Alternatives	(315) 422-5638
	Agency handles various issues regarding discrimination due to past criminal records. In most cases the client must be facing barriers to employment, education or occupational licensing because of the criminal record. Income guidelines apply.	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 579-0177 or email newstart@onvlp.org
	Income Guidelines. Will consider a wide array of discrimination cases.	Legal Services of Central New York (LSCNY)	(877) 777-6152

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Discrimination -Employment	Federal Income Guidelines, Case by case review, Discrimination must be based on disability	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Discrimination -Illegal use of Criminal Records	Agency handles various issues regarding discrimination due to past criminal records. In most cases the client must be facing barriers to employment, education or occupational licensing. Client must be also experiencing difficulty obtaining or retaining employment and unable to pay for privately retained counsel	Center for Community Alternatives	(315) 422-5638
	Agency handles various issues regarding discrimination due to past criminal records. In most cases the client must be facing barriers to employment, education or occupational licensing because of the criminal record. Income guidelines apply.	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 579-0177 or email newstart@onvlp.org
	Income guidelines	Legal Services of Central New York (LSCNY)	(877) 777-6152
Divorce- contested	Assigned by the Supreme Court when custody is disputed (generally 125% Federal Poverty guidelines). If no children, then only accept in special cases such as domestic violence (up to 200% of federal poverty guidelines).	Hiscock Legal Aid Society	Call (315) 422-8191 or in person intake Mon-Fri 8:30am - 4pm at 351 S. Warren St., Syracuse, NY.
	Client must have: 1. Custody/ visitation issue OR 2, Have/need an order of protection OR 3, Have a motion of contempt against them. Federal Guidelines apply. Must request counsel from Judge at first appearance.	Court Appointed Counsel	assigned by judge.
	Represent DV victims in contested divorces in all service counties except Onondaga (Cortland, Jefferson, Lewis, Oswego, Cayuga, Broome, Oneida, Madison, Otsego, Delaware, Cheango and Herkimer.	Legal Aid Society of Mid-New York (LASMNY)	(877) 777-6152
	Client must have HIV/ AIDS or cancer	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Agency provides services to Domestic Violence and Sexual Violence survivors and their children by providing shelter, advocacy, and counseling services for women, children & men, education and prevention programs and community coordination. Clients can call and ask to meet with a volunteer attorney in Syracuse on Monday nights.	Vera House	Crisis and Support Line: 468-3260 Offices: 425-0818
	Federal Income Guidelines, Case by case review	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Divorce-Uncontested	200% Federal Poverty Guidelines; If there are children, child custody and support orders must be in place; if there is any personal property, it must be not in dispute.	Hiscock Legal Aid Society	Call (315) 422-8191 or in person intake Mon-Fri 8:30am - 4pm at 351 S. Warren St., Syracuse, NY.
	Uncontested divorces Only. Client must first contact Hiscock Legal Aid Society for representation (315) 422-8191. OnVLP only takes conflict cases. Income Guidelines Apply. If there are children, must already have family court orders of custody and support. Onondaga County only.	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 471-3409 ext. 617 or email family@onvlp.org for intake
	Pro se actions and uncontested divorces Only. Income Guidelines Apply. If there are children, must already have family court orders of custody and support. All service counties.	Legal Aid Society of Mid-New York (LASMNY)	(877) 777-6152
	Federal Income Guidelines, Case by case review	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Domestic Violence and Abuse	Assists with Petitions for Orders of Protection in Room 100 at Family Court. Agency also provides services to Domestic Violence and Sexual Violence survivors and their children by providing shelter, advocacy, and counseling services for women, children & men, education and prevention programs and community coordination. Clients can call and ask to meet with a volunteer attorney in Syracuse on Monday nights.	Vera House	Crisis and Support Line: 468-3260 Offices: 425-0818 In room 100 of Family Court most hours that the Clerk's Office is open.
	Client must be the victim, Onondaga County Only, 200% Federal Income Guidelines, various issues related to abuse	Hiscock Legal Aid Society	Call (315) 422-8191 or in person intake Mon-Fri 8:30am - 4pm at 351 S. Warren St., Syracuse, NY.
	Vera House Legal Clinic provides victims of domestic violence with free legal advice and referrals on Monday night at Vera House.	Volunteer Lawyers Project of Onondaga County, Inc.	Call (315) 425-0818 for an appointment.
	Federal Income Guidelines, Case by case review	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
	Represent DV victims in contested divorces in all service counties except Onondaga (Cortland, Jefferson, Lewis, Oswego, Cayuga, Broome, Oneida, Madison, Otsego, Delaware, Cheango and Herkimer.	Legal Aid Society of Mid-New York (LASMNY) and Legal Services of Central New York (LSCNY)	(877) 777-6152

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Domestic Violence and Abuse	Agency provides financial education classes including; those for DV women survivors, teens in summer job programs, low wage workers, food pantry recipients, and section 8 clients. They may also help in refinancing in Onondaga County.	Syracuse Cooperative Federal Credit Union	(315) 473-0217
Domestic Violence and Abuse	Agency serves low wage workers, including migrant and seasonal agricultural workers, through direct representation in civil matters regarding employment and wage issues. They also address domestic violence and human trafficking issues.	Worker Justice Center of New York	(800) 724-7020
Driver's License Issues-Suspension/Revocation	The DMV can investigate fraud related to identity theft, as well as odometer and mileage fraud. The website is very helpful, providing instructions/forms relating to obtaining suspended or revoked licenses, how to pay traffic tickets, among other things.	Department of Motor Vehicles	1-518-486-9786 http://www.dmw.ny.gov
	Roadblocks to Work initiative is looking at the barrier to employment caused by suspension of driver's licenses for unpaid fees and fines.	Legal Services of Central New York (LSCNY)	1-877-777-6152

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Education/ Training Impediments	Agency handles various issues regarding discrimination due to past criminal records. In most cases the client must be facing barriers to employment, education or occupational licensing. Client must be also experiencing difficulty obtaining or retaining employment and unable to pay for privately retained counsel	Center for Community Alternatives	(315) 422-5638
	Income Guidelines. Covers a wide array of issues including acces to education, student discipline, school residence, bullying, rights of English Language Learners, and rights of juvenile inmates to education.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living programs, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	ARISE	(315) 472-3171
Elder Law Issues	60 or older, Will NOT handle real estate issues, Onondaga County Only	Legal Aid Society of Mid-New York (LASMNY)	(877) 777-6152
	Elder and Health Law Clinic, 250% Federal Income Guidelines, 60 or older, case by case review.	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
	Pro bono attorneys provide free assistance to low income clients (below 200% poverty line) preparing pro se petitions for 17-A Guardianship, Safe Deposit Box, and Small Estates. Assist with completion of Health Care Proxy and Power of Attorney forms. Also provide advice, information and referrals for other elder law, trusts, estates and wills issues. Client must call to make appointment and specify "VLP Surrogate's Court Clinic".	Volunteer Lawyers Project of Onondaga County, Inc.	Clinic every Wednesday from 11:00am - 1:00pm in Surrogate's Court Jury room, 2nd floor of the Onondaga County Courthouse located at 401 Montgomery St., Syracuse, NY 13202. Appointments given preference, but drop-in welcomed if time allows. Call (315) 579-2579 or email elder@onvlp.org

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Elder Law Issues	This agency strives to keep impaired and vulnerable adults age 18 and over safe from themselves and others. Workers can assist individuals and families in applying for such benefits as Medicaid, SSI, SNAP, and HEAP, as well as referring for Medicare, legal interventions, and other services. Eligibility - (1) The client has a physical or mental impairment, (2) The client has an essential unmet need and is at risk of harm and (3) There is no one willing or able to assist responsibly.	Adult Protective Services	(315) 435-2815
	Agency has various programs helping the senior community (age 60 or over) including but not limited to, transportation, applying for benefits, meals on wheels, help navigating the healthcare system, help with minor home repairs, home healthcare, and finding suitable housing. Agency also has Caregiver support services, including Caregiver mediation.	Onondaga County Office for Aging.	(315) 435-2362
	Client must call to report senior scams and other elder abuse issues.	Attorney General	(315) 448-4800 or (800) 771-7755
Employment	Advice and counsel on employment law matters (wages, hours, terms and conditions of employment, worker safety, employment discrimination, unemployment benefits, etc.), limited representation. Income Guidelines.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Agency's mission is to protect workers, assist the unemployed and connect job seekers to jobs. Divisions of this agency include but are not limited to Division of Immigrant Policies and Affairs, Wage Protection, Farmworkers, Unemployment Insurance Assistance.	NYS Department of Labor	(888) 469-7365 www.labor.ny.gov
	Agency serves low wage workers, including migrant and seasonal agricultural workers, through direct representation in civil matters regarding employment and wage issues. They also address domestic violence and human trafficking issues.	Worker Justice Center of New York	(800) 724-7020
Employment -Barriers (Examples: bad credit, driver's license issues, transportation issues...)	Agency handles various issues regarding discrimination due to past criminal records. In most cases the client must be facing barriers to employment, education or occupational licensing. Client must be also experiencing difficulty obtaining or retaining employment and unable to pay for privately retained counsel	Center for Community Alternatives	(315) 422-5638

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Employment -Barriers (Examples: bad credit, driver's license issues, transportation issues...)	Income Guidelines; helping those with criminal records to correct RAP sheets and obtain Certificates of Relief from Disability and of Good Conduct so that they can more easily obtain employment.	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 579-0177 or email newstart@onvlp.org
	Income Guidelines	Legal Services of Central New York (LSCNY)	(877) 777-6152
Employment -Discrimination	Income guidelines.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	The NYCLU provides a multiprong approach, including advocacy, legal advice, litigation, etc., to advance civil rights and liberties. For legal advice, potential clients must write a 1-2 page summary of civil liberty/right concern and send to agency by mail, fax or e-mail	New York Civil Liberties Union -- Central New York Chapter	(315) 471-2821, 731 James Street, Ste 205, Syracuse NY 13203, cnyintake@nyclu.org
	Agency handles various issues regarding discrimination due to past criminal records. In most cases the client must be facing barriers to employment, education or occupational licensing. Client must be also experiencing difficulty obtaining or retaining employment and unable to pay for privately retained counsel	Center for Community Alternatives	(315) 422-5638
	Income Guidelines; helping those with criminal records to correct RAP sheets and obtain Certificates of Relief from Disability and of Good Conduct so that they can more easily obtain employment.	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 579-0177 or email newstart@onvlp.org
	Federal Income Guidelines, Case by case review, Discrimination must be based on disability	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
	Supports the 'NYS Human Rights Law', which deals specifically with 'Protected Classes' of people (race, creed, color, national origin, sexual orientation, sex, age, marital status, disability,	Human Rights Specialist for Syracuse and Onondaga County	(315) 435-3565
	Agency handles discrimination complaints regarding discrimination in employment based on age, creed, disability marital status, military status, national origin, race/color, sex, sexual harassment, sexual orientation, pregnancy, arrest record, conviction record, domestic violence	NYS Division of Human Rights	(315) 428-4633 www.dhr.state.ny.gov InfoSyracuse@dhr.ny.gov
Enrollment in School	Agency handles various issues regarding discrimination due to past criminal records. In most cases the client must be facing barriers to employment, education or occupational licensing. Client must be also experiencing difficulty obtaining or retaining employment and unable to pay for privately retained counsel	Center for Community Alternatives	(315) 422-5638

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Enrollment in School	Client must have residency issues. Income Guidelines.	Legal Services of Central New York (LSCNY)	(877) 777-6152
Evaluation -Education	Legal problem MUST be related to or affecting an existing physical or mental disability	Legal Services of Central New York (LSCNY)	(877) 777-6152
Eviction Defense	Provides a lawyer-of-the-day in Syracuse City Court Eviction proceedings and every other Tuesday in East Syracuse Justice Court. Client may contact VLP in advance to ensure that a lawyer will be present and available. 200% Federal Income Guidelines, both subsidized and unsubsidized.	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 471-3409 ext. 600 or housing@onvlp.org. Client will meet attorney at Court, generally available daily
	Facing eviction from subsidized housing (for example, Section 8, public housing) in the city of Syracuse.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Facing eviction from any housing (private or publically subsidized) in Onondaga County outside of Syracuse.	Legal Aid Society of Mid-New York (LASMNY)	(877) 777-6152
	Must be in the city of Syracuse and not subsidized housing (It is okay if client is on public assistance)	Hiscock Legal Aid Society	Call (315) 422-8191 or in person intake Mon-Fri 8:30am - 4pm at 351 S. Warren St., Syracuse, NY.
	Agency provides help for those unable to work, unable to find a job or has a job that doesn't pay enough. TA may help with basic need expenses such as heat or rent and food. They may help with emergency assistance to stay in the home or for emergency relocation. Eligibility criteria apply.	Temporary Assistance	(315) 435-2700, Civic Center, 2nd Fl. 421 Montgomery Street Syracuse, NY 13202 8:00 AM - 4:30 PM (Monday-Friday)
Extradition	Court Assignment, Onondaga County Only.	Hiscock Legal Aid Society	Assigned by court; call with questions 315-422-8191

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Fair Hearings	Income Guidelines. Fair hearings of public benefits and other administrative issues.	Legal Services of Central New York (LSCNY)	(877) 777-6152
Family Law	VLP Family Court Clinic: Pro bono attorneys provide free assistance to low income clients preparing family court petitions and motions for custody, visitation and child support. Limited pro se assistance only.	Volunteer Lawyers Project of Onondaga County, Inc.	Drop-in clinic: Wednesdays from 10:00am - 3:00pm and Fridays 9:00am - 12:00pm in Room 116 of the Onondaga County Courthouse located at 401 Montgomery St., Syracuse, NY 13202
	Family Court Assignment, Onondaga County Only. Generally 125% of the poverty guidelines, though up to 200% in certain situation (such as when there is Domestic Violence).	Hiscock Legal Aid Society	Call (315) 422-8191 or in person intake Mon-Fri 8:30am - 4pm at 351 S. Warren St., Syracuse, NY.
	Federal Income Guidelines, Case by case review	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
	Any case regarding child custody or visitation, client must ask Judge to be assigned an attorney if they cannot afford to hire one. 125% Income guidelines apply. Income verification is required.	Assigned Counsel Panel	Appointed by court
	Agency provides free mediators which help to resolve issues involving family, neighbors, employers, businesses, etc	New Justice Services	(315) 471-4676
Family Offenses	See Domestic Violence and Abuse section above.		
Financial -Abuse	This agency strives to keep impaired and vulnerable adults age 18 and over safe from themselves and others. Workers can assist individuals and families in applying for such benefits as Medicaid, SSI, SNAP, and HEAP, as well as referring for Medicare, legal interventions, and other services. Eligibility - (1) The client has a physical or mental impairment, (2) The client has an essential unmet need and is at risk of harm and (3) There is no one willing or able to assist responsibly.	Adult Protective Services	(315) 435-2815
	Income Guidelines	Legal Services of Central New York (LSCNY)	(877) 777-6152

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Financial -Investment Issues	Agency protects consumers against questionable business practices and product recalls, represents the interests of consumers before the Public Service Commission and other state and federal agencies, and helps victims of identity theft.	NYS Division of Consumer Protection	1-800-697-1220
	Onondaga County Only, Federal Income Guidelines, Case by case review	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Food Stamps	Agency provides help for those unable to work, unable to find a job or has a job that doesn't pay enough. TA may help with basic need expenses such as heat or rent and food. They may help with emergency assistance to stay in the home or for emergency relocation. Eligibility criteria apply.	Temporary Assistance	(315) 435-2700, Civic Center, 2nd Fl. 421 Montgomery Street Syracuse, NY 13202 8:00 AM - 4:30 PM (Monday-Friday)
	This agency strives to keep impaired and vulnerable adults age 18 and over safe from themselves and others. Workers can assist individuals and families in applying for such benefits as Medicaid, SSI, SNAP, and HEAP, as well as referring for Medicare, legal interventions, and other services. Eligibility - (1) The client has a physical or mental impairment, (2) The client has an essential unmet need and is at risk of harm and (3) There is no one willing or able to assist responsibly.	Adult Protective Services	(315) 435-2815
Food Stamps -- Fair Hearings	Income Guidelines	Legal Services of Central New York (LSCNY)	(877) 777-6152
Forced Medication	Agency provides legal advice and will represent people in psychiatric institutions or facilities regarding treatment, and investigate whether they are properly being held in such facilities	Mental Hygiene Legal Services	(315) 401-3350
Foreclosure	Assists homeowners facing foreclosure on personal residence only and tenants in properties being foreclosed, including tax foreclosures, in Onondaga County.	Hiscock Legal Aid Society	Call (315) 422-8191 or in person intake Mon-Fri 8:30am - 4pm at 351 S. Warren St., Syracuse, NY.
	Assists homeowners facing foreclosure on personal residence only and tenants in properties being foreclosed.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Agency offers home buyers education, financial counseling, housing repair and rehabilitative programs, innovative loan products and financing assistance and post purchase counseling to home buyers. Also will renegotiate loan in instances of foreclosure, including tax foreclosure.	Home Headquarters	(315) 474-1939 www.homehq.org info@homehq.org

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Foreclosure	Elder Law Program -- Onondaga County Only, 250% Federal Income Guidelines, Case by case review, 60 or older	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
	Agency provides help for those unable to work, unable to find a job or has a job that doesn't pay enough. TA may help with basic need expenses such as heat or rent and food. They may help with emergency assistance to stay in the home or for emergency relocation. Eligibility criteria apply.	Temporary Assistance	(315) 435-2700, Civic Center, 2nd Fl. 421 Montgomery Street Syracuse, NY 13202 8:00 AM - 4:30 PM (Monday-Friday)
	Agency provides financial education classes including; those for DV women survivors, teens in summer job programs, low wage workers, food pantry recipients, and section 8 clients. They may also help in refinancing in Onondaga County.	Syracuse Cooperative Federal Credit Union	(315) 473-0217
Foster Care	Client can obtain forms at the clerk's office or online at www.courts.state.ny.us/forms/familycourt/index.shtml	Family Court of Onondaga County	Clerk's Office located at: 401 Montgomery St., Syracuse, NY 13202

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Garnishment of Wages	200% Federal Income Guidelines	Legal Aid Society of Mid-New York (LASMNY) and Legal Services of Central New York (LSCNY)	(877) 777-6152
	Client must call to complain about unlawful garnishment of wages.	Attorney General	(315) 448-4800 or (800)771-7755
	Federal Income Guidelines, Case by case review, Sued by debt collectors	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Guardianship	Agency provides legal advice and will represent people in psychiatric institutions or facilities regarding treatment, and investigate whether they are properly being held in such facilities	Mental Hygiene Legal Services	(315) 401-3350
	Income guidelines. Several issues addressed such as: when client has mental disability, client has HIV/AIDS, etc.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Onondaga County Only, Federal Income Guidelines, Case by case review, Client must have issues regarding a child	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
	Provides information and referral for kinship caregivers, or, relatives raising other relatives children, in the state of New York. Also provides basic information regarding financial assistance, support, and legal rights to kinship caregivers. If there is a local program that serves your county, we can also refer you to that service for on site support.	NYS Kinship Navigator	877-454-6463 www.nysnavigator.org
	Article 17-A guardianship assistance at Surrogate's Court Clinic Drop-in (see Elder Law listing). Guardianship of minor assistance at Family Court Clinic (see Family Law listing). No assistance for Article 81 guardianship proceedings.	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 471-3409 ext 617 for minor and (315) 579-2579 for adult guardianship

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Health Care (Access to)	Advice, counsel, direct representation and community education re: accessing healthcare. Topics include: eligibility for or discontinuance of public health insurance (e.g. medicaid/medicare), and medical debt that should have been covered by public health.	Legal Services of Central New York (LSCNY)	(877) 777-6152
Health Care Proxy	Pro bono attorneys provide free assistance to low income clients (below 200% poverty line) preparing pro se petitions for 17-A Guardianship, Safe Deposit Box, and Small Estates. Assist with completion of Health Care Proxy and Power of Attorney forms. Also provide advice, information and referrals for other elder law, trusts, estates and wills issues. Client must call to make appointment and specify "VLP Surrogate's Court Clinic".	Volunteer Lawyers Project of Onondaga County, Inc.	Clinic every Wednesday from 11:00am - 1:00pm in Surrogate's Court Jury room, 2nd floor of the Onondaga County Courthouse located at 401 Montgomery St., Syracuse, NY 13202. Appointments given preference, but drop-in welcomed if time allows. Call (315) 579-2579 or email elder@onvlp.org
	Age 60+, Onondaga County Resident	Legal Aid Society of Mid-New York (LASMNY)	(877) 777-6152
	Do-it-yourself computer programs for Support Modification, Small Estates, Name Change, Paternity, Child Support Enforcement, Small Estate, 17A Guardianship, Safe Deposit Box, and Landlord petitions.-T	Do-It-Yourself Forms	www.nycourthelp.gov
	Client must be a cancer patient or a family member of a cancer or HIV/AIDS patient	Legal Services of Central New York (LSCNY)	(877) 777-6152
Health Insurance	Agency's mission is to regulate the insurance business in NY and protect policy holders. The Insurance Fraud Bureau conducts investigations, gathers evidence and effects arrests for insurance fraud and related crimes. Agency also processes consumer complaints against insurance companies, agents, brokers and adjusters.	NYS Insurance Department	(800) 342-3736 www.dfs.ny.gov
	Income Guidelines. Eligibility for Medicaid, Medicare, private insurance denials, subsidies, barrier to services due to language/disability, etc.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Client must call	Attorney General	(315) 448-4800 or (800)771-7755

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Health Insurance	Agency has various programs helping the senior community (age 60 or over) including but not limited to, transportation, applying for benefits, meals on wheels, help navigating the healthcare system, help with minor home repairs, home healthcare, and finding suitable housing. Agency also has Caregiver support services, including Caregiver mediation.	Onondaga County Office for Aging.	(315) 435-2362
Healthcare- Access to Service Issues	Income Guidelines. Eligibility for Medicaid, Medicare, private insurance denials, subsidies, barrier to services due to language/disability, etc.	Legal Services of Central New York (LSCNY)	(877) 777-6152
Homeless Rights	Mental Health and Homelessness Advocacy Project provides representation on a wide range of legal issues including discrimination in housing, employment and public accommodations, discontinuance of benefits, and homelessness prevention.	Legal Services of Central New York (LSCNY)	(877) 777-6152
Home Health Care	Agency has various programs helping the senior community (age 60 or over) including but not limited to, transportation, applying for benefits, meals on wheels, help navigating the healthcare system, help with minor home repairs, home healthcare, and finding suitable housing. Agency also has Caregiver support services, including Caregiver mediation.	Onondaga County Office for Aging.	(315) 435-2362
	Client must have HIV/AIDS, Cancer, or existing mental disability.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Agency's mission is to obtain funding, medical treatment or nursing home care for eligible Veterans, their dependents and survivors. They provide information, assistance and advocacy for claimants in actions or claims against the VA or state/local veteran's related entitlements.	Onondaga County Veteran's Service Agency	(315) 435-3217
Home Ownership Loans	Investigates housing discrimination claims including rentals and home purchases, home financing, refinancing, predatory lending, and homeowner's insurance. Can provide free legal representation to those who have faced housing discrimination. Assists with reasonable accommodations and modifications for individuals and families. Agency serves an eight-county region throughout CNY including Onondaga, Tompkins, Madison, Oneida, Oswego, Jefferson and St. Lawrence Counties. No income guidelines apply.	CNY Fair Housing	(315) 471-0420 info@cnyfairhousing.org www.cnyfairhousing.org

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Home Ownership Loans	Agency offers certified home buyers education, financial and housing counseling, Down Payment and Closing Cost Assistance, First Mortgages. HomeBuyer Education Certificate is needed to participate in area lenders' First Home Club.	Home Headquarters	(315) 474-1939 www.homehq.org info@homehq.org
	Agency protects consumers against questionable business practices and product recalls, represents the interests of consumers before the Public Service Commission and other state and federal agencies, and helps victims of identity theft.	NYS Division of Consumer Protection	1-800-697-1220
	Income Guidelines, Client must be facing mortgage scams, predatory lending or property flipping schemes	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Federal Income Guidelines, Case by case review, Government mortgage	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Home Repair Problems	200% Federal Income Guidelines	Legal Aid Society of Mid-New York (LASMNY) and Legal Services of Central New York (LSCNY)	(877) 777-6152
	Client must call	Attorney General	(315) 448-4800 or (800)771-7755
	Onondaga County Only, Federal Income Guidelines, Case by case review, 60 or older	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
	Agency offers Emergency Home Repair Assistance, SHARP grants, Flexible Home Improvement Loans, Purchase & Rehab loans, Commerical and Investor Loans and more. Many applications can be found online at www.homehq.org.	Home Headquarters	(315) 474-1939 www.homehq.org info@homehq.org
	Agency has various programs helping the senior community (age 60 or over) including but not limited to, transportation, applying for benefits, meals on wheels, help navigating the healthcare system, help with minor home repairs, home healthcare, and finding suitable housing. Agency also has Caregiver support services, including Caregiver mediation.	Onondaga County Office for Aging.	(315) 435-2362

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Home Repair Problems	Educate and assist homeowners in applying for rehap and weatherization funds to remove code violations on the city's southside, southwest, and near-neighborhoods. Applications go to Home HeadQuarters. File Senior State Property tax exemption + Disability Property Tax Exemption. File HEAP application for 60+ and disabled.	SUN (Syracuse United Neighbors)	(315) 476-7475
Hospital -Appropriate Discharge	Agency provides legal advice and will represent people in psychiatric institutions or facilities regarding treatment, and investigate whether they are properly being held in such facilities	Mental Hygiene Legal Services	(315) 401-3350
	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living programs, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	ARISE	(315) 472-3171
	Legal problem MUST be related to or affecting an existing physical or mental disability	Legal Services of Central New York (LSCNY)	(877) 777-6152
Housing	Tenants Rights: Provides eviction defense and legal services to prevent eviction. 200% Federal Income Guidelines, both subsidized and unsubsidized.	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 471-3409 ext 600 or housing@onvlp.org.
	Homeownership Issues: 200% Federal Income Guidelines. No information regarding rentals or dealing with tenants. Only representation in pro bono cases involving ownership of owner-occupied homes.		(315) 579-2576 or email info@onvlp.org
	Income Guidelines -- Subsidized housing in Syracuse, any housing outside of Syracuse.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	City of Syracuse, tenants only, not subsidized housing.	Hiscock Legal Aid Society	Call (315) 422-8191 or in person intake Mon-Fri 8:30am - 4pm at 351 S. Warren St., Syracuse, NY.
	Agency works with first-time homebuyers to provide education and financial counseling. Agency offers foreclosure prevention and financial fitness. Home HeadQuarters builds new affordable homes and substantially rehabilitates other homes. The agency also offers some rental housing.	Home Headquarters	(315) 474-1939 www.homehq.org info@homehq.org

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Housing	Agency has various programs helping the senior community (age 60 or over) including but not limited to, transportation, applying for benefits, meals on wheels, help navigating the healthcare system, help with minor home repairs, home healthcare, and finding suitable housing. Agency also has Caregiver support services, including Caregiver mediation.	Onondaga County Office for Aging.	(315) 435-2362
	Agency offers a wide range of programs including assistance for those facing eviction or foreclosure, and different kinds of help to the elderly and new Americans. Income guidelines and other eligibility criteria apply.	Catholic Charities	(315) 424-1800
	Agency provides services to Domestic Violence and Sexual Violence survivors and their children by providing shelter, advocacy, and counseling services for women, children & men, education and prevention programs and community coordination. Clients can call and ask to meet with a volunteer attorney in Syracuse on Monday nights.	Vera House	Crisis and Support Line: 468-3260 Offices: 425-0818
	Agency provides help for those unable to work, unable to find a job or has a job that doesn't pay enough. TA may help with basic need expenses such as heat or rent and food. They may help with emergency assistance to stay in the home or for emergency relocation. Eligibility criteria apply.	Temporary Assistance	(315) 435-2700, Civic Center, 2nd Fl. 421 Montgomery Street Syracuse, NY 13202 8:00 AM - 4:30 PM (Monday-Friday)
Housing - Code Violations	<i>See Housing - habitability below.</i>		
Housing - Habitability	Contact to report housing code violations in the City of Syracuse.	Code Enforcement for the City of Syracuse	(315) 448-8695
	Income Guidelines. Water shutoffs, no heat, pest infestations, etc.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Must be in the city of Syracuse and not subsidized housing (It is okay if client is on public assistance)	Hiscock Legal Aid Society	Call (315) 422-8191 or in person intake Mon-Fri 8:30am - 4pm at 351 S. Warren St., Syracuse, NY.
	Represents the interests of low-income tenants throughout Central New York.	Greater Syracuse Tenants Network, Inc.	(315) 475-8092
Housing - Assisted Living Issues	Elder Law Clinic assists clients 60 or older, at or below 250% of Federal Income Guidelines, Case by case review.	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Housing -Accessibility	Income Guidelines	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Investigates housing discrimination claims including rentals and home purchases, home financing, refinancing, predatory lending, and homeowner's insurance. Can provide free legal representation to those who have faced housing discrimination. Assists with reasonable accommodations and modifications for individuals and families. Agency serves an eight-county region throughout CNY including Onondaga, Tompkins, Madison, Oneida, Oswego, Jefferson and St. Lawrence Counties. No income guidelines apply.	CNY Fair Housing	(315) 471-0420 info@cnyfairhousing.org www.cnyfairhousing.org
	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living programs, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	ARISE	(315) 472-3171
Housing -Eviction	<i>See Eviction Defense in "E" section of table above for tenant resources.</i>		
	Do-it-yourself computer programs for Landlord petitions.	Do-It-Yourself Forms	www.nycourthelp.gov
Housing -Finance (Real Estate Closing)	<i>See Home Ownership Loans above.</i>		
Housing -Foreclosure	<i>See Foreclosure in "F" section of table.</i>		
Housing- Discrimination	Investigates housing discrimination claims including rentals and home purchases, home financing, refinancing, predatory lending, and homeowner's insurance. Can provide free legal representation to those who have faced housing discrimination. Assists with reasonable accommodations and modifications for individuals and families. Agency serves an eight-county region throughout CNY including Onondaga, Tompkins, Madison, Oneida, Oswego, Jefferson and St. Lawrence Counties. No income guidelines apply.	CNY Fair Housing	(315) 471-0420 info@cnyfairhousing.org www.cnyfairhousing.org
	Income Guidelines	Legal Services of Central New York (LSCNY)	(877) 777-6152

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Housing-Discrimination	Agency handles discrimination complaints regarding discrimination in employment based on age, creed, disability marital status, military status, national origin, race/color, sex, sexual harassment, sexual orientation, pregnancy, and retaliation for opposing unlawful discrimination.	<i>NYS Division of Human Rights</i>	(315) 428-4633 www.dhr.ny.gov InfoSyracuse@dhr.ny.gov
	The NYCLU provides a multiprong approach, including advocacy, legal advice, litigation, etc., to advance civil rights and liberties. For legal advice, potential clients must write a 1-2 page summary of civil liberty/right concern and send to agency by mail, fax or e-mail	<i>New York Civil Liberties Union -- Central New York Chapter</i>	(315) 471-2821, 731 James Street, Ste 205, Syracuse NY 13203, cnyintake@nyclu.org
	Supports the 'NYS Human Rights Law', which deals specifically with 'Protected Classes' of people (race, creed, color, national origin, sexual orientation, sex, age, marital status, disability, prior arrest or conviction record and familial status in housing). Assists in the areas of employment, housing, and public accommodation.	<i>Human Rights Specialist for Syracuse and Onondaga County</i>	(315) 435-3565

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Identity Theft	Agency protects consumers against questionable business practices and product recalls, represents the interests of consumers before the Public Service Commission and other state and federal agencies, and helps victims of identity theft.	NYS Division of Consumer Protection	1-800-697-1220
	Client must call	Attorney General	(315) 448-4800 or (800)771-7755
Immigrants' Rights	Not immigration law but other civil legal issues where a client's immigration status is preventing access to the basic necessities of life such as housing, income, employment, public benefits, etc.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Agency serves low wage workers, including migrant and seasonal agricultural workers, through direct representation in civil matters regarding employment and wage issues. They also address domestic violence and human trafficking issues.	Worker Justice Center of New York	(800) 724-7020
Immigration	federal poverty guidelines, Immigration Law legal assistance for 25 counties throughout Central New York. Assistance with a wide variety of immigration legal issues, including naturalization, family based, and other humanitarian relief.	Hiscock Legal Aid Society	Call (315) 422-8191 or in person intake Mon-Fri 8:30am - 4pm at 351 S. Warren St., Syracuse, NY.
	Immigration Program covers 25 counties. Client may contact OnVLP office or go to a drop in legal clinic. 1st Tuesday of every month, 4pm-6pm, Catholic Charities, 529 N. Salina St., Syracuse NY. 2nd Tues at Interfaith Works of CNY from noon-2:30pm, 1010 James St., Syracuse NY.	Volunteer Lawyers Project of Onondaga County, Inc.	Call (315) 417-3409 dial extension 620 or email immigraiton@onvlp.org .
	Provides immigration assistance with naturalization, family-based applications, and more. Resettlement services and support for those forced to leave their countries due to unsafe conditions. The program provides assistance with applying for jobs and registering for English language classes, locating translators, finding housing, and securing medical care. Special academic programs prepare refugee children to attend school.	Catholic Charities Refugee Resettlement Services	Program Director Felicia Castricone 315-474-7428, x 11
	The Immigration Project of the Erie County Bar Association Volunteer Lawyers Project provides representation to all immigrants detained in Batavia and for Western New York.	ECBA Volunteer Lawyers Project	For more information telephone ECBA VLP's Immigration Line at (716) 847-0662 x 301
Impartial Hearing (Special Education)	Legal problem MUST be related to or affecting an existing physical or mental disability	Legal Services of Central New York (LSCNY)	(877) 777-6152

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Inclusion in School	Legal problem MUST be related to or affecting an existing physical or mental disability	Legal Services of Central New York (LSCNY)	(877) 777-6152
Incorporation of Small Business or Nonprofit	Federal Income Guidelines, Case by case review	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 930-3505 or business@onvlp.org
	Federal Income Guidelines, Case by case review	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Individualized Service Plan (ISP) for personas with intellectual disabilities mental retardation or developmental disabilities.	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living programs, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	ARISE	(315) 472-3171
	Legal problem MUST be related to or affecting an existing physical or mental disability	Legal Services of Central New York (LSCNY)	(877) 777-6152
Injury -At Work	Outreach and training programs for workers and unions for their benefits and rights in the workers compensation system.	Advocate for Injured Workers	1-877-632-4996
Institutionalization	Agency provides legal advice and will represent people in psychiatric institutions or facilities regarding treatment, and investigate whether they are properly being held in such facilities	Mental Hygiene Legal Services	(315) 401-3350
	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living programs, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	ARISE	(315) 472-3171
	Legal problem MUST be related to or affecting an existing mental disability	Legal Services of Central New York (LSCNY)	(877) 777-6152
Insurance Matters	Agency's mission is to regulate the insurance business in NY and protect policy holders. The Insurance Fraud Bureau conducts investigations, gathers evidence and effects arrests for insurance fraud and related crimes. Agency also processes consumer complaints against insurance companies, agents, brokers and adjusters.	NYS Insurance Department	(800) 342-3736 www.dfs.ny.gov
	Client must call	Attorney General	(315) 448-4800 or (800)771-7755

