

Essentials of Life

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A Word from the Executive Director

By Karen Murtagh, Esq., Executive Director



*Karen Murtagh,
Executive Director*

It is finally spring (though it is sometimes hard to tell)! A time to reawaken from the winter doldrums, shake off the last remnants of snow and ice and begin budding anew.

This is also a great time of year to reawaken our own spirits. It is important that we consistently recognize our spirit and reinvest in its wellness. After all, it is only when we care for ourselves that we can care for others.

Sometimes, we forget that caring for ourselves is more than considering our physical condition. Tending to our emotional and psychological needs is just as important. When loved ones hurt us, we must work to forgive and move past the pain. Holding on to pain and anguish keeps us in a perpetual winter, huddled into positions unwelcoming to kindness and love. We must also be careful to surround ourselves with things that

promote our wellness and growth.

To get started with your “spring cleaning,” sort through all the things in your life - material, emotional and other - to discern what you still need and want. Spend a few moments each day to take a personal inventory. Reinvest in the good things (and people) and leave behind those things (and people) that are holding you back or causing more pain than happiness.

If you need a bit of inspiration to take this step, think about the one day each year that tells us what to do - March Fo(u)rth. Use that as your motto: *march forth* and greet the spring with a hearty laugh and an open heart. Happy Spring!

Until next time, *Karen*

Legal Eagle - Safety Planning

By Samantha Howell, Esq., Pro Bono & Outreach Coordinator

Leaving an abusive relationship is not only emotionally difficult, it is also the most dangerous period in the relationship. Studies have revealed that individuals in abusive relationships are more likely to be seriously physically injured or killed when in the process of leaving.

Although being incarcerated may remove you physically from your abuser, you may still want to consider whether - and how - to leave him/her during your incarceration or upon release.

PLS encourages all victims of domestic violence to consult a counselor or advocate when planning to leave an abusive relationship. If, however, you are unable to speak with a counselor/advocate, you can develop your own safety plan. Below are some areas/steps you may want to consider when developing your safety plan:

- 🔒 What you need to take with you (clothing, medications, important documents, an extra set of keys, etc.).

- 🔒 When you are planning to leave, where you will go and for how long you will stay there.
- 🔒 Where your children will stay.
- 🔒 Where you will keep your money, important documents and any other valuables.
- 🔒 Safe places you can go to for physical safety and support.
- 🔒 Dangerous places or situations you should avoid. This is particularly important if you have a mental health issue or history of substance abuse.
- 🔒 Whether you should add your abuser to your no-contact list while incarcerated.
- 🔒 Whether you need to apply for a protective order.
- 🔒 Whether it is safe to continue to use your cell phone/email.

- 🔒 What you will do with any pets you may have.

- 🔒 Who you can tell about your plans and who can provide support, be it emotional, physical or financial.

Be sure to review your safety plan regularly, as your situation may change. Also note that this list is not exhaustive - it is just a starting point.

For more information on domestic violence and safety plans, you can also contact the NYS Coalition Against Domestic Violence, 119 Washington Ave., Albany, NY 12210.

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Maintaining a Relationship with Your Child(ren)

By Jennifer Cunha, Esq., Pro Bono Attorney

In the last issue, we focused on your rights under the 2010 Adoption and Safe Families Act (ASFA). This time, we are going to look at what the ASFA says you have to do to keep your parental rights during your incarceration.

The ASFA gives the foster care agency the option to let you keep your parental rights. The law gives you time and resources to help you show that you play a "meaningful role" in your child's life. The purpose of this opportunity is to help you keep a relationship (and eventually reunite) with your kids.

You must show the foster care agency and Family Court that you are taking this opportunity seriously. The foster care agency will submit a termination of parental rights (TPR) petition unless there is a "compelling reason that filing a petition would not be in the best interests of the child." N.Y. SOS Law § 384-b(3)(1)(i)(B).

You can help avoid a TPR by meeting your responsibilities under ASFA:

- ◇ Be involved in your child's care and the foster care agency's planning process for your child. For example,

try to find a non-foster care home for your child.

