

# NY, Pa. Lawyers Secure Settlement in Birth Certificate Pro Bono Case

**Katheryn Hayes Tucker, The Legal Intelligencer**  
**May 5, 2017**

With the pro bono help of New York and Philadelphia lawyers, a homeless advocacy group has reached a settlement in a lawsuit against New York City over allowing people to secure birth certificates after their identification has been lost or stolen.

"This should never have gone to litigation," Marsha Cohen, executive director of the Homeless Advocacy Project, a nonprofit legal services organization based in Philadelphia, said Friday. Instead, she said, New York City officials should have changed their policy when she first contacted them in the summer of 2015 to tell them they had a different standard from every other major city and even New York state.

But the city initially refused to change its policy to allow for attorneys to file their own photo identification as a means of vouching for the identity of homeless clients who have lost their documents and need birth certificates to secure services and assistance, she said. Cohen said it was a Philadelphia lawyer on her board of directors, Michael LiPuma, who persuaded the others that negotiating was not working and that they would have to sue New York.

"We had multiple offers from law firms to help," Cohen said.

But they needed a firm with a New York office.

Joseph Patrick Archie, a retired partner with Dechert in Philadelphia, took the case pro bono with help from colleagues in the firm's New York office, including Tanner Kroeger.

Ultimately, they negotiated a settlement, under firm pressure from U.S. District Judge William Pauley III of the Southern District of New York, who signed off on the deal April 27. New York City agreed not only to change the rules as suggested, but to pay \$75,000 in legal fees.

Archie said Friday that when the fees are paid, Dechert will turn them over to the Homeless Advocacy Project.

"It's a very clear win for us," Cohen said.

Louise Lippin, assistant corporate counsel for the city of New York, signed the order. Lippin referred questions to the city press office, which did not provide a response.

Founded in 1990, the Homeless Advocacy Project has a stated mission to help "end the cycle of poverty and homelessness." The group has a 13-member staff and 350 volunteer attorneys providing free legal assistance to nearly 3,500 clients, which included securing more than 1,000 birth certificates.

"The people we are helping have a desperate need for essential services such as housing, medical treatment and employment," Cohen said. "Obtaining a birth certificate is a critical first step for many homeless people. ... Without it, they're trapped."

Contact Katheryn Hayes Tucker at [ktucker@alm.com](mailto:ktucker@alm.com). On Twitter: @KatherynHTucker

<http://www.thelegalintelligencer.com/home/id=1202785468559/NY-Pa-Lawyers-Secure-Settlement-in-Birth-Certificate-Pro-Bono-Case>