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
	Federal Income Guidelines, Case by case review	<i>Legal Services of Central New York (LSCNY)</i>	(877) 777-6152
Intellectual Property (other than patent)	Federal Income Guidelines, Case by case review	<i>Syracuse University College of Law Clinical Program</i>	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Investment Issues	Onondaga County Only, Federal income Guidelines, Case by case review	<i>Syracuse University College of Law Clinical Program</i>	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Jail	Jails project represents individuals incarcerated in local county correctional facilities in issues including solitary confinement, disability rights, adequate medical and mental health care, physical abuse, educational rights and due process violations.	Legal Services of Central New York (LSCNY)	(877) 777-6152
Job Training Issues	Agency handles various issues regarding discrimination due to past criminal records. In most cases the client must be facing barriers to employment, education or occupational licensing. Client must be also experiencing difficulty obtaining or retaining employment and unable to pay for privately retained counsel	Center for Community Alternatives	(315) 422-5638
	Agency's mission is to protect workers, assist the unemployed and connect job seekers to jobs. Divisions of this agency include but are not limited to Division of Immigrant Policies and Affairs, Wage Protection, Farmworkers, Unemployment Insurance Assistance.	NYS Department of Labor	(888) 469-7365 www.labor.ny.gov
	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living programs, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	ARISE	(315) 472-3171
Juvenile - delinquency, PINS, emancipation	Client can obtain forms at the clerk's office or online at www.courts.state.ny.us/forms/familycourt/index.shtml	Family Court of Onondaga County	Clerk's Office located at: 401 Montgomery St., Syracuse, NY 13202
	Client must not have disability issues, but residency issues, school initiated PINS proceedings or have been denied counsel. Income Guidelines	Legal Services of Central New York (LSCNY)	(877) 777-6152
Juvenile Justice	Juvenile justice practices focuses on representing juveniles while they are incarcerated at jails, juvenile detention facilities, or prisons.	Legal Services of Central New York (LSCNY)	(877) 777-6152

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Labor -Wages, Safety, Health	Income Guidelines	Legal Services of Central New York (LSCNY)	(877) 777-6152
Labor -Wages, Safety, Health	Agency's mission is to protect workers, assist the unemployed and connect job seekers to jobs. Divisions of this agency include but are not limited to Division of Immigrant Policies and Affairs, Wage Protection, Farmworkers, Unemployment Insurance Assistance.	NYS Department of Labor	(888) 469-7365 www.labor.ny.gov
	Worker-led organizing around wages, safety and health in a variety of work settings.	Workers' Center of Central New York	(315) 218-5708 https://workerscny.org
	Agency serves low wage workers, including migrant and seasonal agricultural workers, through direct representation in civil matters regarding employment and wage issues. They also address domestic violence and human trafficking issues.	Worker Justice Center of New York	(800) 724-7020
Landlord Representation	Provides free referrals to attorneys -- attorneys provide free consultation but charge for ongoing representation.	Lawyer Referral Service of the Onondaga County Bar Association	(315) 471-2690
Landlord/Tenant	<i>See listings under Eviction and Housing.</i>		
Legal Advice	Walk-in legal clinics provide general legal advice by volunteer attorneys on all civil matters	Walk-in clinics	Times/ Locations In TAB 4
LGBTQ Legal Issues	Q Law Program provides legal advice, information and referrals and pro bono representation for LGBTQ legal issues. Topics include transgender name change, second parent adoptions, custody, etc.	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 579-2576 or email qlaw@onvlp.org
	Provides representation for discrimination based on sexual orientation, gender identity or gender expression. Assists with transgender name changes, health insurance denial and health care discrimination. Provides legal services to LBGT veterans and elders.	LGBT Rights Project	Empire Justice Center One West Maine Street Suite 200 Rochester, NY 14614 (585) 295-5721
License -Suspension/ Revocation	The DMV can investigate fraud related to identity theft, as well as odometer and mileage fraud. The website is very helpful, providing instructions/forms relating to obtaining suspended or revoked licenses, how to pay traffic tickets, among other things.	Department of Motor Vehicles	1-518-486-9786 http://www.dmw.ny.gov
	Addressing issues when license suspension prevents employment.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Addressing issues when license suspension is caused by child support arrears.	Hiscock Legal Aid Society	(315) 422-8191

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Living Will	Pro bono attorneys provide free assistance to low income clients (below 200% poverty line) preparing pro se petitions for 17-A Guardianship, Safe Deposit Box, and Small Estates. Assist with completion of Health Care Proxy, Power of Attorney, and Living Will forms. Also provide	<i>Volunteer Lawyers Project of Onondaga County, Inc.</i>	Clinic every Wednesday from 11:00am - 1:00pm in Surrogate's Court Jury room, 2nd floor of the Onondaga County Courthouse located at
	Age 60+. Onondaga County	<i>Legal Aid Society of Mid-New York (LASMNY)</i>	(877) 777-6152
	Client must have HIV/AIDS or Cancer	<i>Legal Services of Central New York (LSCNY)</i>	(877) 777-6152
LLC Formation	Legal Assistance to entrepreneurs and small business owners. Federal Income Guidelines, Case by case review.	<i>Volunteer Lawyers Project of Onondaga County, Inc.</i>	(315) 930-3505 or business@onvlp.org

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Maintenance (Note: In Family Court Maintenance is referred to as Spousal Support)	Client can obtain forms at the clerk's office or online at www.courts.state.ny.us/forms/familycourt/index.shtml	Family Court of Onondaga County	Clerk's Office located at: 401 Montgomery St., Syracuse, NY 13202
Maintenance (Note: In Family Court Maintenance is referred to as Spousal Support)	See Spousal Support		
Matrimonial	<i>See Divorce section</i>		
Mediation Services	Agency provides free mediators which help to resolve issues involving family, neighbors, employers, businesses, etc	New Justice Services	(315) 471-4676
	Agency has various programs helping the senior community (age 60 or over) including but not limited to, transportation, applying for benefits, meals on wheels, help navigating the healthcare system, help with minor home repairs, home healthcare, and finding suitable housing. Agency also has Caregiver support services, including Caregiver mediation.	Onondaga County Office for Aging.	(315) 435-2362
Medicaid	200% Federal Income Guidelines	Legal Aid Society of Mid-New York (LASMNY) and Legal Services of Central New York (LSCNY)	(877) 777-6152
	This agency strives to keep impaired and vulnerable adults age 18 and over safe from themselves and others. Workers can assist individuals and families in applying for such benefits as Medicaid, SSI, SNAP, and HEAP, as well as referring for Medicare, legal interventions, and other services. Eligibility - (1) The client has a physical or mental impairment, (2) The client has an essential unmet need and is at risk of harm and (3) There is no one willing or able to assist responsibly.	Adult Protective Services	(315) 435-2815
	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living programs, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	ARISE	(315) 472-3171

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Medicaid	Elder Law Clinic - Onondaga County Only, 250% Federal Income Guidelines, Case by case review, 60 or older	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Medicaid -Appeals	Onondaga County Only, 250% Federal Income Guidelines, Case by case review, 60 or older	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Medical Bills	200% Federal Income Guidelines	Legal Aid Society of Mid-New York (LASMNY) and Legal Services of Central New York (LSCNY)	(877) 777-6152
Medical Malpractice	Provides free referrals to attorneys who provide free consultations. Clients usually represented on a contingency basis.	Lawyer Referral Service of the Onondaga County Bar Association	(315) 471-2690
Medical Records	Client must have HIV/AIDS or Cancer. Breach of confidentiality, access to medical records, accuracy of records, etc.	Legal Services of Central New York (LSCNY)	(877) 777-6152
Medical Transportation	Legal problem MUST be related to or affecting an existing physical or mental disability	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Agency has various programs helping the senior community (age 60 or over) including but not limited to, transportation, applying for benefits, meals on wheels, help navigating the healthcare system, help with minor home repairs, home healthcare, and finding suitable housing. Agency also has Caregiver support services, including Caregiver mediation.	Onondaga County Office for Aging.	(315) 435-2362
Medicare	Income Guidelines. Call HelpLine (877) 777-6152, Monday through Friday, from 9:00 a.m. to 3:00 p.m.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Agency has various programs helping the senior community (age 60 or over) including but not limited to, transportation, applying for benefits, meals on wheels, help navigating the healthcare system, help with minor home repairs, home healthcare, and finding suitable housing. Agency also has Caregiver support services, including Caregiver mediation.	Onondaga County Office for Aging.	(315) 435-2362
	Elder Law Clinic - Onondaga County Only, 250% Federal Income Guidelines, Case by case review, 60 or older	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Medicare -Appeals	Elder Law Clinic - Onondaga County Only, 250% Federal Income Guidelines, Case by case review, 60 or older	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Medicare -Prescription drug program issues	Elder Law Clinic - Onondaga County Only, 250% Federal Income Guidelines, Case by case review, 60 or older	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Medication -Forced	Agency provides legal advice and will represent people in psychiatric institutions or facilities regarding treatment, and investigate whether they are properly being held in such facilities	Mental Hygiene Legal Services	(315) 401-3350
Mental Health	Income Guidelines. Barriers to accessing services, discrimination, accommodations, etc.	Legal Services of Central New York (LSCNY)	(877) 777-6152
Mobile Home Owners	Client must own mobile home and received termination notice by landlord, eviction notice or 72 hour notice, 200% Federal Income Guidelines	Legal Aid Society of Mid-New York (LASMNY)	(877) 777-6152
Mortgages	See listing for "Home Ownership Loans" in H section.		
Mutual Fund Issues	Onondaga County Only, Federal Income Guidelines, Case by case review, Government mortgage	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Name Change	Q Law Program: Attorneys help transgender clients obtain name changes. Also, Domestic Violence Program assists with name changes for victims of domestic violence.	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 579-2576 or email info@onvlp.org
	Client must be a cancer patient or a family member of a cancer or HIV/AIDS patient	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Do-it-yourself computer programs for Support Modification, Small Estates, Name Change, Paternity, Child Support Enforcement, Small Estate, 17A Guardianship, Safe Deposit Box, and Landlord petitions.-T	Do-It-Yourself Forms of the New York State Court	www.nycourthelp.gov
New Americans	Agency offers a wide range of programs including assistance for those facing eviction or foreclosure, and different kinds of help to the elderly and new Americans. Income guidelines and other eligibility criteria apply.	Catholic Charities	(315) 474-7428
	Legal problem must be related to being an immigrant.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	See "Immigration" section		
Nonprofit Incorporation	Volunteer attorneys provide professional legal services to charitable, religious, civic and educational organizations in matters designed predominantly to address the needs of poor persons. Contact to begin intake process.	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 930-3505 or email business @onvlp.org
	Agency provides reports on business firms and information about charity organizations, and helps resolving disputes with businesses through consultation, mediation and arbitration. Reports and complaint forms are available online. Most services are free.	Better Business Bureau	(800) 828-5000, www.bbb.org
	Website provides extensive information regarding how to become a not-for-profit or charity in NYS.	Attorney General	www.charitiesnys.com
	Nonprofit Resource Center at Public Library is part of the Foundation Center's network of funding information centers. Print and online resources regarding all aspects of forming and managing a nonprofit.	Onondaga County Public Library	(315) 435-1900 Located at the Galleries of Syracuse, 447 S. Salina St., Syracuse, NY 13202
	Upstate New York, community development or other charitable mission, case by case basis	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Nursing Home	Client must call	Attorney General	(315) 448-4800 or (800)771-7755
	Legal problem MUST be related to or affecting an existing mental disability	Legal Services of Central New York (LSCNY)	(877) 777-6152

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Nursing Home	Agency's mission is to obtain funding, medical treatment or nursing home care for eligible Veterans, their dependents and survivors. They provide information, assistance and advocacy for claimants in actions or claims against the VA or state/local veteran's related entitlements.	Onondaga County Veteran's Service Agency	(315) 435-3217
	Onondaga County Only, 250% Federal Income Guidelines, Case by case review, 60 or older	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Nursing Services at Home	Legal problem MUST be related to or affecting an existing mental disability	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Agency's mission is to obtain funding, medical treatment or nursing home care for eligible Veterans, their dependents and survivors. They provide information, assistance and advocacy for claimants in actions or claims against the VA or state/local veteran's related entitlements.	Onondaga County Veteran's Service Agency	(315) 435-3217
	Agency has various programs helping the senior community (age 60 or over) including but not limited to, transportation, applying for benefits, meals on wheels, help navigating the healthcare system, help with minor home repairs, home healthcare, and finding suitable housing. Agency also has Caregiver support services, including Caregiver mediation.	Onondaga County Office for Aging.	(315) 435-2362
	Onondaga County Only, 250% Federal Income Guidelines, Case by case review, 60 or older	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Office of Mental Retardation and Developmental Disabilities (OMRDD) <i>-Problems with Services</i>	Agency provides legal advice and will represent people in psychiatric institutions or facilities regarding treatment, and investigate whether they are properly being held in such facilities	<i>Mental Hygiene Legal Services</i>	(315) 401-3350
Office of People with Developmental Disabilities (OPWDD) <i>-Problems with Services</i>	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living programs, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	<i>ARISE</i>	(315) 472-3171
Order of Protection	See Domestic Violence and Abuse section above.		
Overpayment	Recipient of SSI and/or SSD and issues. Income Guidelines.	<i>Legal Services of Central New York (LSCNY)</i>	(877) 777-6152

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Parole	Agency handles various issues regarding discrimination due to past criminal records. In most cases the client must be facing barriers to employment, education or occupational licensing. Client must be also experiencing difficulty obtaining or retaining employment and unable to pay for privately retained counsel	Center for Community Alternatives	(315) 422-5638
	Assigned counsel.	Hiscock Legal Aid Society	Assigned by court; call with questions 315-422-8191
Paternity	<i>See Family Law in this Table.</i>		
	VLP Family Court Clinic: Pro bono attorneys provide free assistance to low income clients preparing family court petitions and motions for custody, visitation and child support. Limited pro se assistance only.	Volunteer Lawyers Project of Onondaga County, Inc.	Drop-in clinic: Wednesdays from 9:00am - 3:00pm and Fridays 9:00am - 12:00pm in Room 116 of the Onondaga County Courthouse located at 401 Montgomery St., Syracuse, NY 13202
	Family Court Assignment, Onondaga County only, Respondents only. Generally 125% Federal Income Guidelines	Hiscock Legal Aid Society	Assigned by court; call with questions 315-422-8191
	Client can obtain forms at the clerk's office or online at www.courts.state.ny.us/forms/familycourt/index.shtml	Family Court of Onondaga County	Clerk's Office located at: 401 Montgomery St., Syracuse, NY 13202
Permanency Planning	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living programs, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	ARISE	(315) 472-3171
	Client must be a cancer patient or a family member of a cancer or HIV/AIDS patient	Legal Services of Central New York (LSCNY)	(877) 777-6152
Personal Care	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living programs, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	ARISE	(315) 472-3171

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Personal Care	Agency has various programs helping the senior community (age 60 or over) including but not limited to, transportation, applying for benefits, meals on wheels, help navigating the healthcare system, help with minor home repairs, home healthcare, and finding suitable housing. Agency also has Caregiver support services, including Caregiver mediation.	Onondaga County Office for Aging.	(315) 435-2362
Personal Care	Legal problem MUST be related to or affecting an existing mental disability	Legal Services of Central New York (LSCNY)	(877) 777-6152
Personal Injury	Provides free referrals to attorneys who provide free consultations. Attorneys are fee based. Clients usually represented on a contingency basis.	Lawyer Referral Service of the Onondaga County Bar Association	(315) 471-2690
Physical Restraint	Legal problem. MUST be related to or affecting an existing mental disability	Legal Services of Central New York (LSCNY)	(877) 777-6152
Police Misconduct	The NYCLU provides a multiprong approach, including advocacy, legal advice, litigation, etc., to advance civil rights and liberties. For legal advice, potential clients must write a 1-2 page summary of civil liberty/right concern and send to agency by mail, fax or e-mail	New York Civil Liberties Union -- Central New York Chapter	(315) 471-2821, 731 James Street, Ste 205, Syracuse NY 13203, cnyintake@nyclu.org
	CRB works to provide public accountability over the powers exercised by members of the Syracuse Police Dept., preservation of the integrity of the Syracuse Police Dept., and a forum for citizen complaints regarding members of the Syracuse Police Dept. to be heard and reviewed fairly and impartially	Citizens Review Board (CRB) of City of Syracuse	(315) 448-8750 201 E. Washington St., Suite 705, Syracuse NY, 13202
Power of Attorney	Age 60+, Onondaga County; or Client must be a cancer patient or a family member of a cancer or HIV/AIDS patient	Legal Aid Society of Mid-New York (LASMNY) and Legal Services of Central New York (LSCNY)	(877) 777-6152
	Onondaga County Only, 250% Federal Income Guidelines, Case by case review, 60 or older	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Power of Attorney	Pro bono attorneys provide free assistance to low income clients (below 200% poverty line) preparing pro se petitions for 17-A Guardianship, Safe Deposit Box, and Small Estates. Assist with completion of Health Care Proxy and Power of Attorney forms. Also provide advice, information and referrals for other elder law, trusts, estates and wills issues. Client must call to make appointment and specify "VLP Surrogate's Court Clinic".	Volunteer Lawyers Project of Onondaga County, Inc.	Clinic every Wednesday from 11:00am - 1:00pm in Surrogate's Court Jury room, 2nd floor of the Onondaga County Courthouse located at 401 Montgomery St., Syracuse, NY 13202. Appointments given preference, but drop-in welcomed if time allows. Call (315) 579-2579 or email elder@onvlp.org
Presentations requested from services providers/ parent groups	Presentations regarding any civil legal issue. Organization finds volunteer attorneys to present.	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 579-2576 or email info@onvlp.org
	Presentations regarding any civil legal issue. Organization finds volunteer attorneys to present.	Legal Services of Central New York (LSCNY)	(877) 777-6152
Prisoners' Issues	Agency serves state prison inmates only and does not except collect phone calls. Client must write to: Prisoners' Legal Services. They provide assistance and legal advice regarding civil rights issues.	Prisoners' Legal Services	Write to: Prisoners' Legal Services 114 Prospect Street Ithaca, NY 14850
Prisoner's Issues -Disabled	Legal problem MUST be related to or affecting an existing physical or mental disability, or client faces discrimination due to language or national origins	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Federal Income Guidelines, Case by case review, Disability Issues	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Private Insurance Issues	Income Guidelines. Call HelpLine (877) 777-6152, Monday through Friday, from 9:00 a.m. to 3:00 p.m.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Agency's mission is to regulate the insurance business in NY and protect policy holders. The Insurance Fraud Bureau conducts investigations, gathers evidence and effects arrests for insurance fraud and related crimes. Agency also processes consumer complaints against insurance companies, agents, brokers and adjusters.	NYS Insurance Department	(800) 342-3736 www.dfs.ny.gov
Pro Bono Referrals for Representation	Clients are screened for financial eligibility and appropriate cases are assigned to attorneys based upon attorney availability.	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 471-3409 or 579-2576 (Spanish language) or email info@onvlp.org

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Pro Se Assistance	No legal advice provided, but legal packets available and five public access computers for online research in Lexis, Westlaw are available for research assistance. Two public paid copiers available.	Supreme Court Law Library	(315) 671-1151, Onondaga County Courthouse 401 Montgomery Street, 5th Floor Syracuse, NY 13202
	Do-it-yourself computer programs for Support Modification, Small Estates, Name Change, Paternity, Child Support Enforcement, Small Estate, 17A Guardianship, Safe Deposit Box, and Landlord petitions.-T	Do-It-Yourself Forms	www.nycourthelp.gov
	Operates pro se assistance clinics in both Family Court and Surrogate's Court. Also provide assistance with pro se uncontested divorces. See Elder Law and Family Law listings.	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 471-3409 or info@onvlp.org for general info
Property	Client must call	Attorney General	(315) 448-4800 or (800)771-7755
	Agency develops property through new construction, substantial rehabs, mixed use development and other community uses. Home HeadQuarters is the main developer and financier for Land Bank properties in the city of Syracuse. The agency also offers the only non-profit realty in Central New York.	Home Headquarters	(315) 474-1939 www.homehq.org info@homehq.org
	Agency provides free mediators which help to resolve issues involving family, neighbors, employers, businesses, etc	New Justice Services	(315) 471-4676
	Referrals to volunteer attorneys for issues related to property ownership. Must be low-income property owner and property must be owner-occupied (no rentals).	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 579-2576 or info@onvlp.org
Psychiatric Institution Care, treatment, abuse, neglect	Agency provides legal advice and will represent people in psychiatric institutions or facilities regarding treatment, and investigate whether they are properly being held in such facilities	Mental Hygiene Legal Services	(315) 401-3350
	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living programs, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	ARISE	(315) 472-3171
	Income Guidelines	Legal Services of Central New York (LSCNY)	(877) 777-6152

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Public Assistance	Agency provides help for those unable to work, unable to find a job or has a job that doesn't pay enough. TA may help with basic need expenses such as heat or rent and food. They may help with emergency assistance to stay in the home or for emergency relocation. Eligibility criteria apply.	Temporary Assistance	(315) 435-2700, Civic Center, 2nd Fl. 421 Montgomery Street Syracuse, NY 13202 8:00 AM - 4:30 PM (Monday-Friday)
	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living programs, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	ARISE	(315) 472-3171
Public Benefits - General	Income Guidelines. Reduction, suspension, overpayments, discontinuance, recoupment of public benefits (for example: Safety Net, Emergency Assistance, SNAP, HEAP, Child Care, Shelter); investigation and administrative disqualification hearings relating to intentional program violation allegations.	Legal Services of Central New York (LSCNY)	(877) 777-6152
Public Health Insurance Programs	Client must call	Attorney General	(315) 448-4800 or (800)771-7755
	Income Guidelines	Legal Services of Central New York (LSCNY)	(877) 777-6152

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
QDROs (Qualified Domestic Relations Orders)	Provides free referrals to lawyers who provide free consultations. Attorneys are for hire.	<i>Lawyer Referral Service of the Onondaga County Bar Association</i>	(315) 471-2690

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Real Estate Closing	See "Home Ownership Loans" in H section.		
Reasonable Accommodations	Federal Income Guidelines, Case by case review.	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
	Legal problem MUST be related to or affecting an existing mental or physical disability	Legal Services of Central New York (LSCNY)	(877) 777-6152
Representation by a Private Practice Attorney	Telephone service used for clients who are looking to hire an attorney in Onondaga County. Possible free consultations with attorney to discuss legal issue as well as cost of representation.	Lawyer Referral Service of the Onondaga County Bar Association	(315) 471-2690
Representation -Denial	Income Guidelines. Client denied access to assigned counsel due to income and/or resources.	Legal Services of Central New York (LSCNY)	(877) 777-6152
Residency Issues	Income Guidelines. Call HelpLine (877) 777-6152, Monday through Friday, from 9:00 a.m. to 3:00 p.m.	Legal Services of Central New York (LSCNY)	(877) 777-6152
Restraint -Physical	Legal problem MUST be related to or affecting an existing mental disability	Legal Services of Central New York (LSCNY)	(877) 777-6152

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Safe Deposit Box	Pro bono attorneys provide free assistance to low income clients (below 200% poverty line) preparing pro se petitions for 17-A Guardianship, Safe Deposit Box, and Small Estates. Assist with completion of Health Care Proxy and Power of Attorney forms. Also provide advice, information and referrals for other elder law, trusts, estates and wills issues. Client must call to make appointment and specify "VLP Surrogate's Court Clinic".	Volunteer Lawyers Project of Onondaga County, Inc.	Clinic every Wednesday from 11:00am - 1:00pm in Surrogate's Court Jury room, 2nd floor of the Onondaga County Courthouse located at 401 Montgomery St., Syracuse, NY 13202. Appointments given preference, but drop-in welcomed if time allows. Call (315) 579-2579 or email elder@onvlp.org
School - Discipline	Income Guidelines	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Works with "at-risk" youth in Syracuse City School District.	Center for Community Alternatives	(315) 422-5638
School -Denial	Agency handles various issues regarding discrimination due to past criminal records. In most cases the client must be facing barriers to employment, education or occupational licensing. Client must be also experiencing difficulty obtaining or retaining employment and unable to pay for privately retained counsel	Center for Community Alternatives	(315) 422-5638
	Income Guidelines. Student faces discrimination due to national origin or race.	Legal Services of Central New York (LSCNY)	(877) 777-6152
School -Enrollment	Works with "at-risk" youth in Syracuse City School District.	Center for Community Alternatives	(315) 422-5638
	Income Guidelines. Residency disputes. Student faces discrimination due to national origin or race.	Legal Services of Central New York (LSCNY)	(877) 777-6152
Security Deposit -- Rent	Offers a mediation program for when a landlord has failed to return the rent security when the tenant moves out. Client must complete Rent Security Complaint Form, which is available in Tab 3.	Attorney General	(315) 448-4800 or (800)771-7755
	<i>Also see Small Claims Court listings below for other options to seek return of rent security deposit.</i>		
Senior Citizens	60 or older, Onondaga County Only	Legal Aid Society of Mid-New York (LASMNY)	(877) 777-6152
	Client must call	Attorney General	(315) 448-4800 or (800)771-7755

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Senior Citizens	This agency strives to keep impaired and vulnerable adults age 18 and over safe from themselves and others. Workers can assist individuals and families in applying for such benefits as Medicaid, SSI, SNAP, and HEAP, as well as referring for Medicare, legal interventions, and other services. Eligibility - (1) The client has a physical or mental impairment, (2) The client has an essential unmet need and is at risk of harm and (3) There is no one willing or able to assist responsibly.	Adult Protective Services	(315) 435-2815
Senior Citizens	Agency offers a wide range of programs including assistance for those facing eviction or foreclosure, and different kinds of help to the elderly and new Americans. Income guidelines and other eligibility criteria apply.	Catholic Charities	(315) 424-1800
	Agency has various programs helping the senior community (age 60 or over) including but not limited to, transportation, applying for benefits, meals on wheels, help navigating the healthcare system, help with minor home repairs, home healthcare, and finding suitable housing. Agency also has Caregiver support services, including Caregiver mediation.	Onondaga County Office for Aging.	(315) 435-2362
	Onondaga County Only, 250% Federal Income Guidelines, Case by case review, 60 or older	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
	Pro bono attorneys provide free assistance to low income clients (below 200% poverty line) preparing pro se petitions for 17-A Guardianship, Safe Deposit Box, and Small Estates. Assist with completion of Health Care Proxy and Power of Attorney forms. Also provide advice, information and referrals for other elder law, trusts, estates and wills issues. Client must call to make appointment and specify "VLP Surrogate's Court Clinic".	Volunteer Lawyers Project of Onondaga County, Inc.	Clinic every Wednesday from 11:00am - 1:00pm in Surrogate's Court Jury room, 2nd floor of the Onondaga County Courthouse located at 401 Montgomery St., Syracuse, NY 13202. Appointments given preference, but drop-in welcomed if time allows. Call (315) 579-2579 or email elder@onvlp.org
Service Providers -Problems With	Income guidelines.	Legal Services of Central New York (LSCNY)	(877) 777-6152

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Service Providers -Problems With	Agency's mission is to regulate the insurance business in NY and protect policy holders. The Insurance Fraud Bureau conducts investigations, gathers evidence and effects arrests for insurance fraud and related crimes. Agency also processes consumer complaints against insurance companies, agents, brokers and adjusters.	NYS Insurance Department	(800) 342-3736 www.dfs.ny.gov
Services -Access to	Client must have been denied services because they do not speak English, have an existing mental disability, have HIV, etc.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living programs, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	ARISE	(315) 472-3171
	Agency's mission is to obtain funding, medical treatment or nursing home care for eligible Veterans, their dependents and survivors. They provide information, assistance and advocacy for claimants in actions or claims against the VA or state/local veteran's related entitlements.	Onondaga County Veteran's Service Agency	(315) 435-3217
Services -Access to better neighborhood	Organize residents on the city's southside, southwest and near-westside to fight for better neighborhoods. They fight in the area of parks, streets, anticrime initiatives and housing. Their role is to organize neighbors to fight for better neighborhoods. Current issues: fight National Grid rate hike, educate homeowners around flood insurance, Onondaga Creek restoration and flood prevention, improvements to Harbor Brook Channel, lobby for funding of surveillance cameras, report illegal drug dealing, funding for Blodgett School renovations, pressure problem corner stores that allow illegal drug, litter, noise and loitering, etc. SUN is a membership advocacy organization.	SUN (Syracuse United Neighbors)	(315) 476-7475
Small Business	Legal Assistance to entrepreneurs and small business owners. Federal Income Guidelines, Case by case review.	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 930-3505 or business@onvlp.org
Small Claims Court	Agency provides practical, non legal advice to people who want to file a claim in small claims court. It runs during SU school year only.	New York Public Interest Research Group (NYPIRG)	(315) 476-8381 Sept-Nov/ Jan-April

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Small Claims Court	Recipient of SSI and/or SSD and issue interferes with employment	Legal Services of Central New York (LSCNY)	(877) 777-6152
	See TAB 5 for 'Guide to Small Claims Court'	Small Claims Court	www.nycourthelp.gov, 505 S. State Street, Rm 130 Syracuse, NY 13202 (315) 671-2700
Small Estate	Do-it-yourself computer programs for Support Modification, Small Estates, Name Change, Paternity, Child Support Enforcement, Small Estate, 17A Guardianship, Safe Deposit Box, and Landlord petitions.-T	Do-It-Yourself Forms	www.nycourthelp.gov
	Pro bono attorneys provide free assistance to low income clients (below 200% poverty line) preparing pro se petitions for 17-A Guardianship, Safe Deposit Box, and Small Estates. Assist with completion of Health Care Proxy and Power of Attorney forms. Also provide advice, information and referrals for other elder law, trusts, estates and wills issues. Client must call to make appointment and specify "VLP Surrogate's Court Clinic".	Volunteer Lawyers Project of Onondaga County, Inc.	Clinic every Wednesday from 11:00am - 1:00pm in Surrogate's Court Jury room, 2nd floor of the Onondaga County Courthouse located at 401 Montgomery St., Syracuse, NY 13202. Appointments given preference, but drop-in welcomed if time allows. Call (315) 579-2579 or email elder@onvlp.org
Social Security (SSI/SSD)	Adult or child seeking SSI, 200% Federal Income Guidelines. Also appeals.	Legal Aid Society of Mid-New York (LASMNY) and Legal Services of Central New York (LSCNY)	(877) 777-6152
	Agency assists people on temporary assistance in qualifying for SSI, SSD, and SNAP. Help with home energy assistance program. They help applicants fill out applications and obtain medical evaluations. This Unit works closely with Legal Aid Society of Mid NY to appeal adverse decisions.	Department of Social Services – Economic Security	(315) 435-2700 (follow automated prompts)

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Social Security (SSI/SSD)	This agency strives to keep impaired and vulnerable adults age 18 and over safe from themselves and others. Workers can assist individuals and families in applying for such benefits as Medicaid, SSI, SNAP, and HEAP, as well as referring for Medicare, legal interventions, and other services. Eligibility - (1) The client has a physical or mental impairment, (2) The client has an essential unmet need and is at risk of harm and (3) There is no one willing or able to assist responsibly.	Adult Protective Services	(315) 435-2815
	Onondaga County Only, 250% Federal Income Guidelines, Case by case review, 60 or older	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living programs, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	ARISE	(315) 472-3171
Speakers -Requested from service providers/parent groups	<i>See "Presentations" above.</i>		
Spousal Support	Client can obtain forms at the clerk's office or online at www.courts.state.ny.us/forms/familycourt/index.shtml	Family Court of Onondaga County	Clerk's Office located at: 401 Montgomery St., Syracuse, NY 13202
	Income Guidelines	Hiscock Legal Aid Society	(315) 422-8191
Standby Guardianship	Client must be a cancer patient or a family member of a cancer or HIV/AIDS patient	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Onondaga County Only, Federal Income Guidelines, Case by case review, Child	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Stock Investments	Agency protects consumers against questionable business practices and product recalls, represents the interests of consumers before the Public Service Commission and other state and federal agencies, and helps victims of identity theft.	<i>NYS Division of Consumer Protection</i>	1-800-697-1220
	Onondaga County Only, Federal Income Guidelines, Case by case review	<i>Syracuse University College of Law Clinical Program</i>	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
Superintendent Disciplinary Hearing	Income Guidelines. Call HelpLine (877) 777-6152. Monday through Friday, from 9:00 a.m. to 3:00 p.m.	<i>Legal Services of Central New York (LSCNY)</i>	(877) 777-6152
Supplemental Needs Trust	Client must be a cancer patient or a family member of a cancer or HIV/AIDS patient	<i>Legal Services of Central New York (LSCNY)</i>	(877) 777-6152
Suspension from School	Income Guidelines. Call HelpLine (877) 777-6152. Monday through Friday, from 9:00 a.m. to 3:00 p.m.	<i>Legal Services of Central New York (LSCNY)</i>	(877) 777-6152

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Tax Issues	250% Federal Income Guidelines, Case by case review	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291,
Termination of Parental Rights	Court will assign counsel for parents and a Law Guardian for the child.	Court Appointed Counsel	must request court to assign.
	Client must have HIV/AIDS	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Family Court Assignment, Onondaga County Only, General 125% Federal Income Guidelines	Hiscock Legal Aid Society	Assigned by court; call with questions 315-422-8191
Traffic Issues	The DMV can investigate fraud related to identity theft, as well as odometer and mileage fraud. The website is very helpful, providing instructions/forms relating to obtaining suspended or revoked licenses, how to pay traffic tickets, among other things.	Department of Motor Vehicles	1-518-486-9786 http://www.dmw.ny.gov
	DUI and other traffic legal issues can be referred to a private attorney for hire through the Lawyer Referral Service.	Lawyer Referral Service of the Onondaga County Bar Association	(315) 471-2690
Training Programs -Discrimination	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living programs, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	ARISE	(315) 472-3171
	Legal problem MUST be related to or affecting an existing mental disability	Legal Services of Central New York (LSCNY)	(877) 777-6152
Transition Services for Special Education	Legal problem MUST be related to or affecting an existing physical or mental disability	Legal Services of Central New York (LSCNY)	(877) 777-6152
Transportation	Legal problem MUST be related to or affecting an existing physical or mental disability; or Recipient of SSI and/or SSD and issue interferes with employment	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living programs, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	ARISE	(315) 472-3171

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Transportation	The DMV can investigate fraud related to identity theft, as well as odometer and mileage fraud. The website is very helpful, providing instructions/forms relating to obtaining suspended or revoked licenses, how to pay traffic tickets, among other things.	Department of Motor Vehicles	1-518-486-9786 http://www.dmw.ny.gov
Treatment -- Access to	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living programs, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	ARISE	(315) 472-3171
	Income Guidelines.	Legal Services of Central New York (LSCNY)	(877) 777-6152
Treatment -Inappropriate	Client must have HIV/AIDS	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Agency provides legal advice and will represent people in psychiatric institutions or facilities regarding treatment, and investigate whether they are properly being held in such facilities	Mental Hygiene Legal Services	(315) 401-3350
Trusts	Client must have HIV/AIDS or Cancer	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Pro bono attorneys provide free assistance to low income clients (below 200% poverty line) preparing pro se petitions for 17-A Guardianship, Safe Deposit Box, and Small Estates. Assist with completion of Health Care Proxy and Power of Attorney forms. Also provide advice, information and referrals for other elder law, trusts, estates and wills issues. Client must call to make appointment and specify "VLP Surrogate's Court Clinic".	Volunteer Lawyers Project of Onondaga County, Inc.	Clinic every Wednesday from 11:00am - 1:00pm in Surrogate's Court Jury room, 2nd floor of the Onondaga County Courthouse located at 401 Montgomery St., Syracuse, NY 13202. Appointments given preference, but drop-in welcomed if time allows. Call (315) 579-2579 or email elder@onvlp.org

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Unemployment Insurance Benefits	Income Guidelines. Serves all 13 counties in CNY -- Onondaga County clients should first call Hiscock Legal Aid Society.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	200% Federal Income Guidelines, Onondaga County residents only, advice and hearing representation.	Hiscock Legal Aid Society	Call (315) 422-8191 or in person intake Mon-Fri 8:30am - 4pm at 351 S. Warren St., Syracuse, NY.
	200% Federal Income Guidelines	Volunteer Lawyers Project of Onondaga County, Inc.	(315) 579-2579
	Agency serves low wage workers, including migrant and seasonal agricultural workers, through direct representation in civil matters regarding employment and wage issues. They also address domestic violence and human trafficking issues.	Worker Justice Center of New York	(800) 724-7020
	Agency's mission is to protect workers, assist the unemployed and connect job seekers to jobs. Divisions of this agency include but are not limited to Division of Immigrant Policies and Affairs, Wage Protection, Farmworkers, Unemployment Insurance Assistance.	NYS Department of Labor	(888) 469-7365 www.labor.ny.gov
Utilities Issues	Income Guidelines. Call HelpLine (877) 777-6152. Monday through Friday, from 9:00 a.m. to 3:00 p.m.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Agency has various programs helping the senior community (age 60 or over) including but not limited to, transportation, applying for benefits, meals on wheels, help navigating the healthcare system, help with minor home repairs, home healthcare, and finding suitable housing. Agency also has Caregiver support services, including Caregiver mediation.	Onondaga County Office for Aging.	(315) 435-2362
Utilities Issues -Involving HEAP and/or Utility Assistance Funds	This agency strives to keep impaired and vulnerable adults age 18 and over safe from themselves and others. Workers can assist individuals and families in applying for such benefits as Medicaid, SSI, SNAP, and Heap, as well as referring for Medicare, legal interventions, and other services. Eligibility - (1) The client has a physical or mental impairment, (2) The client has an essential unmet need and is at risk of harm and (3) There is no one willing or able to assist responsibly.	Adult Protective Services	(315) 435-2815

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Utilities Issues <i>-Involving HEAP and/or Utility Assistance Funds</i>	Agency provides help for those unable to work, unable to find a job or has a job that doesn't pay enough. TA may help with basic need expenses such as heat or rent and food. They may help with emergency assistance to stay in the home or for emergency relocation. Eligibility criteria apply.	Temporary Assistance	(315) 435-2700, Civic Center, 2nd Fl. 421 Montgomery Street Syracuse, NY 13202 8:00 AM - 4:30 PM (Monday-Friday)

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Veterans Issues	The clinic assists with VA claims, represents clients in VA Claim appeals, and helps veterans in upgrading discharges.	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
	Operates a drop-in legal clinic for veterans and active military service members the first Wednesday of every month from 6 - 7:30pm. Gives advice, information and referrals, and when possible pro bono referrals.	Volunteer Lawyers Project of Onondaga County, Inc.	Located at the Vet Center, 109 Pine Street, Suite 101, Syracuse, NY 13210 or telephone (315) 579-2576 for info.
	Provides service, advocacy and counseling to NY veterans and their families. Provides information regarding state and federal benefits, employment, disability, pension, burial rights and much more.	U.S. Dept of Veterans Affairs	www.va.gov 1-800-488-8244
	Provides service, advocacy and counseling to NY veterans and their families. Provides information regarding state and federal benefits, employment, etc.	NYS Division of Veterans Affairs	(315) 428-4046, 1-888-838-7697 State Office Bldg., Rm 430, 333 E. Washington St., Syracuse, NY 13202, http://veterans.ny.gov
	Agency's mission is to obtain funding, medical treatment or nursing home care for eligible Veterans, their dependents and survivors. They provide information, assistance and advocacy for claimants in actions or claims against the VA or state/local veteran's related entitlements.	Onondaga County Veteran's Service Agency	(315) 435-3217
	Outpatient mental health counseling for Combat Veterans. Agency also provides counseling for millitary sexual trauma survivors. Some advocacy and assistance with other veterans issues.	Syracuse Vet Center	(315) 478-7127 109 Pine St., Suite 101, Syracuse NY 13210
Veterans Issues--disability claims and appeals	The clinic assists with VA claims, represents clients in VA Claim appeals, and helps veterans in upgrading discharges.	Syracuse University College of Law Clinical Program	(315) 443-4582 or 1-888-797-5291, Sept-Nov/Jan- April
	Agency the processes appeals from veterans disability and benefits decisions. A pamphlet explaining how to appeal is available on their website.	U.S. Dept. of Veterans Affairs -- Board of Veterans Appeals	www.bva.va.gov
	Local accredited Veteran Service and Benefits Representative	POW/MIA	Contact: Sophia LaFontaine (315) 751-4152
	Local accredited Veteran Service and Benefits Representative for veterans and their families	American Legion Onondaga County	315-436-5741
	Local accredited Veteran Service and Benefits Representative	Disabled American Veterans	716-857-3354

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Veterans Issues-- disability claims and appeals	Local accredited Veteran Service and Benefits Representative	Marine Corps League and Onondaga County Veterans Service Agency	(315) 435-3217
	Local accredited Veteran Service and Benefits Representative	Veterans of Foreign Wars	Contact: James Visonhaler, (315) 423-5539
Veterans Issues-- re-employment rights	The U.S. Department of Labor's Veterans' Employment and Training Service (VETS) is responsible for administering, interpreting, and enforcing the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), 38 U.S.C. 4301-4335.	U.S. Dept. of Labor	1-866-487-2365 www.dol.gov/vets
	ESGR Representative helps with USERRA questions.	Employer Support of the Guard and Reserve (ESGR)	1-800-336-4590 / 518-786-4911 or email Darlene.a.stanton.ctr@mail.mil
Victim's Rights	Agency provides direct services to victims of crime, including compensation for crime related expenses, reimbursement for forensic rape/sexual assault examinations and advocacy for innocent victim's rights. Education and outreach is also provided.	NYS Office of Victim Services	1-800-247-8035 ovs.ny.gov
	Agency provides services to Domestic Violence and Sexual Violence survivors and their children by providing shelter, advocacy, and counseling services for women, children & men, education and prevention programs and community coordination. Clients can call and ask to meet with a volunteer attorney in Syracuse on Monday nights.	Vera House	Crisis and Support Line: 468-3260 Offices: 425-0818
Visitation	See "Custody" in this reference table.		

