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OCA, CUNY Law Launch Program to Represent Poor in Housing Matters



Jonathan Lippman
NYLJ Photo/Rick Kopstein

By Daniel Wise
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With the economy pushing poor and middle-income families into crisis, the presiding justices of the Appellate Division, First and Second departments, have signed precedent-setting practice orders allowing law graduates awaiting admission to the bar to assist tenants facing eviction.

The orders authorize "a brand new collaboration" between law schools and the courts that is "the first of its kind in the nation," Chief Judge Jonathan Lippman said Friday in introducing a six-month pilot project that will have 11 City University of New York School of Law graduates working in Manhattan and Brooklyn Housing Court under the supervision of court staff.

The Appellate Division orders provide the court system "with an innovative way to tap a new resource—graduates awaiting admission to the bar," said Judge Lippman, who made the announcement at 80 Centre St., where the program will be based.

Both orders, which were signed within the past three weeks, are the first to be sponsored by a court system, said Deputy Chief Administrative Judge Fern Fisher, who petitioned both departments to set the parameters of the program.

The orders specify that the students must be supervised by "experienced" court staff attorneys. Judge Fisher, who is in charge of New York City's courts, signed the petitions in her capacity as director of the court system's Access to Justice Program.

Starting this week, the CUNY Law graduates will spend one day a week in Housing Court helping tenants negotiate settlements of eviction cases with their landlords.

"We very much anticipate expanding the program to other geographic areas of the city and other courts," Judge Lippman said.

The pilot project will aid tenants from areas covered by two assemblymen who were instrumental in obtaining legislative funds: Adriano Espaillat, D-Manhattan, and Hakeem Jeffries, D-Brooklyn.

Mr. Espaillat's efforts resulted in a grant of \$25,000 and Mr. Jeffries', \$15,000. CUNY Law is providing at least another \$10,000 from other grants, said Professor Fred Rooney, who is overseeing the law school's involvement.

The funds will be used to pay a \$200 per week stipend to the participating graduates.

Only unemployed graduates are eligible to participate, Mr. Rooney said. Nine of the 11 learned they passed the bar exam when the results were released last Friday (NYLJ, Nov. 5).

Multi-Tiered Review

Once a successful settlement for a client has been worked out, it will be reviewed by both an attorney working for the court system and housing law practitioners recruited by the law school.

At the moment, CUNY Law is paying three supervisors \$75 an hour out of funds committed to the program, said Mr. Rooney. A fourth supervisor, Reginald A. Boddie, was elected to the Civil Court earlier this month (NYLJ, Nov. 5) and will be replaced.

The other tenant lawyers serving as supervisors are Enedina Pilar Sanchez, who is an adjunct professor at CUNY, Gail Adams and Eric Torres. All are in private practice.

One of Judge Fisher's top aides, Emily Morales will review the graduates' work in Manhattan. Ms. Morales is in charge of pro bono Housing Court programs. Judge Fisher said she expects to name another court attorney to supervise Brooklyn settlements.

An additional level of supervision will come from Housing Court judges, who have been instructed to review stipulations crafted by the graduates, Judge Fisher said.

Ordinarily the judges do not review stipulations in cases where both sides are represented, she said.

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