

## Accepted Waiting Placement

Dear VLSP Volunteer Attorneys –

The following is a list of cases that have not been placed with a volunteer attorney at this time. Please do not feel you must take another case if you are currently working on a VLSP matter. I am very grateful for your work on behalf of VLSP clients. Do not hesitate to give me a call if you require additional information or if your name should not be on this list. Sheila Gaddis: 295-5700, [sgaddis@wnylc.com](mailto:sgaddis@wnylc.com) or Julie Petroske: 295-5709, [jpetroske@wnylc.com](mailto:jpetroske@wnylc.com).

<b>Research Assistant Available for VLSP Cases</b>
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<b>FAMILY LAW CASES</b>
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The following is a list of some of the cases that have not been placed with a volunteer attorney at this time. If you require additional information, please do not hesitate to contact Mary Beth Conway at 295-5707 or [mconway@wnylc.com](mailto:mconway@wnylc.com).

**Attorney Family Law Experience Required: MINIMAL, MODERATE and/or EXPERIENCED**

1. OSis-Case No. 11-02-14000443 CHILD SUPPORT: Experience required: MINIMAL  
Client is seeking assistance in obtaining child support from her spouse for their 5-year old child. The initial appearance was on April 26, 2011 at 9:00 a.m., and a hearing is now scheduled for July 20, 2011 at 2:00 P.M. Client (Laotian) will need an interpreter, which can be arranged through VLSP for any attorney/client meetings, as well as for court proceedings. VLSP is also willing to request an adjournment if necessary.

2. OFari-Case No. 11-02-1400054 CHILD SUPPORT MODIFICATION: Experience required: MODERATE TO EXPERIENCED  
Client is seeking representation in increasing what she is entitled to for child support from her child's father. A prior order from June, 2007, obligates him to pay \$61/week. It does not specify any contribution towards daycare or medical (because nothing available to him at that time). Father has a business and rental income, so there are issues that need to be explored and his income does appear to have increased. Client attended a Pre-Trial Conference before Support Magistrate Irizarry recently, and a Hearing is now scheduled for August 10, 2011 at 2:00 P.M. Court modified support upward to \$200/wk. at the PTC, noting that his expenses did not match the income he was alleging.

3. CHun-Case No. 11-02-14001131 CHILD SUPPORT MODIFICATION: Experience required: MODERATE TO EXPERIENCED  
Client is seeking representation in a Petition she is in the process of filing in Family Court, for an increase in her child support. Per an Order dated 6-26-10, Father is obligated to pay \$238.31/week. At the time of the Hearing, however, their 20 year old son was living with the father, while the 12 year old was residing with the mother. Subsequent to the Hearing, and pending the Decision of the Court, the son moved out and no longer resides with either parent. The Court did an offset of incomes given the prior arrangement, which now needs to be adjusted given the current circumstances.

4. SNes-Case No. 11-02-14001196 DEFENSE TO ORDER OF PROTECTION: Experience required: MODERATE TO EXPERIENCED  
Client is seeking representation in a Petition filed by the Father seeking an Order of Protection as well as an award of custody. There are 3 children, ages 14, 13 & 9. There do not appear to be any recent allegations of physical abuse towards the Petitioner, though there are allegations pertaining to his girlfriend. Per the client, the Father has forced her, until recently, to reside in a house with his girlfriend, and now he is turning their children against her and refusing her contact with them since she left and further forcing her to turn over her income to him, leaving her with nothing. Parties are directed to appear (first appearance) on August 3, 2011 at 9:00 A.M.

5. BPat-Case No. 11-02-14001018 DIVORCE: Experience required: MINIMAL  
Client is seeking representation in a divorce from her physically abusive spouse. Spouse has threatened to burn down client's house and kill her. There is one child born prior to the marriage, but paternity is not an issue, nor is custody. Child is 9 yrs. old. Father is on limited SSI income, so child support is not established but would be minimal, if any. There are no property issues.



**NAME CHANGE CASES**

1. RBos-11-02-16001087

Client is a 54 year old single man seeking assistance in establishing a Delayed Birth Certificate. Client was born in Anderson, South Carolina in 1957 by a mid-wife and no record of his birth was ever filed. Client has tried twice unsuccessfully to complete the process on his own. Client has a Social Security card, South Carolina Driver's License and NYS Benefit Card. Client is having difficulty finding housing without a birth certificate.

2. FVad-11-02-16001181

Client is a 36 year old divorced woman seeking assistance with a name change under seal due to domestic violence. Client's ex-husband shot at her prior to going to jail and has threatened to kill her. He is currently in jail on drug and weapons charges but is due to be released in the next few months.

3. DAdg-11-02-16001191

Client is a 25 year old single mother of two minor children seeking assistance with a name change for her minor daughter. Client would like to change the child's surname to match her own. The child currently has the surname of a man who has since been proven not to be her biological father. The child has no connection to her surname – she has never met the man and he does not pay child support. There is no father listed on the birth certificate.

4. JWhi-11-02-16001187

Client is a 30 year old transgendered man seeking assistance with a name change. Judge Polito denied client's pro se application without prejudice to renew on notice of motion with notice to the District Attorney in each County where he was convicted of a felony and upon the court(s) where he was sentenced for those felony(ies) pursuant to Civil Rights Law Section 62. Client had provided a list of his convictions with his petition but did not know of the notice requirement.