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Wages	Agency's mission is to protect workers, assist the unemployed and connect job seekers to jobs. Divisions of this agency include but are not limited to Division of Immigrant Policies and Affairs, Wage Protection, Farmworkers, Unemployment Insurance Assistance.	NYS Department of Labor	(888) 469-7365 www.labor.ny.gov
	Income Guidelines. Wage theft, employers rights, etc.	Legal Services of Central New York (LSCNY)	(877) 777-6152
	Agency provides financial education classes including; those for DV women survivors, teens in summer job programs, low wage workers, food pantry recipients, and section 8 clients. They may also help in refinancing in Onondaga County.	Syracuse Cooperative Federal Credit Union	(315) 473-0217
	Agency provides help for those unable to work, unable to find a job or has a job that doesn't pay enough. TA may help with basic need expenses such as heat or rent and food. They may help with emergency assistance to stay in the home or for emergency relocation. Eligibility criteria apply.	Temporary Assistance	(315) 435-2700, Civic Center, 2nd Fl. 421 Montgomery Street Syracuse, NY 13202 8:00 AM - 4:30 PM (Monday-Friday)
	Agency serves low wage workers, including migrant and seasonal agricultural workers, through direct representation in civil matters regarding employment and wage issues. They also address domestic violence and human trafficking issues.	Worker Justice Center of New York	(800) 724-7020
Walk-In Clinics	Walk-in legal clinics provide general legal advice by volunteer attorneys on all civil matters	Walk-in clinics	Times/ Locations In TAB 4
Welfare (Family assistance, Safety net assistance, Emergency assistance)	Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, referrals, independent living programs, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.	ARISE	(315) 472-3171
	Agency provides help for those unable to work, unable to find a job or has a job that doesn't pay enough. TA may help with basic need expenses such as heat or rent and food. They may help with emergency assistance to stay in the home or for emergency relocation. Eligibility criteria apply.	Temporary Assistance	(315) 435-2700, Civic Center, 2nd Fl. 421 Montgomery Street Syracuse, NY 13202 8:00 AM - 4:30 PM (Monday-Friday)
Wills	Pro bono attorneys provide free assistance to low income clients (below 200% poverty line) preparing Wills. Call to begin intake process or go to Surrogate's Court Clinic for consultation and more information.	Volunteer Lawyers Project of Onondaga County, Inc.	Call (315) 579-2579 or email elder@onvlp.org

Legal Issue	Eligibility Criteria / Description of Services	Agency	Contact Information
Wills	Age 60+, Onondaga County Only	Legal Aid Society of Mid-New York (LASMNY)	(877) 777-6152
	Client must be a cancer patient or a family member of a cancer or HIV/AIDS patient	Legal Services of Central New York (LSCNY)	(877) 777-6152
	for 60+	Syracuse University College	(315) 443-4582 or 1-888-797-5291,
Worker's Compensation	Agency serves low wage workers, including migrant and seasonal agricultural workers, through direct representation in civil matters regarding employment and wage issues. They also address domestic violence and human trafficking issues.	Worker Justice Center of NY	(800) 724-7020
	Outreach and training programs for workers and unions for their benefits and rights in the workers compensation system.	Advocate for Injured Workers	1-877-632-4996
	Private practice attorneys will accept Worker's Compensation cases based upon a statutorily based fee.	Lawyer Referral Service of the Onondaga County Bar Association	(315) 471-2690

LEGAL AGENCY CONTACT INFORMATION

<p>Adult Protective Services Civic Center, 5th Floor 421 Montgomery Street Syracuse, NY 13202 P: 315-435-2815 F: 315-435-2801</p>	<p>The objective of Adult Protective Services (APS) is to keep individuals over the age of 18 safe from harm due to their own inability to care for themselves or because of neglect or abuse by others. Every effort is made to keep individuals in the community, or in the least restrictive environment. In order to do that the APS workers collaborate with other community agencies that could provide needed services. Provides assistance in obtaining entitlement programs, medical care, home care, legal interventions, and other community services to meet the individual's needs. Eligibility - 18 years or older with all 3 characteristics: (1) The client has a physical or mental impairment, (2) The client has an essential unmet need and is at risk of harm, and (3) There is no one willing or able to assist responsibly.</p> <p>http://www.ongov.net/adult/protective.html</p>
<p>Advocate for Injured Workers - Workers' Compensation 328 State Street Schenectady, NY 12305-2318 P: 1-877-632-4996 F: 518-486-7510</p>	<p>Agency accepts complaints concerning matters related to worker's compensation, investigates and attempts to resolve them, also provides information to injured workers to enable them to protect their rights within the system. Provides outreach programs and training for workers and unions regarding their benefits and rights in the workers compensation system.</p> <p>http://www.wcb.ny.gov/content/main/Workers/WhatIsAdvocateInjuredWorkers.jsp</p>
<p>American Legion Onondaga County P: 315-436-5741</p>	<p>Local accredited Veteran Service and Benefits Representative for veterans and their families</p>
<p>ARISE 635 James Street Syracuse, NY 13203 P: 315-472-3171 F: 315-472-9252</p>	<p>Agency offers a wide range of services to those with various types of disabilities and their families. Programs include: advocacy, independent living, housing services, employment services, mental health, recreation services and support groups. Each program has certain intake procedures and eligibility criteria.</p> <p>www.ariseinc.org</p>
<p>Assigned Counsel -- Onondaga County Court Appointed counsel State Tower Building 109 S. Warren Street Syracuse, NY 13202 P: 315-476-2921 F: 315-476-0576</p>	<p>Client must ask Judge to be assigned an attorney if they cannot afford to hire one. Income guidelines apply - usually 125% of poverty guidelines.</p>

LEGAL AGENCY CONTACT INFORMATION

<p>Attorney General's Office 615 Erie Blvd. W Suite 102 Syracuse, NY 13204 P: 800-771-7755 P2: 315-448-4800 F: 315-448-4853</p>	<p>The Attorney General's Office assists with various areas including: consumer related issues, elder issues, medical fraud and corrupt government agencies. Clients should be advised to make a complaint with this office, as well as referred to other agencies listed in the table. The Attorney General's Office is more likely to take action when various complaints are filed against the same organization.</p> <p>http://www.ag.ny.gov/syracuse-regional-office</p>
<p>Attorney Grievance Committee (Fifth Judicial District -- 4th Judicial Department) 224 Harrison Street Suite 408 Syracuse, NY 13202-3066 P: 315-401-3344 F: 315-401-3339</p>	<p>For Herkimer, Jefferson, Oneida, Onondaga and Oswego Counties. The complaint must be submitted in writing with an original signature. Complaints submitted by facsimile are not accepted. No special form or language is necessary. Your written complaint should include all important information. If letters, agreements, or other documents are involved, copies should be included if available. If more information than what you provide is needed, it will, of course, be requested. There is no financial cost.</p> <p>www.nycourts.gov/courts/ad4/index.htm</p>
<p>Better Business Bureau 100 Bryant Woods S. Amherst, NY 14228 P: 800-828-5000 P2: 716-881-5222 F: 716-883-5349</p>	<p>Agency provides reports on business firms and information about charity organizations, and helps resolving disputes with businesses through consultation, mediation and arbitration. Reports and complaint forms are available online. Most services are free.</p> <p>www.bbb.org/upstate-new-york/</p>
<p>Catholic Charities 1654 W. Onondaga Street Syracuse, NY 13204 P: 315-424-1800 F: 315-424-8262</p>	<p>Agency offers a wide range of programs including a domestic violence shelter for women and children, assistance in relocation for those facing eviction or foreclosure, and different kinds of help to the elderly and immigration population. Income guidelines and other eligibility criteria apply.</p> <p>www.ccoc.us</p>
<p>Catholic Charities Refugee Resettlement Services 527 N. Salina Street Syracuse, NY 13202 P: 315-474-7428</p>	<p>Immigration assistance for naturalization and family reunification. Resettlement services and support for those forced to leave their countries due to unsafe conditions. The program provides assistance with applying for jobs and registering for English language classes, locating translators, finding housing, and securing medical care. Special academic programs prepare refugee children to attend school.</p> <p>www.ccoc.us/services/refugee-services/refugee-resettlement</p>

LEGAL AGENCY CONTACT INFORMATION

<p>Center for Community Alternatives 115 E. Jefferson Street Suite 300 Syracuse, NY 13202 P: 315-422-5638 F: 315-471-4924</p>	<p>Agency handles various issues regarding discrimination due to past criminal records. In most cases the client must be facing barriers to employment, education or occupational licensing. Client must be also experiencing difficulty obtaining or retaining employment and unable to pay for privately retained counsel</p> <p>www.communityalternatives.org</p>
<p>Child Protective Services 421 Montgomery Street Suite 400 Syracuse, NY 13202 P: 315-435-2884 (mandated reporters 1-800-635-1522) P2: Abuse Hotline: 315-422-9701 or 1-800-342-3720 F: 315-435-2980</p>	<p>Use to report child abuse or maltreatment.</p> <p>www.ongov.net/cfs/childwelfare.html</p>
<p>Child Support Enforcement Office 421 Montgomery Street 4th Floor Syracuse, NY 13202 P: 1-888-208-4485</p>	<p>No income guidelines. Agency offers a special fee attorney panel for collection of support arrears; attorney fee taken out of any support collected. Non-attorneys provide assistance to custodial parents filling out support, violations of support- 3 or more payments behind, modification and paternity petitions. Agency is especially helpful when a party lives out of state.</p> <p>http://www.ongov.net/dss/childSupport.html</p>
<p>Citizens Review Board (CRB) of the City of Syracuse 201 E. Washington St., Suite 705 Syracuse, NY 13202 P: (315) 448-8750 F: 315-448-8768</p>	<p>CRB was established to ensure an open citizen-controlled process for reviewing grievances involving members of the Syracuse Police Dept.</p> <p>http://www.syrgov.net/crb.aspx</p>
<p>CNY Fair Housing 731 James Street, Suite 200 Syracuse, NY 13203 P: 315-471-0420 F: 315-471-0549</p>	<p>Investigates housing discrimination claims including rentals and home purchases, home financing, refinancing, predatory lending, and homeowner's insurance. Can provide free legal representation to those who have faced housing discrimination. Assists with reasonable accommodations and modifications for individuals and families. No income guidelines apply. Agency serves an eight-county region throughout CNY including Onondaga, Tompkins, Madison, Oneida, Oswego, Jefferson and St. Lawrence Counties.</p> <p>www.cnyfairhousing.org</p>

LEGAL AGENCY CONTACT INFORMATION

Code Enforcement City of Syracuse 201 East Washington Street City Hall Commons Room 301 Syracuse, NY 13202 P: 315-448-8695 F: 315-448-8764 or 448-8615	This section of the Division of Code Enforcement is to safeguard life, health and property, preserve the City's housing and enhance neighborhood livability. It enforces the City Code by responding to reports and complaints about housing maintenance, overgrown yards, trash and debris and disabled vehicles on private property. In addition they work with other agencies to improve residential neighborhoods. www.syr.gov.net/Code_enforcement.aspx
Department of Motor Vehicles P: 518-486-9786	The DMV can investigate fraud related to identity theft, as well as odometer and mileage fraud. The website is very helpful, providing instructions/forms relating to obtaining suspended or revoked licenses, how to pay traffic tickets, among other things. www.dmv.ny.gov
Department of Social Services – Economic Security 421 Montgomery Street 12th Floor Syracuse, NY 13202 P: 315-435-2700 follow prompts F: 315-435-2113	Agency assists people on temporary assistance in qualifying for SSI and SSD and SNAP. Help with home energy assistance program. They help such applicants fill out applications and obtain medical evaluations. This Unit works closely with Legal Aid Society of Mid NY to appeal adverse decisions. www.ongov.net/dss
Disability Rights New York 725 Broadway, Suite 450 Offices in Brooklyn and Rochester Albany, NY 12207 P: 1-800-993-8982 P2: 518-432-7861 F: 518-427-6561	DRNY provides legal assistance for persons with disabilities in New York through Protection & Advocacy System and Client Assistance Program (P&A/CAP). DRNY advocates for the civil and legal rights for people with disabilities. http://www.drny.org/
Disabled American Veterans 130 South Elmwood Ave Suite 620 Buffalo, NY 14202 P: 716-857-3354 F: 716-857-3487	Agency helps veterans that need advocacy for VA compensation. https://www.dav.org/

LEGAL AGENCY CONTACT INFORMATION

<p>ECBA Volunteer Lawyers Project 237 Main Street Suite 1000 (10th floor) Buffalo, NY 14203 P: 716-847-0662 P2: 716-847-0752 F: 716-847-0307</p>	<p>The Immigration Project of the Volunteer Lawyers Project is funded to give Know Yours Rights presentations twice each week to the men held at Buffalo Federal Detention Facility in Batavia, NY. Also, help incarcerated women in upstate NY.</p> <p>www.ecbavlp.com</p>
<p>Employer Support of the Guard and Reserve (ESGR) 330 Old Niskayuna Road Latham, NY 12110 P: 1-800-336-4590 P2: 518-786-4911 F: darlene.a.stanton.ctr@mail.mil</p>	<p>Local ombudsman helps resolve complaints of USERRA violations. If unable to resolve, issue is referred to U.S. Dept. of Labor.</p> <p>www.esgr.mil</p>
<p>Family Court (Onondaga County) 401 Montgomery Street Syracuse, NY 13202 P: 315-671-2000 F: 315-671-1163</p>	<p>Clients may obtain forms to file all family court matters from the clerk.</p> <p>www.nycourts.gov/courts/5jd/onondaga/family</p>
<p>Federal Public Defender 4 Clinton Square 3rd Floor Syracuse, NY 13202 P: 315-701-0080 F: 315-701-0081</p>	<p>Office will provide criminal representation upon assignment from the court.</p> <p>http://nyn.fd.org/</p>
<p>Greater Syracuse Tenants Network PO Box 6908 Syracuse, NY 13217-6908 P: 315-475-8092</p>	<p>Represents the interests of low-income tenants throughout Central New York. Assists individual tenants, provides education & outreach, organizes tenant associations in federally assisted housing, advocates for preservation of affordable rental housing. Provides training for landlords and human service workers. Give limited advise to landlords.</p> <p>www.syracusetenant.org</p>

LEGAL AGENCY CONTACT INFORMATION

Hiscock Legal Aid Society 351 S. Warren Street Syracuse, NY 13202 P: 315-422-8191 F: 315-218-0128	Provides free legal assistance to people in need in our community. Provides representation in: family court, civil (domestic relations, housing and unemployment), appeals, parole revocation proceedings, extradition, domestic violence, immigration, Cancer Legal Advocacy & Services Project, Parent Success Initiative Legal Assistance Project, and Foreclosure Prevention Project. www.hiscocklegalaid.org
Home Headquarters 538 Erie Boulevard West, Suite 100 Suite 100 Syracuse, NY 13204 P: 315-474-1939 F: 315-474-0637	Agency offers home buyers education, financial counseling, housing repair and rehabilitative programs, innovative loan products and financing assistance and post purchase counseling to home buyers. Also will renegotiate loan in instances of foreclosure, including tax foreclosure. www.homehq.org
Human Rights Specialist of Syracuse and Onondaga Co. 421 Montgomery Street 13th Floor Syracuse, NY 13202 P: 315-435-3565	Supports the 'NYS Human Rights Law', which deals specifically with 'Protected Classes' of people (race, creed, color, national origin, sexual orientation, sex, age, marital status, disability, prior arrest or conviction record and familial status in housing). Assists in the areas of employment, housing, and public accommodation. www.ongov.net/humanrights/complaint.html
Journey's End Immigration-Legal Services 2495 Main Street Suite 317 Buffalo, NY 14214 P: 716-882-4963 ext. 203 F: 716-882-4977	Assists clients with immigration matters including naturalization, applications for permanent residency (adjustment of status and consular processing), travel documents, family reunification (including refugee and asylee family reunification), DACA, and asylum applications. Services also include removal defense (Batavia Immigration Court and Buffalo Immigration Court), and BIA appeal representation. www.jersbuffalo.org
Lawyer Referral Service Onondaga County Bar Association CNY Philanthropy Center, Suite 300 431 E. Fayette St Syracuse, NY 13202 P: 315-471-2667 F: 315-471-0705	Telephone service used for clients who are looking to hire an attorney in Onondaga County. Possible free consultations with attorney to discuss legal issue as well as cost of representation. www.onbar.org/find-a-lawyer/

LEGAL AGENCY CONTACT INFORMATION

<p>Legal Aid Society of Mid New York (LASMNY) 221 South Warren Street Suite 310 Syracuse, NY 13202 P: 877-777-6152 P2: 315-703-6600 F: 315-424-4911</p>	<p>Provides free legal information, advice and representation to people who can't afford a lawyer. Only handles civil (non-criminal) legal problems. Legal HelpLine covers 13 counties: Broome, Cayuga, Chenango, Cortland, Delaware, Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego and Otsego Counties.</p> <p>http://www.lasmny.org/</p>
<p>Legal Services of Central New York (LSCNY) 221 South Warren Street Suite 300 Syracuse, NY 13202 P: 1-866-475-9967 / (877) 777-6152 P2: 315-703-6500</p>	<p>Provides free legal information, advice and representation to people who can't afford a lawyer. Only handles civil (non-criminal) legal problems. Legal HelpLine covers 13 counties: Broome, Cayuga, Chenango, Cortland, Delaware, Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego and Otsego Counties.</p> <p>http://www.lscny.org/</p>
<p>LGBT Rights Project Empire Justice Center One West Maine Street Suite 200 Rochester, NY 14614 P: 585-295-5721 F: 585-454-4019</p>	<p>Provides representation for discrimination based on sexual orientation, gender identity or gender expression. Assists with transgender name changes, health insurance denial and health care discrimination. Provides legal services to LGBT veterans and elders.</p> <p>www.empirejustice.org/issue-areas/lgbt-rights-project/</p>
<p>Marine Corps League and Onondaga County Veterans Service Agency 421 Montgomery Street 10th Floor Syracuse, NY 13202 P: 315-435-3217 P2: 315-435-3220 F: 315-435-3221</p>	<p>Local accredited Veteran Service and Benefits Representative</p> <p>www.ongov.net/veterans/</p>
<p>Mental Hygiene Legal Services The Syracuse Building 224 Harrison Street, Suite 502 Syracuse, NY 13202 P: 585-530-3050 P2: 315-401-3350 F: 585-530-3079</p>	<p>Agency provides legal advice and will represent people in psychiatric institutions or facilities regarding treatment, and investigate whether they are properly being held in such facilities.</p> <p>www.nycourts.gov/courts/ad4/MHLS</p>

LEGAL AGENCY CONTACT INFORMATION

<p>New Justice Services 400 Leavenworth Avenue Suite 100 Syracuse, NY 13204 P: 315-471-4676 F: 315-475-0769</p>	<p>Agency provides non legal advice by non attorneys and free mediators. They help resolve issues involving family, neighbors, employers, businesses, etc.</p> <p>www.newjusticeservices.org/onondagacounty.aspx</p>
<p>New York Civil Liberties Union (NYCLU) - Central New York 731 James Street Suite 205 Syracuse, NY 13203 P: 315-471-2821 F: 315-471-1077</p>	<p>The NYCLU provides a multiprong approach, including advocacy, legal advice, litigation, etc., to advance civil rights and liberties. For legal advice, potential clients must write a 1-2 page summary of civil liberty/right concern and send to agency by mail, fax or e-mail</p> <p>www.nyclu.org/centralnew</p>
<p>New York Public Interest Research Group (NYPiRG) 732 S. Crouse Avenue 2nd Floor Syracuse, NY 13210 P: 315-476-8381 F: 315-476-8382</p>	<p>Agency provides practical, nonlegal advice to people who want to file a claim in small claims court. It runs during SU school year only. Sept-Nov/ Jan-April</p> <p>www.nypirg.org</p>
<p>NYS Bar Association Pro Bono Appeals Program C/O Worker Justice Center of New York 1187 Culver Road Rochester, NY 14609 P: 518-223-0750 P2: Cynthia's fax 518-338-0175 F: 800-832-9150</p>	<p>Helps persons of modest means who are taking, or responding to, appeals regarding fundamental civil legal issues, such as family stability, personal safety or subsistence income. Must submit a written application form, available online on nysba.org or printed version in back of this reference guide.</p> <p>http://www.nysba.org/probonoappeals/</p>
<p>NYS Department of Labor Building 12 W.A. Harriman Campus Albany, NY 12240 P: 888-469-7365 P2: 518-457-9000</p>	<p>Agency's mission is to protect workers, assist the unemployed and connect job seekers to jobs. Divisions of this agency include but are not limited to - Division of Immigrant Policies and Affairs, Wage Protection, Farmworkers, Unemployment Insurance Assistance.</p> <p>www.labor.ny.gov</p>
<p>NYS Division of Consumer Protection One Commerce Plaza 99 Washington Ave Albany, NY 12231-0001 P: 800-697-1220 P2: 518-474-8583</p>	<p>Agency protects consumers against questionable business practices and product recalls, represents the interests of consumers before the Public Service Commission and other state and federal agencies, and helps victims of identity theft.</p> <p>www.dos.ny.gov/consumerprotection</p>

LEGAL AGENCY CONTACT INFORMATION

<p>NYS Division of Human Rights 333 E. Washington Street Room 543 Syracuse, NY 13202 P: 315-428-4633 F: 585-238-8259</p>	<p>Agency handles discrimination complaints regarding employment, housing, criminal justice, public accommodations, education, etc. Complaint forms can be found on their website.</p> <p>www.dhr.ny.gov</p>
<p>NYS Division of Veterans Affairs State Office Bldg., Rm. 430 333 E. Washington Street Syracuse, NY 13202 P: 315-428-4046 P2: 1.888.838.7697</p>	<p>Provides service, advocacy and counseling to NY veterans and their families. Provides information regarding state and federal benefits, employment, etc.</p> <p>www.veterans.ny.gov</p>
<p>NYS Insurance Department 333 E. Washington Street Syracuse, NY 13202 P: 800-342-3736/ 212-709-1691 P2: 212-480-6400</p>	<p>Agency's mission is to regulate the insurance business in NY and protect policy holders. The Insurance Fraud Bureau conducts investigations, gathers evidence and effects arrests for insurance fraud and related crimes. Agency also processes consumer complaints against insurance companies, agents, brokers and adjusters.</p> <p>www.dfs.ny.gov</p>
<p>NYS Kinship Navigator 87 N. Clinton Ave Rochester, NY 14604 P: 877-454-6463 P2: 1-800-421-1220 F: 585-456-1676</p>	<p>Provides resources for family members taking care of children, include forms to temporarily delegate parental rights for 1 month or 6 months.</p> <p>http://www.nysnavigator.org/</p>
<p>NYS Office of Victim Services AE Smith Building 80 S. Swan St., 2nd Floor Albany, NY 12210 P: 1-800-247-8035 F: 518-485-8885</p>	<p>Agency provides direct services to victims of crime, including compensation for crime related expenses, reimbursement for forensic rape/sexual assault examinations and advocacy for innocent victim's rights. Education and outreach is also provided.</p> <p>www.ovs.ny.gov</p>
<p>Onondaga County Adult & Long Term Care Services Office of Aging 421 Montgomery Street 10th Floor Syracuse, NY 13202 P: 315-435-2362 F: 315-435-3129</p>	<p>Agency has various programs helping the senior community (age 60 or over) including, but not limited to: transportation, applying for benefits, meals on wheels, help navigating the healthcare system, help with minor home repairs, home healthcare, and finding suitable housing. Agency also has caregiver support services, including caregiver mediation.</p> <p>http://www.ongov.net/adult/</p>

LEGAL AGENCY CONTACT INFORMATION

Onondaga County Public Library 447 S. Salina St. Syracuse, NY 13202 P: 315-435-1900	Nonprofit Resource Center at Public Library is part of the Foundation Center's network of funding information centers. Print and online resources regarding all aspects of forming and managing a nonprofit. http://www.onlib.org/
Onondaga County Veterans Service Agency 421 Montgomery Street 10th Floor Syracuse, NY 13202 P: 315-435-3217 F: 315-435-3221	Agency's mission is to obtain funding, medical treatment or nursing home care for eligible Veterans, their dependants and survivors. They provide information, assistance and advocacy for claimants in actions or claims against the VA or state/local veteran's related entitlements. www.ongov.net/veterans/
POW/MIA PO Box 3185 Syracuse, NY 13235 P: 315-751-4152	Local accredited Veteran Service and Benefits Representative
Prisoner's Legal Services of New York Prisoner's Legal Service Intake 114 Prospect Street Ithaca, NY 14850 P: 607-273-2283	Agency serves state prison inmates only and does not accept phone calls. Client must write to: Prisoner's Legal Service Intake. They provide assistance and legal advice regarding prisoners' civil rights issues. www.plsnny.org
Small Claims Court 505 S. State Street Room 130 Syracuse, NY 13202 P: 315-671-2700	You must be an individual to use Small Claims. All claims must be filed in person Monday through Friday from 8:30 a.m. to 3:30 p.m., unless you are out of Onondaga County. Up to \$5000 (exclusive of interest and costs) for money damages only. See Guide to Small Claims court in Tab Five, Legal Resources. www.nycourts.gov/courts/5jd/onondaga/city/smallclaims.shtml
SUN (Syracuse United Neighbors) 1540 S. Salina Street Syracuse, NY 13205 P: 315-476-7475 F: 315-476-4523	SUN is an advocacy organization that targets the city's southside, southwest and near-west neighborhoods. They fight for better neighborhoods in the area of parks, streets, anti-crime initiatives (illegal drugs) etc., and housing (vacant houses, board up of vacants, clean-up, trash, tall grass, push for demolition and rehab. Agency works towards neighborhoods that have homes that are affordable and in good repair. sunaction.wordpress.com

LEGAL AGENCY CONTACT INFORMATION

<p>Supreme Court Library 401 Montgomery Street 5th Floor Syracuse, NY 13202 P: 315-671-1150 / 671-1151 F: 315-671-1160</p>	<p>No legal advice provided, but legal packets available and five public access computers for online research in Lexis, Westlaw are available for research assistance. Two public paid copiers available.</p> <p>www.nycourts.gov/library/onondaga</p>
<p>Syracuse Cooperative Federal Credit Union 723 Westcott Street Syracuse, NY 13210 P: 315-473-0271 F: 315-476-0567</p>	<p>Bank provides financial education classes including: those for domestic violence survivors, teens in summer job programs, low wage workers, food pantry recipients, and Section 8 clients. They may also help in refinancing in Onondaga County.</p>
<p>Syracuse University College of Law Clinical Program PO Box 6543 Syracuse, NY 13217 P: 315-443-4582 P2: 1-888-797-5291</p>	<p>Represent low income individuals, not-for-profits, and small businesses. The Office of Clinical Legal Education includes eight clinics, all housed in the College of Law's MacNaughton Hall. Students enrolling in a clinic represent clients and practice law under the supervision of law school faculty. Accepts new referrals at the beginning of each school semester.</p> <p>http://law.syr.edu/academics/clinical-experiential/legal-assistance/</p>
<p>Syracuse Vet Center 109 Pine Street Suite 101 Syracuse, NY 13210 P: 315-478-7127 P2: 877-927-8387 F: 315-478-7209</p>	<p>Vet Centers provide readjustment counseling and outreach services to all veterans who served in any combat zone. Services are also available for their family members for military related issues. Agency also provides counseling for military sexual trauma survivors. Veterans have earned these benefits through their service and all are provided at no cost to the veteran or family.</p>
<p>Temporary Assistance 421 Montgomery Street 2nd Floor Syracuse, NY 13202 P: 315-435-2700</p>	<p>Agency provides help for those unable to work, unable to find a job or has a job that doesn't pay enough. TA may help with basic need expenses such as heat or rent and food. They may help with emergency assistance to stay in the home or for emergency relocation. Eligibility criteria apply.</p> <p>http://www.ongov.net/dss/temporaryAssistance.html</p>

LEGAL AGENCY CONTACT INFORMATION

U.S. Department of Veterans Affairs Board of Veterans Appeals	<p>Agency processes appeals from veterans' disability and benefits decisions. A pamphlet explaining how to appeal is available on their website.</p> <p>www.bva.va.gov</p>
U.S. Dept. of Labor (VETS) 200 Constitution Ave., NW Washington, DC 20210 P: 1-866-487-2365	<p>U.S. Dept. of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations. For assistance in filing a complaint, or for any other information on USERRA, contact VETS.</p> <p>www.dol.gov/vets</p>
U.S. Dept. of Veterans Affairs	<p>Provides Veterans with information regarding benefits, disability, pension, education, health, well-being, burial rights, and much more</p> <p>www.va.gov</p>
Vera House 6181 Thompson Road Suite 100 Syracuse, NY 13206 P: Crisis and Support: 315-468-3260 P2: Admin. Office: 315-425-0818	<p>Agency provides services to Domestic Violence survivors and their children. Clients can call and ask to meet with a volunteer attorney in Syracuse on Monday nights.</p> <p>www.verahouse.org</p>
Veterans of Foreign Wars 344 West Genesee Street Suite 205 Syracuse, NY 13202 P: 315-423-5539 F: 315-479-8993	<p>Local accredited Veteran Service and Benefits Representative</p> <p>www.vfw.org</p>

LEGAL AGENCY CONTACT INFORMATION

Volunteer Lawyers Project of Onondaga County, Inc. 221 South Warren Street Suite 3200 Syracuse, NY 13202 P: 315-471-3409 F: 315-939-1466	Provides free legal advice, information and referrals, and when possible full legal representation to low-income residents of Onondaga County for civil legal issues. Legal services are provided by pro bono attorneys. Operates a pro se divorce clinic, an attorney of the day clinic in Syracuse City Court, and many “Talk-to-a-lawyer” clinics, and more. Income guidelines apply. www.onvlp.org
Worker Justice Center of New York 1187 Culver Road Rochester, NY 14609 P: 800-724-7020 P2: 585-325-3050 x2001 F: 585-325-7614	Agency serves low wage farmworkers, with a focus on migrant and seasonal farmworkers, through direct representation in civil matters regarding employment and wage issues. They also address domestic violence and human trafficking issues. www.wjcny.org

SPECIAL CLINICS BY SUBJECT MATTER, DROP IN CLINICS BY COUNTY

DOMESTIC VIOLENCE

Vera House Legal Clinic is for victims of domestic violence and clients of the Vera House. It is held at Vera House, 723 James Street, Syracuse NY 13203. Call to make an appointment (315) 468-3260.

ELDER LAW

VLP Surrogate's Court Clinic is for low-income clients looking for advice and assistance preparing for Surrogate's Court (including 17-A Guardianship, Small Estate and Safe Deposit Box), power of attorney, living will and advance medical directives and provide legal advice and information regarding trusts, estates and elder law.

Every Wednesday, 11:00 a.m. – 1:00 p.m., Surrogate's Court, 2nd Floor of the Onondaga County Courthouse, 401 Montgomery St., Syracuse NY 13202. Call (315) 471-3409 for appointment.

