

# 2012



## New York State Courts Access to Justice Program

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# New York State Courts Access to Justice Program 2012 Report

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**JONATHAN LIPPMAN**  
Chief Judge

**A. GAIL PRUDENTI**  
Chief Administrative Judge

**HON. FERN A. FISHER**  
Director

**ROCHELLE KLEMPNER**  
Chief Counsel

**Our Mission:** To ensure access to justice in civil and criminal matters for New Yorkers of all incomes, backgrounds and special needs, by using every resource, including self-help services, *pro bono* programs, and technological tools, and by securing stable and adequate non-profit and government funding for civil and criminal legal services programs.



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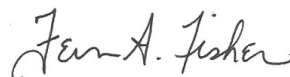
## MESSAGE FROM JUSTICE FISHER



**M**eeting the critical needs of low-income and modest means New Yorkers for civil legal representation is a never ending challenge. More than 2.3 million unrepresented litigants attempt to navigate the court system each year.<sup>1</sup> In the tragic aftermath of Hurricane Sandy, it is expected that 2013 will bring even more of these litigants to the courts with an array of unexpected and unprecedented legal problems.

While the New York State Courts Access to Justice Program stands ready to assist as many of these vulnerable litigants as possible with its volunteer lawyer programs and self-help services, a far greater influx of resources is required to meet the demand. In his latest in a series of extraordinary measures in the fight to address unmet civil legal services needs, our Chief Judge Jonathan Lippman has made New York the first state to require prospective lawyers to perform at least 50-hours of *pro bono* service before being licensed to practice law. The NYS Courts Access to Justice Program has long held the conviction that nurturing a lasting commitment to public service in law students and new lawyers is an important step toward alleviating unmet legal needs. Through the Law Student and Law Graduate Initiative and the Bridge the Gap Training Initiative, the NYS Courts Access to Justice Program places great emphasis on recruiting, training and supervising law students and law graduates. It is expected that the new 50-hour *pro bono* service requirement will significantly bolster these endeavors. It is hoped that our work, together with the efforts of The Task Force to Expand Access to Civil Legal Services in New York, Chief Judge Lippman's initiative to engage retired attorneys in the Attorney Emeritus Program, and his initiative to fund legal service providers through the judiciary budget, will provide much needed resources to meet the ever-growing demand.

In the meantime, my staff tirelessly works to improve services to unrepresented litigants and expand the use of technology. I am grateful for their dedication and loyalty. I am thankful to judicial and non-judicial personnel and all our volunteers, partners, and friends, who continuously assist the NYS Courts Access to Justice Program in the fight to bridge the access to justice gap. I firmly believe, along with our Chief Judge, that the Judiciary has a responsibility to address unmet legal needs. Nothing is more essential to the constitutional mandate of the courts than providing equal access to justice for all.



**Fern A. Fisher**  
December 2012

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<sup>1</sup> The Task Force to Expand Access to Civil Legal Services in New York Report, November 2011: [http://www.nycourts.gov/ip/access-civil-legal-services/PDF/CLS-2011TaskForceREPORT\\_web.pdf](http://www.nycourts.gov/ip/access-civil-legal-services/PDF/CLS-2011TaskForceREPORT_web.pdf), pg 16.





## NYS COURTS ACCESS TO JUSTICE PROGRAM GOALS

**Finding** long-term solutions to chronic lack of civil legal assistance for people of low-income and modest means in New York including finding a permanent public funding stream for civil legal services.

**Improving and increasing** the availability of criminal defense representation to people facing criminal charges.

**Gathering and reviewing** statewide data on legal services delivery and needs towards increasing and improving civil and criminal legal assistance.

**Coordinating** efforts between courts, legal aid organizations and other legal and non-legal organizations, administrative agencies and lawmaking bodies to expand access to justice.

**Analyzing, recommending and promoting** proposed legislation, court rules, codes of conduct, policies and systemic changes that will open greater access to the courts.

**Analyzing and addressing** the collateral consequences of criminal convictions.

**Fostering** the development of new low-income and modest means income *pro bono* programs and supporting and improving the quality of existing *pro bono* programs both court-based and outside the court, using lawyers, law students and other professionals.

**Testing and developing** delivery of legal assistance models both court-based and non-court-based, including limited scope representation delivery systems to improve and increase availability of assistance.

**Expanding** access to justice for unrepresented litigants by increasing the availability of self-help tools using a variety of methods including, but not limited to, technology, plain language forms and signs, and informational materials.

**Providing** culturally competent access to justice for litigants of diverse backgrounds and languages.

**Addressing** access to justice for individuals with special needs or social services needs by expanding social work and social services in the court system.

**Providing** more opportunities for justice via community empowerment using outreach, education and training of government officials and offices, neighborhood agencies and community members.

**Fostering** awareness of the needs of unrepresented litigants and litigants of diverse backgrounds and special needs and insuring high quality service by both judicial and non-judicial personnel via education, training and literature.



## 2012 HIGHLIGHTS

### ★ COURT PROGRAMS AND INITIATIVES

- Over 14,000 litigants served by court-based volunteer programs.
- Housing Volunteer Lawyer for the Day Program expanded to tenants in Bronx County.
- New partnership forged to expand *pro bono* assistance with uncontested divorces.
- Family Court Volunteer Attorney Program expanded to Richmond County *via* teleconferencing.
- Forms Simplification Committees established.
- Uncontested Divorce Program replicated in Monroe and Suffolk Counties.
- Law School *Pro Bono* Initiative launched.
- Volunteer attorneys trained to offer NYCHA Administrative Hearing and Article 78 Proceeding free evening legal advice in Housing Courts.
- New partnership established to open a Court Help Center in 7<sup>th</sup> J.D.

### ★ TECHNOLOGY AND SOCIAL MEDIA

- New York State DIY (Do-It-Yourself) Forms projected to break 100,000 assemblies in 2012.
- Seven new DIY Form programs created.
- Four new YouTube videos launched.

### ★ DIVERSE POPULATIONS

- Specialized training for Court appointed Lay GALs developed.
- Increased numbers of GALs serving hard to reach Courts.
- Statewide survey conducted: “Understanding the Nature and Scope of GAL Appointments Outside NYC.”
- Poverty Simulations held for Criminal Court judicial and non-judicial personnel.

### ★ COMMUNITY OUTREACH

- NYLAG Mobile Legal Help Center provides Hurricane Sandy storm help.
- Temporary Order of Protection issued from Mobile Legal Help Center.

**Please read further for all of the NYS Courts Access to Justice Program’s accomplishments in 2012.**



## INTRODUCTION

For the past three and a half years, as Director of the New York State Courts Access to Justice Program, Judge Fern A. Fisher has endeavored to improve equal access to justice for New Yorkers of low-income and modest means by making the courts easier to navigate for unrepresented litigants.<sup>1</sup> Past Annual Reports have summarized the steps taken to establish and maintain *pro bono* programs and self-help resources in order to remove barriers to justice for all litigants regardless of education, income, background or special needs.<sup>2</sup> This 2012 Report highlights the work done to carry on the preservation of the *pro bono* programs and services, as well as the efforts made to expand access to justice throughout the state by building new partnerships, improving existing programs, continuing intra-program collaboration, and broadening efforts to reach litigants outside the courthouses by bringing the courts into the communities and providing more online services.

Part I of this Report, “**Court Programs and Initiatives**,” reveals how the NYS Courts Access to Justice Program concentrated on creating new initiatives and forging new partnerships to assist greater numbers of unrepresented litigants. Through the Law Student and Law Graduate Initiative and the Bridge the Gap Training Initiative, the NYS Courts Access to Justice Program recruited, trained and supervised law students, law graduates and newly admitted attorneys to emphasize the importance of public service and instill a lasting desire to perform *pro bono* work. The Forms Simplification Initiative created committees to work on forms and procedures that will make it easier for unrepresented litigants to complete the papers they need for court. Through the steps taken in 2012 to forge new partnerships with non-profit organizations, law schools, law firms, government agencies and bar associations, unbundled legal services programs were expanded, and joint recruitment and training efforts, sharing of resource materials, court personnel, and volunteers, was accomplished. These new partnerships address legal issues and disseminate information in important areas such as family, divorce, consumer debt, foreclosure and landlord-tenant law. Meanwhile, existing volunteer lawyer programs continued to thrive.

As discussed in Part II of this report, “**Technology, Social Media and Publications**,” the NYS Courts Access to Justice Program successfully developed and expanded its internet-based resources. Usage of the DIY (Do-It-Yourself) Form document assembly programs continued to flourish. At the same time, the NYS Courts Access to Justice Program made greater use of social media websites to disseminate information to litigants in need, as well as to recruit volunteers for court-based programs. With more

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<sup>1</sup> The NYS Courts Access to Justice Program uses the term “unrepresented” litigants and not “self-represented” litigants. Self-represented seems to imply that individuals who appear in court without an attorney have chosen to represent themselves and are on an equal playing field with an attorney. It is a misconception that litigants choose to be *pro se*; the overwhelming majority have no choice.

<sup>2</sup> The NYS Courts Access to Justice Program’s Reports can be found at: <http://www.nycourts.gov/ip/nya2j/publications.shtml>.

and more unrepresented litigants turning to the internet for answers to their legal problems the NYS Court Access to Justice Program continued to examine e-filing and other technological solutions that would best serve the public.

Part III of this report, “**Addressing the Access to Justice Needs of a Diverse Population**,” discusses the NYS Courts Access to Justice Program’s continued measures to protect New York’s most vulnerable citizens who, due to age, physical or mental impairments, financial constraints, or other limitations, are unable to meaningfully avail themselves of court-based programs or self-help information. In 2012, the Guardian Ad Litem Program made numerous improvements by enhancing resources for GALs and Judges. The GAL Program also conducted a survey to obtain information about Judges’ experiences appointing GALs outside of NYC where there is no separate and distinct source to pay for GAL services. The NYS Courts Access to Justice Program also continued its Poverty Simulation training and education for judicial and non-judicial staff to increase sensitivity and awareness of what it is like to live in poverty.

Part IV of this report, “**Community Outreach**,” highlights the NYS Courts Access to Justice Program’s efforts to improve access to justice by bringing the courts to the community. In 2012, the Mobile Legal Help Center worked its way throughout New York State and assisted people in need who may have otherwise not made it to the courthouse. The Mobile Legal Help Center was able to penetrate areas that were hit hard by Hurricane Sandy and provide disaster relief services. The NYS Courts Access to Justice Program’s outreach programs, such as the Community Law Days and Legal Clinics, help empower communities through education and increased equal access to justice.

In 2012, the NYS Courts Access to Justice Program endeavored to create solutions to advance equal access to justice. Included in this Report are the most significant measures taken to address these challenges.

## PART I: COURT PROGRAMS AND INITIATIVES

2011 was a difficult year for many of the NYS Courts Access to Justice Program's Initiatives and Volunteer Programs due to deep cuts to the judiciary's budget which resulted in the termination of the bulk of the NYS Courts Access to Justice Program's funded partnerships. As a result, 2011 marked a year of innovative intra-program collaboration, sharing of resources, creative training programs, and the development of new initiatives and programs to increase the availability of legal assistance for unrepresented litigants. In 2012, intra-program collaboration and initiatives, such as the Bridge the Gap Training Initiative and the Law Student and Law Graduate Volunteer Initiative, were continued. In addition, efforts were made to build new partnerships to continue and grow the court-based volunteer programs and initiatives throughout the state which assist thousands of unrepresented litigants each year. The 2012 highlights of NYS Courts Access to Justice Program's Court Programs and Initiatives are summarized below.

### VOLUNTEER LAWYER FOR THE DAY PROGRAM - CONSUMER DEBT

The NYS Courts Access to Justice Program's Volunteer Lawyer for the Day (VLFD) Consumer Debt Program provides *pro bono* representation to *pro se* litigants in consumer debt proceedings. The VLFD Program trains and supervises volunteer lawyers providing limited scope representation in the NYC Civil Courts. The volunteer attorney meets the client for the first time in the courtroom, appears on the client's behalf the same day and representation is complete at the end of the day. Volunteer lawyers represent litigants in vacating default judgments and in settlement negotiations. More information is available for prospective and participating volunteers on the NYC Civil Court's website at: [http://nycourts.gov/courts/nyc/civil/vlfd\\_civil.shtml](http://nycourts.gov/courts/nyc/civil/vlfd_civil.shtml)



Despite budget cuts that ended funding to the VLFD Consumer Debt Program partners, the Program was able to resume full services in late 2011, and operated nearly five days a week in New York, Kings, Queens and Bronx Counties in 2012. This was due to the judiciary civil legal services funding received by program partners, which include: New York County Lawyers' Association - operating in the New York County Civil Court; New York Legal Assistance Group (NYLAG) - operating in Bronx County Civil Court and Queens County Civil Court; and the Brooklyn Bar Association Volunteer Lawyer Program – operating in the Kings County Civil Court. Highlights of 2012 include the following:

- **Trainings Held:** The VLFD Consumer Debt Program offered four Continuing Legal Education (CLE) training programs and recruited and trained a total of 176 volunteer attorneys to provide limited representation for unrepresented consumer

debtors. Two trainings were also held for law student interns in May and June. These law student trainings included a new component on courtroom skills conducted in cooperation with NYLAG. A 1.0 CLE credit course was offered in July 2012 to VLFD Consumer Debt Program attorneys on the NYS Courts Access to Justice Program's Affidavit to Vacate a Default Judgment Consumer Debt Advocate Program in exchange for additional volunteer hours.

- **Litigants Served:** Approximately 3,794 litigants were assisted by the VLFD Consumer Debt Program in 2012. It is estimated that the value of the legal services provided by the volunteers exceeded four million dollars.
- **Volunteer Recognition:** Two attorneys were honored for their exceptional service in the VLFD Consumer Debt Program. One is an attorney who volunteered hundreds of hours. Another attorney is a recent law school graduate who volunteered almost daily in 2012 in Bronx County. In addition, over one hundred attorneys were recognized for their distinguished service for volunteering more than 50 hours in the VLFD Consumer Debt Program in 2012.

"The volunteer lawyer .... did exactly what needed to be done. I am very grateful. Not being able to afford representation, this service is a blessing! Thank you."

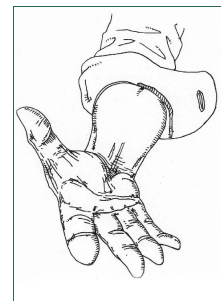
-VLFD Consumer Debt Program litigant, May 2012

## VOLUNTEER LAWYERS PROGRAM - CONSUMER DEBT

The NYS Courts Access to Justice Program's Volunteer Lawyers Program (VLP) helps unrepresented litigants in the NYC Civil Courts with their consumer debt cases. Attorneys commit to volunteering in the Civil Court Help Centers under the supervision of the Help Center's Court Attorneys after completing a mandatory training program. Volunteer lawyers provide legal advice and information about the court process, review court papers, help fill out forms and discuss case strategy. Volunteers do not represent the litigants in Court or file papers on their behalf. The VLP Consumer Debt Program maintains webpages for prospective and participating volunteers:

<http://nycourts.gov/courts/nyc/civil/vlp.shtml>. As well as a webpage for unrepresented litigants: <http://nycourts.gov/courts/nyc/civil/vlpselfrep.shtml>. Highlights in 2012 include:

- **Trainings Held:** The NYS Courts Access to Justice Program organized joint city-wide volunteer attorney recruitment and trainings in 2012 for both the VLP Consumer Debt Program and CLARO (Civil Legal Advice and Resource Office). Three CLE programs were held and a total of 164 volunteer attorneys and law students were recruited and trained.
- **Consumed Debt Advocate Program Training:** In July, a free live CLE class on the NYS Courts Access to Justice Program's Consumer Debt Advocate Program was offered to volunteer attorneys in the VLP Consumer Debt in exchange for





additional volunteer hours in the Civil Court Help Centers. The class trained the lawyers on the computer program which produces an affidavit to vacate a default judgment, as well as a proposed answer, in a consumer debt case. It is specifically designed for assisted use, password protected, and cannot be accessed by an unrepresented litigant.

- **Litigants Assisted:** The NYS Courts Access to Justice Program VLP Consumer Debt assisted 781 litigants.
- **Program Expansion:** In 2012, the NYS Courts Access to Justice Program assisted in expanding CLARO's court-based consumer debt volunteer program to Westchester County. Court-based programs already exist in Kings, Queens, Bronx, Richmond and New York Counties.
- **Volunteer Recognition:** One attorney was honored for exceptional service in the VLP Consumer Debt, having volunteered almost daily for the past three years.

"They provided more written information about consumer credit cases for me to review later. I was appreciative of the fact that they provide resources if you need more help."

-VLP Consumer Debt litigant, March 2012

## VOLUNTEER LAWYER FOR THE DAY PROGRAM - HOUSING

The Volunteer Lawyer for the Day (VLFD) Program offers trained volunteer attorneys to unrepresented tenants during Court appearances in their nonpayment cases in the New York, Kings and Bronx County Housing Courts. The NYS Courts Access to Justice Program recruits, trains and supervises *pro bono* lawyers and law graduates to provide legal advice and limited representation during Court appearances in the Resolution Part. Representation begins and ends the same day. By volunteering, lawyers help some of the thousands of unrepresented tenants threatened with the loss of their homes gain much needed legal representation. The VLFD Housing Program increases access to justice while helping the Court deal with a heavy caseload. The Program maintains webpages on the Civil Court's website for both prospective and participating attorneys: [http://nycourts.gov/courts/nyc/housing/vlfd\\_housing.shtml](http://nycourts.gov/courts/nyc/housing/vlfd_housing.shtml). Highlights from 2012 include the following:



- **Expansion of the Program:** In December 2012, the NYS Courts Access to Justice Program's VLFD Housing Program was expanded to offer free legal representation to litigants in Bronx County once a week thanks to the *pro bono* support of a retired Housing Court Judge. In addition, the VLFD Housing Program in Kings County Housing Court, which used to provide free legal representation only once a week, was expanded to offer representation to litigants who cannot otherwise afford to hire counsel twice a week. The Program continues to offer free legal representation to litigants in New York County twice a week.
- **New and Renewed Partnerships:** The Program established or strengthened its

relationship with the law firms of Paul Hastings LLP; Skadden, Arps, Slate, Meagher & Flom LLP; and, Arent Fox LLP, whose attorneys actively participate by providing free legal representation. The NYS Courts Access to Justice Program's collaboration with CUNY School of Law Community Legal Resource Network (CLRN) continued strong. CLRN was able to continue lending its support through the continued employment of seasoned attorneys who provide guidance to volunteers who represent litigants in certain nonpayment proceedings in New York and Kings Counties.

- **Trainings Held:** Mandatory VLFD Housing Program training consists of 3.5 free CLE credit hours, which includes topics covering nonpayment proceedings, negotiating and drafting stipulations of settlement in Housing Court and ethics for volunteer attorneys. In 2012, the VLFD Housing Program held two combined VLP/VLFD Housing CLE sessions for groups of attorneys and law graduates, and two live Bridge the Gap training sessions in New York County to maintain a constant flow of volunteers for the Program. Two trainings were also held at the law offices of Paul Hastings LLP, and one training at the law firm of Skadden, Arps, Slate, Meagher & Flom LLP. In addition, two separate training sessions were held for CUNY School of Law LaunchPad for Justice Fellows.

