

Committee for Modern Courts

Joint Legislative Budget Hearing on Housing March 1, 2023

Committee for Modern Courts
Testimony on Funding for a Statewide Right to Counsel (S2721/A1493)

Modern Courts supports a fully funded Statewide Right to Counsel to be part of this year's budget. Funding as requested by the Statewide Right to Counsel coalition, in the amount of \$172 million will enable the first year's implementation of a right to counsel in eviction proceedings for tenants across the state. This funding is essential to ensure full access to justice, not only in New York City, but in suburban and rural communities. As Modern Courts' reports over the past decade have demonstrated, the inequality of representation has harsh results for tenants across the state.

[Addressing the COVID-19 Public Health, Eviction and Economic Crisis in our Justice System Centralized Assignment Parts In Counties Outside of New York City Ensure Public Safety • Address the Digital Divide • Enhance Legal Representation • Saving Court Resources • Preserve Housing](#)

[Summary Proceedings in New York's Town and Village Justice Courts : Ideas for Improvements](#)

In 2017, the [Right to Counsel NYC Coalition](#) won the campaign to establish a Right to Counsel for tenants facing eviction in New York City. That coalition is now working with over 100 statewide partners to pass a Right to Counsel for ALL New Yorkers.

The statewide Right to Counsel legislation (S2721/A1493), introduced by Assembly Member Latoya Joyner and Senator Rachel May, would ensure that every tenant in New York State has the right to a lawyer when facing an eviction and:

- Covers every tenant across the state, regardless of income.
- Covers any legal proceeding that could result in a tenant losing their home.
- Requires that tenants be represented throughout their entire case, not just when they show up in court. This includes legal advice, advocacy, and assistance.
- Requires the State to contract with non-profit legal services organizations to provide Right to Counsel and with non-profit community based organizations to provide tenants' rights education and tenant organizing.

New York has an opportunity to be the leader in the ever growing Right to Counsel movement. All tenants need access to counsel in order to have a meaningful opportunity to preserve their legal rights and protect their housing. Without it, New York fails to provide equal access to justice in our court system.

Respectfully Submitted,

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