AEP Volunteer’s Service Makes a Difference

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The New York State Bar Association recently presented Attorney Emeritus volunteer William L. Gibson Jr.* with the 2015 President’s Pro Bono Service Award in the category of Senior Attorney. Mr. Gibson was recognized for the service he provides to the Legal Aid Society of Mid New York, Inc. (LASMNY). Although Mr. Gibson has been an Attorney Emeritus volunteer for a little over a year, serving clients in Central New York and the Southern Tier, he has already made significant contributions by helping out with child support and domestic violence cases, the Binghamton Veterans Center “Talk to a Lawyer Program”, providing over-the-phone advice on a consumer hotline, and appearing in housing court.

Since 2014, Attorney Gibson has served dozens of clients. He helped a client receive an abatement of rent due to severe warranty of habitability issues, resulting in a substantial savings which the family then applied towards other housing. In another case, Mr. Gibson defeated a holdover proceeding by proving that the landlord had accepted rent after the action was commenced, thereby preventing a family from unjustly being evicted. In a single year he has represented 48 tenants and their families, enabling many of them to avoid or delay evictions, to obtain reductions in money judgments, and to get needed repairs.

During the biennial registration period, Emeritus volunteers are required to contribute a minimum of 60-hours of pro bono for which they can receive up to 15 CLE credits. Many volunteers, like Mr. Gibson, serve above and beyond this number. Attorneys who are 55 years or older, whether active or retired, who have ten years of work experience, and are in good standing are encouraged to change their registration status to Emeritus.

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Arlene Sanders* noted that Mr. Gibson, “never says no to volunteer… [and] is constantly asking about new programs.” Ms. Sanders, who was originally a corporate lawyer, is now the managing attorney for pro bono and understands that pro bono helps “fill the gaps” by working in tandem with not-for-profit and community-based organizations. Ms. Sanders liked that the Attorney Emeritus Program (AEP) provides attorneys 55 and older with the opportunity to represent and advise low-income persons without requiring the volunteer to pay the attorney registration fee if they are retired. Active attorneys can also participate but must pay the registration fee and meet CLE requirements.

Mr. Gibson, as he approached retirement wanted to continue doing work. “It’s just my personality”, he chuckled “I didn’t want to spend all day playing golf.” Mr. Gibson spent the past fifteen years practicing law in both government and private practice, nine of them as the County Attorney for Broome County. He echoes Ms. Sanders’ sentiment regarding the lack of civil legal services for low-income persons. He recognizes the need for pro bono and the importance of litigants having representation.

During our interview, Mr. Gibson cited the Supreme Court case of Gideon vs. Wainwright, as New York State Chief Judge Jonathan Lippman often does when he speaks about the AEP. This landmark case ruled that under the Constitution indigent defendants have the right to assistance of counsel in criminal cases. For Mr. Gibson, this is a fundamental right and essential for a fair trial and due process of law in all cases. He noted that, “unless we are mindful, the law can be a bifurcated law, one for the poor and one for the rich.”

Mr. Gibson believes “that until funding becomes available … there will always be a need for volunteer lawyers.” He hopes that there will be a significant push to fund civil legal services for the indigent. For Mr. Gibson, the volunteer work he has done at LASMNY has been eye opening. Having experienced firsthand the enormity of the need and lack of sufficient civil legal services funding has pushed Mr. Gibson to donate substantially more hours than the 60-hour commitment AEP volunteers are asked to make.

William L. Gibson

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Mr. Gibson is one of more than 100 and still growing number of active Emeritus volunteers who are currently providing pro bono legal services to help address the access-to-justice gap many New Yorkers face. For more information about the Attorney Emeritus Program please go to: www.nycourts.gov/attorneys/volunteer/emeritus.