FAMILY LAW

VLP Family Court Clinic is for low-income clients preparing original petitions and modifications of custody, visitation, child support and paternity. Room 116, Onondaga County Courthouse, 401 Montgomery St., Syracuse NY 13202. No appointments. Every Wednesday 9:00am – 3:00 p.m. & Every Friday 9:00am – 12:00pm.

Jefferson County Family Court Clinic –163 Arsenal Street, Watertown, NY 13601 1st and 3rd Thursdays 12:00p.m.-3:00pm.

IMMIGRATION LAW

VLP Immigration Clinic is for low-income clients only – client receives a free legal consultation with an immigration attorney.

Catholic Charities Refugee Resettlement Services, 527 N. Salina St., Syracuse NY 13208.
1st Tuesday of every month, 4:00pm – 6:00pm
Call Kate for an appointment (315) 474-7428 Ext. 45.

InterFaith Works of Central New York, 1010 James St., Syracuse, NY 13203.
2nd Tuesday of every month, 12:00pm - 2:30pm.
Call Silvana for an appointment at (315) 449-3552 Ext. 209.

Bhutanese Community in Syracuse, 710 Kirkpatrick Street, Syracuse, NY 13208.
3rd Tuesday of every month, 2:00pm - 4:00pm.
Call Jay for an appointment at (315) 339-5398

MEDICAL/LEGAL ISSUES

Syracuse Medical-Legal Partnership (SMLP). Client must be referred by a Doctor, Social Worker, or other Medical Staff Member at SUNY Upstate Medical University or University Hospital. Medical staff may call (315) 443-4582 to make a referral.

Free Legal Clinic at University Hospital is for patients of University or Crouse Hospitals and their family members. It is held in University Hospital Room 2239 on 2 North, the Physical Medicine and Rehabilitation Unit on the 1st and 3rd Tuesday of each month from 12:00- 2:00pm and the 2nd and 4th Tuesday of each month between 5:00- 7:00pm.

HIV/AIDS Law Clinic

ACR Health Syracuse

990 James Street

Syracuse, NY 13202

Clinic Hours: 1st Thursday of each month, 1:00pm - 3:00pm

VETERANS

Veteran's Center Legal Clinic is for any service member or veteran. It is held the Veteran's Center, 109 Pine Street, Syracuse, NY. 1st Wednesday of every month 6-7p

Onondaga County Drop-in Talk-to-a-Lawyer Walk-In Clinics

Mondays

North Syracuse Library – OnVLP

100 Trolley Barn Lane, North Syracuse, NY 13212

2nd and 4th Monday 6:00- 7:30 p.m.

Tuesdays

McKinley-Brighton Elementary School – OnVLP

141 W. Newell Street, Syracuse, NY 13205

October through May, 1st Tuesday of month When School is Open

2:00 – 4:00 p.m. in the parent room

Syracuse Rescue Mission - OnVLP

155 Dickerson Street, Syracuse, NY 13202

Every Tuesday 12:00 – 1:00 p.m.

Samaritan Center OnVLP

215 North State Street, Syracuse, NY 13203

1st and 3rd Tuesday 3:00- 4:30 p.m.

Catholic Charities Men's Shelter– OnVLP * must be resident of shelter

1074 South Clinton Street, Syracuse, NY 13202

2nd and 4th Tuesday 5:00-7:00p.m.

Wednesdays

East Syracuse Free Library - OnVLP

4990 James Street, Syracuse, NY 13057

Every Wednesday 5:30 – 7:30 p.m.

Tel-Law - OnVLP

Speak w/ a lawyer directly via telephone – (315) 579-2575

1:00 – 3:00 p.m. (until 5:00 p.m. 1st & 3rd Wednesday)

Thursdays

Central Library – OnVLP

447 South Salina Street, Syracuse, NY 13202

2nd and 4th Thursday 12:00 - 1:30 p.m.

Westcott Community Center – OnVLP

826 Euclid Avenue, Syracuse, NY 13210

Every Thursday 6:00- 8:00

White Branch Library – OnVLP

763 Butternut Street, Syracuse, NY 13208

Thursdays 4:30-6:00p.m.

Samaritan Center – OnVLP

215 North State Street, Syracuse, NY 13203

1st and 3rd Thursday 7:30a.m.

Salvation Army Women's Shelter * must be resident of shelter

1704 South Salina Street, Syracuse, NY

3rd Thursday 4:30 – 5:30 p.m.

Salvation Army Family Shelter – OnVLP * must be a resident of shelter

677 South Salina Street, Syracuse NY

1st Thursday 5:00-6:30p.m.

Onondaga County Telephone-based Legal Help Lines

Tel-Law Clinic by the VLP: Every Wednesday from 1:00 p.m. – 3:00 p.m. a volunteer attorney is on call at (315) 579-2575 to give advice, information and referrals for free.

Surrounding County Walk-in Clinics

Operated by LSCNY unless otherwise noted.

Broome County

Lee Barta Community Center (Binghamton)

108 Liberty Street

Binghamton, NY 13901

1st Tuesday of Every Month, 10:00am – 1:00pm

American Civic Association Headquarters (Binghamton)

131 Front Street

Binghamton, NY 13905

Clinic Hours: 2nd Tuesday of each month, 10:00am - 1:00pm

Call 607-231-5988 for an appointment

Southern Tier AIDS Program (Binghamton)

Legal consultation and referrals for individuals and families affected by HIV/AIDS

22 Riverside Drive

Binghamton, NY 13905

Clinic Hours: 2nd Thursday of each month, 10:30am - 2:00pm

Cayuga County

Cayuga Community College Campus - LSCNY

197 Franklin Street, Room T – 221, Auburn, NY

Fridays from 12:00 – 2:00 p.m.

Seymour Library - OnVLP

176 Genesee Street, Auburn, NY 13021

1st Thursday of each month - 12:00p.m.-1:30p.m.

Auburn Rescue Mission- OnVLP

51 Merriman Ext., Auburn, NY 13021

3rd Thursday of each month – 4:00p.m. – 5:30p.m.

Auburn Tel-Law – OnVLP

Call (315) 975-4244 to speak with lawyer

2nd and 4th Thursday of each month 12:00p.m.-2:00p.m.

Chenango County

Catholic Charities of Chenango County (Norwich)

3 O'Hara Drive
Norwich, NY 13815
Call 607-231-5988 for an appointment

Delaware County

Delaware Opportunities

35430 State Highway 10
Hamden, NY 13872
Clinic Hours: 2nd and 4th Thursday of each month, 9:00am - 1:00pm
Call 607-746-1665 for an appointment

Herkimer County

Frank Basloe Library

245 North Main Street
Herkimer, NY 13350
Clinic Hours: 3rd Monday of each month, 9:00am - 1:00pm

Lewis County

Lewis County Courthouse (Lowville)

7660 State Street
Lowville, NY 13367
Clinic Hours: 3rd Thursday of each month, 10:00am - 3:00pm

Oneida County

Gorman Foundation Community Center

1081 Northside Shopping Center
Oneida, NY 13421
Clinic Hours: Thursdays, 1:00pm - 3:00pm

Jervis Public Library (Rome)

613 North Washington Street
Rome, NY 13440
Clinic Hours: 1st Monday of each month, 9:30 am – 1:00 pm

Oswego County

Fulton Catholic Charities – OnVLP

808 W. Broadway, Fulton, NY 13069
2nd Monday each month – 12:00p.m.-1:30p.m.

Oswego County Opportunities –OnVLP

Midtown Plaza

75 E. First Street, Oswego, NY 13126
4th Monday each month 12:00p.m.-1:30p.m.

Oswego Tel-Law – OnVLP

Call (315) 975-4244 to speak with a lawyer
12:00p.m-2:00p.m.

Otsego County

Catholic Charities

176 Main Street

Oneonta, NY 13820

Clinic Hours: 1st and 3rd Monday of each month, 9:00am - 12:30pm

Call 607-432-0061 for an appointment

FAMILY MATTERS

LEGAL FACT SHEET

PARENTAL DESIGNATION OF CHILDREN'S CAREGIVER FOR THIRTY DAYS OR LESS*

NOTICE TO PROVIDERS OF EDUCATIONAL AND HEALTH SERVICES

This designation is made pursuant to New York's General Obligations Law Article 5, §§ 1551-1555.

1. I am the parent of the child/children/incapacitated person(s) named below:
 - a. _____ date of birth _____
 - b. _____ date of birth _____
 - c. _____ date of birth _____

2. I designate _____ to be the caregiver and to be the person in parental relation for purposes of my child's
 - ☐ Education; and/or
 - ☐ Health
 in accord with the laws of the State of New York, and to have full authority for one or both areas of law that are checked above for a period of: (check one)
 - a. ☐ 30 days from the date of signature of this designation, or until date of revocation (orally or in writing), whichever occurs first; or
 - b. ☐ commencing upon _____ (state event) and continuing until _____, or until the date of revocation (orally or in writing), whichever occurs first, **but in no instance shall be longer than 30 days from the commencing event.**

3. ☐ I do not have any specific instructions for the caregiver; or
☐ I do have specific instructions for the caregiver. I want the caregiver to:

4. Set forth below is the information for myself and my designee:

	Parent Making Designation	Designee as Person in Parental Relationship
Name		

5. (Check one): ☐ There is no court order in effect that requires both parents agree on health care and/or medical decisions.
☐ There is a court order in effect that requires both parents agree on health care and/or medical decisions.

6. I declare that there is no court order in effect that bars me from making this designation.

LEGAL FACT SHEET

PARENT'S CONSENT

Date: _____

Parent's Signature

OTHER PARENT'S CONSENT (if required)

I _____ am also the parent of the child/children/incapacitated person(s) named herein **and there is a Court Order directing that both parents must agree on education and/or health decisions concerning such person**, and I hereby consent to this designation by my signature below.¹

Date: _____

Co- Parent's Signature

CAREGIVER'S CONSENT

(Note: The caregiver may sign this form at any time after the parent signs. It is not necessary for the form to be signed by both the parent and caregiver on the same day.)

I _____, the caregiver, hereby consent to assume the responsibilities and duties of a person in parental relationship for the child/children/incapacitated person(s) named herein.

Date: _____

Caregiver's Signature

* The above information is not a statutory suggested form. This fact sheet was revised on April 10, 2017. The above information is not a statutory suggested form. It is not legal advice. It is not a substitute for consulting an attorney. Up-to-date legal advice and legal information can only be obtained by consulting with an attorney. Any opinions, legal opinions, findings, conclusions or recommendations expressed in this publication or on the NYS Kinship Navigator website or by any person or entity to whom you may be referred are those of the Kinship Navigator, Catholic Family Center and/or the person or entity you are referred to and do not necessarily represent the official views, opinions, legal opinions or policy of the State of New York and/or the New York State Office of Children and Family Services (OCFS). NYS Kinship Navigator is a Catholic Family Center program, funded by the New York State Office of Children and Family Services. Catholic Family Center is the only agency authorized by New York State to provide a statewide information and referral service to kinship caregivers. The information herein is published by the NYS Kinship Navigator.

¹ Required pursuant to GOL §5-1551 in the case where a court has ordered that both parents must agree on education or health care decisions.

LEGAL FACT SHEET

PARENTAL DESIGNATION FORM OF CHILDREN'S CAREGIVER FOR SIX MONTHS

NOTICE TO PROVIDERS OF EDUCATIONAL AND HEALTH SERVICES

This designation is made pursuant to New York's General Obligations Law Article 5, §§ 1551-1555.

1. I am the parent of the child/children/incapacitated person(s) named below:
 - a. _____ date of birth _____
 - b. _____ date of birth _____
 - c. _____ date of birth _____

2. I designate _____ to be the caregiver and to be the person in parental relation for purposes of my child's
 - ☐ Education; and/or
 - ☐ Health
 in accord with the laws of the State of New York, and to have full authority for one or both areas of law that are checked above for a period of: (check one)
 - a. ☐ 6 months from the date of signature of this designation, or until date of revocation (orally or in writing), whichever occurs first; or
 - b. ☐ 6 months commencing upon _____ (state event) and continuing until _____, or until the date of revocation (orally or in writing), whichever occurs first.

3. ☐ I do not have any specific instructions for the caregiver; or
☐ I do have specific instructions for the caregiver. I want the caregiver to:

4. Set forth below is the contact information for myself and my designee:

	Parent Making Designation	Designee as Person in Parental Relationship
Name		
Phone		
Address		

Please note that if this contact information is not provided, this designation shall expire 30 days from the date on which it is executed (GOL §5-1552).

5. (Check one): ☐ There is no court order in effect that requires both parents agree on health care and/or medical decisions.
☐ There is a court order in effect that requires both parents agree on health care and/or medical decisions.

LEGAL FACT SHEET

6. I declare that there is no court order in effect that bars me from making this designation.

PARENT'S CONSENT

Date: _____

Parent's Signature

Sworn to before me this _____
day of _____ 20__

NOTARY PUBLIC

OTHER PARENT'S CONSENT (if required)

I _____ am also the parent of the child/children/incapacitated person(s) named herein **and there is a Court Order directing that both parents must agree on education and/or health decisions concerning such person,** and I hereby consent to this designation by my signature below.¹

The address and telephone number where I can be reached while this designation is in effect is:

Address: _____

Telephone: _____

Date: _____

Co- Parent's Signature

Sworn to before me this _____
day of _____ 20__

NOTARY PUBLIC

¹ Required pursuant to GOL §5-1551 in the case where a court has ordered that both parents must agree on education or health care decisions.

LEGAL FACT SHEET

CAREGIVER'S CONSENT

(Note: The caregiver may sign this form at any time after the parent signs. It is not necessary for the form to be signed by both the parent and caregiver on the same day.)

I _____, the caregiver, hereby consent to assume the responsibilities and duties of a person in parental relationship for the child/children/incapacitated person(s) named herein.

Date: _____

Caregiver's Signature

Sworn to before me this _____
day of _____ 20__

NOTARY PUBLIC

Custody and Visitation



This information is applicable in the following New York Counties: Onondaga, Oneida, Jefferson, Herkimer, Oswego, and Lewis.

What is custody?

To have custody (KUS-to-dee) means to be in charge of someone. There are two kinds of custody: physical and legal. The same person often has physical and legal custody – but not always.

Physical custody is when an adult is responsible for a child and takes care of the child most of the time. Usually the child lives with this adult.

Legal custody is when an adult has the responsibility of making important decisions – such as medical or religious decisions – about the life of a child.

Who has custody of a child if there is no court order?

Unless a court makes another decision, parents have equal rights to physical and legal custody of the child.

What is joint custody?

In Family Court, joint custody usually refers to **joint legal custody**. It means that both parents must agree on the important decisions being made about their children. They share this responsibility regardless of which parent lives with the children. The court rarely grants joint physical custody. Usually one parent will have physical custody, and the other parent will have **visitation** (vi-zi-TAY-shun). Visitation means you can see your child during certain times. This split between visitation and physical custody is sometimes called shared parenting time.

How do I file (ask for) custody or visitation?

You file a **petition** (pe-TI-shun) for custody or a petition for visitation in the county where the child has lived for the last six months. A petition is a written request. Judges often make decisions about custody and visitation at the same time. Custody and visitation decisions can be made in Family Court or Supreme Court. The cases usually begin in Family Court unless the parents are in the middle of a divorce. If the parents have a divorce case going on, then custody will usually be decided in Supreme Court along with the divorce.

Sometimes custody and visitation cases are heard by a referee. Referees are similar to judges. They make decisions about custody and visitation. Referees do not hear cases that involve orders of protection. In this guide, everything we say about judges is true for referees, unless the case involves an order of protection.



Do I have to go to court to get custody or visitation?



No. Many times parents can come to an agreement without going to court. They often use mediation. Mediation is when someone called a mediator helps you and the other parent come to an agreement. However, mediation is not a good idea when there has been domestic violence. If you are interested in mediation, ask a LIFT staff member for the name of a center near you.

More on going to court to get custody or visitation

Sometimes the court will send you to mediation after you start your case. If that happens, the mediator can help you come to a decision about your situation. If you are able to come to an agreement, you can let the judge know what it is. If the judge agrees with you, the judge can make it into an order.

Who can file for custody?

Anyone who plays an important role in the life of the child may ask the court for custody. You do not have to be a parent of the child. But the judge will **review**, or look at, the case differently if you are not a parent. This is talked about later in the guide.

Why would I file for custody?

There are many reasons why you might want to start a custody case. Here are some common reasons:

- If you are not living with your children and you want to
- If you believe your children are being harmed where they live now or are in danger of being harmed
- If you are not married to the other parent, and you want a court to say what your rights are

I am a parent. How will a judge decide custody of my child?



When two biological parents want custody, a judge must determine what is in the **best interests** of the child. The judge will look at many things when figuring this out. The case will not be decided based on who loves the child more or who has more money. The judge does not favor a mother over a father, even if the case involves a young child. The judge will look at who has been the main person taking care of the child up until now.

As part of the process, the judge may order that a report be written. A caseworker from the local Department of Social Services will visit the homes of both parents and write a report to the judge about what the homes were like and with whom the caseworker spoke.

Please note: Even though the caseworker is from the Department of Social Services, it does not mean that someone has said that you have hurt your children.

Will my child get a say in who gets custody?

Most children are given an **attorney** (lawyer) by the court to represent them in the custody cases. The attorney is called a **law guardian** or **attorney for the child**. The law guardian's job is to tell the judge what the child wants. If the child is old enough to say what he or she wants, it will have a lot of importance. However, the court and the law guardian will want to be sure that it is what the child really wants, not what one parent has asked the child to say. It is very important that you do not tell a child what to say.

What if things change after the judge makes an order?

Things sometimes change after the court makes a custody or visitation order. That is called a **change of circumstances**. If this happens, you can file a petition to modify the old order. Modify means to change. The judge will hear the case and can make a new order.

I am not a parent. How will a judge decide custody of the child?

When a judge is deciding a custody case between a parent and someone who is not a parent, different things will be considered. First, the judge will decide whether there are **extraordinary circumstances**. Examples of some extraordinary circumstances are: when a court has determined that there has been abuse or neglect; the child has been harmed by continued domestic violence; or when there is substance abuse in the home of the parent. It might also mean that the non-parent (a person who is not a parent) has been caring for the child for a very long time. It is automatically considered to be an extraordinary circumstance if a grandparent has been caring for a child for two years.

If there are extraordinary circumstances, the judge will decide what is in the best interests of the child. If there are no extraordinary circumstances, the judge will give the biological parent custody.

I do not want custody, but I want to see my child. How do I do this?

If you do not want custody, but want to visit with your child, you must file a **petition for visitation**. The court will almost always allow a parent to visit with the child.

Why would the court NOT allow a parent to visit a child?

If there is **evidence** showing that your visits will put the child in danger (hurt the child). Evidence is information presented to the court to prove a case. Examples of things the court might consider dangerous are drug or alcohol problems, a prior history of sexually abusing the child, or the exposure of a child to domestic violence.

Often, if the court thinks the child would be in danger, it will order supervised visitation. This means someone else is there to watch while you visit with the child. This can be at an agency or by a person on whom both parents agree.

Can I visit my child if he or she is in foster care?

Yes. Parents have a right to visit with their children at least once every two weeks if the children are in foster care. However, if a parent's rights have been terminated, he or she does not have the right to visit the child. For more information, please see LIFT's guide, "Termination of Parental Rights," available at www.liftonline.org.

Can I ask for visitation with a child if I am not the parent?

Grandparents and siblings can petition for visitation with children. The judge will order visitation if special circumstances have led to the person not being able to visit with the child and if it is in the best interests of the child. The following is an example of a special circumstance: You are a grandparent and your child died. Before your child died, you saw your grandchild often. Now you never see your grandchild.

What happens if there is an order of protection and a visitation order?



Many times the court will order that the child has to be picked up and dropped off at a police station or some other safe place so that the parents will have no contact with each other.

If the court thinks there has been domestic violence in the home and the child would be in physical or emotional danger by spending time alone with the person, the judge can also order supervised visitation.

If the parent without custody is not paying child support, can I stop the visits?



No. Child support and visitation are separate matters. The courts believe that it is best for children to spend time with both parents.

In fact, a judge may punish a parent who stops visits by the other parent without permission from the court. Many times the judge will keep the visits going, regardless of whether or not the parent is paying child support.

What can I do if the other parent does not follow the visitation order?

You can file a **violation petition** in court. This lets the judge know what has been going wrong. Some examples of violations are: missing visits, arriving late to visits, acting inappropriately with the child during the visits, and bringing the child back late. Sometimes a judge will increase or decrease the visits as a result of the violation. In some cases, the judge will stop all visits. In other cases, the judge might even change custody.

Can I choose who I want to take care of my children if something happens to me?



Yes. In New York State you can **designate**, or name, someone to take care of your children if you are sick and not able to do it. The person you designate is called a **standby guardian**. Standby guardians can be friends or relatives. You do not have to be sick to designate a standby guardian. You do not give up custody when you designate a standby guardian.

You can designate a standby guardian by filing a petition in either Family Court or Surrogate's Court. There is also a special form that you can fill out that lets you temporarily designate a person to care for your children without going to court first. This form is called a **Designation of Person in Parental Relationship**.

This document should not take the place of a consultation with a lawyer. LIFT encourages all individuals involved with the Criminal and Family Court systems to consult with a lawyer.

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Child Support



This guide answers questions that a non-custodial parent might have about child support. All of the information is helpful for custodial and non-custodial parents. **This information is applicable in the following New York Counties: Onondaga, Oneida, Jefferson, Herkimer, Oswego, and Lewis.**

Definitions of key terms

Custodial (kus-TOH-dee-al) **Parent:** The parent living with the child.

Non-Custodial Parent: The parent not living with the child.

Why did I get papers saying I must go to court?

Someone or an agency filed a petition (pe-TI-shun) in court asking for you to pay child support. A petition is a request in writing to the court.

Who can file a child support petition?

A child support petition can be filed by:

- The person caring for the child
- The County Department of Social Services, if the child is, or was, receiving Public Assistance (welfare).
- The child (although, this usually applies only to older children)

When does child support end?

In New York State, a child can receive child support until the age of 21. Sometimes the child support can be ended earlier. Some examples of when it can end earlier are if the child joins the military or gets married.

What will happen when I go to court?

At your court appearance, a **support magistrate** (MAJ-is-trayt) will hear, or listen to, the case and make an **order for child support**. The order for child support is a piece of paper that tells you how much support you have to pay, how often you have to pay it, and where to send it. A support magistrate is similar to a judge and has the power to make decisions about child support and paternity (pa-TERN-i-tee) cases. A paternity case is about who the father of a child is.

Can I get a lawyer for my child support case?

In child support cases, Family Court does not give parents a free lawyer unless the non-custodial parent is in danger of going to jail for not paying. But you may hire a lawyer if you want to. The support magistrate may assign a lawyer called a law guardian, or attorney for the child, to the child to make sure that the best interests of the child are being protected. This doesn't happen in every case.

Need more help? Contact LIFT: 212-343-1122 • LIFTonline.org

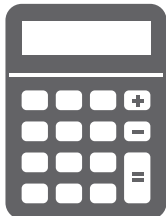
What if I miss my court date?



If you miss a court date, a support magistrate can issue a **default judgment**. A default judgment is an order that is made when someone does not show up for court. In child support cases, the default judgment is an **order for child support** against the non-custodial parent. The order is based on the information the custodial parent gave to the court.

If you want to cancel the order, you must file a **motion to vacate a default judgment**. This is a written request asking the court to cancel the order. You must give the court a good reason for not showing up.

How is the amount of child support decided?



The amount is based on a law called the **Child Support Standards Act**. First, the court determines the **gross income** of the two parents together. Gross income is the amount of money you earn before taxes are taken out. (The court sometimes uses different rules if the income is over \$143,000). Some special expenses will reduce your income level for child support. Ordinary expenses are things you pay all the time, such as the electric bill, credit card bills, and rent. These bills will not reduce your income level for child support. Once the court determines your total income, it uses the formula below to decide the amount needed to support the child:

1 child	17% of your income
2 children	25% of your income
3 children	29% of your income
4 children	31% of your income
5 children or more	35% of your income

When the court calculates support, it assumes that you can pay **AT LEAST \$25 PER MONTH**, even if you receive public assistance.

You may be ordered to pay extra for child care and health care costs. Or you may be ordered to include the child on your health insurance.

What about support that has not already been paid?

The court can also order **retroactive** (re-tro-ACK-tiv) support. This means you have to pay support from the time the petition was filed, even if that was long before you went to court. Retroactive support does not typically go back to when the child was born, but it can if that was when the petition was filed. Usually, it goes back to when the custodial parent first filed the petition for child support.

If you do not pay child support, you will owe **arrears** (a-REERS). Arrears means unpaid child support. If you owe arrears, the court can add a set amount to your payment until you have paid all the money you owe.

What if I work “off the books”?

If you work “off the books” or do not receive regular paychecks, the court may base your income on one of the following:

- What you earned before
- What the court thinks you could earn
- What the standard of living is in your household

The amount the court decides on is called an **imputed income**. The court then uses this imputed income to decide how much child support you have to pay.

What should I bring to court?



- A carefully completed Financial Disclosure Affidavit.
- Documentation that proves your salary, such as pay stubs or W-2s.
- Documentation that shows your Social Security or disability benefits, worker's compensation, unemployment benefits, veteran's benefits, pension or retirement funds investments, fellowships, or annuities.
- Information about any Medicaid, Home Relief, or Food Stamps you receive.
- Proof of expenses, such as FICA. These expenses will be subtracted from your income before the court determines your support payments.
- Proof of expenses, such as utility bills, car payment bills, credit card statements, supermarket receipts, and others. These may be considered when the court determines your support payments.
- If you have been ordered to pay support for another child, bring a copy of the order and proof of the payments you have made. Some ways to prove that you have paid are receipts for money orders, canceled checks, or pay stubs showing that the support has been removed.
- If you have copies of any income tax filings, Federal or State, please bring them with you.
- Documentation of Health Care Expenses for you and/or for family coverage, and the amount of that coverage.
- Documentation of any day care expenses.

What if I am not the father?

If you were married to the mother when the child was born, the law assumes that you are the father. If you were married to the mother and believe that you are NOT the father, tell the support magistrate right away. This is called **contesting paternity**. The court must determine paternity (find out who is the father) before it can order child support. To determine paternity, the court may order a DNA test. If the test shows you are the father, the court will issue an **Order of Filiation** (fil-ee-AY-shun). This is a legal document from the court saying who the father of a child is.

Will the court give me a lawyer in a paternity case?

If someone brings a paternity case against you, and you cannot afford a lawyer, you can ask the support magistrate to appoint (give you) a lawyer for free. You can also hire your own lawyer. If you start a paternity case, the court may not give you a lawyer, even if you cannot afford one.

How do I make support payments?

You can pay the custodial parent directly or through the **Support Collection Unit (SCU)** at the address below. If the custodial parent receives public assistance, SCU will automatically collect the support. There is no fee for SCU services, and they will keep track of all payments.

Please remember: Always write the case number on your payment to SCU to make sure you get credit for the payment. Do not use cash – especially if you make payments directly to the other parent! Always make your payments by money order or check.

What if SCU makes a mistake?

Go to the SCU office in your county, and ask to speak with a customer service representative. The offices are located in the following counties:

Herkimer County Support Collection Unit
301 N. Washington Street, Suite 2210
Herkimer, NY 13350

Jefferson County Support Collection Unit
250 Arsenal Street
Watertown, NY 13601

Lewis County Support Collection Unit
5274 Outer Stowe Street
Lowville, NY 13367

Oneida County Support Collection Unit
800 Park Ave, 1st Floor
Utica, NY 13501

Onondaga County Support Collection Unit
Civic Center, 4th Floor
421 Montgomery Street
Syracuse, NY 13202

Oswego County Support Collection Unit
100 Spring Street
Mexico, NY 13114

You can also call the Office of Child Support Enforcement at (888) 208-4485.

How long is a support order in effect?

Once child support has been ordered, it stays in effect until someone asks the court to change it, your children turn 21 years old, or your children are emancipated.

Children are **emancipated** if they are living separately from the custodial parent, supporting themselves, married, or in the military. If you pay through SCU, SCU automatically reconsiders the case every three years. When evaluating the case, SCU may add a cost-of-living (COLA) increase. SCU can do this without going back to court. If they do this, they will send you a letter.

What if I do not agree with the support order?

You have the right to tell the court that you do not agree with the order. This is called an **objection**. If you receive a copy of the order in court the day it was made you have 30 days to file an objection in writing. However, if the objection was mailed, you have 35 days (from the day it was mailed) to file an objection in writing. You can file the objection with the clerk of the Family Court where the decision was made. A judge will decide the case. You may not have to come back to court for another hearing, and the decision will be mailed to you. You must continue to pay the child support until the court changes the order. For more information, see the LIFT guide “How to File an Objection or a Rebuttal to a Child Support Order.”

What can I do if I lose my job or cannot pay?

If you lose your job or cannot pay for another reason – such as your income was lowered or you are going to prison – the court will not automatically change the amount of child support you are suppose to pay. If you cannot pay, immediately go to the Family Court where the order was made and file a **petition for downward modification**. This is a written request asking the court to lower the amount of child support you pay. To get the court to lower the amount, you must prove that a substantial change of circumstances has happened since the support magistrate made the final order.



- A substantial change of circumstance can be that you are incarcerated as long as the incarceration is not because of not paying child support or a crime against the custodial parent or child.
- You can also ask for a modification if 3 years have passed since the last order was made.
- Also, if either you or the custodial parent's income changed (either up or down) by 15% or more since the last order was made, you may request a downward modification.

When you go to court, you must bring proof that your income changed. You can ask the court to reduce your support going back to the date when you filed the petition. However, until the court makes a different order, you must continue to pay the original amount.

The court may look at what you made before and decide that you could make more than you do now. If this happens, the court might not change the order.

What happens if I do not pay?

Once there is a court order to pay child support, you must pay. If you do not pay, you will have arrears. Arrears WILL NOT go away, even after your child turns 21. Declaring bankruptcy will NOT get rid of arrears either.

SCU (Support Collection Unit) has different ways to get the money from you.

- SCU can have your employer take the child support directly from your paycheck. (By law, your employer must do this. However, your employer cannot fire you because of it.) This is called **garnishing your wages**.
- SCU can take your state or federal tax refund before you get it. SCU can also take money directly from your bank account.
- If you owe more than a few months of support, SCU can suspend your driver's license or professional licenses until you have paid the arrears.
- If you owe large amounts of money, and SCU or the custodial parent asks the court to find that you are **willfully violating the support order**, you could be put in jail for up to six months. Willfully violating means not following the order on purpose.

What if I am supporting my children?

Be sure to keep receipts for all support payments so you can show that you have paid them. Paying bills or buying gifts does not replace paying child support. You must make regular payments. You must also pay for any arrears that have added up.

If my children are on public assistance and I pay support, who gets the money?

If the custodial parent receives public assistance, SCU will automatically collect the support. If you do not owe arrears, \$100 of your monthly payment will go directly to the custodial parent. This is \$100 for the household, not for each child. If you do owe arrears, support will go toward the arrears first. The county will still collect support payments from you even if you give money directly to the custodial parent. The county may also reduce the child's welfare budget to recover this "extra" money received by the family.

Can I take my child off public assistance?

The non-custodial parent cannot take a child off of public assistance. Only the custodial parent who started the public assistance case can do that.

Why would a custodial parent take children off of public assistance?

If your income is high enough, your children may receive more money by getting support from you instead of from public assistance. For example, if you are the father of all the children in the home of the mother, and she can show that you will support them, taking them off public assistance should not be a problem. If the mother has children by other fathers on her public assistance budget, taking your children off is more difficult. The state wants all children in a household to have the same income. So the mother might not be able to take only your children off of public assistance.

If I have been paying support, can I also get visitation?

Not necessarily. Child support and visitation are not connected. If you have not been able to see your children, you must file a **petition for visitation** with the court. Whether or not you are seeing your children, you are still responsible for paying child support. For more information on getting visitation with your children, see the LIFT guide “Custody and Visitation.”

What if there is no child support case, but I want to support my children?

Non-custodial parents cannot start child support cases. If you want to support your children, but do not know where they are, you can put the money in a separate bank account.

Where can I go for help?

If SCU is working on your case, go to the Support Collection Unit office in your county and ask to speak to a customer service representative. The county offices are set forth below:

Herkimer County Support Collection Unit
301 N. Washington Street, Suite 2210
Herkimer, NY 13350

Jefferson County Support Collection Unit
250 Arsenal Street
Watertown, NY 13601

Lewis County Support Collection Unit
5274 Outer Stowe Street
Lowville, NY 13367

Oneida County Support Collection Unit
800 Park Ave, 1st Floor
Utica, NY 13501

Onondaga County Support Collection Unit
Civic Center, 4th Floor
421 Montgomery Street
Syracuse, NY 13202

Oswego County Support Collection Unit
100 Spring Street
Mexico, NY 13114

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ELDER LAW

LIVING WILL

TO: MY FAMILY, ALL PHYSICIANS, HOSPITALS AND OTHER HEALTH CARE PROVIDERS, AND ANY COURT OR JUDGE

This declaration is intended to service as a guide to assist my duly appointed health care agent in making medical decisions on my behalf. However, it is not intended to limit my health care agent's sole discretion to interpret this document and to make medical decisions in good faith after full consideration of my medical condition and prognosis. If my health care agent or any named successors are unable to serve for any reason, my attending physicians shall comply with my directions upon certification by at least two physicians that my condition is as described below.

I, _____, presently residing at _____, being of sound mind, health, and full age, record the following request, recognizing that the time may come when I can no longer actively take part in decisions regarding my medical care and other treatment.

If I am so afflicted by illness or injury that, in the opinion of qualified medical practitioners, there is no reasonable expectation of my recovery to a conscious, cognitive state, I request that I be allowed to die and not be kept alive by artificial means or heroic measures, even though such measures pose little or no risk to me. If necessary to relieve terminal suffering, I request also that pain-suppressing drugs or other palliative measures be administered to me though this may hasten my death or affect my consciousness. I ask not that my life be directly taken but only that my dying not be unreasonably prolonged nor the dignity of my remaining life be sacrificed.

With full realization of what I am asking, I sincerely request that any person(s) having responsibility for my care or for my estate will respect my wishes recorded here and will hold harmless any provider of health services who abides by them.

I have discussed this declaration with _____, presently residing at _____, and if any interpretation of this declaration is ever necessary, said person is authorized to interpret it.

If _____ shall be or become unable, unwilling or unavailable to interpret this declaration, I have also discussed this declaration with _____, presently residing at _____, and if any interpretation of this declaration is ever necessary said

person is authorized to interpret it.

I am emotionally and mentally competent to execute this declaration. I understand the full import of this declaration and sign it after careful deliberation this _____ day of _____, 20____.

I declare that the person who signed this document did so in my presence and is personally known to me, is 18 years of age or older, appears to be of sound mind and executes this declaration willingly and free from duress, fraud and undue influence.

I am 18 years of age or older and to the best of my knowledge have not been appointed as health care agent or alternate health care agent by the person who signed this declaration, nor am I the person's health care physician, provider or an operator, administrator or employee of said person's health care provider or health care facility in which said person is a patient. I further declare that I am not related to the person who signed this declaration by blood, marriage or adoption, and, to the best of my knowledge, I am not a creditor of said person nor entitled to any part of said person's estate under a Will now existing or by operation of law.

WITNESS: _____

Signature

Print Name

WITNESS: _____

Signature

Print Name

ADDRESS: _____

ADDRESS: _____

STATE OF NEW YORK)

COUNTY OF ONONDAGA) SS.:

On the _____ day of _____, 20____, before me, the undersigned a Notary Public in and for said State, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

My commission expires:

HEALTH CARE PROXY

Appointing Your Health Care Agent in New York State

The New York Health Care Proxy Law allows you to appoint someone you trust — for example, a family member or close friend — to make health care decisions for you if you lose the ability to make decisions yourself. By appointing a health care agent, you can make sure that health care providers follow your wishes. Your agent can also decide how your wishes apply as your medical condition changes. Hospitals, doctors and other health care providers must follow your agent's decisions as if they were your own. You may give the person you select as your health care agent as little or as much authority as you want. You may allow your agent to make all health care decisions or only certain ones. You may also give your agent instructions that he or she has to follow. This form can also be used to document your wishes or instructions with regard to organ and/or tissue donation.