- **Additional Training Workshops Held:** Periodically, additional training is offered to attorneys who completed the mandatory training. In exchange for free CLE credit, attorneys agree to volunteer additional time in the VLFD Housing Program. In 2012, two new live CLE training workshops were developed and offered to attorneys:

- Overview of the Section 8 Program, and Legal Issues Arising out of New York City Housing Authority (NYCHA). March 2012.
- Issues Arising out of Breach of Warranty & How to Advocate for Repairs. September and December 2012.

Live trainings and video replays of previously developed CLE workshops were also offered in exchange for additional volunteer hours:

- Basics of Family Eviction Prevention Supplement (FEPS) - video replay. March 2012.
  - How to Conduct Intake in VLFD Cases - live training in September 2012 and video replay in March and December 2012.
  - How to Analyze Rent Breakdowns in Non Payment Proceedings - live training in September 2012 and video replay in December 2012.
  - Traverse Hearings - live training in September 2012 and video replay in December 2012.
- **Litigants Helped:** In 2012, the VLFD Housing Program in the New York, Kings,

"...thank you for taking the time to supervise us during our time at LaunchPad for Justice. Thanks to you I think I have a handle on how to negotiate with opposing counsel."

-VLFD Housing Volunteer Attorney, Dec. 2012

and Bronx County Housing Courts represented 470 litigants, practically a two-fold jump from the previous year. Volunteers who assisted them gained invaluable, hands-on experience in lawyering under the supervision of an experienced supervising counsel and Court staff. In addition, throughout the year, approximately 700 litigants received free legal advice and consultation from Program staff and volunteers.

- **Social Media Used:** In addition to announcements on the VLFD Housing website, Twitter and the NYS Courts Access to Justice Program's Volunteer Lawyer Facebook page were used to advertise CLE trainings and the launch of the Program to the Bronx County Housing Court.
- **Volunteer Attorney Recognition:** Two attorneys received a plaque acknowledging their outstanding *pro bono* service for their contribution to the VLFD Housing Program at the annual *Pro Bono Service Awards Ceremony*. In consultation with the Supervising Attorneys in New York and Kings Counties, attorneys were awarded a Certificate of Distinguished Service for their dedication to the VLFD Housing Program. The VLFD Housing Program volunteer attorneys were also recognized on the NYS Courts Access to Justice Program's Volunteer Lawyers Facebook page.

## VOLUNTEER LAWYERS PROGRAM - HOUSING

The NYS Courts Access to Justice Program's Volunteer Lawyers Program (VLP) Housing recruits, trains and places volunteer attorneys and law graduates in the NYC Civil Court's Help Centers where they provide free legal information and advice to unrepresented tenants and owners. Volunteers are supervised by experienced Help Center Court Attorneys. Unlike the Court Attorneys who can only provide legal and procedural information, volunteer lawyers review court papers, predicate notices, leases, rent records, eviction notices, and other housing or court-related documents, assist with the completion of court papers, and discuss the strengths and weaknesses of the cases. The VLP provides an important service to New York City residents faced with the loss of their home or the need to begin a proceeding in Housing Court. No appointments are necessary and there is no income threshold to receive assistance. Information is available for prospective volunteers and participating attorneys at:

<http://nycourts.gov/courts/nyc/housing/vlp.shtml>. Litigants can also learn information about the VLP and see when a volunteer lawyer will be available in their county:

<http://nycourts.gov/courts/nyc/housing/vlpselfrep.shtml>. Highlights in 2012 include:

- **Trainings Held:** Mandatory prerequisite VLP Housing training consists of 8.5 free CLE credit hours, which includes topics covering nonpayment proceedings, holdover proceedings, HP actions/harassment law, and ethics. Attorneys and law graduates were trained during two combined VLP/VLFD Housing CLE sessions and two live Bridge the Gap trainings held throughout the year at the New York County Civil Court. In addition, CUNY School of Law LaunchPad for Justice Fellows were also trained on separate dates through video replays. After completing the course, volunteer lawyers contributed approximately 2,500 hours of

- pro bono* service to unrepresented litigants visiting the Help Centers.
- Additional Training Segments Held:** In 2012, periodic additional free CLE trainings were offered to attorneys who already completed the mandatory training in exchange for additional volunteer time in the VLP. Two new live CLE training workshops were developed and offered as follows:

  - Overview of the Section 8 Program, and Legal Issues Arising out of New York City Housing Authority (NYCHA). 1.0 CLE credit. March 2012.
  - Introduction to NYCHA Administrative Hearings and Article 78 Proceedings. 2.5 CLE credits. October 2012

Video replays of previously developed CLE workshops were also offered as follows:

  - Basics of Family Eviction Prevention Supplement (FEPS). March 2012.
  - How to Analyze Rent Breakdowns in Nonpayment Proceedings. Live training in September 2012 and video replay in December 2012.
  - Traverse Hearings. Live training in September 2012 and video replay in December 2012.
- NYCHA Night:** Following a 2.5 CLE credit hour new additional training segment entitled, "Introduction to NYCHA Administrative Hearings and Article 78 Proceedings," in November 2012, the VLP Housing hosted "NYCHA Night." Over four Thursday evenings in November and December, volunteer attorneys were available in the Civil Court Help Centers to speak with litigants about their NYCHA related issues.
- DIY Use:** Legal advice also included support with the use of the NYC Housing Court DIY Form computer programs. In July 2012, VLP Housing volunteers were offered a CLE DIY Form live training in the NYC Civil Court New York County courthouse. The free CLE was provided in exchange for additional volunteer hours in the VLP Housing.
- Litigants Helped:** In 2012, VLP Housing attorneys assisted more than 3,600 unrepresented litigants throughout New York City. In Kings County alone, over 1,200 litigants received legal advice from more than 800 hours of volunteer service. This represents a 138% increase in litigants helped. More than 1,000 litigants who are not represented by counsel were helped in Bronx County.
- Social Media Used:** In addition to announcements on the VLP Housing website, the NYS Courts Access to Justice Program's Volunteer Lawyer Facebook page was used to advertise CLE trainings and *pro bono* awards.

"I really enjoy volunteering in the Pro Se Help Center each week where I can utilize decades of experience to help people with a wide array of housing issues. It provides me the perfect way of staying involved after my retirement, while assisting the overwhelmed staff attorneys in protecting *pro se* litigants' rights while explaining the court process. It has also taught me so much about the operation of Housing Court."

-VLP Housing Volunteer Attorney,  
Dec. 2012

Twitter was used to advertise the availability of the volunteer lawyers in the Help Centers and NYCHA Nights.

- **Volunteer Attorney Recognition:** Three attorneys, including a retired Judge who now mentors on a *pro bono* basis VLFD Program volunteers in the Bronx, were selected in consultation with Help Center Court Attorneys and awarded a plaque for exceptional *pro bono* service for providing free legal advice in the Housing Court's VLP. In addition, several attorneys and law graduates were also recognized and honored with a Certificate of Distinguished Service for performing above and beyond their peers, dedicating hundreds of *pro bono* hours to unrepresented litigants seeking assistance. The attorneys were also acknowledged on the NYS Courts Access to Justice Program's Facebook page.

## UNCONTESTED DIVORCE PROGRAM

The NYS Courts Access to Justice Program's Uncontested Divorce Program assists unrepresented litigants with the preparation of uncontested divorce forms at on-site clinics in the Supreme Courts in New York, Queens, Kings, Bronx and Westchester Counties. More than 50,000 uncontested divorces are filed annually in New York State. Many of these litigants file without an attorney and the process can be confusing and overwhelming for them. The Uncontested Divorce Program recruits, trains and supervises volunteer attorneys to assist litigants using a document assembly program designed for use by attorneys generating legal documents that streamline the drafting process and produces personalized court forms that are ready to serve and file. Litigants are referred to the Program through the Supreme Court Help Centers. Highlights from 2012 include:

- **Trainings Held:** In 2012, the Program offered three CLE training programs where a total of 240 volunteer attorneys and law students were recruited and trained to provide assistance to unrepresented litigants in uncontested divorce proceedings. This represents a 23% increase over volunteers trained in 2011.
- **Litigants Helped:** More than 2,033 litigants were assisted by this Program.
- **Program Expansion:** The NYS Courts Access to Justice Program, eight diversity Bar Associations and Legal Services NYC, have organized to provide *pro bono* uncontested divorces to individuals in community-based locations in minority communities. The bar associations will provide volunteers from their memberships who will, without charge, prepare the complicated paperwork for an uncontested divorce. The NYS Courts Access to Justice Program will provide training and supervision for the volunteers. Volunteer attorneys will receive free CLE credit in exchange for their *pro bono* services. Legal Services NYC will assist the NYS Courts Access to Justice Program in training and mentoring volunteers and providing client referrals. Training will commence in January 2013, with services to follow thereafter. The participating Bar Associations include: the Metropolitan Black Bar Association; the Association of Black Women Attorneys; the Macon B. Allen Black Bar Association of Queens County; the Amistad Long Island Black Bar Association; the Nigerian Lawyers Association; the Association of Ghanaian

Lawyers of America; the Black Bar Association of Bronx County; and the Westchester Black Bar Association, Inc.

- **Program Replication:** The NYS Courts Access to Justice Program distributed uncontested divorce document assembly program author licenses, shared training materials and provided technical assistance to the Rochester Volunteer Legal Services Project in Rochester in Monroe County and the Touro College Jacob D. Fuchsberg Law Center in Suffolk County, to facilitate the replication of the Uncontested Divorce Program. The Program started in Monroe in the Spring and training began in Suffolk in December 2012.
- **Volunteer Recognition:** At the annual *Pro Bono* Service Awards Ceremony held in October, two attorneys were honored for their outstanding service in the Program, an attorney who volunteered weekly in the Kings County Program, and a recent law school graduate who volunteered every week in the Bronx County program. In addition, over 100 attorneys were honored for their volunteering 50 or more hours in the Program.

## VOLUNTEER ATTORNEY PROGRAM - FAMILY COURT

The Family Court's Volunteer Attorney Program (VAP) provides free legal advice and assistance to unrepresented litigants in every county in New York City. Under the supervision of Help Center Attorneys, volunteer attorneys provide assistance with initial pleadings in support, paternity, custody, visitation, family offense and guardianship matters. The availability of such services helps reduce delays and recidivism, ensures a more efficient and fair outcome for unrepresented litigants and empowers litigants to pursue their cases to final resolution. The NYS Courts Access to Justice Program oversees the NYC Family Court Volunteer Attorney Program, which offers free CLE training in return for a *pro bono* commitment. The Family Court provides all administrative support for the project including scheduling and supervision of volunteers, as well as indemnification coverage. Highlights in 2012 include the following:

- **Trainings and Recruitment:** The VAP held four comprehensive CLE trainings, double the number of trainings held in 2011. Periodic DVD trainings were also conducted in-house for participating law firms and corporate law departments. A total of 146 volunteer attorneys were recruited and trained to provide assistance to unrepresented litigants on a daily basis in the Family Court Help Centers.
- **Volunteers:** In addition to the 61 solo

"Participating in the New York Family Court Volunteer Attorney Program has allowed me the flexibility of assisting a large number of *pro se* litigants while keeping up with the demands of my own vigorous caseload. I cannot say enough about the program as a whole, or the staff attorneys whose tireless effort makes every volunteer session a truly rewarding experience."

-VLP Family Volunteer Attorney, Nov. 2012

practitioners, who staffed the VAP throughout 2012, 292 volunteer attorneys participated in the Program from the following large law firms and corporations; many of whom generously send associates on a regular basis. These include: Alston & Bird; Arent Fox LLP; Banco Popular; Bank of America; Cadwalader, Wickersham & Taft LLP; Citigroup Global Markets, Inc.; Colgate-Palmolive Company; Cooley LLP; Davis Polk & Wardwell LLP; Debevoise & Plimpton LLP; Dechert LLP; DLA Piper LLP; Duane Morris LLP; Greenberg Traurig LLP; HSBC; Hughes Hubbard & Reed LLP; Locke Lord Bissell & Liddell LLP; McCarter & English LLP; Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.; Morgan, Lewis & Bockius LLP; Morrison Foerster LLP; Orrick, Herrington & Sutcliffe LLP; Paul, Weiss, Rifkind, Wharton & Garrison LLP; Pfizer Inc.; Proskauer Rose LLP; Reed Smith LLP; Ropes & Gray LLP; Shearman & Sterling LLP; Skadden, Arps, Slate, Meagher & Flom LLP; Stroock & Stroock & Lavan LLP; UBS Wealth Management Americas; White & Case LLP; and Willkie Farr & Gallagher LLP.

- **Litigants Helped:** Approximately 3,600 litigants were assisted by the volunteer lawyers in the NYC Family Courts.
- **Program Expansion:** In the fall of 2012, the VAP opened its office in Richmond County Family Court's Hyatt Street Annex. With the assistance of NYC Family Court's LAN Administrators and Pro Bono Net, advanced technology has become the vehicle to provide assistance to unrepresented litigants in New York City's most remote county. Through video conferencing, volunteer attorneys provide consultations to litigants in Richmond County from the New York County office. This innovative use of technology to provide legal services will dramatically change litigants access to the Court and the future of *pro bono* services.
- **Volunteer Recognition:** One attorney from a large firm and one solo practitioner were honored for their exceptional service. In addition, 72 attorneys were recognized for their distinguished service for volunteering 50 or more hours in the Program in 2012.

## ATTORNEY EMERITUS PROGRAM

The NYS Courts Access to Justice Program oversees the Attorney Emeritus Program (AEP), an initiative of Chief Judge Jonathan Lippman to help address the gap in civil legal services for New Yorkers in need. The AEP engages attorneys aged 55 and older in *pro bono* legal service with court-based programs and approved legal services providers. Information is available at: <http://www.nycourts.gov/attorneys/volunteer/emeritus/rsaa/>. In 2012, the AEP continued to grow and develop. Highlights include:



- **Increased Pro Bono CLE Available:** The New York State CLE Board Regulations and Guidelines have been amended to enable all attorneys to earn a maximum of 10 *pro bono* CLE credit hours during any one reporting cycle. This cap was increased to 15 *pro bono* CLE credit hours for Emeritus attorneys and presents a

- wonderful incentive for participation.
- **Increased Number of Participants:** The number of attorneys who joined the program is over 612, with approximately 60% doing so by changing their registration and the remainder by submitting an on-line application.
- **Provider and Volunteer Opportunities:** In 2012, the AEP had 46 host organizations, not including court-based programs. Nearly 80 volunteer opportunities have been developed. AEP volunteers are now available in 24 counties, with 11 counties having more than one AEP host site. Volunteer opportunities are available in 29 practice areas and involve 11 different types of volunteer activities spanning from full representation to mentoring and community education.
- **Development of Training Modules:** The AEP convened focus groups of experts and senior volunteer attorneys as well as of *pro bono* coordinators and legal services providers to explore ways to support and enhance training and supervision of Emeritus attorney volunteers. One outgrowth of this effort is development of a training module that will assist on-site supervisors to hold facilitated discussions, using video and other modalities, regarding cultural differences.

## LAW STUDENT AND LAW GRADUATE VOLUNTEER INITIATIVE

The NYS Courts Access to Justice Program involves law students, law graduates awaiting admission to the New York Bar, and new lawyers in public service early in their legal careers by encouraging their participation in court-based volunteer programs. Under this Initiative, law students and law graduates provide legal advice and limited scope representation to unrepresented litigants in consumer debt, landlord-tenant, uncontested divorce, and family law matters in NYC Civil, Family and Supreme Courts. Highlights in 2012 include:

- **Bridge the Gap Training:** Multi-program recruitment of recent law school graduates for the VLP Consumer, VLFD Consumer, VLP Housing, VLFD Housing, and Uncontested Divorce Programs was increased through the Bridge the Gap *pro bono* training Initiative held twice in 2012.
- **Law Graduate Fellowships and Law Student Internships:** The NYS Courts Access to Justice Program continued its participation in law graduate fellowships and expanded its law student public service internship opportunities. New York City area law schools that participate include New York Law School, St. John's University School of Law, Benjamin N. Cardozo School of Law, CUNY School of Law, Lincoln Square Legal Services, Inc. at Fordham University School of Law, Touro College Jacob D. Fuchsberg Law Center, Pace University School of Law, and Brooklyn Law School. Lincoln Square Legal Services, Inc. at Fordham University School of Law will expand involvement by having students participate one day a week in the Consumer Debt Volunteer Lawyer for the Day Program starting in January 2013.



- **Law School Pro Bono Initiative:** Through a 2012 Judiciary Legal Services grant, a collaboration of four New York City law schools – Touro College Jacob D. Fuchsberg Law Center, St. John’s University School of Law, CUNY School of Law and Benjamin N. Cardozo School of Law – will jointly develop capacity and expertise for training and supervision of law students and recent law school graduates to provide *pro bono* civil legal services to low-income New Yorkers through the NYS Courts Access to Justice Program. Legal services will be provided by law students and recent law graduates in existing court-based programs in the areas of uncontested divorce, landlord-tenant law and consumer debt law. Students will also provide services on the New York Legal Assistance Group’s Mobile Legal Help Center. This initiative will work with the NYS Courts Access to Justice Program to coordinate training, recruitment and supervision of *pro bono* efforts across law schools enlisting significant numbers of law students and recent law graduates, and facilitate best practices for addressing areas of unmet need that would be difficult for a single law school to match if acting in isolation. This Initiative is especially important in light of the new 50-hour *pro bono* mandate for new lawyers announced by Chief Judge Jonathan Lippman in 2012.
- **DIY Form Program Training:** Trainings were held to familiarize law students with the eight NYC Housing Court DIY Form programs so that students would be able to assist unrepresented litigants in Housing Court Clerks’ Offices throughout NYC. Students used this training to help litigants navigate the DIY Form programs and process the appropriate court forms they need to proceed with their cases. Training was conducted in June 2012, for summer RAP interns, including Skadden, Arps Honors Program in Legal Studies Fellows, and Public Interest Graduate Fellows from New York Law School. A DIY Form webinar training was also held in October 2012 for St. John’s University School of Law students.
- **Law School Recruitment Efforts:** In October 2012, the NYS Courts Access to Justice Program expanded its outreach efforts to promote its volunteer attorney programs to recruit students in Nassau County at the Maurice A. Deane School of Law at Hofstra University during the Externship and *Pro Bono* Fair.
- **Volunteer Recognition:** The NYS Courts Access to Justice Program, in collaboration with the NY County Lawyers Association, NY State Bar Association and the Office of the Mayor of the City of New York, honored 71 law students and recent law school graduates for outstanding *pro bono* service rendered in the Courts. This event took place during National *Pro Bono* Celebration Week at the *Pro Bono* Awards Ceremony held in New York County.