- ◇ Set up a regular schedule for letters, calls, or visits with your child - and stick to it.
- ◇ Notify the foster care agency if you are transferred. You should notify you child's caseworker of any address changes as soon as possible.
- ◇ Go to all of your Family Court dates. Help your lawyer prepare your case by asking questions, having regular contact with him/her, and talking to him/her before every court session. Make sure you understand what is happening in your case at all times. Save copies of all court documents. You should only miss court dates for *really* important reasons and, even then, you should tell your lawyer, the judge, and your child's case worker about the absence as far in advance as possible.
- ◇ Set up a regular schedule for letters or phone calls with your child's caseworker. You have a right to be informed of your child's health,

development, and progress in school. So, ask!

- ◇ Help the agency develop your family's service plan and the agency's permanency goals. You are the expert on you and your child; participate and speak up!
- ◇ Do your programming. The service plan will tell you what type of programs the foster care agency thinks you need to complete. Even if you disagree, begin the process of completing the programs.
- ◇ Document, document, document! Keep records - even if it's just a journal - of every right and responsibility you exercised and what went right or wrong. Where possible, get things in writing from the court, foster care agency, and your child's caseworker. Save letters from your child.

It is important to note your rights could still be terminated even if you meet all of your responsibilities. However, it is still important to try. Following through on the responsibilities above will go a long way toward showing the court, the foster care agency, the foster parents, and your child that you care.

Dear Annabelle . . . A column to answer your questions

This column will feature your questions about legal matters, reentry opportunities/programs and rehabilitation issues.

**Dear Annabelle,
I am trying to relocate to the NYC area and have a dual diagnosis. I would like to find a place on Long Island that works with people who have both mental health and drug histories. Can you provide any information on resources?
- Dazed and Confused**

Dear Dazed and Confused -

Reintegrating back into the community after incarceration is a very difficult process, especially when you are trying to recover from

substance abuse and are living with mental health issues. You have made a great first step in reaching out to find resources. Here are some places to try:

- South Oaks Hospital, 400 Sunrise Hwy, Amityville, NY 11710
- Pederson-Krag Center/Wyandanch, 240 Long Island Ave., Wyandanch, NY 11798
- Phoenix House Long Island City Center, 34-25 Vernon Blvd., Long Island, City, NY 11106 (ATTN: Brendan Kavanaugh)

Both South Oaks and Pederson-Krag offer substance abuse and mental health services. The Phoenix House has a Women's Program that specializes in the dual issues of

substance abuse and mental illness. Some of these centers accept Medicaid and some have a sliding fee scale for those who are low-income.

You may apply for Medicaid while in prison by writing to: Joanne Nigro, Director of Guidance, 1220 Washington Ave., Bldg. 2, Albany, NY 12226-2050. Applying while incarcerated will give you a head start on your health insurance coverage when you are released.

Good luck!

"Be thankful for what you have; you'll end up having more. If you concentrate on what you don't have, you will never, ever have enough."
-Oprah Winfrey

NATIONAL PRO BONO WEEK - OCTOBER 19-25, 2014

National Pro Bono Week is October 19-25th and, during that week, PLS will host an event highlighting the challenges of incarceration. To that end, we are seeking submissions on the following topics:

- experiences in the Special Housing Unit;
- experiences of juveniles in prison;
- experiences of immigrants in prison; and
- how incarceration affects relationships with children.

Submissions should be no more than ten (10) pages in length and mailed, with the below release, to: Pro Bono & Outreach Coordinator, Prisoners' Legal Services, 41 State Street, Suite M112, Albany, New York 12207, **no later than JUNE 1st**. If you speak/write in a language other than English, please feel free to submit your story in your native language.

Please initial on the appropriate line(s) and sign below:

_____ PLS may use my real name

_____ I authorize PLS to use my submission at their event.

_____ I authorize PLS to use my submission on their website, in *Pro Se*, and/or for other informational purposes.

I consent to PLS including this submission as part of its National Pro Bono Week event. I understand that my contribution will be retained by PLS and may be used by PLS for future events.