About the Health Care Proxy Form

This is an important legal document. Before signing, you should understand the following facts:

1. This form gives the person you choose as your agent the authority to make all health care decisions for you, including the decision to remove or provide life-sustaining treatment, unless you say otherwise in this form. "Health care" means any treatment, service or procedure to diagnose or treat your physical or mental condition.
2. Unless your agent reasonably knows your wishes about artificial nutrition and hydration (nourishment and water provided by a feeding tube or intravenous line), he or she will not be allowed to refuse or consent to those measures for you.
3. Your agent will start making decisions for you when your doctor determines that you are not able to make health care decisions for yourself.
4. You may write on this form examples of the types of treatments that you would not desire and/or those treatments that you want to make sure you receive. The instructions may be used to limit the decision-making power of the agent. Your agent must follow your instructions when making decisions for you.
5. You do not need a lawyer to fill out this form.
6. You may choose any adult (18 years of age or older), including a family member or close friend, to be your agent. If you select a doctor as your agent, he or she will have to choose between acting as your agent or as your attending doctor because a doctor cannot do both at the same time. Also, if you are a patient or resident of a hospital, nursing home or mental hygiene facility, there are special restrictions about naming someone who works for that facility as your agent. Ask staff at the facility to explain those restrictions.
7. Before appointing someone as your health care agent, discuss it with him or her to make sure that he or she is willing to act as your agent. Tell the person you choose that he or she will be your health care agent. Discuss your health care wishes and this form with your agent. Be sure to give him or her a signed copy. Your agent cannot be sued for health care decisions made in good faith.
8. If you have named your spouse as your health care agent and you later become divorced or legally separated, your former spouse can no longer be your agent by law, unless you state otherwise. If you would like your former spouse to remain your agent, you may note this on your current form and date it or complete a new form naming your former spouse.
9. Even though you have signed this form, you have the right to make health care decisions for yourself as long as you are able to do so, and treatment cannot be given to you or stopped if you object, nor will your agent have any power to object.
10. You may cancel the authority given to your agent by telling him or her or your health care provider orally or in writing.
11. Appointing a health care agent is voluntary. No one can require you to appoint one.
12. You may express your wishes or instructions regarding organ and/or tissue donation on this form.

Frequently Asked Questions

Why should I choose a health care agent?

If you become unable, even temporarily, to make health care decisions, someone else must decide for you. Health care providers often look to family members for guidance. Family members may express what they think your wishes are related to a particular treatment. Appointing an agent lets you control your medical treatment by:

- allowing your agent to make health care decisions on your behalf as you would want them decided;
- choosing one person to make health care decisions because you think that person would make the best decisions;
- choosing one person to avoid conflict or confusion among family members and/or significant others.

You may also appoint an alternate agent to take over if your first choice cannot make decisions for you.

Who can be a health care agent?

Anyone 18 years of age or older can be a health care agent. The person you are appointing as your agent or your alternate agent cannot sign as a witness on your Health Care Proxy form.

How do I appoint a health care agent?

All competent adults, 18 years of age or older, can appoint a health care agent by signing a form called a Health Care Proxy. You don't need a lawyer or a notary, just two adult witnesses. Your agent cannot sign as a witness. You can use the form printed here, but you don't have to use this form.

When would my health care agent begin to make health care decisions for me?

Your health care agent would begin to make health care decisions after your doctor decides that you are not able to make your own health care decisions. As long as you are able to make health care decisions for yourself, you will have the right to do so.

What decisions can my health care agent make?

Unless you limit your health care agent's authority, your agent will be able to make any health care decision that you could have made if you were able to decide for yourself. Your agent can agree that you should receive treatment, choose among different treatments and decide that treatments should not be provided, in accordance with your wishes and interests. However, your agent can only make decisions about artificial nutrition and hydration (nourishment and water provided by feeding tube or intravenous line) if he or she knows your wishes from what you have said or what you have written. The Health Care Proxy form does not give your agent the power to make non-health care decisions for you, such as financial decisions.

Why do I need to appoint a health care agent if I'm young and healthy?

Appointing a health care agent is a good idea even though you are not elderly or terminally ill. A health care agent can act on your behalf if you become even temporarily unable to make your own health care decisions (such as might occur if you are under general anesthesia or have become comatose because of an accident). When you again become able to make your own health care decisions, your health care agent will no longer be authorized to act.

How will my health care agent make decisions?

Your agent must follow your wishes, as well as your moral and religious beliefs. You may write instructions on your Health Care Proxy form or simply discuss them with your agent.

Frequently Asked Questions, *continued*

How will my health care agent know my wishes?

Having an open and frank discussion about your wishes with your health care agent will put him or her in a better position to serve your interests. If your agent does not know your wishes or beliefs, your agent is legally required to act in your best interest. Because this is a major responsibility for the person you appoint as your health care agent, you should have a discussion with the person about what types of treatments you would or would not want under different types of circumstances, such as:

- whether you would want life support initiated/continued/removed if you are in a permanent coma;
- whether you would want treatments initiated/continued/removed if you have a terminal illness;
- whether you would want artificial nutrition and hydration initiated/withheld or continued or withdrawn and under what types of circumstances.

Can my health care agent overrule my wishes or prior treatment instructions?

No. Your agent is obligated to make decisions based on your wishes. If you clearly expressed particular wishes, or gave particular treatment instructions, your agent has a duty to follow those wishes or instructions unless he or she has a good faith basis for believing that your wishes changed or do not apply to the circumstances.

Who will pay attention to my agent?

All hospitals, nursing homes, doctors and other health care providers are legally required to provide your health care agent with the same information that would be provided to you and to honor the decisions by your agent as if they were made by you. If a hospital or nursing home objects to some treatment options (such as removing certain treatment) they must tell you or your agent BEFORE or upon admission, if reasonably possible.

What if my health care agent is not available when decisions must be made?

You may appoint an alternate agent to decide for you if your health care agent is unavailable, unable or unwilling to act when decisions must be made. Otherwise, health care providers will make health care decisions for you that follow instructions you gave while you were still able to do so. Any instructions that you write on your Health Care Proxy form will guide health care providers under these circumstances.

What if I change my mind?

It is easy to cancel your Health Care Proxy, to change the person you have chosen as your health care agent or to change any instructions or limitations you have included on the form. Simply fill out a new form. In addition, you may indicate that your Health Care Proxy expires on a specified date or if certain events occur. Otherwise, the Health Care Proxy will be valid indefinitely. If you choose your spouse as your health care agent or as your alternate, and you get divorced or legally separated, the appointment is automatically cancelled. However, if you would like your former spouse to remain your agent, you may note this on your current form and date it or complete a new form naming your former spouse.

Can my health care agent be legally liable for decisions made on my behalf?

No. Your health care agent will not be liable for health care decisions made in good faith on your behalf. Also, he or she cannot be held liable for costs of your care, just because he or she is your agent.

Frequently Asked Questions, *continued*

Is a Health Care Proxy the same as a living will?

No. A living will is a document that provides specific instructions about health care decisions. You may put such instructions on your Health Care Proxy form. The Health Care Proxy allows you to choose someone you trust to make health care decisions on your behalf. Unlike a living will, a Health Care Proxy does not require that you decide in advance decisions that may arise. Instead, your health care agent can interpret your wishes as medical circumstances change and can make decisions you could not have known would have to be made.

Where should I keep my Health Care Proxy form after it is signed?

Give a copy to your agent, your doctor, your attorney and any other family members or close friends you want. Keep a copy in your wallet or purse or with other important papers, but not in a location where no one can access it, like a safe deposit box. Bring a copy if you are admitted to the hospital, even for minor surgery, or if you undergo outpatient surgery.

May I use the Health Care Proxy form to express my wishes about organ and/or tissue donation?

Yes. Use the optional organ and tissue donation section on the Health Care Proxy form and be sure to have the section witnessed by two people. You may specify that your organs and/or tissues be used for transplantation, research or educational purposes. Any limitation(s) associated with your wishes should be noted in this section of the proxy. **Failure to include your wishes and instructions on your Health Care Proxy form will not be taken to mean that you do not want to be an organ and/or tissue donor.**

Can my health care agent make decisions for me about organ and/or tissue donation?

Yes. As of August 26, 2009, your health care agent is authorized to make decisions after your death, but only those regarding organ and/or tissue donation. Your health care agent must make such decisions as noted on your Health Care Proxy form.

Who can consent to a donation if I choose not to state my wishes at this time?

It is important to note your wishes about organ and/or tissue donation to your health care agent, the person designated as your decedent's agent, if one has been appointed, and your family members. New York Law provides a list of individuals who are authorized to consent to organ and/or tissue donation on your behalf. They are listed in order of priority: your health care agent; your decedent's agent; your spouse, if you are not legally separated, or your domestic partner; a son or daughter 18 years of age or older; either of your parents; a brother or sister 18 years of age or older; a guardian appointed by a court prior to the donor's death; or another person authorized to dispose of the body.

HEALTH CARE PROXY FORM INSTRUCTIONS

Item (1)

Write the name, home address and telephone number of the person you are selecting as your agent.

Item (2)

If you want to appoint an alternate agent, write the name, home address and telephone number of the person you are selecting as your alternate agent.

Item (3)

Your Health Care Proxy will remain valid indefinitely unless you set an expiration date or condition for its expiration. This section is optional and should be filled in only if you want your Health Care Proxy to expire.

Item (4)

If you have special instructions for your agent, write them here. Also, if you wish to limit your agent's authority in any way, you may say so here or discuss them with your health care agent. If you do not state any limitations, your agent will be allowed to make all health care decisions that you could have made, including the decision to consent to or refuse life-sustaining treatment.

If you want to give your agent broad authority, you may do so right on the form. Simply write: I have discussed my wishes with my health care agent and alternate and they know my wishes including those about artificial nutrition and hydration.

If you wish to make more specific instructions, you could say:

If I become terminally ill, I do/don't want to receive the following types of treatments....

If I am in a coma or have little conscious understanding, with no hope of recovery, then I do/don't want the following types of treatments:....

If I have brain damage or a brain disease that makes me unable to recognize people or speak and there is no hope that my condition will improve, I do/don't want the following types of treatments:....

I have discussed with my agent my wishes about _____ and I want my agent to make all decisions about these measures.

Examples of medical treatments about which you may wish to give your agent special instructions are listed below. This is not a complete list:

- artificial respiration
- artificial nutrition and hydration (nourishment and water provided by feeding tube)
- cardiopulmonary resuscitation (CPR)
- antipsychotic medication
- electric shock therapy
- antibiotics
- surgical procedures
- dialysis
- transplantation
- blood transfusions
- abortion
- sterilization

Item (5)

You must date and sign this Health Care Proxy form. If you are unable to sign yourself, you may direct someone else to sign in your presence. Be sure to include your address.

Item (6)

You may state wishes or instructions about organ and /or tissue donation on this form. New York law does provide for certain individuals in order of priority to consent to an organ and/or tissue donation on your behalf: your health care agent, your decedent's agent, your spouse, if you are not legally separated, or your domestic partner, a son or daughter 18 years of age or older, either of your parents, a brother or sister 18 years of age or older, a guardian appointed by a court prior to the donor's death.

Item (7)

Two witnesses 18 years of age or older must sign this Health Care Proxy form. The person who is appointed your agent or alternate agent cannot sign as a witness.

HEALTH CARE PROXY

(1) I, _____
hereby appoint _____
(name, home address and telephone number)

as my health care agent to make any and all health care decisions for me, except to the extent that I state otherwise. This proxy shall take effect only when and if I become unable to make my own health care decisions.

(2) Optional: Alternate Agent

If the person I appoint is unable, unwilling or unavailable to act as my health care agent, I hereby appoint _____
(name, home address and telephone number)

as my health care agent to make any and all health care decisions for me, except to the extent that I state otherwise.

(3) Unless I revoke it or state an expiration date or circumstances under which it will expire, this proxy shall remain in effect indefinitely. (Optional: If you want this proxy to expire, state the date or conditions here.) This proxy shall expire (specify date or conditions):

(4) **Optional:** I direct my health care agent to make health care decisions according to my wishes and limitations, as he or she knows or as stated below. (If you want to limit your agent's authority to make health care decisions for you or to give specific instructions, you may state your wishes or limitations here.) I direct my health care agent to make health care decisions in accordance with the following limitations and/or instructions (attach additional pages as necessary):

In order for your agent to make health care decisions for you about artificial nutrition and hydration (nourishment and water provided by feeding tube and intravenous line), your agent must reasonably know your wishes. You can either tell your agent what your wishes are or include them in this section. See instructions for sample language that you could use if you choose to include your wishes on this form, including your wishes about artificial nutrition and hydration.

(5) Your Identification *(please print)*

Your Name _____

Your Signature _____ Date _____

Your Address _____

(6) Optional: Organ and/or Tissue Donation

I hereby make an anatomical gift, to be effective upon my death, of:
(check any that apply)

☐ Any needed organs and/or tissues

☐ The following organs and/or tissues _____

☐ Limitations _____

If you do not state your wishes or instructions about organ and/or tissue donation on this form, it will not be taken to mean that you do not wish to make a donation or prevent a person, who is otherwise authorized by law, to consent to a donation on your behalf.

Your Signature _____ Date _____

(7) Statement by Witnesses *(Witnesses must be 18 years of age or older and cannot be the health care agent or alternate.)*

I declare that the person who signed this document is personally known to me and appears to be of sound mind and acting of his or her own free will. He or she signed (or asked another to sign for him or her) this document in my presence.

Witness 1

Date _____

Name *(print)* _____

Signature _____

Address _____

Witness 2

Date _____

Name *(print)* _____

Signature _____

Address _____



**Department
of Health**



POWER OF ATTORNEY NEW YORK STATUTORY SHORT FORM

(a) **CAUTION TO THE PRINCIPAL:** Your Power of Attorney is an important document. As the “principal,” you give the person whom you choose (your “agent”) authority to spend your money and sell or dispose of your property during your lifetime without telling you. You do not lose your authority to act even though you have given your agent similar authority.

When your agent exercises this authority, he or she must act according to any instructions you have provided or, where there are no specific instructions, in your best interest. “Important Information for the Agent” at the end of this document describes your agent’s responsibilities.

Your agent can act on your behalf only after signing the Power of Attorney before a notary public.

You can request information from your agent at any time. If you are revoking a prior Power of Attorney, you should provide written notice of the revocation to your prior agent(s) and to any third parties who may have acted upon it, including the financial institutions where your accounts are located.

You can revoke or terminate your Power of Attorney at any time for any reason as long as you are of sound mind. If you are no longer of sound mind, a court can remove an agent for acting improperly.

Your agent cannot make health care decisions for you. You may execute a “Health Care Proxy” to do this.

The law governing Powers of Attorney is contained in the New York General Obligations Law, Article 5, Title 15. This law is available at a law library, or online through the New York State Senate or Assembly websites, www.senate.state.ny.us or www.assembly.state.ny.us.

If there is anything about this document that you do not understand, you should ask a lawyer of your own choosing to explain it to you.

(b) **DESIGNATION OF AGENT(S):**

I, _____
(name of principal) (address of principal)

hereby appoint:

(name of agent) (address of agent)

(name of second agent) (address of second agent)

as my agent(s).



If you designate more than one agent above, they must act together unless you initial the statement below.

(____) My agents may act SEPARATELY.

(c) DESIGNATION OF SUCCESSOR AGENT(S): (OPTIONAL)

If any agent designated above is unable or unwilling to serve, I appoint as my successor agent(s):

(name of successor agent)

(address of successor agent)

(name of second successor agent),

(address of second successor agent)

Successor agents designated above must act together unless you initial the statement below.

(____) My successor agents may act SEPARATELY.

You may provide for specific succession rules in this section. Insert specific succession provisions here:

(d) This POWER OF ATTORNEY shall not be affected by my subsequent incapacity unless I have stated otherwise below, under “Modifications”.

(e) This POWER OF ATTORNEY DOES NOT REVOKE any Powers of Attorney previously executed by me unless I have stated otherwise below, under “Modifications”.

If you do NOT intend to revoke your prior Powers of Attorney, and if you have granted the same authority in this Power of Attorney as you granted to another agent in a prior Power of Attorney, each agent can act separately unless you indicate under “Modifications” that the agents with the same authority are to act together.

(f) GRANT OF AUTHORITY:

To grant your agent some or all of the authority below, either

- (1) Initial the bracket at each authority you grant, or
- (2) Write or type the letters for each authority you grant on the blank line at (P), and initial the bracket at (P). If you initial (P), you do not need to initial the other lines.

I grant authority to my agent(s) with respect to the following subjects as defined in sections 5-1502A through 5-1502N of the New York General Obligations Law:

(____) (A) real estate transactions;

(____) (B) chattel and goods transactions;

(____) (C) bond, share, and commodity transactions;

(____) (D) banking transactions;

(____) (E) business operating transactions;

(____) (F) insurance transactions;



- ☐ (G) estate transactions;
- ☐ (H) claims and litigation;
- ☐ (I) personal and family maintenance: If you grant your agent this authority, it will allow the agent to make gifts that you customarily have made to individuals, including the agent, and charitable organizations. The total amount of all such gifts in any one calendar year cannot exceed five hundred dollars;
- ☐ (J) benefits from governmental programs or civil or military service;
- ☐ (K) health care billing and payment matters; records, reports, and statements;
- ☐ (L) retirement benefit transactions;
- ☐ (M) tax matters;
- ☐ (N) all other matters;
- ☐ (O) full and unqualified authority to my agent(s) to delegate any or all of the foregoing powers to any person or persons whom my agent(s) select;
- ☐ (P) EACH of the matters identified by the following letters: _____.

You need not initial the other lines if you initial line (P).

(g) MODIFICATIONS: (OPTIONAL)

In this section, you may make additional provisions, including language to limit or supplement authority granted to your agent. However, you cannot use this Modifications section to grant your agent authority to make gifts or changes to interests in your property. If you wish to grant your agent such authority, you **MUST** complete the Statutory Gifts Rider.

(h) CERTAIN GIFT TRANSACTIONS: STATUTORY GIFTS RIDER (OPTIONAL)

In order to authorize your agent to make gifts in excess of an annual total of \$500 for all gifts described in (I) of the grant of authority section of this document (under personal and family maintenance), you must initial the statement below and execute a Statutory Gifts Rider at the same time as this instrument. Initialing the statement below by itself does not authorize your agent to make gifts. The preparation of the Statutory Gifts Rider should be supervised by a lawyer.

☐ (SGR) I grant my agent authority to make gifts in accordance with the terms and conditions of the Statutory Gifts Rider that supplements this Statutory Power of Attorney.

(i) DESIGNATION OF MONITOR(S): (OPTIONAL)

If you wish to appoint monitor(s), initial and fill in the section below:

☐ I wish to designate _____, whose address(es) is (are) _____, as monitor(s). Upon the request of the monitor(s), my agent(s) must provide the monitor(s) with a copy of the power of attorney and a record of all transactions done or made on my behalf. Third parties holding records of such transactions shall provide the records to the monitor(s) upon request.

(j) COMPENSATION OF AGENT(S): (OPTIONAL)

Your agent is entitled to be reimbursed from your assets for reasonable expenses incurred on your



behalf. If you ALSO wish your agent(s) to be compensated from your assets for services rendered on your behalf, initial the statement below. If you wish to define "reasonable compensation", you may do so above, under "Modifications".

(____) My agent(s) shall be entitled to reasonable compensation for services rendered.

(k) ACCEPTANCE BY THIRD PARTIES:

I agree to indemnify the third party for any claims that may arise against the third party because of reliance on this Power of Attorney. I understand that any termination of this Power of Attorney, whether the result of my revocation of the Power of Attorney or otherwise, is not effective as to a third party until the third party has actual notice or knowledge of the termination.

(l) TERMINATION:

This Power of Attorney continues until I revoke it or it is terminated by my death or other event described in section 5-1511 of the General Obligations Law.

Section 5-1511 of the General Obligations Law describes the manner in which you may revoke your Power of Attorney, and the events which terminate the Power of Attorney.

(m) SIGNATURE AND ACKNOWLEDGMENT:

In Witness Whereof I have hereunto signed my name on the ____ day of _____, 20__

PRINCIPAL signs here: =====> _____

STATE OF NEW YORK)
) ss:
COUNTY OF _____)

On the ____ day of _____, 20__, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

(n) IMPORTANT INFORMATION FOR THE AGENT:

When you accept the authority granted under this Power of Attorney, a special legal relationship is created between you and the principal. This relationship imposes on you legal responsibilities that continue until you resign or the Power of Attorney is terminated or revoked. You must:

- (1) act according to any instructions from the principal, or, where there are no instructions, in the principal's best interest;
- (2) avoid conflicts that would impair your ability to act in the principal's best interest;
- (3) keep the principal's property separate and distinct from any assets you own or control, unless otherwise permitted by law;
- (4) keep a record of all receipts, payments, and transactions conducted for the principal; and



- (5) disclose your identity as an agent whenever you act for the principal by writing or printing the principal's name and signing your own name as "agent" in either of the following manners: (Principal's Name) by (Your Signature) as Agent, or (your signature) as Agent for (Principal's Name).

You may not use the principal's assets to benefit yourself or anyone else or make gifts to yourself or anyone else unless the principal has specifically granted you that authority in this document, which is either a Statutory Gifts Rider attached to a Statutory Short Form Power of Attorney or a Non-Statutory Power of Attorney. If you have that authority, you must act according to any instructions of the principal or, where there are no such instructions, in the principal's best interest.

You may resign by giving written notice to the principal and to any co-agent, successor agent, monitor if one has been named in this document, or the principal's guardian if one has been appointed. If there is anything about this document or your responsibilities that you do not understand, you should seek legal advice.

Liability of agent: The meaning of the authority given to you is defined in New York's General Obligations Law, Article 5, Title 15. If it is found that you have violated the law or acted outside the authority granted to you in the Power of Attorney, you may be liable under the law for your violation.

(o) AGENT'S SIGNATURE AND ACKNOWLEDGMENT OF APPOINTMENT:

It is not required that the principal and the agent(s) sign at the same time, nor that multiple agents sign at the same time.

I/we, _____, have read the foregoing Power of Attorney. I am/we are the person(s) identified therein as agent(s) for the principal named therein.

I/we acknowledge my/our legal responsibilities.

Agent(s) sign(s) here: ==> _____

==> _____

STATE OF NEW YORK)

)

ss:

COUNTY OF _____)

On the ____ day of _____, 20__, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public



(p) SUCCESSOR AGENT'S SIGNATURE AND ACKNOWLEDGMENT OF APPOINTMENT:

It is not required that the principal and the SUCCESSOR agent(s), if any, sign at the same time, nor that multiple SUCCESSOR agents sign at the same time. Furthermore, successor agents can not use this power of attorney unless the agent(s) designated above is/are unable or unwilling to serve.

I/we, _____, have read the foregoing Power of Attorney. I am/we are the person(s) identified therein as SUCCESSOR agent(s) for the principal named therein.

Successor Agent(s) sign(s) here: ==> _____

==> _____

STATE OF NEW YORK)

)

ss:

COUNTY OF _____)

On the ____ day of _____, 20____, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

VOLUNTEER LAWYERS PROJECT OF ONONDAGA COUNTY, INC.
PRO-BONO LIFE AND ESTATE PLANNING
221 South Warren St., Ste. 200
Syracuse, NY 13202
(315) 579-2579

CONFIDENTIAL ESTATE PLANNING INFORMATION FORM

Note that any and all information on this form is confidential and subject to attorney client privilege.

Please complete this form and return it to the VLP.

1. Name: _____

Social Security number: _____ DOB: _____

Address: _____

Phone number: _____ Email: _____

2. Are you a veteran? _____

3. Do you have children in the Syracuse City School District? _____

4. Current Marital Status:

_____ Married

_____ Divorced

_____ Widowed

_____ Never Married

Spouse: _____

If Divorced, Former Spouse: _____

If not married, do you have a partner who is the equivalent of a spouse? Yes / No

If yes, what is your partner's name? Partner: _____

5. How many people live in your house that you support?

_____ children (0 – 17 years old)

_____ adults (18 – 59 years old)

_____ older adult (60+)

6. What is your current source(s) of income, from whom and how much per year?

7. Do you receive public assistance benefits, and, if so, from whom and how much per month?

8. Do any of your household members have an income? If so, from whom and how much per year?

9. What is your health status? Do you have any disabilities?

10. Your Children:

Child's Name	Name of Other Parent	Age & DOB	Custody (if minor or has guardian)	Health Status, Competency, Disabilities

Do you have custody or guardianship over a minor who is not your child (such as grandchild or niece)? If so, please be sure to include.

11. Are your parents alive, and if so where do they live and how old are they?

12. Do you presently have a:

WILL?	Yes - No
POWER OF ATTORNEY?	Yes - No
HEALTH PROXY/LIVING WILL?	Yes – No

If yes to any of these, please bring copies of them to the meeting.

13. Are you a United States citizen? Yes – No

14. Does anyone OWE YOU money? _____ If yes, how much are you owed and where from?

15. Do you own a HOME and/or any other REAL ESTATE?

<u>Address</u>	<u>Name(s) on Deed</u>	<u>Mortgage Amount & Lender</u>	<u>Current Fair Market Value of Home or other Real Estate</u>
----------------	------------------------	-------------------------------------	---------------------------------------------------------------

16. Do you own any TITLED PROPERTY (mobile home, car, boat, motor home, travel trailer, etc.)?

<u>Description</u>	<u>Name on Title</u>	<u>Car Loan Amount</u>	<u>Current Fair Market Value</u>
--------------------	----------------------	------------------------	----------------------------------

17. Do you own any BANK ACCOUNTS (checking, savings, C.D., money market, etc.)?

<u>Name of Bank</u>	<u>Type of Account</u>	<u>Names (s) on Account</u> <u>(Individual/Joint/ In Trust for)</u>	<u>Present Balance</u>
---------------------	------------------------	------------------------------------------------------------------------	------------------------

18. Do you own any STOCKS, BONDS, or MUTUAL FUNDS? Do you have a brokerage account?

<u>Name/Type of Stock/Bond/Fund</u>	<u>Names(s) of Owners</u> <u>(Individual/Joint/In Trust for)</u>	<u>No. of Shares</u>	<u>Current Value</u>
-------------------------------------	---------------------------------------------------------------------	----------------------	----------------------

19. Do you have LIFE INSURANCE and/or ANNUITIES, through an employer or otherwise?

<u>Company</u>	<u>Primary Beneficiary</u>	<u>Contingent Beneficiary</u>	<u>Amount of Death Benefit</u>
----------------	----------------------------	-------------------------------	--------------------------------

20. Do you have any RETIREMENT FUNDS (IRA's, 403B's, 401K's, etc.)?

<u>Type of Account</u>	<u>Primary Beneficiary</u>	<u>Contingent Beneficiary</u>	<u>Current Value</u>
------------------------	----------------------------	-------------------------------	----------------------

21. In the event of your death, think about whom you want to name as:

- (a) BENEFICIARIES and CONTINGENT BENEFICIARIES of your estate, who would receive your assets, tangible personal property? Charitable bequests? Specific bequests? Bequest of residuary estate? (Include amounts and/or percentages).

Name and relationship:_____

Name and relationship:_____

Name and relationship:_____

Name and relationship:_____

Name and relationship:_____

(Attach additional pages if needed)

- (b) EXECUTOR of your estate, who would carry out the instructions in your Will

Name and relationship:_____

- (c) GUARDIAN of your minor children, who would act as their "parent" (generally if neither parent is alive)

Name and relationship:_____

(d) TRUSTEE of trusts for your children, who would manage their money while they are young

Name and relationship: _____

22. Funeral Arrangements? Disposition of body? Contact person for arrangements?

23. In the event you are incapacitated and unable to act for yourself, think of a trustworthy person whom you would want to be your Primary and Alternate POWER OF ATTORNEY. These persons would handle financial matters for you, if you cannot do so.

Name and Relationship (if any)

Address

Phone

1st Choice(s):

Primary _____

2nd Choice(s):

Alternate _____

24. Should your powers of attorney have the authority to make gifts on your behalf?

Yes – No

25. In the event you are incapacitated and unable to act for yourself, think about whom you would want to be your HEALTH CARE PROXY. This person would make health care decisions for you, if you cannot do so yourself.

Name

Address

Phone

1st Choice: (Primary)

2nd Choice: (Alternate)

ACKNOWLEDGEMENT

By completing this form, I am requesting that the Volunteer Lawyers Project of Onondaga County, Inc. (OnVLP) review my information and make a determination if I am eligible for free pro bono assistance with drafting my Will and any other planning documents that the attorney deems appropriate. If I am deemed eligible for services, VLP will attempt to place my case with a pro bono attorney who, acting under the auspices of OnVLP, will assist me. I understand that by completing this intake form I am consenting to my information being shared with a pro bono attorney. I also understand that I might not be eligible for services, and that final determination is made after reviewing this document.

Signature

Date

PUBLIC ASSISTANCE

Request a Fair Hearing

You may request a fair hearing in any of the following ways:

- [Online Request Form](#)
- [Mail or Fax a Printable Request Form](#)
- [Request by Telephone](#)
- [Request in Person \(NYC and Albany only\)](#)

Once your fair hearing request is processed, we will send you notification (OAH-4420 Acknowledgement of a Fair Hearing Request) by US Mail.

State Supplement Program(SSP) Fair Hearings

SSP Fair Hearings will be conducted by telephone, pursuant to 18 NYCRR 358-5.12, unless an in-person hearing is requested by the individual or authorized representative. If you would like an in-person hearing, please notify an Office of Administrative Hearings staff member when requesting a fair hearing. You may indicate your request for an in-person hearing in the comments section of the on-line hearing request form or in the reason section of the printable form.

Online Request Form

You may request a Fair Hearing using the [Fair Hearing Online Request Form](#). You must have JavaScript enabled in order to use the online forms.

- [Fair Hearing Online Request Form \(English\)](#)
- [Fair Hearing Online Request Form \(Arabic\)](#)
- [Fair Hearing Online Request Form \(Chinese\)](#)
- [Fair Hearing Online Request Form \(Haitian-Creole\)](#)
- [Fair Hearing Online Request Form \(Italian\)](#)
- [Fair Hearing Online Request Form \(Korean\)](#)
- [Fair Hearing Online Request Form \(Russian\)](#)
- [Fair Hearing Online Request Form \(Spanish\)](#)

Mail or Fax a Printable Request Form

Complete a printable version of the [Fair Hearing Request Form \(PDF\)](#). To preserve any aid-continuing rights, be sure to fax or postmark your request as described in the Notice of Intent.

- [Fair Hearing Request Form \(English\)](#)
- [Fair Hearing Request Form \(Arabic\)](#)
- [Fair Hearing Request Form \(Chinese\)](#)
- [Fair Hearing Request Form \(Haitian-Creole\)](#)
- [Fair Hearing Request Form \(Italian\)](#)
- [Fair Hearing Request Form \(Korean\)](#)
- [Fair Hearing Request Form \(Russian\)](#)
- [Fair Hearing Request Form \(Spanish\)](#)

This form may be faxed to 518-473-6735 or mailed to the following address:

New York State Office of Temporary and Disability Assistance
Office of Administrative Hearings
P.O. Box 1930
Albany, NY 12201-1930

If your request involves an issue about health benefits or services provided under your Managed Care Plan or Managed Long Term Care you can write to:

NYS Office of Temporary and Disability Assistance
Office of Administrative Hearings
Managed Care Hearing Unit
P.O. Box 22023
Albany, New York 12201-2023

Request by Telephone

Telephone request for Fair Hearings can be made by calling our statewide toll-free number: 1 (800) 342-3334

If you live in NYC and need to request an emergency Fair Hearing, you may call 1 (800) 205-0110. This number is only for emergency situations. Requests that do not involve emergencies will not be taken at this number.

Speech or Hearing Impaired Individuals

Please contact the New York Relay Service at 711 and request that the operator call us at 1 (877) 502-6155. Service at this number will *only* be provided to callers using TDD equipment.

Request in Person

A request for a Fair Hearing may be made in person at the following locations:

New York City

Office of Temporary and Disability Assistance

Office of Administrative Hearings

14 Boerum Place, 1st Floor

Brooklyn, New York 11201

[Directions to 14 Boerum Place](#)

Albany

Office of Temporary and Disability Assistance

Office of Administrative Hearings

40 North Pearl Street, 15th Floor

Albany, New York 12243

FAIR HEARING REQUEST FORM – FAX OR MAIL

P.O. BOX 1930
ALBANY, NY 12201-1930

Please Print Information Clearly. Correct and Complete Information Will Permit Us to Promptly Schedule a Fair Hearing.

CASE NAME: _____
(LAST) (FIRST) (MI)

STREET ADDRESS: _____ APT #: _____

CITY: _____ STATE: _____ ZIP CODE: _____

PHONE #: (____) _____ DATE OF BIRTH : _____ SS#: _____

☐ MALE ☐ FEMALE CASE #: _____ CIN #: _____ LOCAL AGENCY/CENTER: _____

INTERPRETER NEEDED? YES ☐ NO ☐ LANGUAGE: _____

Is Appellant homebound? ☐ YES ☐ NO If yes, provide medical documentation. Do not delay request while obtaining medical.
A phone number for representative or requester is required if you don't have a phone.

☐ Representative ☐ Requester NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____ PHONE #: (____) _____

DID APPELLANT RECEIVE A NOTICE FROM THE LOCAL SOCIAL SERVICES DEPARTMENT? ☐ YES ☐ NO

(***** PLEASE ATTACH A COPY OF THE NOTICE WITH THIS FORM *****)

If Yes: Date of Notice: _____ Effective Date: _____ Notice #: _____ RTI #: _____

RESTRICTIONS		LOCAL AGENCY ACTION		CATEGORY OF ASSISTANCE (definitions below box)				
Put an X in days or times you cannot attend hearing		FA	SNA	MA	SNAP	HEAP	PCS*	OTHER
M	T							
W	T							
F								
AM								
PM								
(Must provide a reason)								

* If Personal Care Services: Provide CASA # _____/Agency _____ & indicate type of service: _____

Name of Managed Care Plan _____

FA = Family Assistance (former ADC)
MA = Medicaid

SNA = Safety Net Assistance (formerly HR)
HEAP = Home Energy Assistance Program

SNAP = Supplemental Nutrition Assistance Program (formerly Food Stamps)
PCS = Personal Care Services

Reason for requesting hearing (indicate time frames): _____

Information needed for Foster Care hearings: Child's name, child's date of birth, birth mother's name, child's case number, agency's name.
Indicate period seeking foster care payments.

CONSUMER ISSUES

Wage Garnishments

What is a wage garnishment?

A wage garnishment occurs when a court or the government orders your employer to set aside some of your earnings to pay a debt.

How much of my wages can be garnished for a private debt?

The amount of your wages that can be garnished for a private debt varies according to your income. Private debts include credit cards, medical bills, bank loans, and private student loans. Private debts do not include child support, taxes, or government student loans.

If your disposable income is \$390.00* per week or less:

All of your earned income is exempt from debt collection. Your wages CANNOT be garnished.

If your disposable income is more than \$390.00* per week:

The creditor may garnish up to 10% of your gross income or 25% of your disposable income for the week, whichever is less. However, the creditor may not reduce your weekly disposable income to less than \$390.00 per week.

*This amount is based on the \$13/hour NYS minimum wage for “NYC – Large Employers (of 11 or more),” effective 12/31/17, as listed on the NYS Department of Labor’s website. This amount may vary depending on the specific NYS minimum wage applicable to your location and employer.

If you are already being garnished for child support or spousal support:

You can still be garnished to pay a private debt, but the total garnishments cannot exceed 25% of your disposable income.

What is “disposable income”?

Your “disposable income” is the amount of money you take home after deductions required by law, such as deductions for taxes, Social Security, and unemployment insurance.

What is “gross income”?

Your gross income is the amount you earn before any deductions are made.

Can a creditor garnish my Social Security or other benefits to pay a private debt?

No. Social Security and other benefits are completely [exempt from debt collection](#) and cannot be garnished to pay a private debt.

What is the process that a creditor uses to garnish my wages?