## RESOLUTION ASSISTANCE PROGRAM

In this unique program, college students, law students and other approved volunteers are recruited and trained to provide in-court assistance to tenants and owners, who are parties to nonpayment proceedings and are appearing without an attorney in the NYC Housing Courts. The RAP helps unrepresented litigants have a



productive experience by providing non-legal support, raising awareness of available resources so litigants can better advocate for themselves, and giving litigants the confidence to discuss their claims or defenses before a Court Attorney or Judge. As nonpayment proceedings involve peoples' homes and livelihoods, it is important for unrepresented litigants to be able to utilize the resources available to them within the courthouse and the community at large; that is where RAP volunteers are most helpful and necessary. The Program maintains webpages for prospective and participating volunteers at: <http://nycourts.gov/courts/nyc/housing/rap.shtml>. Highlights in 2012 include:

- ***New and Continued Partnerships:*** The NYS Courts Access to Justice Program partnered with Berkeley College and Briarcliffe College to recruit and train prospective volunteers. RAP also worked with Benjamin N. Cardozo School of Law, St John's University School of Law, the Maurice A. Deane School of Law at Hofstra University, and the Columbia Law School Tenants' Rights Project to involve law students in the Program. The Program further strengthened its collaboration with the New York City Paralegal Association and the Office of the Mayor of the City of New York's NYC Service. In addition, students from the City College of New York Skadden, Arps Honors Program in Legal Studies and recent graduates from New York Law School's Public Interest Graduate Fellowship Program also participated in RAP.
- ***New Training Programs:*** RAP offered a live program in June to Skadden, Arps Honors Program Fellows, New York Law School's Public Interest Graduate Fellows, and other volunteers to train the students to help litigants navigate the DIY Form programs to generate court forms. An October webinar was also presented exclusively for St John's University School of Law students where all eight NYC Housing Court DIY Form programs were showcased with the goal that trained RAP students would be able to assist housing litigants in the Clerks' offices.
- ***Trainings:*** In 2012, a total of seven sessions were held, including four at the New York County Civil Court, two at St John's University School of Law, and one at Benjamin N. Cardozo School of Law. A total of 134 volunteers were trained to serve in the Bronx, Queens, Kings and New York County Housing Courts.
- ***RAP Recognition:*** In 2012, four volunteers were awarded a Certificate of Distinguished Service during the *Pro Bono* Awards Ceremony held during National *Pro Bono* Celebration Week. The RAP volunteers were honored for helping unrepresented litigants navigate the Housing Court, providing them with the confidence to discuss their claims and raising awareness about available resources for legal, monetary or other assistance.

"This *pro bono* service introduced me to the legal professionals and others that deal with housing issues in New York City. I became aware of issues and facts relating to the dire need of housing and learned what crucial role the courts do play to rectify the situation."

-RAP volunteer Dec. 2012

## BRIDGE THE GAP TRAINING INITIATIVE

Newly admitted attorneys in New York State are required to complete 16 credit hours of CLE credits during the first two years following admission to the Bar: 7 professional practice credits, 6 skills credits and 3 ethics credit hours. In 2011, the NYS Courts Access to Justice Program developed a "Bridge the Gap" training program targeted at law school graduates and newly admitted attorneys to fulfill their 16 hour CLE requirement. The CLE training is provided in exchange for a commitment to complete 50-hours of supervised *pro bono* service within 6 months in the NYS Courts Access to Justice Program's NYC unbundled legal services programs, assisting litigants with housing, consumer debt and uncontested divorce matters. The goal of this initiative is to involve attorneys in *pro bono* service early in their careers to encourage a long-term commitment to public service.

"Thank you for the incredibly instructive and enjoyable CLE program this week. I appreciate your prompt scheduling of my *pro bono* service. I am looking forward to getting started."

-Bridge the Gap training attendee, Oct. 2012

In 2012, due to popular demand, Bridge the Gap training was offered in March and October. With the new 50-hour *pro bono* service requirement for prospective attorneys, this training is extremely attractive. The Bridge the Gap trainings were oversubscribed, with attorneys wait-listed weeks before the training dates. Many law student and law graduate attendees stated that they were referred to the training by their law schools. The training was advertised on the NYS Courts Access to Justice Program's website and Facebook page.

Since the program's inception, over 400 attorneys have participated in this initiative and have provided *pro bono* service to more than 4,000 of New York's most vulnerable litigants.

## NATIONAL PRO BONO CELEBRATION WEEK

The fourth annual National *Pro Bono* Celebration Week was celebrated October 21 - 27, 2012. The NYS Courts Access to Justice Program sponsored a Bridge the Gap CLE *pro bono* training series, student intern training, a Volunteer Awards Ceremony and Volunteer Opportunity Expo, and community legal clinics through the Mobile Legal Help Center during the week in celebration of *pro bono* service. More can be read about the week's events on the NYS Courts Access to Justice Program's website at:

[http://www.nycourts.gov/ip/ny2j/Courts\\_Community\\_Center/npcbweek2012.shtml](http://www.nycourts.gov/ip/ny2j/Courts_Community_Center/npcbweek2012.shtml).



- **Bridge the Gap Training Series:** In return for *pro bono* service in the NYS Courts Access to Justice Program's volunteer attorney programs, free Bridge the Gap

CLE training was offered during *Pro Bono* Celebration Week to encourage and facilitate *pro bono* service by recent law graduates and newly admitted attorneys. Attorneys were trained to provide free legal advice and limited representation to unrepresented litigants in New York City's Civil and Supreme Courts. Recent law school graduates and newly admitted attorneys were able to fulfill their first or second year mandatory CLE requirements through participation in this program. During October 16-18, 2012, training was conducted in ethics, uncontested divorce, housing and consumer debt. Over 175 recent law school graduates and newly admitted attorneys were trained.

- ***Student Intern Training:*** In conjunction with *Pro Bono* Celebration Week, the NYS Courts Access to Justice Program hosted a webinar exclusively for St. John's University School of Law students introducing them to the eight NYC Housing Court DIY Form programs. The goal was to train law students to be able to assist Housing Court litigants with the DIY Form programs when interning in the courthouses.
- ***Mobile Legal Help Center:*** In honor of *Pro Bono* Celebration Week, the NYS Courts Access to Justice Program partnered with the New York Legal Assistance Group (NYLAG) to bring civil legal services to New Yorkers aboard NYLAG's Mobile Legal Help Center. Court staff, NYLAG attorneys, law students from Benjamin N. Cardozo School of Law, CUNY School of Law, St. John's University School of Law, and Touro College Jacob D. Fuchsberg Law Center, and volunteer attorneys were all on board the Mobile Legal Help Center throughout *Pro Bono* Week providing legal information, counseling, advice, and direct representation. The Mobile Legal Help Center traveled to a different county in NYC each day of the week between October 22 - 26, 2012. During this event, the first Family Offense Petition was filed on behalf of a domestic violence victim and a temporary Order of Protection was issued using the Mobile Legal Help Center's communication and technology features.
- ***The National Pro Bono Celebration Week Volunteer Awards and Volunteer Opportunity Expo:*** The NYS Courts Access to Justice Program, the New York State Bar Association, the New York County Lawyers' Association and the Office of the Mayor co-sponsored a *pro bono* volunteer recognition event on Thursday, October 25, 2012, at the NYC Civil Court. Attorneys received awards for their outstanding *pro bono* service. The event also highlighted the volunteer service of law students and recent law school graduates to further encourage *pro bono* by new attorneys.

The NYS Courts Access to Justice Program honored 230 volunteers for their work in the NYS Courts Access to Justice Program's Consumer Debt, Uncontested Divorce, Housing, Family Law and Guardian *Ad Litem* programs. All of the honorees performed over 50 hours of *pro bono* service in court-based program throughout 2012. During this event, a Volunteer Opportunity Expo was held for attendees to learn about the NYS Courts Access to Justice Program's volunteer programs. After the event, honorees were featured on the NYS Courts Access to Justice Program Facebook page: [www.facebook.com/NYCourtsVLP](http://www.facebook.com/NYCourtsVLP).

The program included remarks by Hon. Fern A. Fisher, Deputy Chief Administrative Judge for NYC Courts and Director, NYS Courts Access to Justice Program; Claire Gutekunst, Treasurer, New York State Bar Association; Stewart Aaron, President, New York County Lawyers' Association; and David B. Goldin, Administrative Justice Coordinator, Office of the Mayor of the City of New York.

## NEW PARTNERSHIPS

In 2011, unprecedented cuts to the judiciary budget deeply affected the NYS Courts Access to Justice Program. ProBonoNY and all the limited legal assistance volunteer lawyer programs were completely defunded. Staff layoffs led to the termination of partnerships with several schools of social work. Accordingly, NYS Courts Access to Justice Program staff worked to stabilize programs and find cost cutting solutions. In 2012, the NYS Courts Access to Justice Program explored new relationships to rebuild and generate new growth working within the constraints of limited funds. Effort was placed on forging new partnership to assist greater numbers of unrepresented litigants. Partnerships were cemented with non-profit organizations, law schools, law firms, government agencies and bar associations to expand unbundled legal services programs throughout the state and address legal issues and disseminate information for divorce, consumer debt, and landlord-tenant litigants, and to share resources, volunteers, and recruitment and training responsibilities. Highlights of new partnerships formed in 2012 include:

- ***Collaboration with NYC Law Schools:*** Through a 2012 Judiciary Legal Services grant, the Law Student Initiative was funded to produce a collaboration between Touro College Jacob D. Fuchsberg Law Center, St. John's University School of Law, CUNY School of Law and Benjamin N. Cardozo School of Law. These schools will jointly develop capacity and expertise for training and supervision of law students and recent law school graduates to provide *pro bono* civil legal services to low-income New Yorkers in existing court-based NYS Courts Access to Justice Program unbundled legal services uncontested divorce, consumer debt and landlord-tenant programs, and on the New York Legal Assistance Group's Mobile Legal Help Center. Coordination of resources and training, recruitment and supervision of law students and recent law graduates will reach far more volunteers, avoid duplication of efforts and establish best practices.
- ***Partnerships with Diversity Bar Associations:*** Eight diversity Bar Associations and Legal Services NYC, have partnered with the NYS Courts Access to Justice Program to provide *pro bono* attorneys for the Uncontested Divorce Program to reach individuals in community-based locations in minority communities. The bar associations will provide volunteers from their memberships who will prepare the complicated paperwork for an uncontested divorce. The NYS Courts Access to Justice Program will provide training and supervision for the volunteers. Legal Services NYC will assist the NYS Courts Access to Justice Program in training and mentoring volunteers and providing client referrals. The participating Bar Associations include: the Metropolitan Black Bar Association; the Association of

- Black Women Attorneys; the Macon B. Allen Black Bar Association of Queens County; the Amistad Long Island Black Bar Association; the Nigerian Lawyers Association; the Association of Ghanaian Lawyers of America; the Black Bar Association of Bronx County; and the Westchester Black Bar Association, Inc.
- **Partnerships with Large Law Firms:** The NYS Courts Access to Justice Program has initiated and revived its collaboration with prominent law firms Arent Fox LLP, Paul Hastings LLP, and Skadden, Arps, Slate, Meager & Flom LLP & Affiliates, to diversify and expand its recruitment and placement of attorneys to assist tenants in its VLFD Housing Program.
  - **The New York Community Trust:** In February 2012, thanks to its commitment to promoting human justice and its support to expand civil legal services for New Yorkers in need, this foundation made a grant to the CUNY School of Law Community Legal Resource Network to partner with the NYS Courts Access to Justice Program to run its VLFD Housing program. This allowed the VLFD Housing program to thrive and continue to offer free representation in landlord-tenant matters in the Resolution Part of the Housing Courts in New York and Kings Counties.
  - **The Legal Aid Society, Law Reform Unit:** The NYS Courts Access to Justice Program partnered with the Law Reform Unit to design and offer unique additional CLE programs to its volunteers to expand their understanding and knowledge of landlord-tenant law and increase the level of quality of legal services offered by the VLP and VLFD Housing programs.
  - **Seventh Judicial District Court Help Center Partnership:** The NYS Courts Access to Justice Program and 7th J.D. Administrative Judge Craig J. Doran partnered with the Volunteer Legal Services Project of Monroe County, Inc., the Monroe County Bar Association, the Empire Justice Center - Telesca Center for Justice, and The Center for Dispute Settlement, to establish a 7th Judicial District Court Help Center. The Help Center will be located in the Rochester City Court and provide legal information to unrepresented litigants. The Help Center is scheduled to open in early January 2013.

## FORMS SIMPLIFICATION INITIATIVE

There is widespread demand throughout the state for court forms and procedures to be standardized, simplified, and otherwise improved. Requests for the improvement and standardization of forms came from large numbers of practitioners and Judges surveyed by Chief Judge Jonathan Lippman's Task Force to Expand Access to Civil Legal Services in New York. Inextricably tied to the standardization of forms is the standardization of procedures and the manner in which fees are charged within the state. There is also a need to have one source of forms on the New York State Court's website. Standardization and simplification will also help in the development of more DIY Form programs.

In 2012, in response to The Task Force's recommendations, a "Simplification Committee" was set-up, co-chaired by Judge Fern A. Fisher and Deputy Chief Administrative Judge

for Courts Outside NYC, Michael V. Coccoma. The objective of the Simplification Committee is to standardize and simplify, taking into consideration local needs, all forms and procedures and charging of fees in all unified courts to increase predictability and simplicity for unrepresented litigants. The Simplification Committee will also consider and insure that any changes will be consistent with the DIY Form programs. Sub-committees made up of Judges and practitioners from across the state have been set-up and are working on recommendations to the main Simplification Committee. To date, Sub-committees have proposed forms, and uniform orders or practices in the landlord-tenant, foreclosure, consumer and uncontested divorce areas.

## COURT HELP CENTERS

Court Help Centers throughout the State offer free legal and procedural information to unrepresented litigants. Staffed by Court Attorneys or Court Clerks, and Administrators, the Court Help Centers provide comprehensive information on special proceedings, matrimonial, family, real property, housing, foreclosure and other civil matters. All New York State Court Help Centers make referrals to *pro bono* legal service providers for full service representation, to social service support agencies and to alternative dispute resolution programs. Help Center staff review court paperwork prior to filing, explain orders, and distribute free sample forms, informational packets and publications. There are also computers available to complete DIY Forms, conduct legal research, or view the NYS Court's Access to Justice Program videos. Help Center locations can be found on CourtHelp: <http://nycourthelp.gov/helpcenters.html>. Highlights of the Help Center activities in 2012 include:



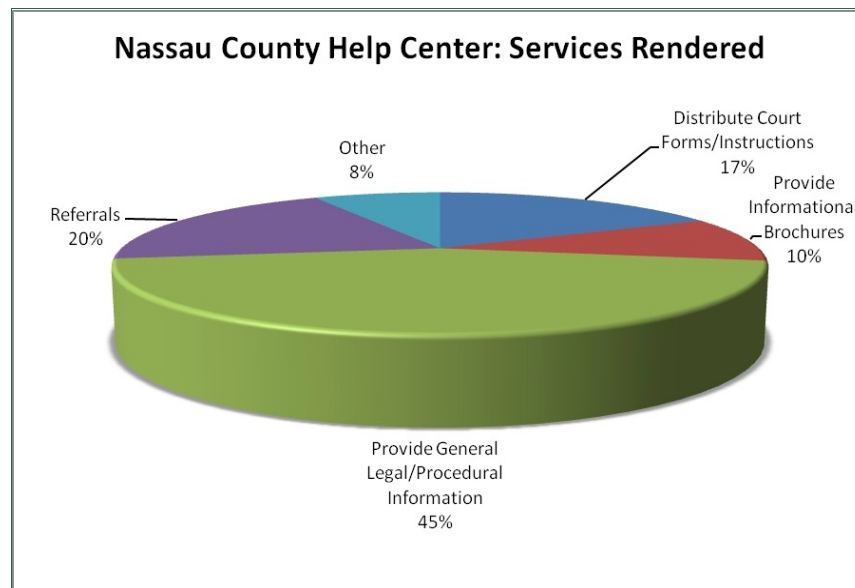
- **Litigants Assisted:**

- NYC Civil Court Help Centers: These Help Centers assist litigants with housing and civil matters. The staff assisted over 21,000 people in 2012.
- Suffolk County Help Center: In 2012, the two Suffolk County Help Centers assisted approximately 6,029 litigants, with the Riverhead Law Library helping 1,333 patrons and Central Islip Law Library assisting the remaining 4,696.
- Erie County Help Center: The Erie County Help Center assisted approximately 5,273 people with 82% being first time Help Center users.
- Ninth Judicial District Help Centers: During the first three quarters of 2012, these Help Centers assisted 6,550 people, 3,592 in person and 2,958 by phone, fax, or email.
- NYC Family Court Help Centers: In 2012, the NYC Family Court Help Centers assisted approximately 1,954 people.

"I can't believe this office exists! I am so glad there is a place I can come to get my papers checked."

-Civil Court Kings County  
Help Center litigant, Dec.  
2012

- Nassau County Help Center: the Nassau County Help Center staff saw more than 17,100 people in 2012. Of those assisted, 98% were first time visitors to the Help Center. The Center provided general legal and procedural information to approximately 10,319 people, which is 45% of the total services provided.



- NYC Supreme Court Help Centers: In 2012, these Help Centers assisted over a 66,000 people with Article 78 proceedings, correcting or amending birth certificates, filing divorce paperwork, and a variety of other civil matters.
- **New and Updated Help Center Brochures:** The Nassau County Court Help Center updated its brochure. The brochure describes all the services the Help Center provides along with important court and community contact numbers, and lists available resource materials. The Erie County Court Help Center created a new County Court Help Center brochure. The brochure list important court and community contact numbers, available resource materials, and explains the Help Centers on site services. The brochure is available online at: [http://www.nycourts.gov/courts/8jd/pdfs/Resource/CHC\\_BROCHURE\\_REV\\_10-5-11.pdf](http://www.nycourts.gov/courts/8jd/pdfs/Resource/CHC_BROCHURE_REV_10-5-11.pdf).
- **Nassau County Pro Bono Legal Fair:** In October, in conjunction with National *Pro Bono* Celebration week, Nassau County Court Help Center personnel took part in the *Pro Bono* Legal Fair at the Nassau County Bar Association. The Help Center staff answered questions and distributed information on various legal topics; such as, bankruptcy, divorce, foreclosure, and immigration.
- **NYC Civil Court NYCHA Training:** In conjunction with the NYS Courts Access to Justice Program's VLP Housing, in November 2012, Help Center staff received 2.5 hours of additional training on New York City Housing Authority (NYCHA) related issues such as the grievance process, administrative hearings, and Article 78



proceedings. Thereafter, Help Center Court Attorneys and administrative staff were better prepared to assist litigants throughout the VLP Housing's Thursday evening "NYCHA Night" series held in November and December in the NYC Civil Court Help Centers.

- ***Partnership forged to open new Help Center.*** A partnership between the NYS Courts Access to Justice Program, 7th J.D. Administrative Judge Craig J. Doran, the Volunteer Legal Services Project of Monroe County, Inc., the Monroe County Bar Association, the Empire Justice Center - Telesca Center for Justice, and The Center for Dispute Settlement, was established to open a 7th Judicial District Court Help Center in early 2013. The Help Center will be located in the Rochester City Court and will provide free walk-in legal and procedural information to litigants who are not represented by an attorney.



## PART II: TECHNOLOGY, SOCIAL MEDIA AND PUBLICATIONS

In 2012, the NYS Courts Access to Justice Program continued to focus its energies on technology-based resources and services as a cost-effective means of disseminating information and assistance to the public. Using the internet as a path to reach unrepresented litigants, on-line litigant publications were written; the statewide CourtHelp website was improved; the DIY Form document assembly program initiative was expanded; and greater advantage was taken of the social media sites Twitter and YouTube. Additionally, efforts to recruit volunteers to assist the unrepresented public through Facebook were increased. Statistics and feedback indicate that technology is an ideal mechanism in the fight to improve equal access to justice. A review of the most significant achievements in 2012 are discussed below.