**HABITAT FOR HUMANITY CASE**

1. JCor-11-02-99001216

Client is a 35 year old single mother of two minor children seeking assistance in a Habitat for Humanity purchase. Client has completed her sweat equity hours and has been approved to move into the property on August 1, 2011.

**RECORD EXPUNGMENT CASE**

1. CLov- Case No. 11-02-20000827

Client is a 37 year old married man seeking assistance with a CPS record expungement case. Client was charged with abusing his then 17 year old son after hearing that the child was having trouble in school and being disrespectful to family members. Client's son was very rude and disrespectful towards client on the telephone. Client went to the house and his son came out of the house and begins fighting with client. Both client and son received treatment for injuries suffered during the scuffle. Client was arrested later that evening for third degree assault; the charges were later dismissed. There are police reports against the son for sending harassing messages to client's wife and son. The son continued taunting client's other son on-line through his MySpace page after the incident. Client can no longer work with children at Alternatives to Placement with the charges on his record. Client has a hearing date before Judge Valerie Johnson August 8, 2011 at 10AM.

**ARTICLE 78 CASE**

1. MCoc- Case No. 11-02-16000604

Client is a 24 year old single male seeking assistance with an Article 78 proceeding against Rochester Institute of Technology ("RIT"). RIT is represented by The Wolford Firm, LLP. Client is a full time student enrolled at RIT and in good standing. Client was previously a contracted Army Reserve Officer Training Corps Cadet ("ROTC") at RIT from December 3, 2007 to October 7, 2009. The ROTC granted client a scholarship of 3 and 2/3 years to pay for the remainder of his undergraduate degree from RIT. Client was denied three quarters' worth of scholarship benefits before being disenrolled from ROTC. Client was forced to take out personal loans and borrow from family members to pay the tuition. Client continued to attend classes and physical training (PT) three times per week although not required to because he was no longer on scholarship after failing a physical fitness test which he was not required to take or pass. In December, 2008 client was recommended for disenrollment by the ROTC because his grades had dropped below the required level for ROTC participation and he had failed the physical fitness tests after he was forced to find work as an EMT to support himself. Client is asking to be reinstated in the ROTC, with scholarship, a revision in policies regarding disenrolled cadets in the ROTC program as well as the policy which bans disenrolled cadets from being in ROTC areas on campus. The case is before Judge Frazee.

## TAX CASES

1. LBur- Case No. 09-02-16000928

Client is a 52 year old single man seeking assistance with NYS and Federal income tax liabilities. Client has not filed returns for 2007 or 2008. Client owes NYS \$1786 but is unsure what tax year this is from and owes \$5,524 for tax year 2004 and \$115 for tax year 2006 to the IRS.

2. EHar- Case No. 09-02-16000383

Client is a 30 year old single mother of one minor child seeking assistance with NYS and Federal income tax liability for tax years 2004, 2005 and 2006. Client is currently on SSD and does not expect to return to work.

3. VDan- Case No. 10-02-16000224

Client is a 70 year old single woman seeking assistance with a NYS collection issue. Client filed a 2007 NYS income tax return in order to qualify for a federal tax rebate. Client received \$211 from the US Government. NYS now claims that client owes the entire \$211 plus interest and has turned the matter over for collection.

4. NMar- Case No. 11-02-16000891

Client is a 54 year old married man living separately from his wife, seeking assistance with federal tax liabilities for 2006 and 2009. Client claimed his 3 children on his income tax returns in both 2006 and 2009. In 2006, the child tax credits were allowed but client's taxable income was corrected by the IRS resulting in an amount due to the IRS of \$1,283 plus interest. In 2009 the IRS disallowed the child tax credits and the EITC resulting in an amount of \$7,960 due to the IRS.

5. JMaz-11-02-16001183

Client is a 50 year old divorced man seeking assistance with New York State sales tax liability from 1985. Client was incarcerated in 1986 and was unable to pay the sales tax when due. Client has tried twice on his own to submit Offers in Compromise but due to his incarceration, was not successful. The original amount due was roughly \$800; it has grown to over \$32,000 today.

6. RAll-11-02-16001235

Client is a 45 year old divorced father of one minor child seeking assistance with the denial of his Earned Income Tax Credit for tax year 2007 by both New York State and the IRS.

7. AMad-11-02-

Client is a 69 year old single woman seeking assistance with a NYS tax collection issue. Client did not file income taxes for 1989 and has not filed for any year since. NYS says that she owed \$847 for 1989 - the debt has now grown to over \$5,000. Client receives social security and two very small pensions. Client was signed up for a payment plan of \$98/month for 60 months earlier this year and is unable to make the payments.

## COLLECTION CASE

1. CCav-11-02-20000951

Client is a 48 year widowed mother seeking assistance with a collection dispute with Mercy Flight. Client's then 17 year old son fractured his left femur in a dirt bike accident in September 2008. Client was not on scene. Emergency services were called but when they did not respond after nearly 30 minutes, Mercy Flight was dispatched to the scene. Medical insurance will not pay for the Mercy Flight services because they stated that her son could have been transported quicker via ambulance. Client is now being sued for \$7,820 for the cost of the Mercy Flight services.

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