1. All wage garnishments for private debts begin with a [debt collection lawsuit](#).
2. The creditor must obtain a [judgment](#) against you in order to garnish your wages. In New York, the vast majority of judgments against consumers are obtained by [default](#).
3. Armed with a judgment, the creditor will send the wage garnishment notice to a New York City Marshal. This notice is called an “income execution.”
4. Within 20 days, the marshal must serve you with a copy of the income execution.
5. Once you are served with the income execution, you have 20 days to call the marshal to arrange a voluntary payment plan.
6. If you do not contact the marshal within 20 days, the marshal will serve the income execution on your employer. Your employer will begin sending up to 10% of your gross earnings to the marshal.
7. From time to time, the marshal must send you an accounting stating how much you have paid, how those payments have been applied, and how much you have left to pay.

What should I do if I receive a wage garnishment notice?

If you receive a wage garnishment notice, you can be sure that a creditor has obtained a judgment against you. Therefore, you should consider whether you have grounds to cancel or [vacate the judgment](#). If you can vacate the judgment, the creditor will no longer have the ability to garnish your wages, nor can the judgment appear on your credit report. In order to vacate the judgment you will have to file court papers and appear in court at least once, and possibly more than once. For most people, it is worth it to take the time and effort to vacate the judgment. [Look here](#) for instructions on how to vacate a judgment.

If you do not wish to go to court, then you can always contact the marshal or your judgment creditor in order to make voluntary payment arrangements.

What should I do if my wages are already being garnished?

Even if your wages are already being garnished to pay a private debt, you may have the right to [vacate the judgment](#) and stop the garnishment, especially if you were never properly notified of the lawsuit. If the judgment is vacated, not only will the garnishment stop, but the court can order the creditor to return to you all the money that it took to pay the debt.

What if I can't vacate the judgment, but I can't afford a wage garnishment?

Even if you choose not to try to vacate the judgment, you always have the right to go to court and ask the court to modify the amount of your garnishment. To do this, go to the court with a

copy of the income execution and tell the clerk that you want to file an “order to show cause” to modify the wage garnishment. You should be prepared to explain to the court why the current garnishment amount is too high. Bring proof of your income, rent, bills, and monthly expenses in order to prove to the judge that you should be garnished at a lower rate. You should be prepared to show that the current rate of garnishment prevents you from paying for necessities, like rent, food, utilities, or necessary medical care.

Can a creditor garnish my wages and [freeze my bank account](#) at the same time?

Usually not. If you are already being garnished at the maximum amount, then the rest of your wages are [exempt from debt collection](#), even if they are deposited in a bank account.

Can I be garnished for two debts at the same time?

Yes, but only up to the [maximum amounts specified above](#). Usually, what happens with multiple garnishments is that the first creditor takes the maximum amount possible. The second creditor must wait until you finish paying the first creditor. Only then can the second creditor garnish your wages.

Can my employer fire me because of a wage garnishment?

No, under New York law your employer cannot fire you for a garnishment.

More Information

[How to Read a Civil Court Summons](#) (PDF)

[The Basics of Defending Creditor Lawsuits](#)

[Common Defenses to Creditor Lawsuits](#)

[Preparing for Your Court Date](#)

[Negotiating A Settlement Agreement in Court](#)

[Vacating a Default Judgment](#)

[Frozen Bank Accounts](#)

[What is Exempt from Debt Collection?](#)

Helpful Links and Resources

[LawHelp/NY](#): attorney referrals and information for pro se litigants

[National Association of Consumer Advocates](#): national database of consumer lawyers

[New York City Civil Court](#): information about representing yourself in court, including contact information and court forms

[eCourts](#): information about cases filed in New York courts

[Laws of New York](#): complete text of New York laws

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Legal Assistance of Western New York, Inc. ®

We provide free legal aid to people with civil legal problems in western New York.

www.lawny.org



Dealing with Debt Collectors

Dealing with Debt Collectors

Can they sue you? Can they take your house or your car? Can you go to jail?

Perhaps it's happened to you: you've lost your job and the bills are starting to pile up, or you've had some unexpected medical expenses that your paycheck just won't cover. Suddenly you are in debt and worried about what's going to happen to you and your family.

What can happen to you when you owe money? Can you end up in jail? Can you be sued? What about those annoying phone calls from the debt collectors--can you stop them? You should know, there are laws in place to protect you if you can't afford to pay your debts.

Please read below for more information about your rights. If you have questions, call our office or your local legal services office.

Can I go to jail for not paying my debts?

No. You can't be thrown in jail because you owe money on a credit card or dentist bill. The only cases where someone goes to jail for debt issues is where they commit tax fraud, fail to respond to a court order or subpoena in a debt case, or fail to pay child support or court fines and restitution. If a debt collector is threatening you with jail, this may be against the law.

What can creditors do if I don't pay my debts?

A creditor is someone who has given you something in exchange for a promise to pay them back at a later date. Anyone who gives your credit or a loan is a creditor. Banks, landlords, utility companies, department stores, and even the government can be creditors.

If you can't pay a creditor, what the creditor can do to collect the debt depends on what kind of debt it is. For instance, if you are behind on the rent, your landlord can take you to court to have you evicted. Your utility company can shut off your gas and electric service if you don't pay your bill. Your phone company can shut off your phone. The bank can repossess your car if you fail to pay on a car loan. Other creditors, such as credit card companies and hospitals, may have to sue you to collect on debts.

What is the difference between secured debts and unsecured debts?

Some debts are called "secured debts." Secured debts have something that you agreed to offer as collateral for the loan. This means that the creditor can take the collateral back if you don't pay the loan. Automobile loans, mortgages, and some furniture installment contracts are examples of secured debts.

If you fail to pay the loan on a secured debt, the creditor will take back ("repossess") the collateral. After the repossession, the creditor can sell the collateral and apply the money from the sale to what you owe on the loan. If the collateral sells for less than what is owed on the loan, the creditor may sue you to collect the difference.

For example, if you owe \$5,000 on a car loan and you can't make the payments, the creditor can repossess the car. If the creditor sells the car for \$3,000, it would leave you with a balance of \$2,000. The creditor can then sue you in court for the remaining \$2,000 balance. The creditor may also be able to sue you for additional charges and fees as a result of the repossession.

What happens if my debt has been turned over to debt collectors?

Sometimes creditors will turn your bills over to a debt collection agency or an attorney to try to get the money from you. Collection agencies or attorneys cannot harass you to get you to pay a debt. The law has specific rules about what such bill collectors can and cannot do.

Debt collectors, including attorneys, cannot:

- Contact other people such as your neighbors, relatives, or employers about the debt except to get your address and phone number.
- Contact you before 8:00 A.M. or after 9:00 P.M.
- Contact you at work if you tell the collector your employer does not allow this;
- Contact you directly if you have an attorney;
- Continue to try to collect the debt if you dispute the debt in writing;
- Lie to you about the debt or threaten or harass you.

These rules only apply to debt collectors and attorneys collecting debts for creditors--they do not apply to the original creditors, such as the bank or credit card company you owe.

How do I stop debt collectors from contacting me?

If you tell the debt collector in writing to stop contacting you, the debt collector cannot contact you again (in writing, on the phone, or in person). The only time the debt collector can contact you after this is to tell you that a specific legal action is being taken, such as filing a lawsuit against you or selling your debt.

If you are being harassed by a debt collector, send a letter asking them not to contact you again. Send the letter "return receipt requested" and keep a copy for yourself. It is illegal under federal law

for the debt collector to continue contacting you after you have asked them to stop. If they do, you may be able to sue them for damages. Again, this rule only applies to debt collectors and attorneys collecting debts for creditors. This rule does not apply to the original creditor.

Sending this letter will not erase your debt. The debt collector can still sue to collect the money they say you owe. ***DO NOT IGNORE ANY LETTERS REGARDING LAWSUITS!***

If you get anything in the mail or are served with anything that appears to be a lawsuit, contact a lawyer right away.

What happens if I have been sued by a debt collector or creditor?

If you do not pay your debts, the creditors or debt collectors may file a lawsuit against you. To start a lawsuit, the creditors or debt collectors have to file court papers. These papers are usually called a Summons and Complaint. You need to be served with a copy with court papers.

Do the court papers need to be served by the Sheriff?

The court papers do not have to be served by a Sheriff. There are a few different ways you could be served. The most common way to be served is in person. This means that someone, other than the person suing you, hands you the court papers at your home or place of business. If you are not home, the person serving you can leave the court papers with someone at your house as long as they are of "suitable age and discretion." This is called substituted service. For this type of service, you also have to be mailed a copy of the court papers. Finally, if the person serving you has not been able to serve you in person or through substituted service after a few attempts, the person can serve you by taping or nailing a copy of the court papers to your door and sending a copy to you in the mail. This is called "Nail and Mail" service and is usually a last resort.

If you get court papers, don't ignore them--no matter how you are served.

What do I do if I am served with court papers?

There are very short deadlines to respond to court papers. Usually the deadline to respond is only 20 days from the date you are served. For debt collection cases, you are not usually given a court date to appear. *In order to respond to the court papers, you have to file an answer with the court.* In an answer, you list any defenses you may have to the court case.

You can get a copy of this form from the court clerk's office. You can find a copy online here: <https://www.nycourts.gov/RULES/CCR/forms/Consumer-Credit-Answer.pdf>.

After you file an answer, a hearing may be scheduled. In court, you will have a chance to prove that you do not owe the money, that you already paid it, or any other defenses that you put in your answer. If you do not file an answer before the deadline, the judge will sign a default judgment saying that you owe the money. If you file an answer and ultimately lose in court, the judge will sign a judgment saying that you owe the money. Once your creditor has a judgment against you, they can take other action to try and get the money from you.

Do not ignore any court papers. Contact an attorney for help responding to court papers.

Should I bother responding to court papers if I owe the money?

Even if you think you owe the debt, you should talk to a lawyer. There are a lot of defenses that you may have to prevent a judgment from being entered against you, even if you agree you owe some of the money. For example, the debt could be beyond the statute of limitations, meaning the debt is so old that the debt collector cannot get a judgment against you. For a list of common defenses in debt collection cases, see the court's website here:

<http://nycourts.gov/CourtHelp/MoneyProblems/defenses.shtml>.

Judgments

A judgment is a legal document that says that one person owes another person money. Your creditor must sue you to get a judgment. Judgments collect interest of 9% per year. This means you will owe more money if you wait to pay. Judgments in New York are valid for twenty years. This means a judgment can be collected for twenty years or until you pay it off. If you make payments on the judgment, be sure to save your receipts. When you have paid all you owe, the creditor must file a "satisfaction of judgment" with the court and give you a copy. After you have made your last payment, be sure to check with the court that the satisfaction of judgment has been filed.

I just learned a default judgment was entered against me, can I challenge it?

Yes, though it can be difficult to overturn a default judgment. If you want to overturn a default judgment, you should ask the court to vacate it by filing an "Order to Show Cause to Vacate a Default Judgment." You can ask the court to vacate the judgment if you were never served with the original court papers. If you were served and failed to respond, you have to show the court that you had a good reason for not responding and that you have a defense to the debt. There may be time deadlines for vacating default judgments. Contact our office or your local legal services agency for more assistance with this. You can also find information about vacating default judgments on the court website here: <https://www.nycourts.gov/courthelp/AfterCourt/vacatingDefault.shtml>.

What can a creditor do with a judgment?

Once a creditor or debt collector has a judgment against you, they can use that judgment to garnish your wages and seize your assets. Certain types of income and assets are protected by the law and cannot be seized to pay back most kinds of debt.

I received an information subpoena. What is that?

An information subpoena is a document which asks for information about your income and assets. An information subpoena is usually several pages long and asks you several questions about you make and what you own. If you receive an information subpoena, a judgment has likely been entered against you. Once a judgment has been entered, a creditor or debt collector can from time to time serve you with an information subpoena to get information about your income and assets. You must

fill out the information subpoena to the best of your ability and send it back to the creditor, even if you have nothing the creditor can take. If you refuse to complete the information subpoena, you may be held in contempt of court.

Protected income and property

Some kinds of income and property are protected (“exempt”) from most types of collection. In most cases, protected income and property cannot be taken from you by a creditor to pay a debt.

Some kinds of income protected from garnishment are:

- Most welfare benefits (public assistance, TANF, food stamps, etc.)
- Social Security
- Social Security Disability
- SSI
- Pensions
- Unemployment benefits
- Veterans benefits
- Worker’s compensation
- Child support and alimony

- An IRA or 401K Retirement Fund
- Rental or Utility Security Deposits
- Equity in your home of up to \$82,775 per owner (Western & Central NY amount) *The amount is higher if you live in some Counties in the Eastern part of NY.*
- In most cases, the first **\$2,496 of a bank account** (this may be higher if your income is protected).
- Equity in your car up to \$4,425

Creditors cannot seize items such as clothing, furniture and appliances, wedding rings, burial plots, or school books unless they were used as collateral to get a loan.

What does it mean to be judgment proof?

If you are judgment proof, this means that even if a debt collector sues you and gets a judgment against you, you have nothing that the debt collector could take to satisfy the judgment. Usually this means that your income and assets are exempt from collection. The debt collector can still sue you and get a judgment against you, but they would not be able to take anything from you. Many creditors and debt collectors will insist on getting a judgment against you even if you are judgment proof. They do this in case your income situation changes because you go back to work, win the lottery, or inherit money.

If a judgment is entered against you and you are served with an information subpoena, you still have to respond to it even if you have nothing the debt collector can take. If you are judgment proof, you

may be able to negotiate a lower settlement with the debt collectors or see if they will forgive the debt. There may be tax implications for any debts that are forgiven.

Can a creditor or debt collector take the money in my bank account?

If a judgment was entered against you, a debt collector might be able to freeze and take money from your bank. In most cases, the first **\$2,496**

or less of your bank account is exempt from collection. If you *only have exempt income* in your bank account (such as Social Security, SSI, child support, public assistance, etc.) the first **\$2,750**

is exempt from collection. If you have both exempt and non-exempt income in your account (such as money from your work and Social Security income), the lower limit applies. Remember, a creditor or debt collector cannot freeze your bank account unless they get a judgments against you.

Wage garnishment

Your wages can only be garnished if the debt collector wins the lawsuit and gets a judgment against you. There are limitations on what a debt collector can take from you. As of January 2018, if you make less than \$312 per week after taxes are taken out, your wages cannot be garnished. If you make \$312 per week or more after taxes are taken out, your wages can be garnished. Generally, the debt collector can only take 10% of your paycheck. If the debt collector gets a judgment against you and attempts to garnish your wages, you will be served with a paper called a Notice of Income Execution. This notice will give you the chance to set up payments before the garnishment takes place. Only creditor can garnish your wages at a time. If you owe money for back child support or a government debt, more money can be taken from your paycheck (see below).

Child support is different

The rules are different for child support or spousal maintenance. As much as 60% of your pay can be taken out if you owe child support. Some property exemptions don't apply if your debt is for child support. You can even end up in jail, if you had the ability to pay and deliberately refused or neglected to pay your support.

What about debts I owe to the government?

If you owe a debt to the government, such as a tax bill, student loan, or overpayment of government benefits, the rules are also different. The government may be able to seize your tax refund or take from your government benefits (such as your Social Security check) to pay back your debt without suing you. This is called an offset. There are some limitations on what the government can take. Contact your local legal services agency for more help with government debts.

Can a creditor or debt collector take my house?

If you own a house, your creditor may be able to place a lien on the house. Before placing a lien on your house, a creditor must sue you to get a judgment against you saying that you owe a certain amount. If you have a mortgage on the house, the mortgage holder will already have a lien on the house. There can be multiple liens on one house. If you sell the house, any creditor who has put a lien on the house will be paid before you receive whatever money is left. Most creditors will not force the sale of your house to collect on a judgment. The creditor will likely wait until you sell or refinance the home to collect on the lien.

Be careful about starting to pay on really old debts

Some debts may be too old for debt collectors to get a judgment against you. The New York Statute of Limitations (time limit) to collect debts is usually six years from the last payment you made. The time limit may be longer or shorter depending on what type of debt you have. If you make a payment on an old debt, the statute of limitations is renewed, even if the original statute of limitations had already expired. This means that the debt collector could sue you and get a judgment against even for a really old debt.

Should I file for bankruptcy?

Filing for bankruptcy is usually considered a last resort option. It can be expensive and is not right for everyone. Completing a bankruptcy will also have a negative impact on your credit. For more information, see our article on bankruptcy. Although you are not required to have an attorney to file for bankruptcy, talking with an experienced bankruptcy attorney will help you fully understand your options and determine if bankruptcy is right for you.

Where can I go if I need help or have questions?

If you are being sued or having problems with debt collectors, contact our office or your local legal services office. Keep in mind that many legal services offices do not handle this type of problem, but they may be able to refer you to another agency that can help you.

If you are having difficulty paying your debts, talk with your creditors. They may be willing to work out a modified payment plan. If you can work out a payment plan, be sure to get it in writing. You can also contact a credit counseling service. Credit counseling services may be able to advise you on how to manage your debt. You can find a list of some credit counseling services on the United States' Trustee's website here: <https://www.justice.gov/ust>.

This article provides general information about this subject. Laws affecting this subject may have changed since this article was written. For specific legal advice about a problem you are having, get the advice of a lawyer. Receiving this information does not make you a client of our office.

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A GUIDE TO
SMALL CLAIMS
IN THE
NYS CITY, TOWN
AND VILLAGE COURTS





A GUIDE TO SMALL CLAIMS COURT

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WHAT IS SMALL CLAIMS COURT?

The Small Claims Court is an informal court where individuals can sue for money only, up to \$3,000 in Town or Village Courts, and \$5,000 in City Courts, without a lawyer. If you have a claim for damages for more than \$3,000/5,000 you cannot separate it into two or more claims to meet the \$3,000/5,000 limit.

If you believe that a person or business damaged something you own, you may sue that person or business for the monetary amount of your damages. You cannot sue in Small Claims Court to force a person or business to perform a task, such as to fix a damaged item, or to fulfill a promise made in an advertisement. The court may not order the return of a personal item. Your lawsuit may be for money only.

You may sue a municipality (i.e., a town, village, city or county), public benefit corporation, school district or school district public library in Small Claims Court. However, the law requires you to notify the municipality of your intention to sue. Notice must be given to the municipality within 90 days after the occurrence of the incident that is the subject of your suit. If you do not notify the municipality within 90 days of the incident, your case may be dismissed.

You must bring your claim in the municipality (or, if it's a city court action, in the county) in which the person or entity you are suing resides, or has an office for the transaction of business or regular employment.

WHO CAN USE SMALL CLAIMS COURT?

Anyone 18 years of age or over can sue in Small Claims Court. If you are younger than 18, your parent or guardian may sue on your behalf. Generally, corporations, partnerships, associations, or assignees cannot sue in Small Claims Court.¹ They can, however, be sued in Small Claims Court. A corporation may authorize an attorney, officer, director, or employee of the corporation to appear on its behalf to defend an action.

The party who brings the suit in Small Claims Court is referred to as the "Claimant" or the "Plaintiff". The party that is being sued is referred to as the "Defendant".

¹ Any corporation, including a municipal corporation or public benefit corporation, partnership, or association, which has its principal office in the State of New York, or an assignee of any commercial claim, may file a claim in Commercial Claims Court. Commercial Claims Courts are located in the New York City Civil Court, in all city courts, and in the district courts in Nassau and Suffolk Counties. Consult your telephone book for the address and phone number of your local court, and call that local court for information.

If you are sued and you believe that someone else (a third party) is responsible for the claim, you may be able to bring that party into the lawsuit as a defendant. Contact the Small Claims Court for information about starting a "Third Party Action".

Most Small Claims Courts have a clerk who can assist you with the procedures for bringing your lawsuit. In those town or village courts that do not have clerks, the judge may assist you. When this booklet mentions the clerk, but the court you are using does not have a clerk, you should seek the assistance of a judge.

Because the small claims procedures are informal, you do not need an attorney to represent you. You may, however, choose to hire an attorney to represent you. If there are attorneys on both sides, the case may be transferred to a regular civil part of the court.

WHERE ARE THE SMALL CLAIMS COURTS LOCATED?

There is a Small Claims Court in every city, town² and village located in New York State.

Consult your telephone book for the address and phone number of your local court and call that local court for information.

HOW DO I START A SMALL CLAIMS CASE?

You or, if you suffer from an illness or infirmity, someone on your behalf, must go to the Small Claims Court to file a statement of your claim. The court will provide the necessary forms.

The statement should be brief. It should include a description of the incident that is the basis for your claim, including all important names and dates. If you are suing over a contract or for property damage, you may claim interest as well as damages.

In a Town or Village Court, if your claim is \$1,000 or less, you will be required to pay a \$10 filing fee. If your claim is for more than \$1,000, you will be required to pay a \$15 filing fee. In a City Court, if your claim is \$1,000 or less, you will be required to pay a \$15 filing fee. If your claim is for more than \$1,000, you will be required to pay a \$20 filing fee. The fees are payable at the time of filing.

The clerk will provide the date and time of the small claims hearing. The clerk will "serve" the notice of claim by mailing it to the defendant. The notice informs the defendant when and where

to appear for the hearing, and gives the reason for the claim and the amount of the claim. The notice will be mailed to the defendant by certified mail and by ordinary first-class mail. If the notice sent by first-class mail is not returned by the post office within 21 days as undeliverable, the defendant is deemed to be served, even if the notice sent by certified mail has not been delivered.

If the post office cannot deliver the notice of your claim (for example, the defendant may have moved without leaving a forwarding address), and you believe that the defendant remains within the jurisdiction of the court, the court will give you a new hearing date and may instruct you on how to arrange for personal delivery of the notice to the defendant.

The hearing cannot take place until the defendant has been served with the notice of claim.

If the notice of claim cannot be served on the defendant within four months after the claim has been filed, the claim will be dismissed. However, if you learn new information about the defendant's location at a later date, you can file your claim again.

MUST I KNOW THE DEFENDANT'S CORRECT NAME?

When you file your small claim, you must provide the name and place of residence or place of business or employment of the person or business you want to sue. You may obtain the correct or "legal" name of a business by contacting the office of the County Clerk in the county where the business is located.

If, after you have filed your papers, you discover that the defendant has a "legal" name that you did not use, you may return to the Small Claims Court and have the papers changed to state the correct name of the defendant.

WHAT IS A COUNTERCLAIM?

A "counterclaim" is a claim filed against you by the defendant—a countersuit. The counterclaim must be for money only. The amount of the counterclaim cannot be more than \$3,000 in Town or Village Court or \$5,000 in City Court. Any counterclaim for more than \$3,000 must be brought in another part of the court or in a different court having the needed jurisdiction.

The defendant is required to file his or her counterclaim with the court within five days of receiving the notice of claim and must

² In Nassau County and the western part of Suffolk County, towns are served by district courts, which have Small Claims Courts.

pay the court fee of \$3 for actions brought in a Town or a Village Court, or \$5 for actions brought in a City Court, plus the cost of mailing the counterclaim to you. If the defendant fails to file a counterclaim within the five-day period, the defendant may still file a claim up until the time of the hearing. The judge then may either proceed with the hearing or adjourn the hearing for a period no longer than 20 days or as soon thereafter as may be practicable. However, if the defendant did not file the counterclaim within the five-day period, the judge must adjourn the hearing to a later date if you ask the judge to postpone the hearing because you believe you are not prepared to defend against the counterclaim. In some cases, the judge might decide to delay the hearing even if you do not ask for a postponement.

You have the right to reply to a counterclaim but are not required to do so.

If you receive notice of a counterclaim with enough time before the date of your hearing, be prepared to present your claim and also defend against the counterclaim on the day of your hearing.

CAN I CHANGE THE DATE OF MY HEARING?

If you are seeking to postpone the date of your hearing or other court procedure, you are seeking an "adjournment." Only the court may decide if an adjournment is to be granted. Adjournments in the Small Claims Court are discouraged, since the purpose of Small Claims Court is to have cases quickly decided.

HOW DO I ASK FOR AN ADJOURNMENT?

If you are going to ask for an adjournment, you should notify the court by mail before the scheduled date of your hearing. Also, you should mail a copy of your letter to the other party. If on the day of the hearing you find you cannot attend or are not prepared to present your case, either you or someone else on your behalf should appear in the Small Claims Court to explain to the judge why you need an adjournment.

If you do not have a good excuse, your request for an adjournment may be denied. If your request for an adjournment is denied and you are not ready to start your hearing, your small claim may be dismissed. If you are the defendant and you do not appear at your hearing, the judge may award the claimant a judgment against you based only upon evidence provided by the claimant (a default judgment).

WHAT SHOULD I DO ON THE DAY OF MY HEARING?

On the day of your hearing, you should arrive at the courthouse at least 15 minutes before the Small Claims Court session begins.

When you arrive at the courthouse, look for a Small Claims Court calendar or for a clerk or court officer to assist you. Usually, the calendar is posted outside the courtroom. Your case will be listed by your last name and by the last name of the defendant. If your case is not listed on the Small Claims Court calendar, or if a calendar is not posted outside the courtroom, speak to the court clerk; if there is no clerk present, speak to the judge. In some courts, the clerk may check names as people arrive; in others, you must wait until the case is called.

If a claimant does not arrive at the courthouse on time, the claimant's case may be dismissed. If the defendant does not arrive at the courthouse on time, the judge may hear and decide the case based only on evidence provided by the claimant (a default judgment).

Court rules require that the judge wait at least one hour before holding a hearing or entering a judgment in favor of the claimant.

WHAT SHOULD I DO WHEN MY CASE IS CALLED?

The Small Claims Court clerk or, if there is no clerk, the judge will announce your case and call your name. If you are not ready to begin and need to ask for an adjournment, or if you have some other request, you should tell the court at this time. If you and the defendant are both ready, the case will go forward.

SHOULD I CHOOSE A JUDGE OR A MEDIATOR OR ARBITRATOR?

Some larger town and village courts and some city courts use the services of volunteer mediators and arbitrators to assist parties in resolving their cases. Check with the court clerk regarding the availability of arbitrators or mediators for your case. Local rules may apply.

Mediation

Mediation is a confidential, non-binding dispute resolution process in which an impartial mediator helps parties identify issues, explore options and reach a mutually acceptable outcome. In mediation, you control the outcome and make your own decisions, as opposed to leaving the decision to an arbitrator or a judge. Mediators do not offer their own opinions regarding

likely court outcomes or pressure you to settle your dispute. Instead, mediators offer the parties the opportunity to expand the settlement discussion beyond the legal issues in controversy and focus on developing creative solutions that emphasize the parties' interests and practical concerns.

If a mediation program is available through the court, and if both sides agree, the court may refer the case to mediation. Your case can be scheduled for mediation quickly, at a time and place convenient to all parties. All discussions in mediation are confidential by law. Mediation gives you ample time to discuss all of the issues important to you. If both parties consent, an agreement may be written with the help of the mediator and signed by both parties. Written agreements may be enforceable in court. If you do not reach agreement, you may continue your case in court.

The parties also can agree to take the case to mediation before filing in court. Mediators are available through community dispute resolution centers – funded in part by the New York State Unified Court System – in all 62 counties of New York State. These mediators are trained under NYS Unified Court System standards. You may locate your nearest community dispute resolution center by checking your telephone book under “mediation” or “dispute resolution,” by asking the court clerk, or by checking the listing on the Internet at www.courts.state.ny.us/adr/cdrp/progrtbl.html. There is normally no charge for mediation, although there may be a small filing fee.

Arbitration

Arbitration is a binding dispute resolution process in which one or more arbitrators hear arguments, weigh evidence and issue a final judgment on the merits after an expedited hearing.

Arbitrators, many of whom are experienced attorneys, are specially trained to hear and decide small claims cases. Because there are more arbitrators available to hear cases than there are judges, an arbitrator usually will hear your claim sooner than a judge would. Your case can be heard by an arbitrator only if both sides agree. The hearing before an arbitrator is informal and may be less stressful for both parties. The arbitrator applies the same law to your case as a judge would apply. When an arbitrator determines a case, the decision is final, and there is no further appeal by either the claimant or the defendant.

CAN I DEMAND A JURY TRIAL?

The claimant cannot demand a jury trial in Small Claims Court. A defendant, however, may demand a trial by jury any time prior to the day of the hearing. If a defendant demands a jury trial, the defendant must pay a jury fee and file a \$50.00 “undertaking” (a security deposit) with the court to guarantee the payment of costs that may be awarded against the defendant. The defendant also is required to submit an affidavit specifying the issues of fact which the defendant desires to have tried by a jury, and stating that such trial is desired and demanded in good faith. If the Judge is satisfied that the defendant's affidavit presents justification to take a claim out of the small claims part, the Judge may order that the case be moved over to the regular civil part of the court, where a jury trial is permitted and where the rules of evidence apply.

If a jury trial is held in the small claims part, your claim will be heard by six jurors. Contact the court clerk regarding the procedures and fees for obtaining a jury trial.

PREPARING FOR HEARING/TRIAL

Evidence

Before you appear in court, you should gather all the evidence necessary to prove your claim or your defense. Anything that will help prove the facts in dispute should be brought to court. This includes photographs, written agreements, an itemized bill or invoice that is receipted or marked “paid”, written estimates of the cost of the service or repairs, a receipt for the purchase of an item or the payment of a debt, canceled checks, and correspondence. If you rely on estimates, at least two different written itemized estimates of the cost of the service or repairs are required. If possible, merchandise that is in dispute should be brought to court.

Testimony, including your own, is evidence. Any witness whose testimony is important to your case may testify. This can be a person who witnessed your transaction or someone whose special knowledge and experience makes him or her an expert on the cost of the service or repairs that were provided or may be required. If you are unable to get a witness to appear voluntarily, you may apply for issuance of a subpoena to the clerk of the Small Claims Court.

Subpoena

A "subpoena" is a legal document that commands the person named in the subpoena to appear in court. An expert witness may not be compelled to testify by subpoena, but you may pay the expert witness for coming to court to testify. You also may apply to the clerk of the Small Claims Court for issuance of a "subpoena duces tecum," which is a legal document that directs someone to produce a bill, receipt, or other written document or record you need. Either party may apply for issuance of a subpoena up to 48 hours before the trial date.

You must arrange for service of the subpoena and the payment of a \$15.00 witness fee and, where appropriate, travel expenses for the person subpoenaed. Except where the travel is entirely within a city, a subpoenaed witness is entitled to travel expenses for mileage to and from the court, from the place he or she was served with the subpoena. Contact the court clerk regarding current mileage rates. Service of the subpoena may be done by any person (including a friend or relative) who is 18 years of age or older, except that you or any other party to the action may not serve the subpoena.

HOW IS A HEARING/TRIAL CONDUCTED?

The claimant's case is presented first. After being sworn as a witness, the claimant will tell his or her version of the incident. All papers or other evidence should be shown at this time. When the claimant has finished testifying, the defendant, the judge or the arbitrator may ask some questions to clarify matters. Other witnesses can be presented in support of the claimant, and they, too, can be questioned by the judge or arbitrator or the defendant.

The defendant then, if he or she wishes to testify, will be sworn and tell his or her side of the story and present evidence. The defendant may also present other witnesses. The claimant or the judge or arbitrator may ask questions of the defendant and the witnesses called by the defendant.

If you are suing a business, be certain to ask the defendant's witness the full and correct legal name of the business and the name of the person who owns the business. If the name of the business is different from the name you wrote in your notice of claim, ask the judge or arbitrator to make any correction/amendment in the name on your notice of claim.

After all the evidence is in, the judge or arbitrator will consider the evidence and render a decision. The decision, together with information to judgment creditor and judgment debtor, will be mailed to the parties after the hearing. In some cases, the decision may be announced immediately after the trial.

DISCLOSURE OF ASSETS

It is your responsibility to collect information on the defendant's assets in the event you receive a judgment in your favor and the defendant does not pay you. (See "How Can I Collect My Judgment?" and "Locating Assets"). The court has the power to examine a party and to order that party to disclose his or her assets, and to restrain that party from disposing of those assets.

WHAT HAPPENS IF ONE PARTY DOES NOT APPEAR?

If the claimant does not appear in court when the case is called, the case will be dismissed.

If the defendant does not appear, the court will hold an "inquest" (hearing). That means that the claimant will go before the judge or arbitrator to present evidence to prove his or her case without the defendant presenting any evidence. If the claimant's case is proved, a "default" judgment will be awarded against the defendant.

If a default judgment is granted because the defendant did not appear, or the case is dismissed because the claimant did not appear, the losing party may ask the court to re-open the case and restore it for a hearing/trial upon a showing of good cause. On the return date, the judge will decide whether to re-open the case. However, both sides should be prepared to proceed in the event the case is re-opened.

WHAT HAPPENS IF THERE IS A SETTLEMENT?

In a lawsuit, one of the parties must always lose. Although you believe you are entitled to win, the judge or arbitrator may rule against you. Therefore, parties to a small claims action are encouraged to settle their cases whenever possible. You should seriously consider a reasonable offer of settlement.

If the case is settled before the day of trial and the parties do not wish to appear, both parties should notify the court in writing.

If a case is settled but the money has not been paid, or if settlement talks are moving forward but are not completed, the claimant may wish to appear in court, so that the case is not dismissed, and ask the judge for an "adjournment pending settlement." A new date will then be set for a hearing/trial. If the settlement does not work out, both parties should appear in court on the new adjourned date prepared to proceed.

WHAT HAPPENS WHEN THERE IS A DECISION (OR JUDGMENT)?

When the judge or arbitrator has decided the case, a decision is filed in the court records, and it is called a small claims judgment. The court will notify the claimant and defendant who appeared at the hearing or trial that a decision has been filed.

If a monetary amount is awarded, the party against whom the judgment is awarded is called the "judgment debtor." The party who is awarded an amount is called the "judgment creditor."

CAN I APPEAL THE DECISION?

When you appeal a decision, you ask a higher court to review the decision for errors. An appeal is not a retrial, but it is the review of the trial court's decision by a higher court called an appellate court. The appellate court will consider whether the judge's decision represents "substantial justice." The appellate court will not reverse a small claims decision because a technical mistake was made during the hearing. Unless the decision is "clearly erroneous," the small claims decision will not be overturned.

If you decide to appeal, you must notify the other party (or parties) in writing that you are appealing by filing a notice of appeal, together with an affidavit that you served that notice on the other party (or parties), in the Small Claims Court within 30 days after you receive in court a copy of the judgment, or within 30 days of personal delivery of the judgment to you by another party to the case, or within 35 days after the clerk of the court or another party to the case mails you a copy of the judgment.

If you appeal, you must pay the required fee to file the notice of appeal. The appealing party also must purchase a typed transcript of the hearing if a stenographer was present. In courts that use electronic recorders, contact the court for instructions. If no stenographic minutes were taken, the court will prepare a statement of what took place during the proceeding. Consult the small

claims clerk for information regarding the fees and how to obtain a copy of the minutes or transcript.

The Small Claims Court Clerk cannot help you decide whether to appeal the decision. You may need the help of an attorney to appeal the decision.

Even if the small claims judgment is appealed, the amount awarded must be paid unless a bond or undertaking is paid to the Small Claims Court to guarantee payment of the judgment if the appeal is lost. If you have been awarded a judgment and you receive notice of an appeal, you should call the small claims clerk to find out if a bond or undertaking has been paid before attempting to collect your judgment.

COLLECTING YOUR JUDGMENT: WHAT DO I DO IF I WIN A JUDGMENT?

The winning party, or judgment creditor, will receive a "notice of judgment." The notice of judgment will include the judge's decision as well as information regarding enforcement officers and ways to collect your judgment. You must read all the information printed on the notice of judgment before you begin your collection efforts.

Winning a judgment does not guarantee payment; however, it does give you the right to collect it. A money judgment is legally enforceable for 20 years.

HOW CAN I COLLECT MY JUDGMENT?

First, contact the judgment debtor and request payment of the judgment amount. If the judgment debtor refuses to pay the judgment amount, you may need the services of an enforcement officer.

WHAT IS AN ENFORCEMENT OFFICER?

An enforcement officer can, for a fee, take a judgment debtor's assets to pay your judgment. An enforcement officer can be the county sheriff, local police officer, city marshal or town or village constable.

Remember that you may ask the court to examine a party, order that party to disclose his or her assets, and restrain that party from disposing of those assets. (See "Disclosure of Assets"). This information may be useful when you seek the assistance of an enforcement officer. Otherwise, you will have to locate the judgment debtor's assets yourself before contacting an enforcement officer.