### DIY (Do-It-Yourself) FORM USAGE

DIY Forms are document assembly programs designed as a free and easy method for unrepresented litigants to prepare the court forms and instructions they need to proceed in court. The programs ask the litigant questions then use the answers to generate a completed personalized court form, which is ready to print, serve and file. The DIY Form programs are available to unrepresented litigants over the internet and in many courthouse Clerks' Offices and Help Centers throughout the state. DIY Form programs are available for litigants in Family, Supreme, Surrogate's, District, City, Town, Village, NYC Civil and NYC Housing Courts. A list of the 24 available DIY Form programs is set forth on the NYS Courts Access to Justice Program's website: <http://www.nycourts.gov/ip/nya2j/diyforms.shtml#availableprograms>.

"This process was incredibly well designed and easy to follow. It made filing my petition extremely easy. The program was very helpful and guided me in a way that made me feel confident I was filling the petition out correctly. Thank you for designing such an intelligent piece of software.

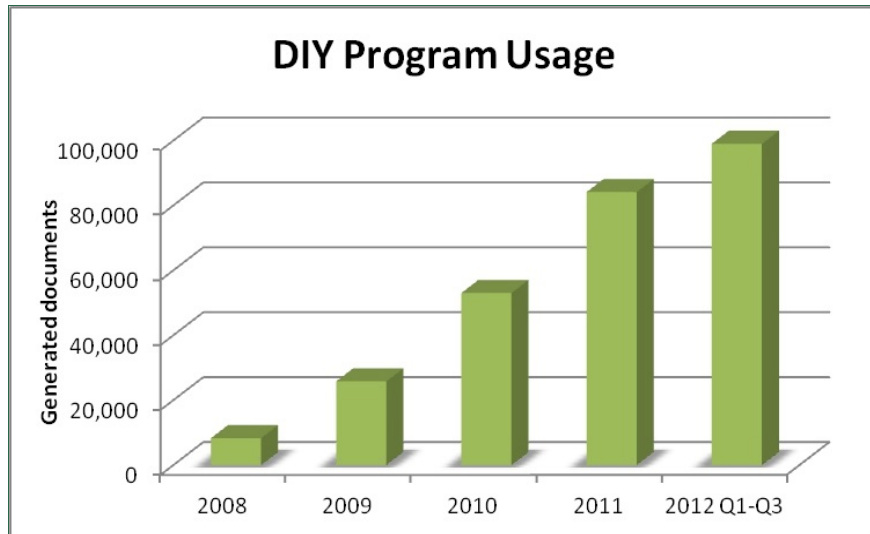
*-DIY internet feedback March 2012*

The NYS Courts Access to Justice Program tracks DIY Form program usage and reviews the data to determine where and how to follow-up with program changes and personnel training and outreach. DIY Form program usage data is collected from three sources: Law Help Interactive (LHI) statistics, Universal Case Management System (UCMS) statistics, and DIY User Surveys. 2012 usage highlights are as follows:

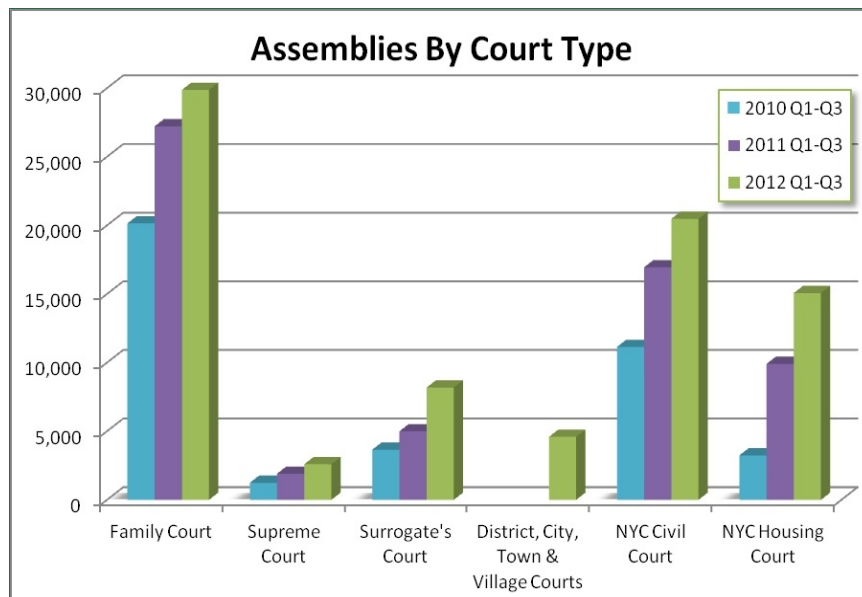
- **LHI Statistics:** The New York State court system contracts with Pro Bono Net to host the DIY Form programs on the internet on Pro Bono Net's server called Law Help Interactive (LHI). LHI compiles quarterly usage statistics for the 44 legal services organizations and court systems that use LHI to host their document assembly programs. The statistics indicate how many times a document was generated from every program. For the past three years, the NYS Courts Access

to Justice Program's DIY Forms have generated more documents than any other organization using LHI, even though New York does not have the most document assembly programs.

In the first three quarters of 2012, there were 80,780 assemblies, an increase of 32% from the first three quarters of 2011. It is projected that there will be more than 100,000 assemblies in 2012 if usage continues on its present course.



There was a sizeable increase in assemblies of 51% attributable to Supreme Court, Surrogate's Court, NYC Civil Court and NYC Housing Court, as well as to the new programs for District, City and Town & Village Courts.



There was a slight increase of 2,650 assemblies of Family Court programs between the first three quarters of 2011 and the first three quarters of 2012.

- **UCMS Statistics:** Comparing the total number of unrepresented filings to the number of DIY filings recorded in the court system's case management system gives an estimate of the incorporation of the programs in the courthouse. When a litigant submits a DIY generated document, the Clerks in Family, Surrogate's, City, and NYC Civil Courts are asked to record DIY filings in UCMS. The case management systems for Supreme, District, NYC Housing, and Town and Village Courts do not yet have this capability. DIY UCMS recorded filings increased in 2012 as program usage increased.

In 2012, the Department of Technology incorporated new DIY Form programs into the City Court UCMS and added new DIY Form programs to the Family, Surrogate's, and City quarterly UCMS reports. The NYS Courts Access to Justice Program issued new instructions for Clerks to record DIY filings as new programs were created for Surrogate's and City Courts. The instructions are available on the NYS Courts Access to Justice Program's intranet site.

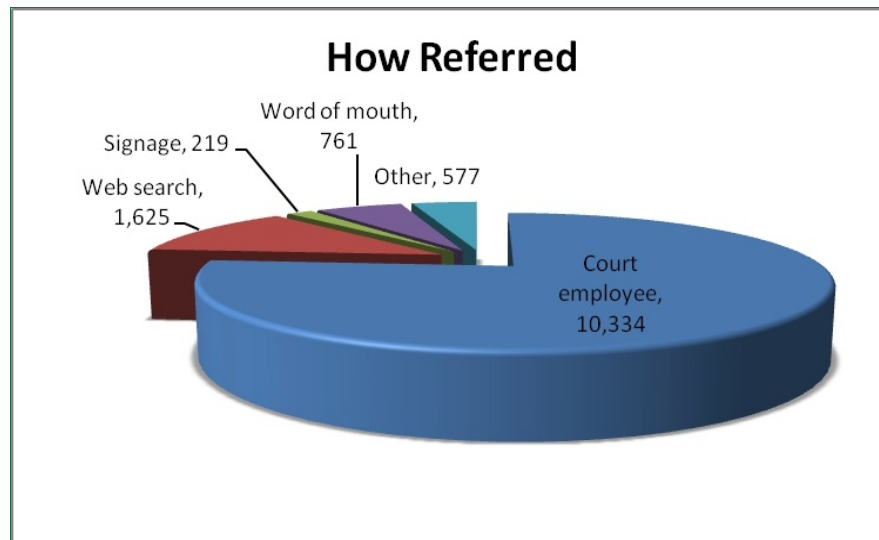
- **User Surveys:** A User Survey is generated every time a document is assembled from a DIY Form program. The litigant returns the brief User Survey to the Court Clerk, who then returns it to the NYS Courts Access to Justice Program. Data from the returned surveys is then input into a FileMaker database. In 2012, nearly 20,000 DIY User Surveys were submitted during the year. (A copy of the User Survey is attached as Exhibit "A"). 2012 highlights from the User Surveys include the following:

"This program is the best thing I've experienced in this or any court."

-DIY User Survey, New York Co. Family Court, Support Modification, Feb. 2012

- **Survey Comments:** The majority of comments in the User Surveys express gratitude and appreciation for the service. Many praise the excellent assistance that the litigants received from court personnel. The most common repeated themes rave about the DIY Form programs' ease of use, the amount of time and money saved, the procedural information garnered and the feeling of empowerment gained from using the DIY Form programs. A sampling of user "testimonials" are posted on the NYS Courts Access to Justice Program's website at: <http://www.nycourts.gov/ip/nya2j/DIYtestimonials.shtml>.
- **Saved Time:** The User Surveys indicate that 95% of all people said that DIY programs saved them time, an increase of 2% from 2011. There was an increase of 4% of users age 65 and older who said that DIY programs saved them time from 2011.
- **How Referred:** The User Survey responses prove that court personnel play a large role in directing litigants to the DIY Form programs. 76% of users

said they were referred to the program by a court employee. The chart below shows how litigants said they learned about the availability of the programs.



- **Internet Access:** The percentage of people with internet at home increased slightly in 2012 to 84% from 82% in 2011 and 78% in 2010. In 2011, 69% of Spanish users had internet at home but in 2012, 76% of Spanish users had internet at home. There was also a slight increase of 2% for English users with internet at home compared to 2011.
- **Where Used:** User Surveys demonstrated that 77% of litigants used the DIY Form program in a Court Help Center, Court Clerk's Office or a court library.
- **Plain Language:** DIY Form program text is sent to a "plain language specialist" to simplify the verbiage to accommodate users with lower reading levels. User Surveys showed that 98% of users found the questions, definitions and "Learn Mores" clear to understand.
- **Income:** In general, 41% of users make less than \$19,999. The greatest percentage of low-income litigants who had annual incomes of less than \$35,000 used the NYC Housing Court Restore to Calendar program at 79%.

## DIY FORM DEVELOPMENT

DIY Form development takes a considerable amount of time to produce legally sufficient court forms and

instructions that will be accepted in any court throughout the state. The NYS Courts Access to Justice Program follows the practices for form development outlined in its own

**NYS DIY Forms** DO-IT-YOURSELF

Best Practices Guide at:

[http://www.nycourts.gov/ip/nya2j/pdfs/BestPractices\\_courtsystemdocument\\_assemblyprograms.pdf](http://www.nycourts.gov/ip/nya2j/pdfs/BestPractices_courtsystemdocument_assemblyprograms.pdf). Before a DIY Form program is released to the public, developer groups, comprised of both judicial and non-judicial personnel, private attorneys and stakeholders in the community, provide input and feedback and conduct extensive testing. In addition, DIY Form programs are sent to a specialist to put the text into plain language to help users understand the information better and avoid confusion and misunderstanding. Once a DIY Form program is launched, it is continuously maintained and updated based upon user feedback, changes in the law, and technological advances. Additional language options and features are often added where feasible and practical.

2012 New Programs:

- ***Tenant Restore to Calendar Program***: This program is for unrepresented tenants with cases in the NYC Housing Courts. It makes the papers needed to ask the court to restore a case to the calendar. It was launched in March 2012. The user has the option to print Spanish instructions in addition to instructions in English. [http://www.nycourts.gov/courts/nyc/housing/restoretocalendar\\_diy.shtml](http://www.nycourts.gov/courts/nyc/housing/restoretocalendar_diy.shtml).
- ***Safe Deposit Box Petition Program***: This program helps unrepresented Surrogate's Court litigants create court papers to request access to a safe deposit box of someone who died. The program was launched in May 2012. <http://nycourthelp.gov/diy/safedeposit.html>.
- ***Small Property Owner Licensee Holdover Petition Program (NYC)***: In August 2012, a licensee holdover program was created for landlords in New York City with cases in the Civil Court. The program allows a small property owner of unregulated housing to make either a 10-day Notice to Quit or Notice of Petition and Petition, along with affidavits of service and instructions on what to do next. [http://nycourts.gov/courts/nyc/housing/diy\\_smallPropOwnLic.shtml](http://nycourts.gov/courts/nyc/housing/diy_smallPropOwnLic.shtml).
- ***Small Property Owner Licensee Holdover Petition Program (Outside NYC)***: In September 2012, a licensee holdover program was created for District, City, Town and Village Court litigants to prepare the court forms they need to commence a proceeding. Alternatively, the program can create the predicate 10-day Notice to Quit required to evict a licensee. The program is for small property owners of mobile homes, houses or apartments to use to evict someone who was invited to live in the premises by a former tenant. <http://nycourthelp.gov/diy/licenseeHoldover.html>.
- ***Small Property Owner Squatter Holdover Petition Program***: In November 2012, a new DIY Form program was launched for small property owners outside New York City to commence a squatter holdover proceeding in the District, City, Town or Village Courts. The program makes either a ten-day Notice to Quit or a Notice of Petition and Petition and accompanying court papers, along with instructions for the litigant to proceed when a person has moved in without permission. <http://nycourthelp.gov/diy/squatterHoldover.html>.
- ***Custody/Visitation Enforcement Petition Program***: This program helps Family Court litigants seek enforcement of a custody and/or visitation order when the

other parent is not complying with the order. The program was launched in November 2012. <http://nycourthelp.gov/diy/custodyEnforcement.html>.

- **Custody/Visitation Modification Petition Program:** In November 2012, a program was created for Family Court litigants to use to ask the court to modify an existing custody and/or visitation order. <http://nycourthelp.gov/diy/custodyModification.html>.

#### 2012 Program Modifications:

- **Small Estate Affidavit Program Modifications:** In March 2012, optional and mandatory e-filing rules was promulgated for a number of County Surrogate's Courts. The Small Estate Affidavit DIY Form Program was modified to accommodate the new e-filing rules. An opt-out form was added to the program for counties that require the documents be e-filed and an FAQ about e-filing was added to the instructions for the eleven counties with either voluntary or mandatory e-filing for the unrepresented litigants that wish to e-file their documents through NYSCEF, the court's e-filing system. <http://www.nycourts.gov/courthelp/diy/smallestate.html>.
- **New York City Consumer Debt Affidavit to Vacate a Default Judgment:** In July 2012, an update was made to the NYC Civil Consumer Debt Affidavit to Vacate a Default Judgment DIY Form program due to a change in case law. The program was modified to reflect how the borrowing statute can affect a statute of limitation defense in a consumer debt case. [http://www.nycourts.gov/courts/nyc/civil/int\\_affidavit2vacate.shtml](http://www.nycourts.gov/courts/nyc/civil/int_affidavit2vacate.shtml).

#### 2012 Language Features Added:

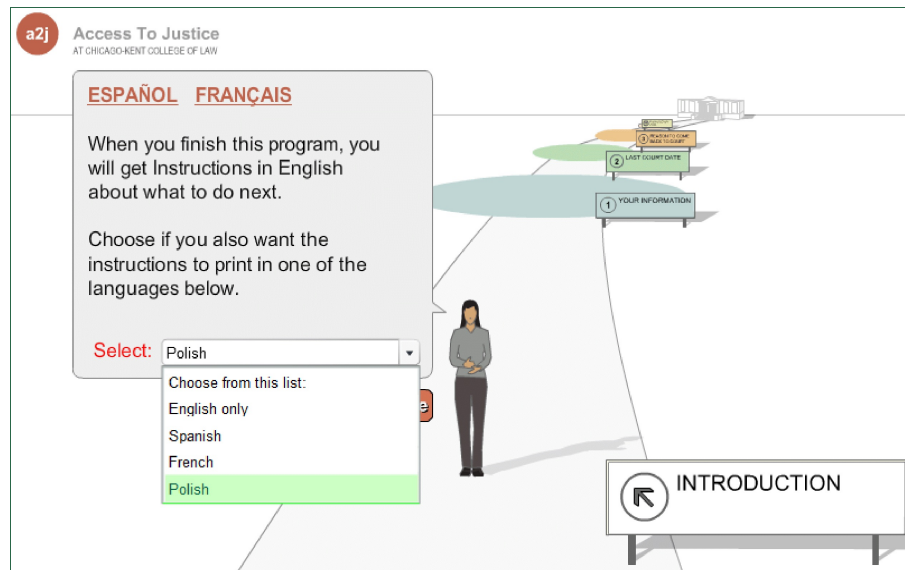
- **Instructions in Other Languages Added:** In addition to the court papers generated, all DIY Form programs produce English instructions that tell the litigant how to proceed. The instructions are personalized and contain the contact information for the appropriate court. After a program has been in use for some time and it is safe to assume that screen text will not change substantially, Spanish instructions are added to most programs. When litigants go through the program, they are asked if they would like the instructions printed in another language in addition to English. The foreign language instructions help non-native speaking English litigants, advocates and Court staff when they assist these litigants.
  - **Safe Deposit Box Petition Program:** Spanish instructions were added in December 2012. The litigant has an option of printing Spanish instructions in addition to instructions in English, along with the English pleadings. <http://nycourthelp.gov/diy/safedeposit.html>.
  - **New York City Tenant Restore to Calendar Program:** This is the first DIY Form program to offer litigants a choice of instructions in four languages. During the program, the litigant is given the option of choosing just English, English and French, English and Spanish, or English and Polish instructions



to be printed when the program is completed.

[http://www.nycourts.gov/courts/nyc/housing/restoretocalendar\\_diy.shtml](http://www.nycourts.gov/courts/nyc/housing/restoretocalendar_diy.shtml).

- French instructions were added in June 2012. If the user chooses the French option, the instructions generated with the DIY court form are printed in French in addition to English.
- Polish instructions were added in December 2012. This is the first program to offer Polish speaking litigants an option to print instructions in English and Polish.



- **“Pop-Ups” in Other Languages Added:** “Pop-ups” are highlighted words in the text that can be clicked on by the user to obtain additional information, usually a definition. In 2011, the NYS Courts Access to Justice Program used the Pop-Up feature to provide foreign language translations of the English text. Every screen of the DIY Form programs with the added foreign language feature have "Español" Pop-Ups and some programs have "Français" Pop-Ups, which open windows with the translations of the text. Litigants receive instructions and pleadings in English, but also have an option to print instructions in the Pop-Up text language. These Pop-Ups assist Lower English Proficiency users, as well as help court staff and advocates to assist foreign language speaking litigants. Positive feedback on this feature led to the incorporation of Pop-Up translations in several more DIY Form programs in 2012:
  - Tenant Vacate Default Judgment Program for outside NYC: Spanish Pop-Ups were added in March 2012.  
<http://nycourthelp.gov/diy/tenantVacateDefault.html>.
  - Support Enforcement/Violation Petition Program: Spanish Pop-Ups were added in March 2012.  
<http://nycourthelp.gov/diy/supportEnforcementViolation.html>.
  - NYC Tenant Restore to Calendar Program: French and Spanish Pop-Ups

were added in December 2012.

[http://www.nycourts.gov/courts/nyc/housing/restoretocalendar\\_diy.shtml](http://www.nycourts.gov/courts/nyc/housing/restoretocalendar_diy.shtml)

Spanish page:

[http://www.nycourts.gov/courts/nyc/housing/housing\\_spanish/restoretocalendar\\_diy.shtml](http://www.nycourts.gov/courts/nyc/housing/housing_spanish/restoretocalendar_diy.shtml).

