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HOME FRONT: For the Jobless, Some Free Legal Help

By Steven Greenhouse Published: March 23, 2003

AFTER seven months as a receptionist in a podiatrist's office, Gloribel Jimenez was called for jury duty, and she was thrilled by the case she was selected to serve on. A man from Kazakhstan was on trial, charged with trying to extort money from Mayor Michael R. Bloomberg's company, Bloomberg L.P. After a three-week trial, the man was convicted, and when Ms. Jimenez reported back to her office in the Bronx in late February, she received some bad news.

"My boss said he didn't need me any longer," she said.

Shocked and angry, Ms. Jimenez applied for unemployment benefits, but the New York State Department of Labor turned her down, saying it had no record that her employer had paid unemployment insurance taxes.

She turned to a neighborhood law office for help. That office told her to call a hotline run by MFY Legal Services, a Manhattan nonprofit group that gives free legal advice to hundreds of unemployed New Yorkers each year.

After Ms. Jimenez called the MFY hotline (212-417-3838), she was given an appointment with a lawyer at a once-a-month legal clinic that MFY runs on the Lower East Side. On a recent afternoon, Ms. Jimenez and 15 other unemployed workers, including a teacher, a janitor and a cashier, met with the three lawyers at the clinic, held at a branch of the University Settlement House.

The lawyer who advised Ms. Jimenez promised to try to track down whether her employer had paid unemployment insurance taxes, perhaps under a corporate name different from the one she knew.

"This clinic is really good because it helps people who don't have money for lawyers," Ms. Jimenez said.

With unemployment rising in New York, the hotline and legal clinic are part of a growing effort by nonprofits to provide not just legal advice to the unemployed, but also representation at hearings where unemployed New Yorkers appeal government decisions rejecting their applications for jobless benefits.

"We wanted to do neighborhood-based clinics because we thought there was a need to have a place where people could come and have easy access to legal advice after they lost their jobs," said Lynn Kelly, executive director of MFY, which descended from Mobilization for Youth, a neighborhood program for the poor founded in the 1960's.

Those who attend the MFY clinic frequently complain that they were unjustly denied benefits, often saying that their employers wrongly told the state they were not laid off, but quit voluntarily. Companies have an incentive to seek to deny jobless benefits because the more former workers a company has on unemployment insurance, the higher its unemployment taxes.

MFY's hotline and clinic were developed with the National Employment Law Project, a legal services office that received a grant from the Rockefeller Foundation to help the fast-growing number of unemployed people after the Sept. 11 terrorist attack. MFY also has grants from the New York Community Trust and the New York Foundation and provides the jobless with legal advice on other matters like avoiding eviction. The National Employment Law Project worked with MFY to set up its clinic and with the Legal Aid Society to set up another hotline (888-218-6974) and clinic.

"We set up these clinics because during this economic downturn, the idea of getting unemployed people income replacement quickly seemed like a good idea," said Jim Williams, executive director of the National Employment Law Project. "That's why we decided to focus on unemployment insurance and unpaid wage claims."

The MFY and Legal Aid clinics have income eligibility limits, generally restricting help to people earning less than \$500 a week and having limited assets. Because the maximum weekly unemployment benefit in New York is \$405, many unemployed New Yorkers who not long ago earned far more than \$500 a week can qualify for the clinics.

"Even if we're approached by investment bankers who we know must have some savings, we won't turn them away completely, we try to give them meaningful advice," said Marlen Bodden, who runs Legal Aid's clinic.

There are two older efforts providing legal advice and representation to the unemployed: the Workers Defense League, (212-627-1931) a nonprofit organization dating from 1936, and the Unemployment Action Center (212-998-6568), where law-school students help the unemployed. Those groups provide advice without regard to income. "We'll represent

everyone from proletarians to professionals," said Jon Bloom, executive director of the Workers Defense League.

Photo: After Gloribel Jimenez lost her job and was denied unemployment benefits, she got help from Mark Humowiecki, a lawyer for MFY Legal Services, a nonprofit group. (Fred R. Conrad/The New York Times)