LOCATING ASSETS

Information Subpoenas

The enforcement officer cannot locate the judgment debtor's assets for you. You must provide this information to the enforcement officer.

An "information subpoena" is a legal document that directs a person, corporation or other business to answer certain questions about where the judgment debtor's assets can be found. You may use an information subpoena to obtain information about the scope and location of the judgment debtor's assets.

The small claims clerk will issue an information subpoena for a fee, will assist you with the preparation and use of the information subpoena, will sign the information subpoena, and also may provide a pre-printed questionnaire to include as part of the subpoena. The small claims clerk cannot, however, give you legal advice or make a specific determination whether particular assets may be taken or may be exempt. You also may purchase the necessary forms from a legal supply store or copy the necessary forms from a legal form book that may be found in any law library.

You may send an information subpoena to the judgment debtor and to any person, corporation or other business that you believe has knowledge about the judgment debtor's assets, such as a telephone or utility company, employer, landlord or bank. You should send the information subpoena, two copies of the written questions and an envelope addressed to yourself with the correct amount of postage. These documents may be sent by regular mail or by certified mail, return receipt requested.

Other Ways to Find A Judgment Debtor's Assets

If you or someone you know has a canceled check given to the judgment debtor, the name of the judgment debtor's bank may appear on the back. You can provide this information to the enforcement officer.

You can check with the New York State Department of Motor Vehicles to find out if the judgment debtor owns a car. If the judgment debtor owns a car, the enforcement officer can take it and sell it to pay your judgment. You must give the enforcement officer the model, year, license plate number and location of the car. If the judgment debtor borrowed money to buy the car, that loan must be paid before you can get any money from the sale. Also, you will have to pay towing and stor-

age fees in advance to the enforcement officer. You should contact the enforcement officer regarding the amount of these fees.

Executions

Once you receive information regarding the location of the judgment debtor's assets, you need to obtain an "execution," which is a document signed by the court clerk or the judgment creditor's attorney, that directs the enforcement officer to take a judgment debtor's property or money. The execution provides information to the enforcement officer regarding the assets you want taken and where they can be found.

Executions are legal documents, and a form for an execution may be obtained from a law library or a legal supply store. There are two types of executions:

"Income Executions" direct the enforcement officer to obtain payment from the judgment debtor's wages until the full amount of your judgment is paid.

"Property Executions" direct the enforcement officer to obtain payment through other means, such as bank accounts or sale of property. Preparation of these documents is not the duty of the small claims clerk or the enforcement officer. You have the responsibility of obtaining and properly preparing execution papers and obtaining the required signature of the clerk or attorney.

If you are preparing an execution for personal property (not real estate or wages) located within the same county as the Small Claims Court in which the judgment was entered, your attorney or the small claims clerk, at the discretion of the judge of that court, may sign the execution papers for issuance. If the personal property is located in a county different from the one in which judgment was entered, contact the County Clerk of that county for information about how to proceed.

WHAT IF THE JUDGMENT DEBTOR OWNS REAL ESTATE?

If the judgment debtor owns real estate, you may be able to collect your judgment when the real estate is sold by putting a "lien" on the property for the amount of the judgment. Ownership of all real property is recorded in the County Clerk's office. In order to put a lien against real property, you must get a "transcript of judgment" from the Small Claims Court clerk and file it with the County Clerk of the county in which the Small Claims Court is located. There is a fee for obtaining a transcript of judgment. You may contact the

County Clerk's office regarding the amount of the fee and how to go about filing a transcript of judgment there.

If the real estate is situated in another county other than the county in which the small claims judgment was entered, a second transcript of judgment will need to be obtained from the County Clerk in whose office the first transcript of judgment was filed. The second transcript of judgment then must be filed with the County Clerk in the county where the real property is located.

If there are other liens filed against the property, they may take priority over yours. A lien against real property is enforceable for ten years and may be extended by special motion to the appropriate County Court. A procedure for forcing sale may be discussed with the sheriff.

HOW MUCH WILL I HAVE TO PAY THE ENFORCEMENT OFFICER?

Enforcement officers generally charge as a fee a percentage of the amount collected. They also may require you to pay certain fees in advance for the expenses required to execute on the property. For example, you must pay the enforcement officer a mileage fee, in advance, for a property execution, and you may have to pay in advance for an income execution. You may wish to contact the enforcement officer to determine the amount of any fees. If you think that you will need the services of an enforcement officer, you may ask that the court include the enforcement officer's fees as a "disbursement" in your case. "Disbursements" are certain out-of-pocket expenses that are granted to the winner of the case. You must be able to verify the amount of any claimed disbursements in order to have them included in your judgment.

If you receive payment directly from the judgment debtor after you hire an enforcement officer, you will still be responsible to the enforcement officer for all fees already paid, plus a percentage of the amount you received. This is true even if you received the payment or came to a settlement without any assistance from the enforcement officer.

ARE THERE ANY OTHER WAYS TO MAKE A JUDGMENT DEBTOR PAY?

If your small claim was based on the judgment debtor's ownership or operation of a car, and your judgment was over \$1,000 and has

remained unpaid for more than 15 days, contact the New York State Department of Motor Vehicles about suspending the judgment debtor's driver's license until your judgment is paid.

If your small claim arises out of the conducting of the judgment debtor's licensed or certified business, and your judgment has remained unpaid for 35 days, you can notify the appropriate state or local licensing authority. Failure to pay a judgment may be considered by the authority as grounds for revoking, suspending, or refusing to grant or renew a license to operate a business. Contact the Department of State with this information.

If the court finds the judgment debtor's business appears to be engaged in fraudulent or illegal acts in the conducting of the business, you have the right to notify the Attorney General, as well as any appropriate licensing or certifying authority.

Prominent state licensing or certifying authorities are listed at the end of this manual. You may wish to contact the local government to get information and addresses of such agencies in the local area.

TREBLE DAMAGES IF THE JUDGMENT DEBTOR HAS FAILED TO PAY THREE OR MORE JUDGMENTS

If a judgment debtor has failed to pay two previously recorded small claims judgments against anyone despite having sufficient resources to pay them, you may be able to sue the defendant for "treble damages" – three times the amount of the damages. You may check with the Small Claims court clerk and the County Clerk to find out if the judgment debtor has other unsatisfied small claims judgments.

WHAT HAPPENS WHEN THE JUDGMENT IS PAID?

The judgment debtor must receive sufficient proof that the judgment is paid in full (or "satisfied").

The judgment creditor should then notify the Small Claims Court, and any court that a transcript of judgment has been filed in, that the judgment has been satisfied. If the judgment was paid through an execution, the enforcement officer will file the satisfied execution with the clerk of the court from which it was issued. The enforcement officer will also mail a copy to the judgment debtor. The judgment creditor is still responsible for notifying the court that the judgment is satisfied. Failure to provide notice of satisfaction in a timely manner may result in penalties.

SOME PROMINENT STATE LICENSING OR CERTIFYING AUTHORITIES:

Department of Agriculture and Markets

- regulatory authority includes the issuing of permits for and licensing of:
- manufacturers, wholesalers and handlers of frozen desserts;
- dealers, brokers and commercial merchants for the sale of farm products;
- milk dealers;
- retail food establishments;
- nurseries and greenhouses;
- food processing establishments;
- refrigerated warehouses, locker plants and fresh foods;
- operators of purebred dog kennels;
- anyone who deals in, handles or transports domestic animals, or operates a livestock auction.

Division of Alcoholic Beverage Control

- issues licenses and permits for the manufacture, distribution and sale of alcoholic beverages within the State.

Banking Department

- the primary regulator for state-licensed and state-chartered financial entities, including domestic banks, foreign agencies, branches and representative offices, savings institutions and trust companies, mortgage bankers and brokers, check cashiers, money transmitters and licensed lenders. The Department also enforces laws and policies dealing with consumer credit and other financial services, the prevention of illegal lending and other consumer abuses.

Commission on Cable Television

- issues confirmation certificates for new franchises, renews franchises and terminates franchises.

Education Department

- licenses certain trade and businesses, as well as computer-training facilities throughout the State. It registers all post-secondary educational programs.

The Education Department also licenses approximately thirty professions, including the following:

- Physicians and physician's assistants
- Physical therapists
- Dentists and dental hygienists
- Optometrists
- Chiropractors
- Veterinarians
- Pharmacists
- Accountants
- Interior designers
- Nurses
- Podiatrists
- Engineers
- Acupuncturists
- Architects
- Psychologists
- Social workers
- Teachers

Department of Environmental Conservation

- principal regulatory programs include: water and air pollution control; radioactive waste control; solid and hazardous waste management; waste transport; mining; public water supply; dams; and protection of freshwater and tidal wetlands, streams and navigable waters. The Department also regulates mining and the extraction and underground storage of gas and oil.

Insurance Department

- issues licenses and permits, conducts examinations and administers fines relating to insurance companies, agents, brokers and adjusters, consultants, reinsurance intermediaries and bail bondsmen.

Judicial Branch

Four Departments of the Appellate Division

- conduct proceedings to admit, suspend or disbar attorneys who wish to practice or are practicing law in New York State courts.

Department of Labor

- has regulatory jurisdiction in the areas of employee safety and health, employee earnings, and employee coverage under unemployment insurance; issues licenses for asbestos operations, crane operators, explosives and blasting companies and amusement park rides.

Division of the Lottery

- licenses sellers of lottery tickets.

Department of Motor Vehicles

- regulates the registration and titling of motor vehicles and issues driver's licenses.

The Department also licenses or registers:

- Inspection stations
- Driving schools and instructors
- Repair shops
- Dealers and transporters
- The vehicle salvage industry
- Snowmobiles, all-terrain vehicles, motorboats

Public Service Commission

- has the power of general supervision of all gas, electric, and waterworks corporations, and telephone and telegraph lines. Approves rates for privately owned gas, electric, steam, telephone, telegraph, radio telephone and waterworks corporations.

Racing and Wagering Board

- issues licenses to owners, trainers, assistant trainers, jockeys, drivers, jockey's agents, veterinarians, farriers, grooms and race track employees involved in thoroughbred, harness and quarter horse racing. The Board also issues licenses required to conduct a race meeting with pari-mutual wagering, issues licenses to suppliers and renters of bingo and games-of-chance equipment, and issues identification numbers to those conducting games-of-chance, raffle or bingo operations. It also regulates off-track betting facilities and casinos.

Department of Social Services

- regulates residential foster care of children, day care facilities for children and adults, special care homes for unwed mothers and victims of domestic violence and workshops for the blind.

Department of Taxation and Finance

- issues licenses to wholesale dealers of cigarettes and state lottery ticket vendors.

The Department is also responsible for the registration of:

- Alcoholic beverage distributors
- Motor fuel distributors
- Diesel motor fuel retailers and bulk purchasers
- Owners of diesel motor vehicles
- Flea market promoters
- Vendors required to collect sales tax
- Organizations exempt from sales tax

Department of Transportation

- regulates railroads, bus, and moving and trucking companies. The Department also grants licenses to public utility companies for real estate rights on Department-controlled property.

Department of State

- issues licenses to the real estate and cosmetology industries, private investigators and notaries.

Legal Assistance of Western New York, Inc. ®

We provide free legal aid to people with civil legal problems in western New York.

www.lawny.org



Bankruptcy in New York

Should I file for bankruptcy?

Bankruptcy is usually considered a last resort option. You should only file for bankruptcy after careful consideration of your options. If it is the best way to deal with your financial problems, filing for bankruptcy may be for you. This article cannot explain every aspect of the bankruptcy process. If you still have questions after reading it, you should speak with a bankruptcy lawyer.

What is bankruptcy?

Bankruptcy is a legal proceeding in which a person who cannot pay his or her bills can get a fresh financial start. The right to file for bankruptcy is provided by federal law, and all bankruptcy cases are handled in federal court. Filing bankruptcy immediately stops all of your creditors from seeking to collect debts from you, until your debts are sorted out according to the law.

What can bankruptcy do for me?

By filing for bankruptcy you may be able to discharge your debts, giving you a fresh financial start. You may also be able to temporarily stop a tax or mortgage foreclosure on your home, prevent a car from being repossessed, or stop your wages from being garnished to collect on a debt.

What can bankruptcy not do?

Bankruptcy cannot cure every financial problem. Nor is it the right step for every individual. If you owe money on your mortgage or car loan, for example, you usually have to still make payments to those creditors in order to keep the home or car. In a bankruptcy, you can force these secured creditors to take payments over time, but again you generally cannot keep the collateral unless you continue to pay the debt. Bankruptcy will also not let you discharge certain types of debts, such as child support, alimony, most student loans, court restitution orders, criminal fines, and

some taxes. Bankruptcy may not let you discharge debts that arise after your bankruptcy case has been filed.

What type of bankruptcy should I file?

Most people filing bankruptcy will want to file under either Chapter 7 or Chapter 13. There are other types of bankruptcy which may apply in rare cases, such as if you own a small business or a family farm.

Chapter 7 (Straight Liquidation)

In a bankruptcy case under Chapter 7, you file a petition asking the court to discharge your debts. The basic idea in a Chapter 7 bankruptcy is to wipe out (discharge) your debts in exchange for giving up certain property. You are allowed to keep certain items that are considered "exempt" under the law. But property which is not exempt is sold, and the money from the sale is given to creditors. After your creditors have been paid back from what is available, you will receive a discharge of any remaining debts. In some cases, all of your property may be exempt and there may be nothing the creditors can receive. People in these cases can still receive a bankruptcy discharge.

If you want to keep a home or a car and you are behind on the payments on a mortgage or car loan, a Chapter 7 case probably will not be the right choice for you. Chapter 7 bankruptcy does not eliminate the right of mortgage holders or car loan creditors to take your property to cover your debt. You also have to fall below a certain income level to file for a Chapter 7 bankruptcy. This is called the "means test." If you make too much money and you don't pass the means test, you can still file for a Chapter 13 bankruptcy case.

Chapter 13 (Debt Adjustment)

In a Chapter 13 case you file a "plan" showing how you will pay off some of your debts over three to five years. A Chapter 13 case will allow you to keep valuable property, which might otherwise be lost, such as your home and car, if you can make the required payments to your creditors. In most cases, these payments will be at least as much as your regular monthly payments on your mortgage or car loan, with some extra payment to get caught up on the amount you have fallen behind.

To file a Chapter 13 case, you will need to have enough income to pay for your necessities and to keep up with the required payments as they come due.

When should I not file for bankruptcy?

You should get specific advice from an attorney to determine if bankruptcy is right for you. But in general, bankruptcy may not be right for you in the following situations:

- Your debts are not dischargeable in bankruptcy (child support, some student loans, criminal fines, etc.);
- You have not filed all of your required income tax returns;
- You are considered “judgment proof” (all of your assets and income are exempt from collection--see the exemptions below);
- You are likely to get into debt again soon after your discharge;
- You have a lot of non-exempt property that you do not want to lose in bankruptcy.

Again, every situation is different, so you should talk to a bankruptcy attorney to see if bankruptcy is right for you.

How much does it cost to file for bankruptcy?

As of January 2018, it costs \$335 for court fees to file for bankruptcy under Chapter 7 and \$310 to file for bankruptcy under Chapter 13. The court will not likely waive the filing fees even if you are very low income. You may be allowed to pay the filing fee in installments if you cannot pay all at once. In addition to the filing fee, you will likely have fees for an attorney as well. Although you do not need an attorney to file a bankruptcy case, it can be very difficult to go through bankruptcy without an attorney.

What do I have to do before I file for bankruptcy?

You have to go through an approved credit counseling session within 180 days before your bankruptcy case is filed. You have to file a certificate from an approved agency stating that you completed the counseling session with the bankruptcy forms in your case. A list of approved credit counseling agencies can be found at the website for the United States Trustee Program office at www.usdoj.gov/ust. Your bankruptcy attorney should be able to help you find an agency as well.

What property can I keep in bankruptcy?

In a Chapter 7 case, you can keep all property which the law says is "exempt" from the claims of creditors. There are different exemptions under Federal and State law. You can choose between your exemptions under New York State law or under Federal law.

As of January 2018, New York exemptions include:

- \$82,775 in equity in your home (the amount is higher in some counties in the Eastern part of NY);
- \$4,425 in equity in your car;
- Most clothing, furniture and household goods, including a TV and computer;
- \$3,330 in things you need for your job (tools, books, etc.);
- \$1,100.00 in any property or cash, if you do not have an exemption for your home;
- Certain benefits such as child support, Social Security, SSI, Social Security Disability, unemployment insurance benefits, veteran's benefits, public assistance, retirement funds and pensions--regardless of the amount you receive.

The amounts of the exemptions are doubled when a married couple files together.

In determining whether property is exempt, you must keep a few things in mind. The value of property is not the amount you paid for it, but what it is worth now. Furniture and cars may be worth a lot less now than what you originally paid or what it would cost to buy a replacement. You also only need to look at your equity in property. Equity is the amount the property is worth minus any money that you owe on mortgages or liens. For example, if your house is worth \$150,000 and you owe \$100,000 on your mortgage, you have \$50,000 of equity in your home.

Again, if you have a mortgage or loan on your home or car, you will likely have to make payments to those creditors in order to keep the home or car in bankruptcy. Read on for more information.

What will happen to my home and car if I file for bankruptcy?

You may be able to keep your home and your car if you file for bankruptcy, but this depends on your situation. If you own your car or home outright and it qualifies for an exemption (see above), you may be able to keep the home or car in a bankruptcy.

If you do not own your home or car outright, your creditors may have a "security interest." Creditors can have security interests in your home, car, or other personal property. This means that you gave that creditor a mortgage on the home or put your car or other property up as collateral for the debt. If you don't make your payments on this type of secured debt, the creditor may be able to take and sell the home or car, during or after the bankruptcy case. There are several ways that you can keep collateral or mortgaged property after you file bankruptcy. You can agree to keep making your payments on the debt until it is paid in full, or you can pay the creditor the amount that the property you want to keep is worth.

If you have a mortgage on a home or a car loan and you want to keep this property in a bankruptcy case, you should talk to an attorney. If you want to discharge your mortgage or car loan, you may be able to do so in bankruptcy, but you will likely lose the property.

Can I own anything after I file for bankruptcy?

Yes! Many people believe they cannot own anything for a period of time after filing for bankruptcy. This is not true. You can keep your exempt property and anything you obtain after the bankruptcy is filed. However, if you receive an inheritance, a property settlement, or life insurance benefits within 180 days after filing for bankruptcy, that money or property may have to be paid to your creditors if the property or money is not exempt. Your bankruptcy filing also should be carefully timed if you expect a large income tax refund.

Will bankruptcy wipe out all of my debts?

It depends. Bankruptcy will not normally wipe out:

- child support or alimony;
- court fines;
- criminal fines or restitution;
- some taxes;
- debts not listed on your bankruptcy petition;
- loans you got by knowingly giving false information to a creditor;
- most student loans, unless the court decides that payment would be an undue hardship;
- mortgages and other liens which are not paid in the bankruptcy case (but bankruptcy may wipe out your obligation to pay any additional money if the property is sold by the creditor);
- amounts charged to credit cards during the few months immediately before you file bankruptcy.
-

Will I have to go to court?

In most bankruptcy cases, you only have to go to a proceeding called the "meeting of creditors" to meet with the bankruptcy trustee and any creditor who chooses to come. Most of the time, this meeting will be a short and simple procedure where you are asked a few questions about your bankruptcy forms and your financial situation.

Occasionally, if complications arise, or if you choose to dispute a debt, you may have to appear before a judge at a hearing. If you need to go to court, you will receive notice of the court date and time from the court and/or from your attorney.

What else do I have to do to complete my bankruptcy case?

After your case is filed, you must complete an approved course in personal finances. This course will take you about two hours to complete. Your attorney can give you a list of organizations that provide approved courses, or you can check the website for the United States Trustee Program office at www.usdoj.gov/ust. In a Chapter 7 case, you should sign up for the course soon after your case is filed. If you file a Chapter 13 case, you should ask your attorney when you should take the course.

Will bankruptcy affect my credit?

Yes. Bankruptcy can have long-term negative consequences on your credit rating. Unfortunately, if you are behind on your bills, your credit may already be bad. A bankruptcy discharge can appear on your credit report for ten years. But since bankruptcy wipes out your old debts, you may be in a better position to pay your current bills, and you eventually may be able to get new credit.

How do I find a bankruptcy attorney?

As with any area of the law, it is important to carefully select an attorney who will respond to your personal situation. The attorney should not be too busy to meet you individually and to answer questions as necessary.

The best way to find an experienced bankruptcy attorney is to seek recommendations from family, friends or other members of the community, especially any attorney you know and respect. You should carefully read retainers and other documents the attorney asks you to sign. You should not hire an attorney unless he or she agrees to represent you throughout the case.

If you still need help finding a bankruptcy attorney, you can contact the New York State Bar Association Attorney Referral and Information Service at 1-800-342-3661 to find an attorney in your area. Be aware that an attorney referred by this service may charge up to \$35.00 for an initial 30 minute consultation.

In bankruptcy, as in all areas of life, remember that the person advertising the cheapest rate is not necessarily the best. Many of the best bankruptcy lawyers do not advertise at all.

When first meeting a bankruptcy attorney, you should be prepared to answer the following questions:

- Who do you owe and how much?
- What types of debt are causing you the most trouble?
- What are your significant assets?
- How did your debts arise and are they secured?
- Is your property about to be repossessed or foreclosed on?
- What are your goals in filing the case?

Can I file a bankruptcy case without an attorney?

Although it may be possible for some people to file a bankruptcy case without an attorney, it is not a step to be taken lightly. The process is difficult and you may lose property or other rights if you do not know the law. It takes patience and careful preparation. Chapter 7 (straight liquidation) cases are somewhat easier. Very few people have been able to successfully file Chapter 13 (debt adjustment) cases on their own.

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This article provides general information about this subject. Laws affecting this subject may have changed since this article was written. For specific legal advice about a problem you are having, get the advice of a lawyer. Receiving this information does not make you a client of our office.

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<http://www.lawny.org/node/80/bankruptcy-new-york>

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HOUSING AND EVICTION

For More Information

Volunteer Lawyers Project

www.onvlp.org

315-471-3409

Hiscock Legal Aid Society

351 South Warren Street, Syracuse, NY 13202

315-422-8191

Legal Services of Central NY

221 South Warren Street, 3rd Floor

315-703-6500

Legal Helpline: 877-777-6152

Fair Housing Council of Central New York

713 James Street, Suite 200, Syracuse, NY 13202

315-471-0420

City of Syracuse Code Enforcement

315-448-8695

Greater Syracuse Tenants Network

315-475-8092

Housing Vulnerable – high lead, code unfit – electric turn off:

Contact Patty Lynch 448-8031

Catholic Charities – 315-378-4054

Department of Social Services

Emergency Temporary Assistance

315-435-2526

Emergency Rental Assistance

Salvation Army – 315-479-1307

Catholic Charities – 315-424-1800

Onondaga County DSS – 315-435-2526

Veteran Housing Assistance

1-877-424-3838 (1-877-4AID-Vet)

Civil Court, Small Claims

Rm130, City Court, 315-671-2782

Tenant's Guide

Preparing For Your Landlord/Tenant Court Hearing



A Service Provided By:

Volunteer Lawyers Project of Onondaga County

Providing free legal help to low-income tenants

every day in Syracuse City Court.

www.onvlp.org (315) 471-3409

I'VE BEEN SERVED EVICTION PAPERS, HOW DO I PREPARE FOR COURT?

- ☐ ***Petition and Demand for Rent:*** Bring the papers you were served with by your landlord: The Petition to come to court and any attachments, and any written Demand for Rent or Notice to Terminate Tenancy.
- ☐ ***Lease:*** Bring a copy of your lease, if you have one.
- ☐ ***Proof of Payment:*** Bring rent receipts, cancelled checks or copies of money orders.
- ☐ ***Problems with your apartment or building:*** Make a list of all your apartment/building problems—Examples: problems with heat, hot water, mold. **The more specific the better!** Bring any proof from Syracuse City Codes describing these problems.
- ☐ ***Pictures:*** Take pictures of problems in your apartment or building. Put the **date** the picture was taken. Even pictures on your phone are better than nothing.
- ☐ ***Payments for Repairs:*** Bring receipts for labor and materials for any repairs that you made.
- ☐ ***Communications with your Landlord:*** Bring any letters, text messages, or other documents you sent to your Landlord.
 - Make a list of the dates on which you talked with the landlord (or other building staff) about problems in your apartment/building & what you said.
HELPFUL TIP: send a follow-up letter by certified mail, return receipt requested, to your landlord about these conversations so you have proof.

HOW CAN I PROTECT MY RIGHTS AS A TENANT?

- ☐ **NEVER IGNORE LEGAL PAPERS!**
- ☐ **Read your lease!** Know what you are signing and question what you do not understand.
- ☐ Double-check the date, time, and location of your court appearance.
- ☐ In most cases you can't live rent free, even if there are Code problems. The Judge will probably say some amount of rent must be paid each month.
- ☐ ***Repairs:*** You must personally let your Landlord know of any safety or repair problems. In **writing** is the best.
- ☐ If you are withholding rent because the Landlord won't make necessary repairs, be sure to call Syracuse City Code Enforcement for an inspection.
- ☐ Landlords are required to give each tenant a **receipt** upon payment of either cash or money order rent payments. If you are not given one, **ASK FOR IT!**
 - **Receipts:** must include (1) *date* of payment, the (2) *amount* paid, the (3) *identity* of premises (address), (4) *period of the time* for which it is being paid, & the (5) *signature and title* of the person receiving rent.
- ☐ Have more questions? Subsidized housing – call Legal Services of CNY. Private pay – call Hiscock Legal Aid. See their numbers on the back.



Tenant's Guide



After Your Landlord/Tenant Court Hearing

WHAT HAPPENED IN COURT? WHAT DID THAT ALL MEAN?

- ☐ **Order Warrant:** You must be out of the “premises” (apartment or house) by a **specific date**—the Judge decided this date.
 - The warrant must be put on your door by the Marshall from the Sheriff's Office, at least **72-hours** before you must leave the premises. The Marshall will *not* post warrants on the weekends and no lock outs on weekends.
 - Only the Marshall can make you leave, not the landlord. If the landlord locks you out, call the police and Hiscock Legal Aid.
- ☐ **“Date Issued”:** the date the warrant is issued is the earliest date the warrant can be posted to your door.
- ☐ **“Date of Execution”:** the date you must leave the premises. *NOTE: If the warrant has not been posted on your door, you have until the end of **72-hours** to leave from the time & date the Marshall posts the warrant on your door.
 - **Is the Order Warrant “stayed”?** The Judge can sign the order for the eviction but you have until the “stayed” date of execution before the Marshall can lock you out.
- ☐ **Order Warrant Judgment:** You must be out by a certain date AND you owe money that can become a money judgment against you if not paid.
- ☐ **Payment Plan = “Pay to Stay”:** Often we work out a payment plan for you to get caught up on past due rent, and the Judge includes in the order that **“if you pay, you stay.”** You must make all payments by the agreed upon times. If you miss a payment, the Landlord can have the Eviction Warrant issued and executed. ***There may be help available for paying your past due rent. See resources on other side.***

AFTER COURT, WHAT'S NEXT?

Get a copy of your Cover Sheet. Either today or in the Clerk's Office Rm. 130 of the Syracuse City Court.

What about the Security Deposit? Any dispute regarding your security deposit is a matter for Small Claims Court, NOT Landlord-Tenant Court. You can get a Petition to in Rm. 130 of Syracuse City Court.

What if there are code violations (no heat, mold, broken windows, etc.)? Call Syracuse City Code Enforcement at (315) 448-8695. If you notify City Officials they can record the violations and tell your Landlord repairs are needed. Your Landlord cannot evict you for calling Code Enforcement.

Need help paying past due rent? See resources on other side.

Judge's Order:

VOLUNTEER
LAWYERS PROJECT
OF ONONDAGA COUNTY, INC.

www.onvlp.org
housing@onvlp.org
315-579-2577 housing
315-471-3409 general

TENANT RESOURCES

FREE LEGAL HELP

- **Volunteer Lawyers Project of Onondaga County:** If we were your lawyer at court and now your Landlord is not doing their part of the deal, call us. Examples: refusing rent, locked out, etc. Call 315-471-3409 for general line or 315-579-2577 for housing and eviction.
- **Legal Services of Central New York:** Assists tenants who live in public housing or have section 8 with Landlord/Tenant matters. 1-877-777-6152 or 221 S. Warren St., 3rd Fl., Syracuse
- **Hiscock Legal Aid Society:** Assists tenants in Syracuse who do not live in public housing or have section 8 with Landlord/Tenant matters. 315-422-8191 or 351 S. Warren St., Syracuse.
- **CNY Fair Housing:** Helps tenants facing discrimination in housing. 315-471-0420

ONONDAGA COUNTY DSS ***MUST FINANCIALLY QUALIFY***

*Go in person to the DSS Office with your cover sheet and proof of income:
2nd Floor, 421 Montgomery St., Syracuse NY. Call 315-435-2700 for more information.*

- **Payment of Back Rent to Avoid Eviction**
- **Payment of Security Deposit or First Month's Rent for a New Apartment**
- **Moving Allowance:** provides payment of a rental of van, possibly even help by a mover.
- **Emergency Storage:** provides payment to store personal belongings for 30 days.

OTHER RENTAL ASSISTANCE & HOUSING HELP

- **Catholic Charities:** May provide 1st month rent, security deposit, & help finding an apartment. Call 315-378-4054
- **Salvation Army:** May provide 1st month rent, security deposit. 315-479-3626
- **Veteran Housing Assistance:** Provided by Catholic Charities. 315-378-4054 x10 or email [SSVF@ccoc.us](mailto:ssvf@ccoc.us).

OTHER TENANT & HOUSING RESOURCES

- **Greater Syracuse Tenants Network:** Education and info about tenants rights. 315-475-8092 or www.syracusetenant.org — they have the Tenant's Rights Handbook and a Bed Bug Brochure
- **Code Enforcement of City of Syracuse:** 315-448-8695
- **High Lead, No Water, No Electric, No Heat:** Call Patty Lynch at 315-448-8031
- **Security Deposits:** Fill out a petition for SMALL CLAIMS in Syracuse City Court. Get petition in room 130 of Syracuse City Court, 505 S. State St., Syracuse, NY
- **Guide to Small Claims:** <http://www.nycourts.gov/courthelp/pdfs/SmallClaimsHandbook.pdf>

Defending Evictions in Five Minutes

Common Terms

Non-payments: Where the tenant has not paid rent;

Holdovers: Where the landlord alleges that the lease has terminated (usually because the landlord terminated the tenancy with a one month notice) and the tenant is still occupying the premises.

Defenses

1. Contents of the Petition

- a. **Improper Notice:** Petition and Notice must be filed with the court within 3 days after Service. [see RPAPL § 735]
- b. **Improper Timing of Service:** Petition and Notice must be serviced at least 5 days and not more than 12 days before date of hearing. [see RPAPL § 733]
- c. **Jurisdictionally Defective:** A petition containing incorrect information regarding material facts and fails to allege a landlord-tenant relationship, the terms of the lease, facts justifying the landlord's termination of tenancy or manner in which or the date when the lease was terminated is jurisdictionally defective. *Higbie v. Ripka*, 2002 Slip Op 50018U (3RD Dist. 2002)
- d. **Insufficiently Described Pleading:** Petition must state facts. Must comply with RPAPL § 741, i.e. petition must be accurate and specific to enable an enforcement officer to restore possession to the proper premises.

2. Petition Brought by Unauthorized Agent [See RPAPL § 721]

- a. As of 1977, petitions may not be brought by agents, per *Gilman v. Kipp*, 136 Misc. 2d 860.
- b. A corporation shall appear by attorney in a civil action. CPLR § 321.

3. No Demand of Rent in a Nonpayment Proceeding [See RPAPL § 711(2)]

- a. Rent demand does not have to be in writing, unless the lease requires it to be in writing. Or is required by the lease, he/she must ask Tenant to pay up or get out in 3 days and must serve the demand in the same way as the petition. Refer to RPAPL § 735.
- b. Demand for rent is a condition precedent to the commencement of a summary proceedings for nonpayment, even if there is a lease provision expressly stating that no demand is needed. It is against public policy to waive this right. *PAK Realty Associates v. RE/MAX Universal, Inc.*, 599 NYS 2d 399.

4. Breach of Warranty of Habitability [See RPL § 235(b)]

- a. Every residential landlord in NY is presumed by this statute to warrant in the rental agreement or lease, whether written or oral, that the rented premises (including common areas) are free from conditions that are dangerous, hazardous or detrimental to life, health or safety of tenants and that the premises are fit for human habitation and for the uses reasonably intended by the parties. Does not need to be a code violation.
- b. Even if lease provides, tenant is not required to give notice in writing because warranty is nonwaivable or modifiable. Doing so is considered contrary to public policy. *Vanderhoff v. Casler*, 91 AD 2d. 49 (3RD Dept. 1983)
- c. Warranty does not apply if the condition has been caused by the tenant or persons under his/her control.

5. Constructive Eviction

- a. If Tenant can establish necessity to vacate the premises because of lack of services or landlord's failure to make repairs, the tenant is totally excused from the obligation to pay rent. *Barash v. The Pennsylvania Terminal*, 26 NY2d 77
- b. Requires Tenant to vacate the premises and thereby run risk of continuing liability for the unpaid rent if the Court does not agree that conditions were serious enough to justify vacating the premises.

6. Retaliatory Eviction [See RPL §223(b)]

- a. Sets up a rebuttable *presumption* that the landlord is retaliating if the landlord serves a Notice to Quit or brings an action to recover his/her property or substantially alters the terms of tenancy within 6 months after the good faith complaint has been made by tenant to a government authority.
- b. Landlord must provide credible explanation of a non-retaliatory motive for his acts.
- c. This defense does not apply to owner occupied dwellings of fewer than 4 units, nor if the condition complained about was caused by the tenant

7. Improper Termination of Lease [See RPL § 232(b)]

- a. "Termination Notice must be Clear, Unambiguous, and Unequivocal." *City of Buffalo Urban Renewal Agency v. Lane Bryant*, 90 A.D.2d 976, 456 N.Y.S.2d 568 N.Y.A.D., 1982.
- b. Only under a Month to Month Tenancy, the termination must be given BEFORE the 1st of the month.
- c. Landlord must give Tenant *full* month's notice, not just 30 days.

8. Landlord's Acceptance of Rent [See RPAPL § 711(1)]

- a. Where Landlord terminates a tenancy but accepts rent for a period after the termination date but before commencing a holdover proceeding, this results in nullification of the Landlord's Termination proceeding. *Associated Realities v. Brown*, 146 Misc. 2d 1069.
- b. Landlord may not refuse a timely tender of rent. *Albany v. White*, 46 Misc. 2d 915 (NYC Civil 1965)

9. Petition brought on Insufficient Grounds

- a. If no proof that parties entered into agreement to pay rent, then a nonpayment proceeding does not lie against Tenants who hold over after the lease expires. *Whalen v. Veltre*, 2002 NY Slip Op 40081U.

10. Soc. Ser. Law § 143

- a. Defense where Department of Social Services has issued a stop payment order for recipients of public assistance for violations of the housing code which are dangerous, hazardous, or detrimental to life or health. Landlord is not entitled to an order or judgment awarding possession of the premises based on nonpayment of rent for any period when such violation is outstanding.

Sources of Law

- Real Property Actions and Proceedings Law: Article 7, Sections 701-767
- Real Property Law: Article 7, Sections 220- 238
- Civil Practice Law and Rules: Fills in gaps when the above laws are silent

Remedies

- Summary Eviction Proceedings are special in that they permit only very limited relief.
 - Landlord is only entitled to expenses in the amount of rent owed, unless the lease agreement specifies otherwise.
 - Purpose: Eviction proceedings are principally used to determine right of possession and permits judgment for rent or for the fair value of the use and occupancy [not much else].
- RPAPL § 853: New York's Unlawful Entry and Detainer Statute, allows for triple damages.
 - Although a landlord of commercial premises may avail itself of a lease provision reserving a right of reentry upon the leased space following a tenant's breach of its obligation to pay rent, such reentry, if a person is disseized, ejected, or put out of real property in a forcible or unlawful manner, or, after he has been put out, is held and kept out by force or by putting him in fear of personal violence or by unlawful means, he is entitled to recover treble damages in an action therefore against the wrong-doer. *Lee v. Park*, 2005, 16 A.D.3d 986, 793 N.Y.S.2d 214
- Remedy for Breach of the Warranty: Difference between the fair market value of the premises is they had been as warranted [i.e. rent under the lease] and the value of the premises during the breach. Tenant is entitled to reduction of rent for each and every month apartment violates the warranty. *Park West Management v. Mitchell*, 47 NY2d 316.
- Petition Reformation: Court may be likely to permit landlord time to reform the defective petition.