- **Polish User Survey:** In December 2012, a Polish User Survey was created for the NYC Tenant Restore to Calendar DIY Form Program. The Polish User Survey prints if the litigant requests a copy of the instructions in Polish. (A copy of the Polish User Survey is attached as Exhibit “A”).

In an effort to cultivate a cadre of DIY Form volunteer developers throughout the state, the NYS Courts Access to Justice Program periodically holds training webinars called “Introduction to DIY Programming.” In 2012, this webinar was held in November. Attendees were trained on features and basic programming techniques of A2J Author, the “front-end” of DIY Forms. The webinar is open to all court personnel and no programming experience is required. Attendance is voluntary. In 2012, employees from a range of job titles, including court clerks, case coordinators, court attorneys and librarians, took the training.

In November 2012, two new Family Court DIY Form programs were released to the public which were based in large part on front-end programming completed by a Clerk in the Bronx County Family Court.

## DIY FORM TRAINING AND OUTREACH

DIY Form personnel training and outreach have proven to be the key to the success of the DIY Form programs. The User Surveys evidence that litigants are consistently directed to use the programs in courthouses and over the phone by court personnel. The majority of users complete the DIY Forms in a court facility such as a Clerk’s Office or Help Center. Since court staff is the primary means that unrepresented litigants learn about the DIY Form programs and because the DIY Form programs are a resource intended to save staff time assisting these litigants, the NYS Courts Access to Justice Program focuses considerable time and energy on training staff about the programs. To keep training costs low, court personnel are primarily trained by the NYS Courts Access to Justice Program through MeetingPlace webinars.

Personnel training in 2012:

- **Webinar Trainings:** All judicial and non-judicial personnel were invited to attend webinars on various DIY Form programs. Webinar announcements were emailed to the Chief Clerks or DIY contacts in the courts, and were posted on the court system’s intranet. The webinars showcased the DIY Form program and highlighted any associated promotional materials and case management responsibilities. The following webinars were held:

- Surrogate’s Court Safe Deposit Box Petition Program: March and April 2012.
- District, City, Town and Village Court Licensee and Squatter Holdover Programs Showcase: November 2012.
- Family Court Custody/Visitation Enforcement and Modification Programs Showcase: November and December 2012.
- **Public Law Librarian Training:** In June 2012, the NYS Courts Access to Justice Program hosted two exclusive webinars for New York State Courts Public Access Law Librarians. The webinars showcased 19 DIY Form programs. Over 30 librarians from 22 counties attended the webinars.
- **Live Trainings:** Due to budget and personnel cuts, the NYS Courts Access to Justice Program staff did not conduct any live personnel trainings in 2012. Live DIY Form training was conducted for the City and Family Court Clerks through the assistance of the Oswego County Fulton City Court Chief Clerk and the Bronx County Family Court Clerk of Court. The Clerks were trained on new DIY Form programs available for their courts and instructed in UCMS and User Survey protocols. In addition, promotional materials were distributed:
  - City Court Chief Clerks Training: October 2012.
  - New York State Court Clerk Association of Family Court Clerks Training: November 2012.
- **New York City Civil Court Training and Outreach:** The New York City Civil Court has a trainer on staff responsible for conducting training of court personnel on the DIY Form programs. In March 2012, the NYS Courts Access to Justice Program staff met with the Civil Court trainer to “train the trainer” on the new Tenant Restore to Calendar DIY Form program. Training on the DIY Form program was then conducted for all appropriate NYC Civil Court personnel.

“DIY forms are a tremendously valuable resource and user-friendly. I am thrilled to be able to recommend them and patrons are ALWAYS happy with results.”

-Public Access Law Librarian, June 2012

Public Training in 2012 included:

- **RAP Student Training:** In June 2012, a live training was held in the NYC City Civil Court New York County courthouse for the summer RAP college and law students. The students were trained on the NYC Housing Court DIY Form programs. The training highlighted the Tenant Restore to Calendar and Tenant Affidavit to Vacate a Default Judgment programs. After completing the training, the RAP students assisted litigants with the DIY Form programs in the afternoons in the NYC Housing Court Clerk’s Offices.
- **Volunteer Lawyer Training:** In July 2012, the NYS Courts Access to Justice Program held a CLE accredited DIY Form live training in NYC Civil Court New York County courthouse, which was open to the volunteer attorneys in the NYC Volunteer Housing Lawyer Programs. The presenter highlighted the Small

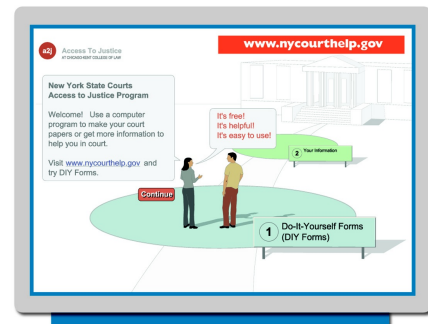
Property Owner Nonpayment Petition and Tenant Restore to Calendar DIY Form programs. The free CLE was provided in exchange for additional volunteer hours in the Help Centers.

- **Law Student Training:** In October 2012, as part of *Pro Bono* Celebration Week, a webinar was conducted for St. John’s University School of Law students to introduce them to eight NYC Housing Court DIY Form programs. The webinar primarily focused on the Tenant Affidavit to Vacate a Default Judgment, Roommate Holdover Petition, and Small Property Owner Nonpayment Petition programs. Many of the law students trained participated in the NYS Courts Access to Justice Program RAP and used this training to assist Housing Court litigants with the DIY Form programs in the courthouse.
- **On-line Document Assembly in New York Webinar:** In November 2012, the NYS Courts Access to Justice Program gave an overview of the available DIY Form programs in New York. This webinar was attended by Executive Directors of Legal Services providers throughout New York State as well as IOLA grantees.

Public Outreach in 2012 included:

- **Promotional Flyers and Posters:** Printed plain language flyers and posters for the DIY Form programs are disseminated throughout New York to courthouses, Help Centers, public access libraries and to training and outreach participants. In 2012, new flyers and posters were created for Family Court, the District, City, Town and Village Courts, and the NYC Housing Court. Court personnel can download flyers from the NYS Courts Access to Justice Program intranet site. Flyers are also available to the general public at: <http://www.nycourts.gov/ip/nya2j/diyforms.shtml>.

- **Promotional Postcards:** With the creation of many more DIY Form programs, new promotional postcards were created in 2012 to replace multi-court postcards and target litigants in specific courts. Postcards were distributed to courthouses and offered to the public at community outreach events. The following new 4x6 postcards were designed and distributed in 2012:



- NYC Housing Court postcard: Created in March 2012, this card singles out the landlord-tenant programs from the civil programs listing the five housing DIY Form programs that were available at the time of printing.
- Family Court postcard: Designed in November 2012, this card promotes the six DIY Form programs available for Family Court litigants.
- Surrogate’s Court postcard: Created in November 2012, this card advertises the three available Surrogate’s Court DIY Form programs.
- District, City, Town and Village Court postcard: In October 2012, this card

was updated to add the new Squatter and Licensee Holdover DIY Form programs. The card advertises the four landlord-tenant programs available for these courts outside New York City.

(Copies of the promotional cards are annexed as Exhibit “B”).

- **Courthouse Slideshows:** DIY Form program silent slideshows were created to run continuously in prominent locations to advertise the availability of landlord-tenant DIY Form programs to litigants in the Syracuse and Rochester City Courts. (Examples of the slideshows are attached as Exhibit “C”).
- **Social Media Outreach:** Twitter was used 64 times to inform the public about the availability of DIY Form programs. Two videos about DIY Form Program were produced and posted on YouTube. The videos garnered over 400 views by the end of 2012.

The NYS Courts Access to Justice Program also promotes the DIY Form programs through competition for the DIY Star Award. This award recognizes UCS personnel and courts who have made exceptional contributions to the successful development and implementation of the DIY Form programs. Quarterly statistical information, litigant User Surveys and nominations by fellow employees are reviewed to choose the winners. The DIY Star Award applauds the individuals or courts whose actions are critical in creating lasting change in court culture and work environment. The DIY Star Award also boosts employee morale. The court competition has led to improved data collection compliance, program promotion and program awareness and usage.



In 2012, one Clerk’s Office staff and one individual Chief Clerk were chosen as DIY Star winners, earning large touchscreen monitors and computers for their respective courthouses to use as public access terminals. The computers are customized for ready access to the DIY Form programs. The touchscreen computer monitors work well with the A2J front-end interface and enhance the user experience. Only DIY Star Award winning courts have touchscreen monitors.

DIY Star winners are featured on the court’s intranet homepage and the internet: <http://www.nycourts.gov/ip/nya2j/DIYawards.shtml>. 2012 recipients of the DIY Star Award:

- Queens County Civil Court, Clerk’s Office Staff, March 2012: Not to be outdone by their fellow Civil Court Clerks in New York County who won the DIY Star Award in 2011, the Queens Civil Court stepped up their customer service to improve usage of the NYC Consumer Debt Vacate Default Judgment DIY Form program in the courthouse and were awarded a DIY Star Award for their overwhelming success: <http://www.nycourts.gov/ip/nya2j/awardQueensCivil.sht>

"The court clerk was very helpful, guided me through the entire process. Tax dollars well spent."

-DIY User Survey,  
Queens Co. Civil Court,  
Consumer Debt., March  
2012

[ml](#). The Assistant Deputy Chief Clerk set-up a system where there is always a clerk available to assist DIY users. Everyone in the office helps litigants on a daily rotating schedule and supervisors cover the assignment if the DIY Clerk is needed at the filing window. The Clerk's Office staff gained recognition through the User Survey comments that raved about the help provided by so many different employees. Their distinction was truly due to a concerted team effort.

- Maureen Ball, Chief Clerk Oswego County Fulton City Court, November 2012: Chief Clerk Ball earned an individual Star Award for her valuable contribution to the development and implementation of the landlord-tenant DIY Form programs that produce court papers for the District, City, Town and Village Courts. <http://www.nycourts.gov/ip/nya2j/awardNewYorkCivil.shtml>.

## ADVOCATE DOCUMENT ASSEMBLY PROGRAMS

In 2011, the NYS Courts Access to Justice Program used document assembly technology to create two advocate assisted programs. The advocate assisted programs skip the front-end interface created with A2J Author software and only employ HotDocs software. This provides advocates with a much faster method of interviewing a litigant and producing court papers. Advocate assisted programs are designed with an expectation that a trained advocate will assist the litigant through the process and will be available to ensure that a *prima facie* pleading is produced and terms and concepts are explained. Below is the 2012 update on the advocate programs:

- **Family Court Family Offense Petition:** The Family Offense Petition program is specifically designed for advocate use where the advocate assists an unrepresented litigant in completing the Family Offense Petition and an Address Confidentiality Affidavit, if needed, while providing the guidance required in these domestic violence scenarios. In 2012, the following modifications were made to the Family Offense Petition Program: expanded the child section to accommodate up to seven children, fixed the alias field for both the Petitioner and Respondent, and updated the address confidentiality section to reflect changes to the form. It is anticipated that this program will be widely used in 2013.
- **NYC Affidavit to Vacate a Default Judgment in a Consumer Debt Case:** In 2012, the NYS Courts Access to Justice Program continued to share this advocate assisted program with consumer advocate groups. The program is password protected by a password that is periodically changed and disseminated. In July, a free live CLE accredited training was offered to volunteer attorneys in the VLP and VLFD consumer debt programs. The training was offered in exchange for additional volunteer hours in the Civil Court Help Centers assisting consumer debt litigants.

## ELECTRONIC FILING

The New York State court system has made electronic filing a priority in light of the

substantial savings and improvements in efficiency that electronic filing will bring. The NYS Courts Access to Justice Program is mindful that access to technology is not equal among all New Yorkers. The NYS Courts Access to Justice Program is committed to assisting the court system with its e-filing project, “NYSCEF,” while ensuring that unrepresented litigants are considered and included in the planning and implementation of e-filing solutions. Highlights in 2012 include:

- **Family Court Family Offense Petition Program:** In 2011, the NYS Courts Access to Justice Program, working in conjunction with the Unified Court System’s Department of Technology (DOT), the Center for Court Innovation, NYC Family Court personnel, and Pro Bono Net, designed an advocate assisted document assembly program that produces the Family Court Family Offense Petition and Address Confidentiality Affidavit and transfers the data gathered in the Program directly into the Family Court’s case management system. Use of the Family Offense Petition Program will be piloted in the early part of 2013 in the Bronx County Family Court and is expected to expand to courts throughout the state during the year. The electronic transfer of data is a major improvement in courthouse efficiency and will eliminate hours and hours of data entry. It is anticipated that the technology designed for this document assembly program will lead to the e-filing of documents produced by the DIY Form Support Modification Petition program.
- **Surrogate’s Court E-filing:** In 2012, an option to e-file was extended to Surrogate’s Court for Cayuga, Livingston, Ontario, Queens, Seneca, Steuben, Wayne and Yates Counties. Mandatory e-filing was imposed on Surrogate’s Court filings in Chautauqua, Erie and Monroe Counties; however, unrepresented litigants can opt-out by filing a form. Up until this rule change, e-filing had not impacted unrepresented litigants. Since Voluntary Administration proceedings are often filed by unrepresented litigants, the NYS Courts Access to Justice Program modified the Small Estate Affidavit DIY Form Program to provide an opt-out form for users in mandatory e-filing counties, as well as instructions on how to e-file through NYSCEF. To date, it appears that only a handful of litigants using the DIY Form Small Estate Affidavit DIY Form program have chosen to e-file their court papers. <http://www.nycourts.gov/courthelp/diy/smallestate.html>.

## EXPANSION OF NYS COURTS ACCESS TO JUSTICE PROGRAM WEBSITE

Throughout 2012, the NYS Courts Access to Justice Program’s website: <http://www.nycourts.gov/nya2j>, was continuously updated to provide greater resources for unrepresented New Yorkers and access to justice advocates throughout the country. Publications, DIY Form programs, flyers, testimonials and Star Award pages were added, as well as the following new content:

- **Mobile Legal Help Center:** This new webpage contains information for litigants

about where to find the New York Legal Assistance Group's Mobile Legal Help Center to obtain free assistance, as well as information for attorneys about how to volunteer.

[http://www.nycourts.gov/ip/nya2j/Courts\\_Community\\_Center/mobilelegalhelpcenter.shtml](http://www.nycourts.gov/ip/nya2j/Courts_Community_Center/mobilelegalhelpcenter.shtml)

- **National Pro Bono Celebration Week:** This page contains information about the National *Pro Bono* Celebration Week held every year in October. Pages with information about past celebrations were also added:  
[http://www.nycourts.gov/ip/nya2j/Courts\\_Community\\_Center/nationalprobonocelebrationweek.shtml](http://www.nycourts.gov/ip/nya2j/Courts_Community_Center/nationalprobonocelebrationweek.shtml)

## COURTHELP

CourtHelp is the New York State Unified Court System's website for unrepresented litigants. The website is maintained by the NYS Courts Access to Justice Program.



CourtHelp facilitates access to the courts, makes court-related information available to the public, provides topical legal information, self-help forms and DIY Form programs, and useful links. CourtHelp, available at <http://nycourthelp.gov>, is a vital resource for litigants navigating the New York State courts without an attorney. 2012 CourtHelp highlights include the following:

- **Site Visits:** CourtHelp continues to be a highly visited website with more than 793,000 unique visits in 2012. The Forms Library page at: <http://nycourthelp.gov/forms.html>, received more than 38,000 visits.
- **DIY Forms:** CourtHelp is the main portal for litigants to access the 24 existing DIY Form programs to make the court papers they need to proceed in court:  
<http://www.nycourts.gov/courthelp/diy/index.html>.
  - **DIY Form Visits:** The DIY Forms pages were the most visited webpages on CourtHelp throughout 2012. The pages received more than 108,000 views in 2012, almost 14% of the total visits to CourtHelp.
  - **Landing Pages:** The Family Court DIY landing pages received a combined total of 48,794 visits. Surrogate's Court DIY landing pages were the next most popular pages with 31,745 visits. The District, City, Town and Village Courts landing pages showed a 184% increase in visits from 2011.
  - **Family Court New Programs:** Two new DIY Programs were launched for Family Court in November 2012. The landing pages received 4,088 visits during November and December.
- **E-filing Information Added:** In March 2012, e-filing became mandatory for proceedings in Surrogate's Court in three counties and optional in another eight counties. Information on e-filing and opting out of e-filing when using the Small Estate DIY Form program was added to assist the litigants in these counties at: <http://nycourthelp.gov/efile/>.
- **Subject Area Frequently Asked Questions Pages:** The FAQ pages received a



total of 15,284 visits. The top three subject areas most visited were: Child Support, followed by Child Custody, then Housing (landlord-tenant).

## FACEBOOK

In 2011, the NYS Courts Access to Justice Program launched a volunteer program Facebook page as a place to share information with interested volunteers. The Facebook page provides one location for posting information for volunteers in multiple programs. In 2012, the Facebook page was used to announce the Bridge the Gap and other CLE trainings, post photos from the *Pro Bono* Celebration Week recognition awards, and to solicit and thank volunteers for the Poverty Simulation trainings. As of December 2012, 249 people “Like” the Facebook page and volunteers have left favorable comments about their experiences.



Social media is a wonderful opportunity to promote *pro bono* work in the courts. By posting information on Facebook, the NYS Courts Access to Justice Program is instantly able to reach hundreds of potential volunteers. The page is used to publicize CLE trainings, volunteer opportunities and recognition events. Visitors to the page surged as much as 350% the day the fall Bridge the Gap CLE posting appeared. Postings of photos from the *Pro Bono* Celebration Week recognition event increased traffic to the page by 77%. The NYS Courts Access to Justice Program - Volunteer Lawyer Programs Facebook page is found at: [www.facebook.com/NYCourtsVLP](http://www.facebook.com/NYCourtsVLP).

## YOUTUBE

In 2012, four videos were added to the NYS Courts Access to Justice Program’s YouTube channel, which was created in 2010 as another means to disseminate information to New Yorkers in need. Litigants can link to YouTube from the NYS Courts Access to Justice Program website, <http://nycourts.gov/nya2j>, and CourtHelp, <http://nycourthelp.gov/>. As of December 2012, the YouTube site had 2,427 video views, which is a 140% increase over views in 2011. The site has ten videos, which were all produced by court personnel. The following videos were created by court staff volunteers and added to the YouTube site, <http://youtube.com/user/NYCourtsA2J>, in 2012:



- ***New York State Court’s Support Modification DIY Forms***: This video explains how men and women in New York State can use the DIY Form Support Modification Petition Program to make the court papers needed to ask a Family Court Judge to lower or raise the amount of support they are paying or receiving, without hiring an attorney. Uploaded in August 2012. <http://www.youtube.com/watch?v=34J99kKwDY>.
- ***New York State Court’s Support Modification DIY Forms: Spanish Version***: This video is a Spanish version of the Support Modification DIY Forms video

released in August 2012. The entire video was re-filmed in Spanish. Information was added explaining the Spanish Pop-Up feature in the program that provides translated text. Uploaded in December 2012.

<http://www.youtube.com/watch?v=N57YOfg4Suw>.

