



## History of the Right to Counsel NYC Coalition

New York City's Housing Court was created in 1974 and since its inception, housing advocates and lawyers have been working to make it a place of justice fairness and equity. Housing Court handles eviction cases that are brought against low-income tenants, most of whom are low-income people of color. Housing Court has been an instrument of displacement, gentrification and homelessness; a place that has facilitated the loss of affordable housing. And throughout most of its history, until very recently, the Housing Court was a one-sided court where almost all the landlords have lawyers representing them and almost none of the tenants have had counsel. Since the inception of the court, advocates have called for a right to counsel for tenants who face eviction - to level the playing field and give tenants a fighting chance to defend their homes and stay in their communities.

In 2012, the effort to secure a right to counsel finally began to get traction. Members of Community Action for Safe Apartments (CASA), a tenants' rights organizing project in the Southwest Bronx, voted to start a campaign to reform the Bronx Housing Court out of concern about the lack of justice for tenants in Housing Court and the high rate of evictions.

While there have been many reports about Housing Court reform and access to justice, there had never before been a report from the perspective of the people who go through Housing Court every day. CASA members decided to take on this task. In partnership with the Community Development Project (CDP) at the Urban Justice Center, they spent a year doing participatory action research and they released their report, *Tipping the Scales*, in March of 2013. The report includes 23 recommendations to improve the Bronx Housing Court, including establishing a Right to Counsel.

In March of 2014, New York City Councilmembers Mark Levine and Vanessa Gibson introduced Intro 214, a piece of local legislation that would make the city responsible for providing low-income tenants with representation when facing eviction proceedings.

As CASA members rallied to support this important and critical bill, they recognized the need to form a new coalition, independent of the legislature that would build a citywide movement, not for increased funding for representation, but for New York City to be the first city in the nation to establish a RIGHT to counsel for tenants facing eviction. CASA took on the role of coordinating the coalition.

CASA led the formation of the Right to Counsel NYC Coalition - a coalition rooted in principles of equity, humanity, diversity and justice that honored the advocates and attorneys and tenant organizing groups who had been working on this issue for decades while re-igniting the urgency to finally make it happen. The Coalition knew we didn't just want any bill; we wanted a bill that would do justice to those facing eviction and that would guarantee that tenants would have qualified, dedicated and experienced housing attorneys who can devote the time they need to their cases.

The Right to Counsel NYC Coalition is made up of advocates, tenants, academics and legal services providers in support of a Right to Counsel for low-income tenants who face eviction in New York City. Many of us have been working on issues of affordable housing, tenant power and reform for decades. As a Coalition, we share the goal that people should have a right to stay in their homes and communities with dignity and respect and that all places that hold eviction proceedings, must be a places where justice is applied equitably.

We believe that a Right to Counsel for tenants is a key piece in making that goal a reality. And the hard work and effective organizing of the Coalition has really payed off. By 2016, New York City increased its funding for housing representation in eviction cases ten-fold, to \$72 million. And on February 12, 2017 Mayor de Blasio announced his support for 214 and for implementing and funding a guarantee of “universal access to counsel” -- legal representation for all low-income tenants facing eviction and legal consultations for all New Yorkers facing eviction, regardless of income.

In order to advocate for the right to counsel and advance Intro 214, here are some of the actions we took:

- In December of 2014, we held a daylong forum at New York Law School that drew over 450 people and featured prominent speakers such as then Chief Judge Jonathan Lippman, New York City Human Resources Administration Commissioner Steven Banks and many more.
- We subsequently released a [report](#) called “What the Experts are Saying,” citing the findings of this conference.
- We put together a [compelling video](#) that featured tenant leaders and cited the statistics that support a Right to Counsel.
- We developed a skit explaining tenants’ experiences in housing court.
- In 2015, we took Comptroller Scott Stringer and Public Advocate Tish James on a tour of the Bronx Housing Court.
- From March-June of 2015, we held [four town halls in four different boroughs](#), which [educated and engaged](#) over 500 tenants and dozens of elected officials about the need for a right to counsel.
- We developed a 3-year phase-in plan for Right to Counsel, taking into consideration the time it will take to develop the infrastructure to expand high quality legal assistance.
- We developed a logistical plan, with detailed proposals for how Right to Counsel could be most-effectively implemented at every step in the process.
- We developed a wide base of supporters that includes landlords, bar associations, unions, advocates for homeless people, advocates for seniors, advocates for disabled people, almost every civil legal services agency in the city, and many more.
- We made presentations to community boards throughout NYC, which resulted in all 42 community boards in Manhattan, Brooklyn and the Bronx, as well as the borough boards in those boroughs passing resolutions in support of RTC.
- We collected close to 7,000 signatures on petitions addressed to the Mayor and Speaker in support of Right to Counsel.

- We maintained an active social media #TenantTuesday and #FactFriday campaign
- We gathered close to 100 signatures to a letter from Faith Leaders throughout the city, urging the Mayor to support Right to Counsel.
- We worked with the New York City Bar Association to commission a [study](#), produced by Stout Risius and Ross, of the financial costs and savings of implementing the Right to Counsel, which showed that Right to Counsel would not only pay for itself but also save the city an additional \$320 million/year.
- We rallied and organized a press conference and hearing on the bill in September of 2016, packing the steps and the chambers of City Hall to capacity. We coordinated a diverse set of panelists representing NYCHA, youth advocates, racial justice and civil rights advocates, women's rights advocates, international human rights perspectives, health perspectives, labor support and many others, to demonstrate widespread support. After 8 hours of testimony, 78 people testified in support of the legislation and none testified against it. On that day, #RTCNYC trended on twitter.
- In December of 2016, we organized an interfaith forum at the Mt. Olivet Baptist Church in Harlem with the Interfaith Coalition on Housing and Homelessness that called on the city to move forward with right to counsel as a moral imperative.
- In December of 2016, we organized a press conference on the steps of City Hall that drew more than 150 people, as we delivered both petitions and the letter from the faith leaders to the mayor and the speaker.
- We responded to legal issues raised by the city, proposed draft language for amending the legislation, and recruited pro bono assistance with legal research and legislative drafting from some of the city's top law firms.
- And, throughout our efforts, we garnered an incredible amount of press coverage:
  - The NYT Editorial board endorsed right to counsel.
  - The Bronx BP wrote an editorial in support of Right to Counsel.
  - We appeared twice on Inside City Hall on NY 1
  - Articles about the Right to Counsel appeared in the Huffington Post, AM New York, El Diario, Gotham Gazette, Newsweek, Gothamist, Wall Street Journal, WNYC, Metro NY, the Village Voice, City Limits, NY1, Politico, DNA Info, the Daily News and more!
  - Right to Counsel was listed in New York Magazine's Approval Matrix as both highbrow and brilliant

The bill was signed into law on August 11, 2017. New York City is now the first jurisdiction in the nation to guarantee counsel to all low-income people facing eviction and the work of the Coalition has moved into a new, critical phase.

We are now determined to work tirelessly to advocate for implementation of the right to counsel in a manner that provides all low-income New Yorkers and their communities with the highest quality, most accessible and most effective legal assistance possible when they face eviction and displacement and that implementation is done in a way that builds tenant power.