Tenants' Rights

A Handbook for Syracuse Tenants



Prepared by the Coalition for Effective Code Enforcement

Substantial portions of this Handbook are reprinted from the publication
Tenants' Rights, prepared by the Office of the Attorney General,
New York State Department of Law.



Revised April 2016

Various parts of this document provide broad legal descriptions of legal procedure. However, no part of this manual should be regarded as legal advice. If you need legal advice, seek the services of a competent attorney. Also, laws change. Information that is accurate at the time of printing may be rendered obsolete by the passage of new laws or revised judicial interpretations of existing laws.

Este documento también esta disponible en español. Si tiene algún problema entendiendo este panfleto, pongase en contacto con el Departamento de Vivienda de La Liga de Acción Hispana – 475-6153

This Handbook is based upon the publication *Tenants' Rights*, prepared and copyrighted by the New York State Department of Law, which has granted permission to use portions of that publication as part of this Handbook. This Handbook was prepared by the Frank H. Hiscock Legal Aid Society in conjunction with the Coalition for Effective Code Enforcement. This handbook was prepared with the assistance of Legal Services of Central New York.



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Tenants' Rights

In New York State, tenants' rights are protected by a variety of federal, state and local laws. The Multiple Residence Law, Real Property Law, New York State Uniform Fire Prevention and Building Code (NYSUFPBC), and Real Property Actions and Proceedings Law cover Syracuse and the towns and villages of Onondaga County. The Property Conservation Code of the City of Syracuse applies only in the City of Syracuse. These and other laws are cited, where they apply.

Living Conditions

Warranty of Habitability

Tenants are entitled to a livable, safe and sanitary apartment. Lease provisions inconsistent with this right are illegal. Failure to provide heat or hot water on a regular basis or to rid an apartment of insect infestation are examples of a violation of this warranty. This warranty also applies to a building's public areas and to cooperative apartments (Real Property Law § 235-b).

If a landlord breaches the warranty, the tenant may sue for a rent reduction. The tenant may also withhold rent, but in response, the landlord may sue the tenant for non-payment of rent. In such a case, the tenant may counter sue for breach of the warranty.

Rent reduction may be ordered if a court finds that the landlord violated the Warranty of Habitability. The reduction is computed by subtracting from the actual rent the estimated value of the apartment without the essential services.

Tenants who withhold rent to induce landlords to make repairs should be sure to reserve the rent; that is they should not spend it. If they do not hang on to the rent money, they may face eviction even though they prove there has been a breach of the warranty of habitability. This is because the value of the breach usually does not totally cancel out the rent obligation and because the court will probably require the tenant to pay the difference immediately upon determining how much rent should be reduced.

For example, suppose that the tenant withholds monthly rent of \$450; the landlord sues to evict; the court values the proven breach of the warrant of habitability at 10% for each of 3 months that the condition has existed, or \$135. If the tenant is not prepared to pay the difference between the rent owed and the rent reduction allowed (\$450 - \$135 = \$315), then the court could issue an order and warrant of eviction and a money judgment in the reduced amount (i.e., for \$315).

The Warranty is not automatically breached if a building's condition violates a statute, regulation or provision of the Syracuse Property Conservation Code. Conversely, the fact that a building or apartment has not been inspected or cited by a governmental authority does not mean there is no violation of the warranty. A judge makes the final determination as to whether or not the landlord has violated the Warranty of Habitability, if the rent should be reduced and the amount if any the rent should be reduced. Tenants should bring the rent to court with them to pay the amount due after the Judge's determination.

Landlord's Duty of Repair

All landlords are required to maintain electrical, plumbing, sanitary, heating and ventilating systems in good and safe working order. Landlords must also keep in good working order appliances they install, such as refrigerators and stoves. Landlords must keep the buildings' public areas in "good repair." Landlords also have a legal duty to keep every part of a dwelling clean and free of vermin, dirt, garbage and other offensive material (Multiple Residence Law § 174).

All landlords of property located in the City of Syracuse must maintain their premises in accordance with the Syracuse Property Conservation Code (PCC). Generally, the PCC requires landlords to keep buildings and open areas hazard free; keep their property free of insects, vermin, and rodents; and maintain adequate facilities for the collection, storage, handling, and disposal of garbage and rubbish (PCC §§ 27-71, 27-72 through 27-75).

In an emergency, tenants may make necessary repairs and deduct reasonable repair costs from the rent. For example, when a landlord has been notified that a door lock is broken and willfully neglects to repair it, the tenant may hire a locksmith and deduct the cost from the rent. Tenant should keep receipts of money paid for said repairs.

The PCC authorizes the tenant to make repairs that will correct violations of the PCC only after the City gives the landlord notice of the violation and the violation is not repaired within the time allowed by the City of Syracuse (PCC § 27-114).

Code Enforcement

Tenants should bring complaints to the attention of their local housing officials. In the City of Syracuse call the **Department of Neighborhood and Business Development – Division of Code Enforcement at 448-8695**.

To check on any existing code violations on a property, you can call the Division of Code Enforcement at (315) 448-8695. Recent citations can also be viewed online at <http://ipsweb.syr.gov.net>.



Lead Paint

Landlords may not use paint containing more than .06% metallic lead inside a building and in any location accessible to children (PCC § 27-77).

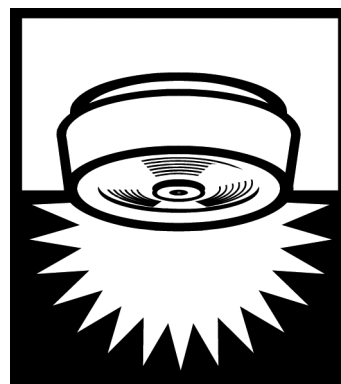
On March 6, 1996, the EPA and HUD published a rule which requires persons selling or leasing most residential housing built before 1978 to provide purchasers and renters with a federally approved lead hazard information pamphlet and to disclose known lead-based paint and/or lead based paint hazards. The pamphlet is *Protect Your Family from Lead in Your Home*. To obtain a copy call the National Lead Information Clearinghouse at 800-424-LEAD.

The **Onondaga County Health Department's Lead Poisoning Division (435-3271)** will answer questions concerning how and where to get children tested for lead poisoning.

Rental Registry

Pursuant to the Syracuse Property Conservation Code, landlords are required to register their name and address with the City if they do not live on the leased premises. If the landlord lives outside of Onondaga County, the landlord must give the name and address of an individual who will be responsible for repairs (PCC § 27-11(C)).

Tenants should bring complaints to the attention of their local housing officials. In the City of Syracuse call the **Department of Neighborhood and Business Development – Division of Code Enforcement at 448-8695**.



Smoke Alarms

The following locations in an apartment are required to have smoke alarms: on the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms, and in each room used for sleeping purposes and each story within a dwelling unit including basements and cellars (PCC § 27-43(D), NYSUFPBC – Property Maintenance Code of New York State § 704 and Fire Code of New York State § 907).



Door Locks and Safety

Apartments in Syracuse must have suitable locking devices (PCC § 27-65). Tenants who are victims of crimes in their building or apartment, and who are able to prove that the criminal took advantage of the landlord's failure to make the building reasonably safe, may be able to recover personal and property damages from the landlord.

Leases

Generally

A lease is a contract between a landlord and tenant which contains rental terms and conditions. It cannot be changed while in effect unless both parties agree. A lease may be oral or written. However, an oral lease for more than one year cannot be enforced (General Obligation Law § 5-701).

Tenants who lease apartments must negotiate the rent, the duration of the lease, and the conditions of occupancy with their landlords. These matters must also be negotiated when a lease is up for renewal unless a lease contains an automatic renewal clause.

Since an automatic renewal clause can be a trap for unwary tenants, landlords are required to give tenants advance notice of the existence of such a clause. Landlords must give this notice between 15 and 30 days before a tenant is required to notify the landlord of an intention to terminate the lease (General Obligation Law § 5-905).

Unless the lease states otherwise, the landlord is obligated to make the apartment available to the tenant at the beginning of the tenancy. If the landlord fails to do so, the tenant has the right to cancel the lease and obtain a full refund of any deposit (Real Property Law § 223-a).



Plain English Requirement

Leases must use words with common and everyday meanings and must be clear and coherent. Sections of leases must be appropriately captioned and the print must be large enough to be read easily (General Obligations Law § 5-702; C.P.L.R. § 4544).

Unconscionable Lease Clauses

Most landlords use printed form leases which they ask tenants to sign on a take-it-or-leave-it basis. The law does not require that any particular lease be used. Since tenants often have no meaningful opportunity to reject lease provisions, the courts may refuse to enforce a provision found to be unreasonably favorable to the landlord (Real Property Law § 235-c). Nevertheless, read your lease and all riders carefully before you sign. Do not rely on oral promises; make sure that all promises and agreements are written in the lease before signing it. It is wise to consult an attorney if you have any questions about your lease.

Landlord's Negligence

Lease provisions which exempt landlords from liability for injuries to persons or property caused by the landlord's negligence or that of his employees are not valid. Further, a lease provision that waives the tenant's right to a jury trial in any lawsuit against a landlord for personal injury or property damage is also null and void. (General Obligations Law § 5-321; Real Property Law § 259-c).

Security Interest in Household Effects

A lease provision which requires a tenant to pledge his/her household furniture as security for rent is void (Real Property Law § 231).

Attorney's Fees

If a lease states that the landlord is entitled to collect attorneys' fees from the tenant if the landlord successfully sues the tenant, then the tenant automatically has the same right to recover reasonable attorneys' fees and expenses from the landlord if the tenant successfully sues the landlord (Real Property Law § 234).

Month-to-Month Tenants

Tenants who do not have written leases and pay rent on a monthly basis are called month-to-month tenants. Tenants who stay past the end of a lease are also treated as month-to-month tenants if their landlord accepts their rent.

Either party may terminate a month-to-month tenancy by giving notice at least one month before the expiration of the term. For month-to-month tenancies expiring at the end of the month, a notice provided on the last day of the month prior to the month of expiration would be legally sufficient. The termination notice need not explain why the landlord

seeks possession of the apartment.

A landlord cannot raise the rent of a month-to-month tenant without the consent of the tenant. However, if the tenant does not consent, the landlord can terminate the tenancy by giving appropriate notice.

A termination notice does not automatically allow the landlord to evict the tenant. The landlord must first bring an eviction proceeding in court and prove the case (Real Property Law § 232-b; § 232-c). However, most of the time all the landlord will have to prove is that they gave the tenant a proper termination notice.

Rent

Security Deposits

Virtually all leases require tenants to give their landlord a security deposit. The landlord must return the security deposit, less any lawful deduction, to the tenant at the end of the lease or within a reasonable time thereafter. In Syracuse, within 3 weeks after the lease ends, the landlord must either return the security deposit or make a claim. This claim must be presented to the tenant as a written list identifying, with specificity, each claim to which the security deposit was applied. If the landlord fails to provide the tenant with a written, itemized list during this time period, the tenant is entitled to return of the full amount of the security deposit (PCC § 27-125).

A landlord may use the security deposit only: (a) as reimbursement for the reasonable cost of repairs beyond normal wear and tear, if the tenant damages the apartment; and (b) as reimbursement for any unpaid rent.

The law requires all landlords, regardless of the number of units in the building, to treat the deposit as trust funds belonging to their tenants. Landlords are prohibited from co-mingling the deposits with their own money.

Landlords of buildings with six or more apartments must put all security deposits in New York State bank accounts earning interest at the prevailing rate. Each tenant must be informed in writing of the bank's name and address and the amount of the deposit. Landlords are entitled to annual administrative expense of 1% of the deposit. All other interest earned on the deposit belongs to the tenants. Tenants must be given the option of having this interest paid to them annually, applied to rent, or paid at the end of the lease.

If the building has fewer than six apartments, a landlord who voluntarily places the security deposits in an interest bearing bank account must also pay interest in tenants and may retain the same 1% annual administrative fee. These rules also apply to mobile home parks.

If the building is sold, the landlord must transfer all security deposits to the new owner within five days, or return the security deposits to the tenants. Landlords must notify the tenants, by registered or certified mail, of the name and address of the new owner (General Obligation Law, Article 7).

When problems arise tenants should first try to resolve them with the landlord before taking other actions. If a dispute cannot be resolved, tenants may file a claim in small claims court. For further advice, tenants should contact their attorney, the local Attorney General's office, the Greater Syracuse Tenants Network or a legal services agency.

Rent Receipts

Landlords must provide tenants with a written receipt when rent is paid in cash, a money order, a cashier's check, or in any form other than a tenant's personal check. The receipt must state the payment date, the amount, the period for which rent was paid, and the apartment number. The receipt must be signed by person receiving the payment and state his or her title (Real Property Law § 235-e).

Subletting and Assigning Leases

Generally

Subletting and assignment are methods of transferring the tenant's legal interest in an apartment to another person. A sublet transfers less than the tenant's entire interest while an assignment transfers the entire interest. A tenant's right to assign the lease is much more restricted than the right to sublet.

When a lease agreement is assigned to a new tenant the original tenant's obligation to the landlord is terminated. When there is a sublease the original agreement between the tenant and landlord remains, but a separate agreement between the tenant and subtenant is created.

Assigning a Lease

Unless a greater right to assign is conferred by the lease, the following guidelines apply to lease assignments. A tenant may not assign the lease without the landlord's written consent. The landlord may withhold consent without cause. If the landlord reasonably refuses consent, the tenant cannot assign and is not entitled to be released from the lease. If the landlord unreasonably refuses consent, the tenant is entitled to be released from the lease after 30 days notice (Real Property Law § 226-b).

Subletting an Apartment

Tenants who live in buildings with four or more apartments have the right to sublet with the landlord's advance consent, and the landlord cannot unreasonably withhold consent.

If an apartment is sublet, the original tenant remains liable to the landlord for the obligations of the lease. If the landlord of a building with four or more apartments denies the sublet on reasonable grounds the tenant cannot sublet and the landlord is not required to release the tenant from the lease. A court must decide whether the particular grounds given are reasonable.

If the landlord denies the sublet on unreasonable grounds, the tenant may sublet. If a lawsuit results, the tenant may recover court costs and attorney's fees if a judge rules that the landlord denied the sublet in bad faith. If a landlord's reason for not approving a sublet arrangement is discriminatory (e.g., a landlord refuses to allow a family with children to sublet an apartment formerly occupied by college students), then it is a violation of the fair housing act, and both the original tenants as well as the prospective subletters have standing to sue the property owner.

These steps must be followed by a tenant who lives in a building with four or more apartments wishing to sublet:

- 1) The tenant must send a written request to the landlord by certified mail, return-receipt requested. The request must contain the following information: (a) the length of the sublease; (b) the name, home and business address of the proposed subtenant; (c) the reason for subletting; (d) the tenant's address during the sublet; (e) the written consent of any co-tenant or guarantor; (f) a copy of the proposed sublease together with a copy of the tenant's own lease, if available.

- 2) Within 10 days after the mailing of this request, the landlord may ask the tenant for additional information to help make a decision. Any request for additional information may not be unduly burdensome. Within 30 days after the mailing of the tenant's request to sublet or the additional information requested by the landlord, whichever is later, the landlord must send the tenant a notice of consent, or if consent is denied, the reason for denial. A landlord's failure to send this written notice is considered consent to sublet. A lease clause requiring a tenant to waive the right to sublet is unenforceable. A sublet or assignment which does not comply with the law may be grounds for eviction (Real Property Law § 226-b).

Eviction

To evict a tenant a landlord must sue in court and win the case. Only a sheriff or marshal can carry out a court ordered eviction of a tenant (Real Property Actions and Proceedings Law § 749).

Landlords cannot take the law into their own hands by using force or unlawful means to evict tenants. For example, a landlord cannot use threats of violence, remove a tenant's possessions, lock the tenant out of the apartment, or willfully discontinue essential services such as water or heat (Real Property Law § 235). If you are put out of your apartment without being lawfully evicted, whether it be by force or by the landlord changing the locks to your apartment, call the police. Tell them that your landlord does not have a warrant of eviction and request assistance. After calling the police, you must contact either a private

attorney, or a legal services agency to assist you in regaining possession of your apartment.

A tenant who is locked out of his/her apartment in this manner may recover triple damages in a legal action against the landlord. Tenants should keep receipts of all monies spent because they were illegally evicted.

When a tenant is evicted, the landlord has no right to retain the tenant's personal belongings or furniture. It is wise to immediately consult with an attorney to protect your legal rights if your landlord seeks possession of your apartment. If you cannot afford an attorney contact a legal services agency for assistance. Never Ignore Legal Papers.

Retaliatory Eviction

Landlords are prohibited from harassing or retaliating against tenants who exercise their rights. For example, landlords may not seek to evict tenants, unreasonably raise rent, or curtail services required in the lease agreement solely because tenants (a) make good faith complaints to a government agency about violations of any health or safety laws; or (b)

take good faith actions to protect rights under their lease; or (c) participate in tenants' organizations. In all rental property, except those having four units or less which are owner occupied, tenants may collect money damages from landlords who violate this law (Real Property Law § 223-b; PCC § 27-126).



Tenants' General Rights

Discrimination

Landlords are prohibited from discriminating against tenants by numerous civil rights laws. For example, the Civil Rights Act of 1866 prohibits discrimination based on race or color, and applies to all real property that is sold, leased or conveyed in any way.

Under the Federal Fair Housing Act, as amended, 42 U.S.C. §3601 et seq., landlords may not (1) refuse to rent or negotiate for a dwelling, refuse to renew a lease, or otherwise make unavailable or deny a dwelling to any person, or (2) discriminate in the terms, conditions or privileges of the rental of a dwelling or in the provision of services or facilities in connection therewith, because of a person's race, color, religion, sex, disability, familial status, or national origin.

Under the New York State Executive Law §296, landlords may not (1) refuse to rent or negotiate for a dwelling, refuse to renew a lease, or otherwise make unavailable or deny a dwelling to any person, or (2) discriminate in the terms, conditions or privileges of the rental of a dwelling or in the provision of services or facilities in connection therewith, because of a person's race, creed, color, national origin, sexual orientation, military status, sex, age, disability, marital status, or familial status.

In addition, in the City of Syracuse, landlords may not discriminate on the basis of a person's sexual or affectional preference or orientation and/or actual or perceived sex, gender identity or expression. (Syracuse Local Law No. 17-1990).

Landlords may not refuse to lease an apartment or discriminate against any person in the terms and conditions of the rental because the person has children living with them. For example, landlords may not impose a so-called "family surcharge," or require that a single parent with a child take a two bedroom apartment as opposed to a one bedroom apartment. Affected families may bring a lawsuit for damages and for an injunction against landlords who violate this law. This law does not apply to housing units for senior citizens, subsidized, insured, or guaranteed by the federal government, or one or two family owner occupied houses (Real Property Law § 236). In addition, a lease may not require that tenants agree to remain childless during their tenancy (Real Property Law § 237).

Landlords have an obligation under the Federal Fair Housing Act to make reasonable accommodations and allow reasonable modifications to be made for people with disabilities. For example, if a tenant or prospective tenant with a disability needs to park closer to the building entrance, the landlord must designate a suitable parking space for the exclusive use of that particular tenant. Similarly, if a landlord maintains a no pets policy,

an exception to the policy must be granted to a disabled person who requires a companion or guide dog.

Modifications to a dwelling, such as the installation of grab bars in a bathroom or a wheelchair ramp must also be allowed. In private housing which does not receive any government subsidies, it is the tenants' obligation to pay for such alterations. Landlords may not make inquiries regarding the nature, extent or severity of a person's disability. For purposes of granting a reasonable accommodation or modification request, a landlord may require that a tenant furnish proof that they have a disability which requires them to have the accommodation/modification in question, but a landlord does not have the right to obtain a diagnosis, ask about medications prescribed, or similar details.

Landlords must follow fair housing practices and cannot discriminate against tenants with children under the age of six who have known elevated blood lead levels.

If a tenant feels they have been illegally discriminated against they should contact the Fair Housing Council of Central New York at 471-0420.

Right to Share Apartment With Others

It is unlawful for a landlord by a lease clause to restrict occupancy of an apartment to the named tenant in the lease or to the tenant and immediate family. When the lease names only one tenant, the tenant may share the apartment with immediate family, one additional occupant, and the occupant's dependent children. The leased apartment must be the primary residence of the tenant or the tenant's spouse.

When the lease names more than one tenant, these tenants may share their apartment with immediate family, occupants and dependent children of occupants; provided that the total number of tenants and occupants, excluding occupants' dependent children, does not exceed the number of tenants specified in the lease. Again, the leased apartment must be the primary residence of the tenant or the tenant's spouse.

Tenant must inform their landlord of the name of any occupant within 30 days after the occupant has moved into the apartment or within 30 days of a landlord's request for this information.

Landlords may continue to limit the total number of people living in an apartment to comply with any zoning requirements. Any person aggrieved by a violation of this law may bring suit for an injunction, actual damages and court costs (Real Property Law § 235-f).

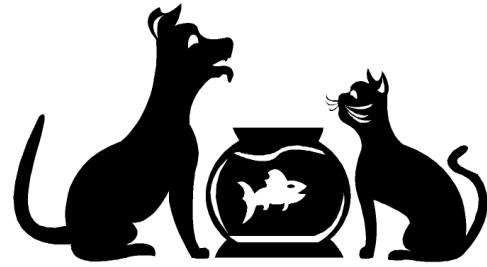
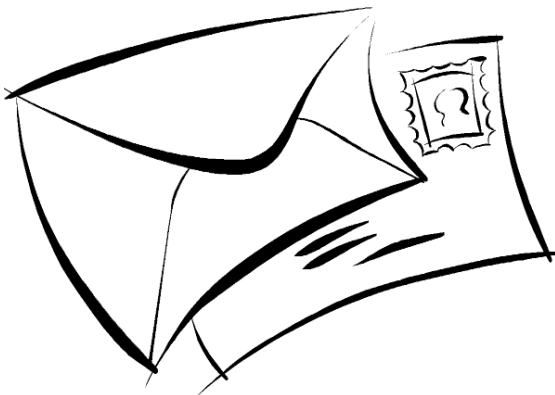
Right of Privacy

Tenants have the right to privacy within their apartments. However, a landlord may enter a tenant's apartment with reasonable prior notice, which usually means twenty-four hours before entering at a reasonable time, usually between 9:00 a.m. to 5:00 p.m.: (a) to provide necessary or agreed upon repairs or services; or (b) in accordance with the lease; or (c) to show the apartment to prospective purchasers or tenants. In an emergency, such as a fire, a landlord may enter an apartment without a tenant's consent. A landlord may not abuse this limited right of entry or use it to harass a tenant, if a landlord does abuse the right of entry, the tenant should contact Hiscock Legal Aid Society, Legal Services of Central New York, a private attorney, or the District Attorney's Office.

Right to Join Tenants' Organizations

Tenants have a legal right to organize. They may form, join, and participate in tenants' organizations for the purpose of protecting their rights. Landlords may not harass or penalize tenants who exercise this right.

Tenants' groups have the right to meet at reasonable hours in any common area in their building, such as lobbies and halls (Real Property Law § 230). For information or assistance, contact the Greater Syracuse Tenants Network.



Right to Keep or Own Pets

Tenants may keep pets in their apartment if their lease permits pets or is silent on the subject. Landlords may be able to evict tenants who violate a lease provision prohibiting pets. Domestic animals and pets shall not be kept on any premises in such a manner as to create unsanitary conditions or to constitute a nuisance.

Domestic animals and pets shall be maintained in accordance with applicable regulations of the City of Syracuse. Unsanitary conditions, inappropriate types of pets or animals and excessive numbers of them constitute conditions which may be considered a nuisance (PCC § 27-76).

Tenants who are blind or deaf are permitted to have guide dogs regardless of no pets clause in their lease (N.Y.S. Civil Rights Law § 47). In addition, a disabled tenant's rights to have pets that assist them are protected by the Fair Housing Act.

Mail

United States Postal regulations require landlords of buildings containing three or more apartments to provide secure mail boxes for each apartment unless the management has arranged to distribute the mail to each apartment. Landlords must keep the mail boxes and locks in good repair.

Terminating a Lease Under Special Circumstances

Senior Citizen Lease Terminations

When a tenant or tenant's spouse is 62 years or older they have the right to terminate an existing residential lease in certain situations. The tenant must be relocating to an adult care facility, a residential health care facility, subsidized low income housing, or a senior citizens home. Their landlord must be given 30 days written notice, including documentation of admission or pending admission into one of the above mentioned facilities. These tenants also have a right to terminate their leases without penalty in order to move in with a family member when they are medically unable to live independently and have provided a physician's certification of this, in compliance with the statute. The tenant is released from further rent payments from the time subsequent to the date of lease termination. The law deems void any lease clause to the contrary (Real Property Law § 227-a).

A landlord cannot penalize a tenant, who cancels their lease through one of these options, in any way, including the withholding of a security deposit.

Lease Termination for Military Personnel

Individuals entering or calling to active duty in the military service may terminate a lease occupied for dwelling or certain other specified purposes if (1) the lease was executed by the service member before he/she entered active duty; and (2) the leased premises have been occupied by the service member or his/her dependents. Any such lease may be terminated by written notice delivered to the landlord at any time following the beginning of military service. Termination of a lease requiring monthly payments is not effective until 30 days after the first date on which the next rent is due subsequent to the date when the notice of termination is delivered. For example, if rent is due on the first day of the month, and notice is mailed on January 1, then rent is next due on the first of February and the effective date of lease termination is March 1 (N.Y. Military law §310).

Landlords are prohibited from evicting the spouse, children or other dependents of a service member on active duty, except with permission of the court (NY Military Law §309).

Utilities

Heating Season

In Syracuse, residential buildings shall maintain a temperature of not less than sixty-eight degrees Fahrenheit between September 15th and June 15th (PCC § 27-54). Elsewhere in Onondaga County, state law requires that an apartment's temperature be at least sixty-eight degrees Fahrenheit from October 1st to May 31st whenever the outdoor temperature falls below fifty-five degrees Fahrenheit between 6 a.m. and 10 p.m. (Multiple Residence Law § 173).

Truth in Heating

Before signing a lease requiring payment of individual heating and cooling bills, prospective tenants are entitled to receive a complete set or summary of the past two years' bills. These copies must be provided free upon written request. This law encourages landlords to make buildings more energy efficient and helps prospective tenant to more accurately calculate their expenses (Energy Law § 17-103). The State Energy Office can help tenants with related problems.

Continuation of Utility Services

When the landlord of a multiple dwelling is delinquent in paying utility bills, the utility must give advance written notice to tenants and to certain government agencies of its intent to discontinue service. Service may not be discontinued if tenants make arrangements to pay monies to the utility company. The tenants should call the utility company to find out the minimum amount required to maintain service. The tenants of multiple dwellings can deduct these payments from future rent. The Public Service Commission can assist tenants with related problems. In emergency situations where tenants are facing shut-offs they should call the Public Service Commission at 1-800-342-3355.

If a multiple dwelling's landlord fails to pay a utility bill and service is discontinued, tenants can receive payment for damages from the landlord (Real Property Law § 235-a; Public Service Law § 33).

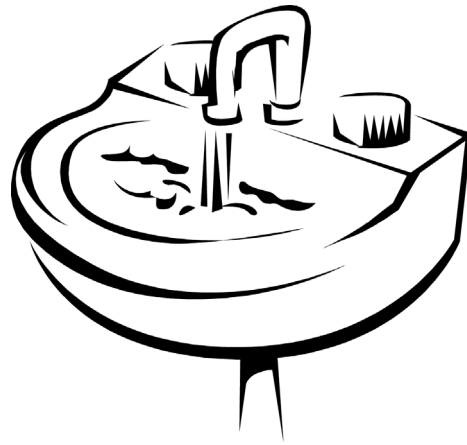
Water Shut Offs

The City of Syracuse Water Department may not terminate water service unless the tenant receives notice at least 15 days prior to the date of water shut-off stating why the water is being shut-off, that water shut off renders the property unfit for human habitation, and that the tenant has a right to a hearing to contest the shut off. Tenants must request a hearing within 15 days of the notice. There are three ways a tenant can request a hearing:

- 1) send a written request via certified mail;
- 2) sign a request for a hearing at the Department of Water; or
- 3) submit a notarized, hand-delivered statement requesting a hearing to the Department of Water.

The address for the Department of Water for this purpose is **Room 106 City Hall, 233 East Washington Street, Syracuse, NY 13202.**

The Department of Water must, where possible, schedule the hearing within 30 days of the hearing request and provide written notice of the hearing date to the tenant and the property owner. Water service will continue while the hearing is pending. After the hearing, the hearing officer must provide a written notice of the decision to the owner and tenant within 15 days of the hearing date. If the decision is to turn the water off, the notice of decision must provide a date when the Department of Water will shut off the water at the property (Syracuse Local Law No. 16-108).



Oil Payments

Tenants in oil heated multiple dwellings may contract with an oil dealer and pay for oil deliveries to their building when the landlord fails to assure a sufficient fuel supply. These payments are deductible from rent. Tenant first must make a reasonable effort to contact the landlord about failure to supply oil. Then the tenant must make a reasonable effort to obtain oil from the normal supplier. If the normal supplier will not deliver oil, local housing officials have a list of oil dealers who will make fuel deliveries under these circumstances (Multiple Residence Law § 305-c)

Apartment Hunting

Real Estate Brokers

Consumers may retain a real estate broker to find a suitable apartment. New York State licenses real estate brokers and salespersons. Brokers charge a commission for their services which is usually a stated percentage of the first year's rent. The amount of the commission is not set by law and should be negotiated between the parties. The broker must assist you in finding and obtaining an apartment before he may charge you commission. The fee should not be paid until you are offered a lease signed by the landlord. Complaints against real estate brokers should be brought to the attention of the New York Department of State (Real Property Law, Article 12-A).

Apartment Referral Agencies

Businesses that for advance fees provide information about the location and availability of rental housing must be licensed by the New York State. The fees charged by these firms may not exceed one month's rent. When the information the firms provide does not result in a rental, the entire pre-paid fee, less \$15.00, must be returned to the tenant. Criminal prosecutions for violations of this law may be brought by the Attorney General (Real Property Law, Article 12-C).

For More Information

Revised April 2016

Tenant Information & Referral

Greater Syracuse Tenants Network
P.O. Box 6908
Syracuse, New York 13217
(315) 475-8092
Email: syracusetenant@aol.com
Website: www.SyracuseTenant.org

Copies of this guide available from
Greater Syracuse Tenants Network
\$3.00 for postage and handling
or on the website.

**If you wish further assistance regarding your legal rights as a tenant,
contact:**

Central New York Legal Hotline

**Anyone seeking representation by Legal Services of Central New York or
Legal Aid Society of Mid-New York must call:**
1-877-777-6152 (9am to 3pm)

Legal Services of Central New York
221 South Warren St., Suite 300
Syracuse, NY 13202
(315) 703-6500
www.lscny.com

Legal Aid Society of Mid-New York
221 South Warren St., Suite 310
Syracuse, NY 13202
(315) 703-6600
www.lasmny.org

Frank H. Hiscock Legal Aid Society
351 South Warren Street
Syracuse, NY 13202
(315) 422-8191
www.hiscocklegalaid.org

Volunteer Lawyers Project
221 South Warren St., Suite 320
Syracuse, NY 13202
(315) 471-3409
www.onlvp.org

New York State Attorney General
615 Erie Boulevard West, Suite 102
Syracuse, NY 13204
(315) 448-4848
www.ag.ny.gov

**Onondaga County Bar Association
Lawyer Referral Service**
431 East Fayette St.
Syracuse, NY 13202
(315) 471-2667
www.onbar.org

Public Utility Law Project of NY, Inc.
221 South Warren St., 3rd Floor
Syracuse, NY 13202
(877) 669-2572 – Toll Free
www.utilityproject.org

**If you wish further information about your rights concerning
housing discrimination or lending discrimination:**

Fair Housing Council of Central New York
731 James Street, Suite 200
Syracuse, NY 13203
(315) 471-0420
info@cnyfairhousing.org
www.cnyfairhousing.org

Housing, Tenant & Neighborhood Counseling and Assistance

NEHDA – Northeast Hawley Development Association, Inc. (New Homes)
101 Gertrude Street
Syracuse, New York 13203
(HUD Certified Housing Counseling Agency)
(315) 425-1032
Email: nehda@nehda.org
Website: www.nehda.org

SUN – Syracuse United Neighbors
1540 South Salina Street
Syracuse, New York 13205
(315) 476-7475
Email: sun@sunaction.org

Jubilee Homes of Syracuse, Inc.
901 Tallman Street
Syracuse, New York 13204
Tel: 428-0070
Website: www.jubilee-homes.org

SEUNA – Southeast University Neighborhood Association
935 Lancaster Ave
Syracuse, New York 13210
(315) 472-3110
Email: seuna@juno.com
Website: www.seuna.org

Specialized Counseling & Assistance

Clearpoint Credit Counseling
5794 Widewaters Parkway
DeWitt, New York 13214
(315) 445-8960
Website: www.clearpoint.org

ARISE
Services for Persons with Disabilities
635 James Street
Syracuse, New York 13203
(315) 472-3171 TTY: (315) 479-6363
Email: info@ariseinc.org
Website: www.ariseinc.org

P.E.A.C.E., Inc.
Dept. of Energy and Housing Services
811 E. Washington Street
Syracuse, New York 13210
(315) 470-3315
Email: deh@peace-caa.org
Website: www.peace-caa.org
Office Hours – 7:30 a.m. to 4:00 p.m.,
Monday to Friday

Southeast Asian Center
503 North Prospect Avenue
Syracuse, New York 13208
(315) 422-1593

Spanish Action League
700 Oswego Street
Syracuse, New York 13204
(315) 475-6153
Email: housingsupervisor@laligaupstateny.org
Website: www.laligaupstateny.org

Onondaga County Department of Social Services
Services such as prevention of evictions, moving expenses,
prevention of utility shutoffs for income eligible persons
421 Montgomery Street
Syracuse, New York 13202
(315) 435-8300
Website: www.ongov.net/DSS

City of Syracuse Lead Hazard Control Program
201 East Washington Street, Room 500
Syracuse, New York 13202
(315) 448-8710 Fax: (315) 448-8659
Website: www.syracuse.ny.us

HEAP (Home Energy Assistance Program)
600 South State Street
Syracuse, New York 13202
(315) 435-8295
Website: www.otda.state.ny.us/otda/heap/

Salvation Army
Housing Assistance and Lifeskills Education (H.A.L.E.)
677 South Salina Street
Syracuse, New York 13202
(315) 479-1307

Subsidized Housing and Rental Units

Syracuse Housing Authority
Section – 8 – HAP Program
312 Gifford Street
Syracuse, New York 13204
(315) 470-4400

Syracuse Housing Authority
Public Housing Program
516 Burt Street
Syracuse, New York 13202
(315) 475-6181

Housing Visions
1201 East Fayette Street
Syracuse, New York 13210
(315) 472-3820 Fax: (315) 471-3921
Email: admin@housingvisions.org
Website: www.housingvisions.org

Syracuse Model Neighborhood Corp.
(New Homes)
1721 South Salina Street
Syracuse, New York 13205
(315) 475-8437

Home Ownership Opportunities

Home HeadQuarters
990 James Street, Ste. 100
Syracuse, New York 13203
(315) 474-1939
Email: info@homehq.org
Website: www.homehq.org

Syracuse Habitat for Humanity, Inc.
308 Otisco Street
Syracuse, New York 13204
(315) 422-2230
Email: syracusehabitat@verizon.net
Website: www.syracusehabitat.org