- **NYC Small Claims Court: Spanish Version:** This video is the Spanish version of the NYC Small Claims Court video uploaded two years ago available at: <http://www.youtube.com/watch?v=Ew-f3i-bCrS>. This video explains how to fill out the SC-50 small claims forms to start a case in the NYC Small Claims Court. <http://www.youtube.com/watch?v=XW-FXny6YEA&feature=youtu.be>.
- **NYC Small Claims Court: Russian Version:** This video is the Russian version of the NYC Small Claims Court video uploaded two years ago. The video was translated into Russian in consideration of the sizeable Russian population that utilizes Small Claims Court in Kings County. This video explains how to fill out the SC-50 small claims forms to start a case in the NYC Small Claims Court. <http://www.youtube.com/watch?v=7Sk09tjhKSo&feature=youtu.be>.

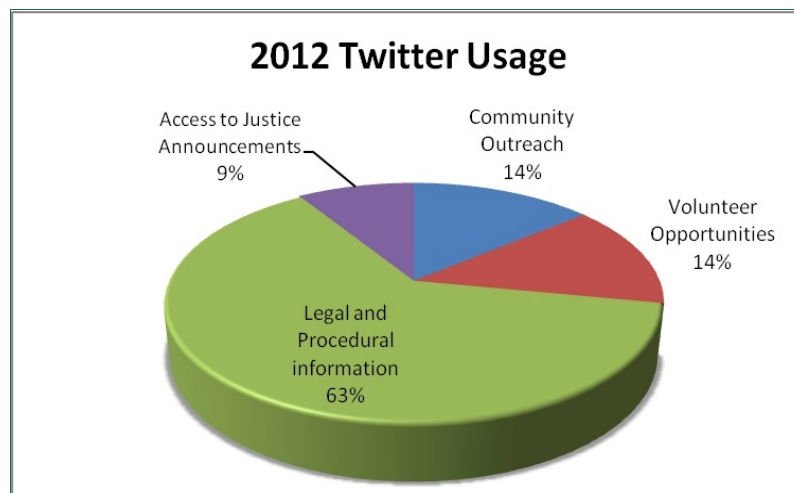
## TWITTER

The NYS Courts Access to Justice Program tweeted 236 times in 2012. This represents an exponential increase in the use of this social media vehicle to provide information of interest to unrepresented litigants, attorneys and law students looking for volunteer opportunities, and access to justice advocates.



The NYS Courts Access to Justice Program Twitter page is located at <http://twitter.com/NYCourtsA2J>. There is also a Twitter link from the NYS Courts Access to Justice Program website: <http://nycourts.gov/nya2j> and Courthelp: <http://nycourthelp.gov/>. Twitter highlights in 2012 include:

- **Usage Increase:** The number of tweets increased by 78% since 2011 and the amount of followers increased by 52%. The breakdown of how Twitter was used to disseminate information is shown in the chart below.



- **DIY Form Programs:** 27% of the 2012 tweets informed the public about DIY Form programs.
- **Community Outreach:** 14% of the 2012 tweets informed the public about community events, including: Mobile Legal Help Center locations, Community Seminars, Community Leaders' Roundtables, Community Law Days and other community events and fairs.
- **Information:** 63% of the tweets were to help unrepresented litigants find information they need to proceed with their court cases. This included information about how to obtain free legal and procedural information and advice, how to find a lawyer, and how to find court forms or DIY Form programs.

## PUBLICATIONS

The NYS Courts Access to Justice Program authored the following publications in 2012 which can be found on CourtHelp at [http://nycourthelp.gov/qa\\_civillaw.html](http://nycourthelp.gov/qa_civillaw.html):

- **Tenant Questions & Answers: Holdover Eviction Cases in New York State:** In March 2012, the NYS Courts Access to Justice Program published a plain language guide for tenants with holdover cases in District, City, Town or Village Courts. This guide was the second in a series for landlords and tenants outside New York City. A nonpayment guide was published in 2011. The publication is available at: [http://nycourthelp.gov/Booklets/TenantsGuide\\_holdover.pdf](http://nycourthelp.gov/Booklets/TenantsGuide_holdover.pdf).
- **New York City Landlords & Owners: Questions & Answers About Housing Court:** In July 2012, the NYS Courts Access to Justice Program published a new plain language guide for landlords and owners with cases in the NYC Housing Courts. The publication is available at: <http://www.nycourts.gov/courts/nyc/housing/pdfs/Landlordbooklet.pdf>.



## PART III: ADDRESSING THE ACCESS TO JUSTICE NEEDS OF A DIVERSE POPULATION

The NYS Courts Access to Justice Program is dedicated to providing fair and efficient justice for individuals with diverse backgrounds and/or special needs. Toward this end, in 2012, the NYS Courts Access to Justice Program continued to oversee a number of programs and initiatives aimed at assisting litigants who, due to age, physical or mental impairments, financial or other limitations are unable to meaningfully avail themselves of court-based programs or self-help information. The Guardian Ad Litem Program focused its energies on enhancing resources, programmatic information, and advocacy assistance to facilitate the Judges and GALs' ability to remain responsive to the needs of litigants with mental or physical impairments who are in danger of eviction. The NYS Courts Access to Justice Program also continued its efforts to foster awareness of the difficulties faced by litigants living in poverty, by providing both judicial and non-judicial personnel with Poverty Simulation training and education. The NYS Courts Access to Justice Program continues to strive to equalize the playing field for all litigants by staying mindful of the myriad of difficulties that many vulnerable litigants face, which are often the very root of their legal problems.

### GUARDIAN AD LITEM PROGRAM

The New York State Access to Justice Program oversees the operation of the NYC Housing Court Guardian Ad Litem (GAL) Program. The GAL Program recruits, trains, supervises and provides Housing Court Judges with a pool of GALs to appoint when the Judge is concerned that a tenant is unable to advocate for him or herself due to mental illness, age or some other impairment. GALs work to safeguard the rights and prevent the eviction of some of New York City's most vulnerable people. The pool of GALs consists of attorneys and non-attorneys alike. GALs are trained by a panel of experts in the fields of legal and social work advocacy and landlord-tenant law. Attorneys are provided with free CLE credits upon completion of the training. All GALs accept *pro bono* appointments in addition to compensated cases. The NYC Human Resource Administration compensates GALs who are appointed to advocate for a person who is also a client of Adult Protective Services. More information on the GAL program is available at: <http://www.nycourts.gov/ip/nya2j/diverseneeds.shtml#nyccivilcourthousingpartguardianaditem>. Highlights of GAL Program's activities in 2012 include:



- **Training for Court-Appointed Lay GALs:** The GAL Program began offering specialized training to court-appointed GAL family members of physically or mentally impaired litigants. The training is an abbreviated version of the training provided to those seeking to be on the Housing Part GAL list. The training prepares the lay guardians to effectively advocate for their family members by helping them learn more about what to expect in Housing Court, the

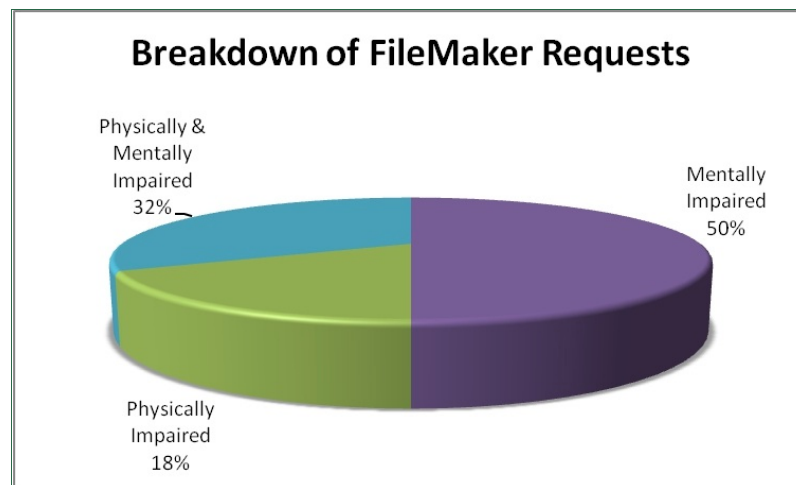
responsibilities of a GAL, and possible resources that may help them to resolve the case in the best interests of their family members.

- **GAL Training:** While many people express an interest in becoming a GAL, not all who submit an application are granted the opportunity to take on this responsibility. Given the vulnerability of the population served, prospective GALs must participate in an interview and undergo a background check to participate in the program. They must also provide viable references who are able to speak to the prospective GAL's professionalism and character. This process allows only those who are best-suited for the work to ultimately be placed on the GAL list. In 2012, two GAL trainings were held, one live in May, and one video replay in November, and 35 people were trained and ultimately placed on the GAL list.
- **Free Practical Workshops and Training:** In 2012, the GAL Program continued offering workshops and training to supplement the initial GAL training and address concerns relevant to GAL work. The following free practical workshops were provided, with accompanying CLE credits, in collaboration with the VLFD and VLP Housing Programs, legal service providers, and Judges: "Basics of Family Eviction Prevention Supplement (FEPS)," "Introduction to NYCHA Administrative Hearings and Article 78 Proceedings," "GAL Advocacy for Wards living in SROs," and "Case Law Updates and Practical Suggestions Applicable to Housing Court GALs."
- **Increase in the Number of GALs Serving Hard to Reach Courts:** The GAL Program increased the number of GALs volunteering to accept cases in the Redhook Community Justice Center and the Richmond County Housing Court by 500% and 35%, respectively. Now, these Courts are able to appoint a GAL who is willing to commute to a courthouse not easily reached by public transportation, thereby promoting efficiency and longstanding advocacy for mentally and physically impaired tenants at risk for eviction.
- **Improved Process for Securing a GAL:** The GAL Program continued to expand its use of the FileMaker application by expanding to Queens and Richmond Counties. This application, co-created with OCA's Division of Technology, provides Judges with a mechanism for securing GAL names more efficiently while also preserving the integrity of the GAL appointment process, ensuring that such names are provided in a manner that is fair and impartial, pursuant to Part 36 Rules. The GAL FileMaker program is now being utilized in all boroughs except the Bronx.

"Thank you for the invitation to participate in the excellent and informative Housing Court Guardian Ad Litem Training Program. Each speaker's perspective brought important aspects of the job to light and the way you tied it up together at the end was most helpful. The CLE along with all the materials are so practical, well-organized and comprehensive...I look forward to participating and becoming an asset to my wards and the Court."

-GAL volunteer, May, 2012

- **Better Understanding of the Population Served:** Use of the GAL FileMaker Application has enabled the GAL Program to collect preliminary data on the population being served in the counties where the Application has been implemented:
  - Approximately 67% of the number of requests for GALs processed through FileMaker involved nonpayment proceedings, while 33% involved holdover proceedings.
  - Approximately 50% of the number of requests were made due to concerns that the Housing Court litigant was mentally impaired, 18% were due to physical impairment concerns, and 32% due to both.



- Approximately 51% of the people appointed a GAL were age 60 or above.
- The need for GAL *pro bono* service was identified in 38% of the requests submitted.
- **Collaboration with HRA:** NYC Human Resources Administration's (HRA) Office of Legal Affairs (OLA) often initiates the motion for the appointment of a GAL. HRA is also responsible for issuing payment to GALs for work rendered on cases where the ward is a client of HRA's Adult Protective Services (APS). In such cases, APS serves as a valuable resource in attempting to fashion a resolution to the Housing Court matter that serves in the ward's best interest. Given HRA's role, the GAL Program continued to collaborate with HRA to enhance Program operations through the following measures:
  - Developed a process whereby Judges are able to obtain, upon request, information about the tenant's history from HRA's Office of Legal Affairs to assist in their determination of whether the appointment of a GAL is indicated. This process is significant in that the Court would be better equipped to address a need without further delay in the resolution of the Housing Court case.
  - Addressed issues of mutual concern to GALs and APS. The GAL Program facilitated a meeting between Brooklyn APS and GALs to develop solutions to concerns regarding timely communication and advocacy. A mechanism

for securing accurate information in a timely manner was offered and problem-solving ideas were explored to the satisfaction of all attendees.

- **Statewide Survey Launched: “Understanding the Nature and Scope of GAL Appointments Outside NYC”:** With the assistance of the Office of the Deputy Chief Administrative Judge for Courts outside of New York City, Michael Coccoma, the NYS Courts Access to Justice Program disseminated two surveys for all New York State Judges to complete, one for non-Surrogate’s Court Judges and one for Surrogate’s Court Judges. (Copies of these surveys are annexed as Exhibit “D”). The goal of these surveys was to obtain information about Judges’ experiences appointing Guardians Ad Litem (GALs) outside of NYC, where there is no separate and distinct funding source available to compensate GALs. A total of 100 Judges responded. More than 60% of the Judges who responded have been on the bench for more than 11 years. Their survey responses revealed the following:
  - GAL Appointments in Non-Surrogate’s Courts: In the last five years, 60% of the Judges have appointed a GAL; GAL appointments were made mostly for impaired litigants in matrimonial, family, and negligence/torts proceedings; and funding to compensate the GAL remains a challenge. Courts have been creative in their efforts to finance the need for a GAL. A number of Judges expressed that they “remember” Part 36 GALs who accept appointments without compensation, offering them future compensated cases as they arise. Many Judges also noted that they have enlisted the help of local bar, 18-b attorneys, locally known attorneys, legal service providers, and family/friends to render *pro bono* work.
  - GAL Appointments in Surrogate’s Courts: 53% of Surrogate’s Court Judges said they have experienced the need to appoint a GAL for a party who had been served and appeared due to concern that the party was unable to advocate for themselves going forward; in the last five years, 75% of these Judges appointed a GAL up to 15 times, while 25% indicated that they appointed a GAL over 15 times; 67% of the Judges used the Part 36 list to appoint a GAL and 60% of the time, these Judges were able to award compensation from the estate or other party funds; and funding challenges remain when there are no settlement proceeds, damages, or ability for the parties to pay from their own funds.
  - Comments From Judges: The following sampling of survey comments from the Judges indicate how the lack of an available source to compensate a GAL can pose a challenge in trying to efficiently resolve a case while also protecting a party who is unable to adequately prosecute or defend their rights.
    - “In both Supreme and Family Court, there have been numerous instances in which a GAL would be very useful but there are no mechanisms other than the parties agreements for payment...”
    - “Funding is always an issue in a divorce case! And often there are no family members or friends to serve for free.”
    - “There needs to be a funding stream to pay for GAL assignments



- when the parties have no assets.”
  - “None of the GALs I have appointed in Family Court were compensated.”
  - “The state should have a fund available to pay GALs in much the same way as the 18-b funding exists for indigent litigants.”
  - “The absence of compensation for many actions and proceedings renders the benefits and wisdom of the PART 36 illusory at best.”
  - “The ability to pay a GAL is always a concern. Finding attorneys willing to waive their fee is not difficult if it is an uncontested matter with little assets. Contested matters can cause a problem.”
- **Updated information and resources for the benefit of GALs and the Court:** The GAL Program updated information and legal resources on the internet to enable GALs and Judges to continue to exercise their legal duties in an efficient and thorough manner:
  - Accepting Appointments: The GAL website now provides more details about what a GAL should do upon accepting an appointment: <http://www.nycourts.gov/courts/nyc/housing/GALexisting.shtml#accepting>, including a sample Guardian Ad Litem Consent to Appointment form: <http://www.nycourts.gov/courts/nyc/Housing/pdfs/GALConsentForm.pdf>. The accompanying directive to this Consent form was also added to the internet: <http://www.nycourts.gov/courts/nyc/SSI/directives/DRP/DRP196.pdf>.
  - GAL Indemnification: The GAL website was also updated to address questions regarding GAL indemnification: <http://www.nycourts.gov/courts/nyc/housing/GALfaq.shtml#indemnification>.
  - GAL Appointment Process: To assist the Court, LSM-153 was revised to include a more detailed description of the process for obtaining a GAL and some exceptions: <http://www.nycourts.gov/courts/nyc/SSI/directives/LSM/lsm153.pdf>. The GAL FileMaker Application Manual was modified to reflect changes made to the Application in response to suggestions provided by Court users. A procedure for adding new users to FileMaker was also created to enable Supervising Judges to extend new Judges access to the Application.
- **GAL Recognition:** In 2012, the NYS Courts Access to Justice Program, in collaboration with the New York County Lawyers’ Association, the New York State Bar Association, and the Office of the Mayor of the City of New York honored volunteers for outstanding *pro bono* service rendered in the Court. Eight GALs were among those recognized with an award. To receive an award, a GAL had to have been nominated by a Judge or Court Attorney who could attest to their exceptional work. All of those nominated were complimented for their willingness to repeatedly accept *pro bono* or otherwise challenging cases and zealously advocate on behalf of their ward despite the difficulties encountered and lack of financial compensation. The honorees were also highlighted on the NYS Courts Access to Justice Program’s Volunteer Lawyer Facebook page: [www.facebook.com/NYCourtsVLP](http://www.facebook.com/NYCourtsVLP).

## ASSIGNED COUNSEL PROJECT

The Assigned Counsel Project (ACP) provides free legal and social work services in several NYC Housing Courts to seniors facing eviction or owners or tenants whose safety is threatened by a tenant or roommate. The program is run through a partnership between the NYC Civil Court and the Department for the Aging (DFTA), and is overseen by the NYS Courts Access to Justice Program. The ACP provides eligible seniors with an attorney and a social worker, or a social work intern, who work as a team to help seniors resolve their Housing Court cases. Seniors must be sixty years of age or older, have an identifiable social service need, and a pending Housing Court case in order to be assisted by the program. Legal representation is provided by the following sub-contracted legal service providers: MFY Legal Services, Inc., Brooklyn Legal Services of NY, Brooklyn Legal Aid Society, and JASA Queens Legal Services for the Elderly. More information on the program can be found at:

<http://www.nycourts.gov/courts/nyc/housing/services.shtml#acp>.

The NYS Courts Access to Justice Program's Special Counsel conducts overall program coordination and advocacy, and facilitates communication between the partners; ensuring that Judges refer seniors to the ACP and that seniors are aware of the existence of the ACP. The Civil Court makes court staff available for initial screening to determine if a senior is appropriate for services and to coordinate with DFTA and the legal service providers so that seniors are successfully linked to an attorney and social worker once their referral is accepted. The Partners also work diligently to connect those who are not accepted by the ACP to other available resources for help. Seniors who may otherwise find it challenging to obtain help in the processing of renewal applications or delivery of information necessary to remain in their apartment are assisted through informal but effective advocacy efforts.

Due to funding problems, ACP was forced to close its program in Richmond County. Fortunately, ACP continued to thrive and run successfully in Kings, Queens and New York Counties and is expanding to the Bronx County now that The Legal Aid Society, Bronx Office has contracted to be the legal service provider with DFTA providing social workers and social work interns. Despite the loss of the Richmond County program, ACP assisted seniors with approximately 380 cases in 2012.

## INTEGRATED PART

The NYS Courts Access to Justice Program oversees the New York County's Integrated Part, known as Part I. Part I is a Special Part physically located in the Civil Court of the City of New York. Cases are transferred into Part I when a tenant is the subject of both a Housing Court case and a Supreme Court Article 81 Guardianship case. Both cases are presided over by the same Acting Supreme Court Justice. The Housing Court eviction proceeding is stayed during the pendency of the Supreme Court guardianship proceeding and in the event that a Guardian is appointed, the stay is continued for an additional 60 to

90 days after the qualification of the Guardian. More information is available at: <http://www.nycourts.gov/ip/nya2j/diverseneeds.shtml#nycountyintegratedpart>.