Signature

Date

SEMANA NACIONAL DE PRO BONO - OCTUBRE 19-25, 2014

Nacional Pro Bono Semana es 19-25 de Octubre y, durante esa semana, PLS seremos los anfitriones de un evento que destaca los desafíos de la encarcelación. Para ello, estamos buscando presentaciones sobre los siguientes temas:

- experiencias en la Unidad Especial de Vivienda (SHU);
- experiencias de los menores en la prisión;
- experiencias de los inmigrantes en la prisión; y
- cómo afecta a la encarcelación relaciones con los niños.

Las propuestas deben ser no más de diez (10) páginas de extensión y enviado por correo con el lanzamiento de abajo a: Pro Bono & Outreach Coordinator, Prisoners' Legal Services, 41 State Street, Suite M112, Albany, New York 12207, **no más tardar el 01 de Junio**. Si usted habla/escritura en una idioma que no sea Inglés, por favor siéntase libre para enviar su historia en su lengua maternal.

POR FAVOR ESCRIBA SUS INICIALES EN LA LÍNEA(S) APROPRIADA Y FIRME ABAJO:

_____ PLS puede usar mi nombre real.

_____ Autorizo PLS usarlo en su evento.

_____ Autorizo PLS usar me presentación en su página web, en *Pro Se*, y/o para otras fines informativos.

Doy mi consentimiento para PLS incluyendo esta presentación como parte de su evento Nacional Pro Bono Semana. Yo entiendo que mi contribución será retenido por PLS y puede ser utilizado por PLS para futuros eventos.

Firma

Fecha

Credit Report and Credit Scores 101

By Samantha Howell, Esq., Pro Bono & Outreach Coordinator

Credit Reports and Scores 101

A *credit report* is a history of the accounts and payments in your name. Not all accounts or payments go towards your credit score. The most common accounts that appear on credit reports are loans (mortgage, car, student, etc.), credit cards, bankruptcy, and any liens or debts that have been sent to a collection agency.

Your *credit score* is a number that reflects your credit risk, i.e. the likelihood that you would (or would not) miss a payment or default on a line of credit. There are five factors that affect your credit score: payment history (35%), Amounts owed (30%), Length of Credit History (15%), New Credit (10%) and Types of Credit in Use (10%).

Credit scores are important when you seek lines of credit - like car loans or mortgages - as they influence what is available to you. For example, if you have a high credit score, you may be

offered a lower interest rate on your car loan or a higher available balance on your credit card.

Credit scores range from 300-850. The higher the score, the lower the risk. Before you make any large purchase - like a car - you should check your credit report and score.

There are three consumer credit reporting companies that maintain your report and produce your credit score: Experian, TransUnion, and Equifax. Each agency may have different information, so it is important to request your credit report from each agency and compare the information.

Credit reports can be requested once per year *for free!* You can request the Annual Credit Report Request Form by contacting Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348-5281. The form should be completed and returned to the same address to obtain your free credit reports.

Credit scores are not free, but you can get yours for as little as \$1, when you request it through one of the above agencies.

Fixing Errors in Your Report

If you find errors in your credit report, such as inaccurate personal information or duplicate accounts, you should report the error to the credit bureau, in writing. Once the bureau completes an investigation, it is required to submit a written summary to you.

Improving Your Score

The best way to improve your credit score is to pay your bills on time. It is also helpful to correct any errors on your credit reports, keep your balances low on credit cards and other lines of revolving credit, refrain from opening or closing several accounts in a short period of time, and have different types of credit.



***Promoting justice,
fair treatment and humane
conditions since 1976.***

We want to hear from you! To submit your story, poem, picture, send to the below address. PLS reserves the right to edit content to fit the publication.

If you enjoyed reading this issue of *Essentials of Life* and would like to receive your own copies, free of charge, write to us and ask that we add you to our mailing list. You can write to us at:

Attention: EOL Staff
Prisoners' Legal Services of New York
41 State Street, Suite M112
Albany, New York 12207

Please notify *EOL* each time you are transferred. DOCCS will not forward *EOL*.

Essentials of Life Staff
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