In 2012, Part I handled over 250 court appearances, which includes motions and conferences, and had approximately 23 dispositions. The scarcity of affordable and appropriate housing, as well as the difficulties that Guardians encounter in securing the cooperation of their wards due to mental health issues, creates impediments in resolving the Housing Court matters. This results in stays well past the initial 60 to 90 day time frame, since the shelter system is often not a viable alternative for this vulnerable population. One of the strengths of Part I is that it remains sensitive to the needs of the population served as the Judge attempts to exhaust all possible options in trying to formulate a solution that will best serve the litigant's interests, given the challenges and limited resources available.

## THE POVERTY SIMULATION

The NYS Courts Access to Justice Program's Poverty Simulation is a non-traditional half-day employee training with the goal of increasing understanding and awareness of the issues faced by New Yorkers living in poverty. At the same time, this exercise works to improve cooperation and team building between judicial and non-judicial staff. The economic downturn, coupled with potential long term suffering from Hurricane Sandy, makes it imperative that court personnel are aware of the plight and limitations of low-income New Yorkers. 2012 highlights of the Poverty Simulation include:

- **Trainings Held:** In June, over the course of two days, over 100 Judges and Court Clerks from the New York and Richmond County Criminal Courts participated in the Poverty Simulation training. Additional trainings are planned for the early part of 2013 in Criminal Court. The first law school Poverty Simulation training was cancelled due to Hurricane Sandy and rescheduled for January 2013.
- **Volunteers:** Conducting a Poverty Simulation training requires a large number of people to play the roles of the various organizations featured in the simulation. Without the generous assistance of volunteers, the NYS Courts Access to Justice Program could not carry out this important training. Over 50 volunteers from other parts of the Unified Court System, as well as volunteer law students from Brooklyn Law School and CUNY School of Law Community Legal Resource Network; volunteer lawyers from the VLP and VLFD Consumer Debt and Housing; volunteers from the RAP and GAL programs; summer interns; and retired Court personnel; assisted with the 2012 trainings.
- **Website Expanded:** The NYS Courts Access to Justice Program expanded its Poverty Simulation web pages and posted information about past training events. Comments from volunteers and participants at the trainings are also posted: <http://www.nycourts.gov/ip/nya2j//PovertySimulation.shtml>.



## PART IV: COMMUNITY OUTREACH

The NYS Courts Access to Justice Program is working to remove barriers to justice by providing information to the public about the judicial system. It is believed that communities are empowered through education. Toward this end, the NYS Courts Access to Justice Program holds and attends community events like Law Day, legal clinics and neighborhood fairs. The NYS Courts Access to Justice Program develops and conducts outreach to all citizens regardless of education, income, background or special needs. The NYS Courts Access to Justice Program also strives to train community leaders through Community Leaders Roundtables, so resources can be best disseminated to community members. The NYS Courts Access to Justice Program partners with a number of organizations to keep the New York Legal Assistance Group's owned and supported Mobile Legal Help Center traveling throughout the state to bring free legal assistance where it is needed most. An overview of community outreach efforts conducted in 2012 is set forth below.



### COMMUNITY LAW DAY

The NYS Courts Access to Justice Program hosts annual Community Law Day celebrations throughout New York in recognition of the May 1<sup>st</sup> National Law Day. Law Day celebrates the legal system and the freedoms that Americans enjoy. These events are celebrated in different counties in New York City as well as some areas outside of New York City. Government and social service agencies participate by staffing resource tables with written material to inform and educate the public about the services that are available to meet their social and legal needs. In addition to educational resources, food, refreshments, and entertainment are offered, making Law Day a festive event. More information can be found on the NYS Courts Access to Justice Program website at: [http://www.nycourts.gov/ip/nya2j/Courts\\_Community\\_Center/lawday.shtml](http://www.nycourts.gov/ip/nya2j/Courts_Community_Center/lawday.shtml). In 2012, the following celebrations were held:

- **Bronx County:** Held on May 1, 2012, at the Bronx Supreme Court, this event was co-sponsored by the New York City Bar Association's Legal Referral Service, the New York State Court Officers Association and the Bronx Borough President's Office. Twenty-two government and social service agencies, Bar Associations and legal assistance groups, including Housing Court Answers, LIFT, New York Legal Assistance Group, Family Justice Center, NYC Mayor's Office to Combat Domestic Violence and Sanctuary for Families, provided a wide variety of information to members of the community. The Mobile Legal Help Center also was on hand for this event. More than 200 community members attended the Bronx Community Law Day event.
- **New York County:** Held on May 1, 2012, at the Harlem Community Justice Center, this event commenced with a formal celebration which included keynote speaker, Hon. Fern A. Fisher, Director of the NYS Courts Access to Justice

Program, members of the Harlem Youth Court who performed an amazing step dance, two community leaders who were honored - Rev. Vernon Williams for his work with the Harlem Youth Gang Task Force and Probation Officer Joan Leonard for her hard work with the Harlem Youth Court Program. This was followed by a resource fair which included more than 20 local community organizations, social service providers, and food generously donated by local vendors in the community. More than 100 members of the community participated in this event.

- **Queens County:** The Queens County Law Day celebration was held on May 1, 2012, on the Plaza of the Queens County Civil Court, and was co-sponsored by the New York State Bar Association. Various Bar Associations, community groups and organizations participated in this very successful event; including, the Queens Family Justice Center; the Queens County Women's Bar Association; Queens Legal Services and Catholic Charities Community Services, Archdiocese of New York. Literature and information were distributed throughout the day. Volunteer attorneys and court staff interacted with attendees and explained the legal system. Many observed demonstrations of how to navigate the courts using the DIY Form programs. Approximately 200 members of the community stopped by for information, legal advice, and literature.
- **Suffolk County:** The Suffolk County Courts held their inaugural Community Law Day Program on May 3, 2012 at the John P. Cohalan, Jr. Court Complex in Central Islip, New York. This Community Law Day was conducted in collaboration with Tenth Judicial District Suffolk County Administrative Judge C. Randall Hinrichs. The program included many participants from various agencies which operate within the courts and the Suffolk County Bar Association. The Bar Association provided attorneys for consultation on the Mobil Legal Help Center on issues including consumer debt and bankruptcy. The response from the community and feedback from participants was extremely positive.

## COURT TOURS AND VISITS

The NYS Courts Access to Justice Program oversees the Court Tours program in New York City and Westchester Counties. Court Tours are an excellent opportunity for the public to become familiar with the court system by observing the jury and trial process, learning about different types of cases and careers in the courts, and by touring a courthouse. Written information, instructional materials, and promotional items are distributed during a tour.

Information on requesting a court tour is available on the NYS Courts Access to Justice Program website: [http://www.nycourts.gov/ip/nya2j/Courts\\_Community\\_Center/index.shtml#courttours](http://www.nycourts.gov/ip/nya2j/Courts_Community_Center/index.shtml#courttours). In 2012, the Court Tour's program continued to receive a high volume of requests for tours from various groups, including students (4<sup>th</sup> grade - law

"Excellent, excellent, excellent! This is one of our favorite trips. My class learned so much that added to our 4<sup>th</sup> grade unit of study. Thank you so very much, I hope to see you next year!"

*-Elementary School Teacher  
Court Tour attendee, Kings Co.,  
May 2012*

school), summer youth programs, interns, and community organizations. International groups from court systems all over the world visited the courts in 2012. Delegations included: Bangladesh, Korea, The Netherlands, China, Dominican Republic, Brazil, and Indonesia.

## COMMUNITY LEADERS ROUNDTABLE

The NYS Courts Access to Justice Program partners with the Interfaith Center of New York to hold roundtable discussions so that participating leaders have information to bring back to members of their community, religious congregations, senior centers, schools and community-based organizations. The Roundtable discussions give the tools and resources to community leaders to assist their constituents. In 2012, the Community Leaders Roundtable events included:

- ***Elder Abuse: The Invisible Epidemic***: January 2012, Kings County District Attorneys Office, 50 attendees.
- ***Domestic Violence and the House of Faith***: April 2012, Kings County Supreme Court, more than 70 attendees.
- ***Save Our Streets “A Replica of the Cease Fire Chicago Project”***: November 2012, Bronx Supreme Court, this was a discussion about how religious and other community leaders can help in controlling gun violence.

## MOBILE LEGAL HELP CENTER

The NYS Courts Access to Justice Program continued to partner with the New York Legal Assistance Group (NYLAG), to operate the first Mobile Legal Help Center in New York State. NYLAG’s Mobile Legal Help Center is a 35-foot custom-built command center type vehicle and is staffed by attorneys from the NYS Courts Access to Justice Program Volunteer Lawyer Programs, law school graduates, law students and NYLAG staff attorneys. The vehicle is equipped with video conferencing, laptop computers, private conference rooms and the first state of the art mobile courtroom. The mobility of the vehicle permits it to travel to local neighborhoods where community members have limited means of getting to the courthouse and other legal and social service agencies.

In 2012, the Mobile Legal Help Center ran full time and weekends to provide legal services throughout NYC, Upstate New York and Suffolk and Nassau Counties. The NYLAG Mobile Legal Help Center Coordinator and the NYS Courts Access to Justice Program Community Outreach Director work as a team during the year to schedule free legal clinics throughout New York. 2012 highlights include:

- ***Richmond County Family Court***: In cooperation with Richmond County Family Court staff, the Mobile Legal Help Center is regularly available to community members in front of the Richmond County Family Courthouse.
- ***Domestic Violence Month***: In honor of Domestic Violence Awareness Month, the NYS Courts Access to Justice Program, NYLAG, local city officials, area Law

Schools and others sent volunteers to the Mobile Legal Help Center who specialized in Family Court matters. For the first time, a domestic violence victim was assisted with filing a Family Offense Petition, which was followed by a hearing in the private Mobile courtroom. The Petitioner, represented by Mobile Legal Help Center attorney, was able to sit directly in front of a Judge *via* video conferencing to the Richmond County Family Court courtroom. The hearing was held with the assistance of a Spanish interpreter present in the courtroom. The Petitioner left the Mobile Legal Help Center with a temporary Order of Protection in hand.

- ***Hurricane Sandy “Storm Help”***: The Mobile Legal Help Center was designed to be able to provide assistance in emergency disaster situations. The durable vehicle is equipped with the latest technology, generators, and emergency lighting. In October 2012, “Hurricane Sandy” hit New York causing great devastation through the city and outer areas. Many areas were hard or impossible to reach due to flooding and lack of public transportation, or because only limited emergency vehicles were permitted into disaster zone areas. The Mobile Legal Help Center was able to operate as a mobile command center and assist those impacted by Hurricane Sandy. The Mobile Legal Help Center continues to provide services to affected communities by assisting in the following areas:
  - FEMA Claims: Filing for FEMA and other disaster program benefits; appealing denied claims; and documenting damage to homes and small businesses.
  - Housing: Insurance claims; landlord-tenant disputes; mortgage issues for affected owners; and wrongful evictions.
  - Consumer Matters: Contractor and other disaster related frauds; and bankruptcy and other credit problems.
  - Family Matters: Domestic violence; and custody and visitation.
  - Employment: Accessing emergency unemployment benefits.

## **SPEAKERS BUREAU**

The NYS Courts Access to Justice Program oversees a Speakers Bureau made up of Judges, non-judicial personnel and other social service partner agencies. In addition to legal information, speakers also provide information about court procedures and distribute resource materials about the court. Speakers may visit local senior citizen centers, public libraries, schools, television and radio talk shows, street fairs, housing fairs and conferences. More information is available on the NYS Courts Access to Justice Program website at:

[http://www.nycourts.gov/ip/nya2j/Courts\\_Community\\_Center/index.shtml#speakersbureau\\_unyc](http://www.nycourts.gov/ip/nya2j/Courts_Community_Center/index.shtml#speakersbureau_unyc). Speaker requests accommodated by the NYS Courts Access to Justice Program in 2012 include the following:

- ***WABC “Tiempo” T.V. Program***: Speakers to discuss the Mobile Legal Help Center Partnership between the NYS Courts Access to Justice Program and NYLAG.



- **Indonesian Judges and Law Students:** Speakers for a presentation on Civil Court mediation.
- **United Methodist Church:** Speakers providing legal information pertaining to Housing, Civil, and Family Court matters.
- **Upper Room Baptist Church:** Speakers from the courts to provide legal information to members of their community. Approximately 45 to 50 community members attended.
- **Queens Bar Association:** Speakers for a panel on Queens Housing Court matters.
- **Public School 245:** Speaker to address the Special Education class in this Kings County school.
- **High School for Sports Management:** Speaker to address several classes in Kings County about the Unified Court System.

## COMMUNITY EVENTS

- **Community Day:** Two Community Days were coordinated with the Third Judicial District Administrative Judge George B. Ceresia, Jr. and held in April and October at the Crossgates Mall in Albany County. The participants/providers included the Legal Aid Society of Northeastern New York, The Legal Project, the Empire Justice Center, the New York State Bar Association, the Albany County Bar Association, the Capital District Black and Hispanic Bar Association, Albany Law School Clinic and Justice Center, Prisoners' Legal Services of New York, and several *pro bono* attorneys. Attendees received general legal information about available legal services in the area, and services provided in the courts to the public. Resource tables were set up in the Mall and information on a variety of legal topics was available including: landlord-tenant, mortgage foreclosure, unemployment insurance, consumer credit, food stamps, medicaid, medicare, tax law, small claims real property assessment review, matrimonial law, Family Court issues, as well as veterans' affairs, wills, powers of attorney, health care proxies, and the DIY Form programs. Lawyer referral information was also available.
- **Free Legal Clinics:** In addition to the free legal clinics held on-board the Mobile Legal Help Center, the NYS Courts Access to Justice Program coordinates legal clinics in an effort to provide free legal counseling to underserved sectors of New York City's diverse communities. Free legal clinics were held:
  - The Upper Room Baptist Church: Kings County, approximately 40 people attended.
  - United Methodist Church: Kings County, approximately 50 people attended.
  - FDR Elementary School: New York County, more than 50 people attended seeking information and Hurricane Sandy assistance.
- **Community Information Fairs:** The NYS Court Access to Justice Program assists communities with local information fairs. Depending on the needs of the community, outreach assistance includes staffing tables, providing organization assistance, providing tables and chairs, donating promotional give-away items, or arranging for the Mobile Legal Help Center to be present. In 2012, Information

Fairs were held in April in the Bronx County Family Court, August in Borough Hall in Kings County for the 84<sup>th</sup> Precinct's "Night Out Against Crime" and in October in the Queens County Family Court.

## PARTNERS & FRIENDS

The NYS Courts Access to Justice Program could not possibly reach as many New Yorkers in need of assistance without the help of our many partners and friends outside the court system. Below is a list of the individuals, agencies, nonprofit organizations, charitable organizations, government offices, *pro bono* organizations, bar associations, law firms, law schools, social work schools, and colleges throughout New York State that generously offer their services to increase access to justice for unrepresented litigants. This list would be endless if it included the numerous court personnel and volunteers who continuously commit their time and energy to bolster our efforts. The NYS Courts Access to Justice Program is grateful for the assistance.

Albany County Bar Association  
Albany Law School Clinic & Justice Center  
Allison Schoenthal, Esq., Hogan Lovells  
Alston & Byrd, LLP  
American Corporate Counsel Association,  
Greater NY Chapter  
Amistad Long Island Black Bar  
Association  
Anamaria Segura, Esq., MFY Legal  
Services, Inc.  
Arent Fox LLP  
Association of Black Women Attorneys  
Association of Ghanaian Lawyers of  
America  
Banco Popular  
Bank of America  
Bedford-Stuyvesant Community Legal  
Services, Legal Services NYC  
Benjamin N. Cardozo School of Law  
Berkeley College  
Black Bar Association of Bronx County  
Briarcliffe College  
Brighter Tomorrows  
Bronx County Bar Association  
Brooklyn Bar Association Volunteer  
Lawyers Project  
Brooklyn Family Justice Center, NYC  
Family Justice Center  
Brooklyn Law School  
Bruce Jordan, Assistant Deputy  
Commissioner, NYC Human Resource  
Administration  
Bushwick Housing and Legal Assistance

Program  
Cadwalader, Wickersham & Taft, LLP  
Capital District Black and Hispanic Bar  
Association  
Catholic Charities Community Services,  
Archdiocese of New York  
Catholic Migration Queens Office, Catholic  
Migration Services  
Catholic Relief Services  
Center for Court Innovation  
The Center for Dispute Settlement  
The Children's Law Center  
Charles J. Fuschillo, Jr., New York State  
Senator  
Citigroup, Inc.  
City Bar Justice Center  
The City College of New York Skadden  
Arps Honors Program in Legal Studies  
CLARO NYC  
Claudia Wilner, Esq., Neighborhood  
Economic Development Advocacy  
Project (NEDAP)  
Colgate-Palmolive Company  
Columbia Law School Lawyering in the  
Digital Age Clinic  
Christine C. Quinn, Speaker, New York  
City Council  
Cooley, LLP  
CUNY School of Law  
CUNY School of Law Community Legal  
Resource Network  
Davis Polk and Wardwell LLP  
Davis Wright Tremaine LLP

Debevoise & Plimpton LLP  
Dechert LLP  
DLA Piper LLP  
Douglass J. Seidman, Esq., Manhattan  
Courthouse Project, The Legal Aid  
Society  
Duane Morris LLP  
Education and Assistance Corporation  
Edwin Gould Services for Children and  
Families  
Empire Justice Center  
Empire Justice Center, Telesca Center for  
Justice  
Employee Benefits Security  
Administration, U.S. Department of Labor  
Enedina Pilar Sanchez, Esq.  
Evan Denerstein, Esq., MFY Legal  
Services, Inc.  
Family Justice Center, NYC Mayor's Office  
to Combat Domestic Violence  
Feerick Center for Social Justice, Fordham  
Law School  
Greenberg Traurig LLP  
Hinshaw & Culbertson, LLP  
Hogan Lovells  
Housing Court Answers  
HSBC  
Hughes Hubbard & Reed LLP  
Immigration Equality  
Inez E. Dickens, New York City Council  
Member  
Interfaith Center of New York  
Jennifer DeCarli, Esq., Executive Director,  
Brooklyn Family Justice Center, NYC  
Family Justice Center  
Kathie M. Lachter, Esq., Hinshaw &  
Culbertson, LLP  
LawHelp.org/NY  
Law Office of Bianka Vega  
Law Reform Unit, The Legal Aid Society  
The Legal Aid Society  
The Legal Aid Society of Mid-New York,  
Inc., Pro Bono Program  
Legal Aid Society of Northeastern New  
York, Inc.

The Legal Aid Society of Rochester  
Legal Aid Society of Suffolk County  
Legal Assistance of Western New York,  
Inc.  
Legal Assistance of Western New York,  
Inc., Bath Office, Southern Tier Legal  
Services  
Legal Assistance of Western New York,  
Inc., Elmira Office, Chemung County  
Neighborhood Legal Services  
Legal Assistance of Western New York,  
Inc., Geneva Office  
Legal Assistance of Western New York,  
Inc., Ithaca Office, Tompkins/Tioga  
Neighborhood Legal Services  
Legal Assistance of Western New York,  
Inc., Jamestown Office, Southern Tier  
Legal Services  
Legal Assistance of Western New York,  
Inc., Olean Office, Southern Tier Legal  
Services  
Legal Assistance of Western New York,  
Inc., Rochester Office, Monroe County  
Legal Assistance Center  
The Legal Project, Capital District  
Women's Bar Association  
Legal Services for the Elderly, Disabled or  
Disadvantaged of WNY, Inc.  
Legal Services of the Hudson Valley  
Legal Services NYC  
Legal Services of NYC - Bronx  
Legal Services NYC - Brooklyn Branch,  
Neighborhood Office for the Aging  
LIFT  
Lincoln Square Legal Services, Inc. at  
Fordham University School of Law  
(Family Advocacy Clinic)  
Locke Lord Bissell & Liddell LLP  
The Long Island Advocacy Center, Inc.  
Long Island Hispanic Bar Association,  
Suffolk County Chapter  
Long Island Housing Services, Inc.  
Lucy C. Newman, Esq., Law Reform Unit,  
The Legal Aid Society  
Macon B. Allen Black Bar Association

Mallory Curran, Supervising Attorney,  
Mental Health Law Project, MFY Legal  
Services, Inc.  
Marti Weithman, Project Director, SRO  
Law Project, Goddard Riverside  
Community Center  
Mathieu Eugene, New York City Council  
Member  
Maurice A. Deane School of Law at  
Hofstra University  
McCarter & English LLP  
Mercy Center Legal Advice Program  
Metropolitan Black Bar Association  
Mintz, Levin, Cohn, Ferris, Glovsky and  
Popco, P.C.  
MFY Legal Services, Inc.  
Monroe County Bar Association  
Morgan, Lewis, and Bockius, LLP  
Morrison Foerster LLP  
Nassau County Bar Association  
Nassau County Coalition Against  
Domestic Violence  
Nassau/Suffolk Law Services Committee,  
Inc  
Neighborhood Association for Inter-  
Cultural Affairs, Inc.  
Neighborhood Economic Development  
Advocacy Project (NEDAP)  
Neighborhood Legal Services, Inc.  
New York Appleseed  
New York City Bar Association  
New York City Bar Association Legal  
Referral Service  
New York City Council  
New York City Housing Authority  
New York City Paralegal Association  
The New York Community Trust  
New York County Lawyers' Association  
(NYCLA)  
New York Law School  
New York Legal Assistance Group  
(NYLAG)  
New York State Bar Association  
New York State Board of Elections  
New York State Court Officers Association

New York State Office of the Attorney  
General  
New York Urban League  
Niagara County Legal Aid Society, a  
Division of Neighborhood Legal Services,  
Inc.  
Nigerian Lawyers Association  
Northern Manhattan Improvement  
Corporation (NMIC)  
NYC Department for the Aging  
NYC Department of Consumer Affairs  
NYC Department of Housing Preservation  
& Development  
NYC Department of Probation  
NYC Human Resources Administration,  
Department of Social Services  
NYC Service, Office of the Mayor of the  
City of New York  
Office of the Bronx Borough President  
Office of the Staten Island Borough  
President  
Orrick, Herrington & Sutcliffe, LLP  
Pace Women's Justice Center, Pace Law  
School  
Parents for Megan's Law and the Crime  
Victims Center  
Partnership for Children's Rights  
Paul Hastings LLP  
Paul, Weiss, Rifkind, Wharton & Garrison  
LLP  
Pedro A. Rivera, Esq.  
Pfizer Inc.  
Prisoners' Legal Services of New York  
Pro Bono Net  
Pro Bono Partnership  
Proskauer Rose LLP  
Queens County Bar Association  
Queens County Bar Association, Lawyer  
Referral Service  
Queens County Women's Bar Association  
Queens Family Justice Center, NYC  
Family Justice Center  
Queens Volunteer Lawyers Project, Inc.,  
Queens County Bar Association  
Reed Smith LLP

Richmond County Bar Association  
Robert Jacovetti, Esq., Brooklyn Bar  
Association Volunteer Lawyers Project  
Ropes & Gray LLP  
Safe Horizon  
Sanctuary for Families  
Sateesh Nori, Esq., Bedford-Stuyvesant  
Community Legal Services, Legal  
Services NYC  
Self-Represented Litigation Network  
SEPA Mujer  
Shanna Telluric, Esq., New York Legal  
Assistance Group  
Shearman & Sterling LLP  
Cheryl R. Kara, Esq., The Legal Aid  
Society  
Sidney Cherubin, Esq., Brooklyn Bar  
Association Volunteer Lawyers Project  
Skadden, Arps, Slate, Meagher & Flom  
LLP & Affiliates  
SRO Law Project, Goddard Riverside  
Community Center  
St. John's University School of Law  
Staten Island Women's Bar Association  
Stroock & Stroock & Lavan LLP  
Suffolk County Attorney, Suffolk County  
Department of Law  
Suffolk County Bar Association  
Suffolk County Bar Association Pro Bono  
Foundation  
Suffolk County Children's Center at  
Cohalan Court

Suffolk County Criminal Bar Association  
Sullivan & Cromwell LLP  
The Task Force to Expand Civil Legal  
Services in New York  
Taxpayer Advocate Service  
Touro College Jacob D. Fuchsberg Law  
Center  
Touro Law Center Senior Citizens' Law  
Program  
UBS Wealth Management  
Urban Justice Center  
U.S. Department of Veteran Affairs,  
Suffolk County  
U.S. Small Business Administration  
Veterans Justice Outreach Program, U.S.  
Department of Veterans Affairs  
Volunteer Lawyers for the Arts  
Volunteer Legal Services Project of  
Monroe County, Inc.  
Volunteers of Legal Services  
Wagner College  
Westchester Black Bar Association, Inc.  
Western New York Law Center  
White & Case LLP  
William Randolph Hearst Public Advocacy  
Center, Touro Law Center  
Willkie Farr & Gallagher LLP  
Worker Justice Center of New York  
Youth Ministries for Peace & Justice

# EXHIBIT A: DIY USER SURVEY ENGLISH/POLISH

**NYS DIY Forms User Survey**

Thank you for taking the time to fill out this quick survey. Please return it with your completed papers.

- How comfortable are you using a computer and/or the internet?
  - Not comfortable
  - Comfortable
  - Very comfortable
- Do you have the internet at home?
  - Yes.
  - No. (Looking into it)
- Where did you use this program?
  - Home
  - Court Clerk's Office
  - Court Help Center
  - Court library
  - Work
  - Other: \_\_\_\_\_
- Were the questions, definitions and "learn mores" clear to understand?
  - Yes. Very clear.
  - No. Which weren't clear? \_\_\_\_\_
- Did you listen to the "guide" speak during the program?
  - Yes.
  - No. I read
- Have you used a court DIY Forms program before?
  - Yes. Which ones? \_\_\_\_\_
  - No.

- Do you think the DIY program saved you time?
  - Yes.
  - No.
- How did you learn about this program?
  - Word of mouth
  - Internet search
  - Court employee
  - Poster, sign, postcard, etc.
  - Other: \_\_\_\_\_
- We really appreciate your help. Do you have any suggestions or comments to add?
 

Great work!!  
😊

**Optional questions:**

- How old are you?
  - Between 18 and 24
  - Between 25 and 34
  - Between 35 and 44
  - Between 45 and 54
  - Between 55 and 64
  - 65 or older
- What is your annual income?
  - Less than \$19,999
  - \$20,000 to \$34,999
  - \$35,000 to \$49,999
  - \$50,000 to \$64,999
  - \$65,000 to \$79,999
  - \$80,000 to \$99,999
  - \$100,000 to \$124,999
  - \$125,000 to \$149,999
  - \$150,000 or more

**Office Use:**  
 Court Clerk: Fax this survey to Deputy Chief Administrative Judge Fern A. Fisher at (212) 295-4931 or mail to New York State Courts Access to Justice Program, 111 Centre Street, 12<sup>th</sup> Floor, New York, NY 10013 or digitally send to [DIYfeedback@courts.state.ny.us](mailto:DIYfeedback@courts.state.ny.us)  
 Queens County Support modification printed on August 24, 2012

**Ankieta Uzytkownika NYS DIY Forms**

Dziękujemy za poświęcenie czasu i wypełnienie tej krótszej ankiety. Prosimy o zwrócenie jej wraz z wypełnionymi dokumentami.

- Czy swobodnie posługujesz się komputerem i/lub internetem?
  - Niezbyt
  - Swobodnie
  - Bardzo swobodnie
- Czy masz internet w domu?
  - Tak.
  - Nie.
- Gdzie użyłeś/użyłaś tego programu?
  - W domu
  - W Biurze Urzędu Sądu
  - W sądowym Centrum Pomocy
  - W bibliotece sądowej
  - W pracy
  - Inne: \_\_\_\_\_
- Czy pytania, wyjaśnienia i "dowiedz się więcej" były zrozumiałe?
  - Tak.
  - Nie. Które były niezrozumiałe? \_\_\_\_\_
- Czy słuchałeś/słuchałaś nagranych "porad" podczas używania programu?
  - Tak.
  - Nie.
- Czy używałeś/używałaś sądowego programu DIY Forms w przeszłości?
  - Tak. Którego? \_\_\_\_\_
  - Nie.

- Czy uważasz, że program zaoszczędził ci czas?
  - Tak.
  - Nie.
- Jak się dowiedziałeś/dowiedziałaś o tym programie?
  - Od osób trzecich
  - Przez wyszukiwarkę internetową
  - Od pracownika sądowego
  - Z plakatu, ogłoszenia, pocztówki itp.
  - Inne: \_\_\_\_\_
- Bardzo doceniamy twoją pomoc. Czy chciałbyś/chciałabyś dodać komentarz lub masz jakąś sugestię?
 

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Pytania dodatkowe:**

- Ile masz lat?
  - Od 18 do 24
  - Od 25 do 34
  - Od 35 do 44
  - Od 45 do 54
  - Od 55 do 64
  - 65 lub więcej
- Jaki jest twój roczny dochód?
  - Mniej niż \$19,999
  - \$20,000 do \$34,999
  - \$35,000 do \$49,999
  - \$50,000 do \$64,999
  - \$65,000 do \$79,999
  - \$80,000 do \$99,999
  - \$100,000 do \$124,999
  - \$125,000 do \$149,999
  - \$150,000 lub więcej

**Office Use:**  
 Court Clerk: Forward to the Assistant Deputy Chief Clerk of the County.  
 Bronx County NYC Civil tenant restore to calendar printed on 12/18/2012

## EXHIBIT B: DIY PROMOTIONAL CARDS

### District, City, Town and Village Court DIY Programs:

Access To Justice  
AT ORCHARD-HUNT COLLEGE OF LAW

[www.nycourthelp.gov](http://www.nycourthelp.gov)

New York State Courts  
Access to Justice Program

Welcome! Use a computer program to make your court papers or get more information to help you in court.

Visit [www.nycourthelp.gov](http://www.nycourthelp.gov) and try DIY Forms.

It's free!  
It's helpful!  
It's easy to use!

2 Your Information

1 Do-It-Yourself Forms (DIY Forms)

Continue

**DISTRICT, CITY & JUSTICE COURT FORMS**

## NYS DIY Forms DO-IT-YOURSELF

**Free and easy guided step-by-step programs to help you fill out Landlord-Tenant court forms.**

These computer programs ask you questions. The program then uses your answers to prepare instructions and court forms for your case or to give you information to help you in court.

**AVAILABLE NOW!**

- ▶ Vacate Default Judgment
- ▶ Nonpayment Petition
- ▶ Squatter Holdover Petition
- ▶ Licensee Holdover Petition

Check for these and others on [www.nycourthelp.gov](http://www.nycourthelp.gov)

ACCESS TO JUSTICE  
NY STATE COURTS

### Family Court DIY Programs:

Access To Justice  
AT ORCHARD-HUNT COLLEGE OF LAW

[www.nycourthelp.gov](http://www.nycourthelp.gov)

New York State Courts  
Access to Justice Program

Welcome! Use a computer program to make your court papers or get more information to help you in court.

Visit [www.nycourthelp.gov](http://www.nycourthelp.gov) and try DIY Forms.

It's free!  
It's helpful!  
It's easy to use!

2 Your Information

1 Do-It-Yourself Forms (DIY Forms)

Continue

**FAMILY COURT FORMS**

## NYS DIY Forms DO-IT-YOURSELF

**Free and easy guided step-by-step programs to help you fill out Family Court forms.**

These computer programs ask you questions. The program then uses your answers to prepare instructions and court forms for your case or to give you information to help you in court.

**AVAILABLE NOW!**

- ▶ Support Modification Petition
- ▶ Custody/Visitation Modification Petition
- ▶ Support Enforcement/Violation Petition
- ▶ Custody/Visitation Enforcement Petition
- ▶ Paternity Petition
- ▶ Petición de Paternidad

Check for these and others on [www.nycourthelp.gov](http://www.nycourthelp.gov)

ACCESS TO JUSTICE  
NY STATE COURTS



## NYC Housing Court DIY Programs:

**Access To Justice**  
AT DECAOHEMENT COLLEGE OF LAW

[www.nycourthelp.gov](http://www.nycourthelp.gov)

**New York State Courts Access to Justice Program**

Welcome! Use a computer program to make your court papers or get more information to help you in court.

Visit [www.nycourthelp.gov](http://www.nycourthelp.gov) and try DIY Forms.

It's free!  
It's helpful!  
It's easy to use!

2 Your Information

1 Do-It-Yourself Forms (DIY Forms)

Continue

**NEW YORK CITY HOUSING COURT FORMS**

# NYS DIY Forms DO-IT-YOURSELF

**Free and easy guided step-by-step programs to help you fill out NYC Housing Court forms.**

These computer programs ask you questions. The program then uses your answers to prepare instructions and court forms for your case or to give you information to help you in court.

**AVAILABLE NOW!**

- ▶ Affidavit to Vacate a Default Judgment
- ▶ Nonpayment Answer
- ▶ Small Property Owner Nonpayment Petition
- ▶ Roommate Holdover Petition
- ▶ Affidavit to Restore Case to Calendar

Check for these and others on [www.nycourthelp.gov](http://www.nycourthelp.gov)

**ACCESS TO JUSTICE**  
NY STATE COURTS

## Surrogate's Court DIY Programs:

**Access To Justice**  
AT DECAOHEMENT COLLEGE OF LAW

[www.nycourthelp.gov](http://www.nycourthelp.gov)

**New York State Courts Access to Justice Program**

Welcome! Use a computer program to make your court papers or get more information to help you in court.

Visit [www.nycourthelp.gov](http://www.nycourthelp.gov) and try DIY Forms.

It's free!  
It's helpful!  
It's easy to use!

2 Your Information

1 Do-It-Yourself Forms (DIY Forms)

Continue

**SURROGATE'S COURT FORMS**

# NYS DIY Forms DO-IT-YOURSELF

**Free and easy guided step-by-step programs to help you fill out Surrogate's Court forms.**

These computer programs ask you questions. The program then uses your answers to prepare instructions and court forms for your case.

**AVAILABLE NOW!**

- ▶ Safe Deposit Box Petition
- ▶ I-7-A Guardianship Petition
- ▶ Small Estate Affidavit

Check for these and others on [www.nycourthelp.gov](http://www.nycourthelp.gov)

**ACCESS TO JUSTICE**  
NY STATE COURTS

## EXHIBIT C: DIY PROMOTIONAL SLIDESHOWS

### Rochester City Court Tenant Vacate Default DIY Form Slideshow:

**Did you miss your court date?**

**Did the landlord get a judgment against you?**

- Are you in danger of eviction?
- Can't afford an attorney?

The court has **FREE**, fast and easy **DIY (Do-It-Yourself)** computer programs that can help you make your court papers.

**Use the **FREE DIY** "Tenant Vacate Default Judgment" program to make your court papers.**

Explain why you missed your court date.

**Fill out **FREE DIY** Forms now:**

- Here at the Rochester City Court  
Civil Side Room 8
- Any public library computer.
- Your home computer.

**Use **FREE DIY** Programs on the internet at:**

**www.nycourthelp.gov**

**Syracuse City Court Nonpayment Petition DIY Form Slideshow:**

**Does your tenant owe you rent?**



**Small Property Owners**

- ✓ Do you own less than three (3) rental units?
- ✓ Does the tenant still have keys to the place?
- ✓ Is the tenant that owes you rent still living in the property?



The court has **FREE**, fast and easy **DIY (Do-It-Yourself)** computer programs that can help you make your court papers.



The **FREE DIY** "Small Property Owner Nonpayment" program makes a Rent Demand or the papers that start your case.



**Fill out FREE DIY Forms now!**

- Across the street at Onondaga County Courthouse.  
Law Library  
401 Montgomery Street  
5<sup>th</sup> Floor
- Any public library computer.
- Your home computer.



**Use FREE DIY Programs on the internet at:**

**www.nycourthelp.gov**



## EXHIBIT D: GAL STATEWIDE SURVEYS

### Non-Surrogate's Judges: Guardian Ad Litem Appointments

1. Please indicate the Court you preside over:

Supreme-Civil  
District  
County  
City

2. How long have you been a judge?

Please include the total amount of years you have been a judge, even if you have presided over different courts.

--Please Select-3.

How many times have you appointed a GAL pursuant to CPLR Article 12 in the last 5 years?

Zero. Skip to question 7.

1-10 times

10-25 times

more than 25 times

4. How did you obtain the GAL appointed? Indicate all that apply.

I obtained the GAL from the PART 36 List.

I appointed a family member or friend of the litigant.

Other. Please specify the source and procedure used to obtain such a GAL.

5. In instances where the GAL WAS AWARDED compensation, indicate the funding source for the compensation rendered. You may indicate more than one funding source.

The adversarial party was directed to pay.

Other funding source(s), please specify:

6. Please provide examples of up to three (3) different types of legal matters where you have appointed a GAL pursuant to CPLR, Article 12. For example, "...Landlord/Tenant matter."

I have appointed a GAL in the following legal matter(s):

7. Have you ever had the need to appoint a GAL but were unable to find one?

No.

Yes. Please provide examples of the challenges presented and any creative solutions pursued to try to address the problem(s).

8. Please feel free to add any other comments or concerns regarding the appointments of GALs in cases where a party is unable to adequately prosecute or defend their rights.

Done Save Cancel

## NY Surrogate Court: Guardian Ad Litem Appointments

1. How long have you been a Judge?\*

--Please Select--

2. Have you ever appointed a GAL for a party who had been served and appeared, due to concern that the party was unable to advocate for themselves going forward?

Please note: This question does not apply, for example, to situations where the GAL is appointed to investigate and report to the court or situations where the GAL appointment is necessary for emergency medical reasons. It is specifically aimed at situations where a party to an action is appointed a GAL because, after appearing before the court, it is clear that they cannot advocate for themselves.

No (Skip to question #5)

Yes

3. If you answered "Yes" to Question #2:

Please approximate how many times you have made such an appointment in the past five years.

--None--

4. If you answered "Yes" to Question #2:

Please provide up to three examples (that you remember), briefly stating:

- a. for whom the GAL was appointed
- b. how the GAL was obtained (ie. PART 36 List, family member or friend of the litigant, other), and
- c. the source of compensation (ie. the adversarial party was directed to pay or other funding source), if applicable.

5. Have you ever had the need to appoint a GAL for a party who had been served and appeared but were unable to find one?

No.

Yes. Please explain the challenges presented and any creative solutions pursued to try to address this problem.

6. Please feel free to add any other comments or concerns regarding the appointments of GALs in cases where a party is unable to adequately prosecute or defend their rights.

Done Save Cancel

**New York State Courts Access to Justice Program**

[www.nycouts.gov/nya2j](http://www.nycouts.gov/nya2j)

(646) 386-4200

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