

Testimony on Right to Counsel
Bronx Borough President Vanessa L. Gibson
Hearing of the Office of Civil Justice – February 24, 2023

Good evening, I am Bronx Borough President Vanessa L. Gibson and I want to thank you for the opportunity to speak on the importance of strengthening our city's Right to Counsel Program and the challenges that the program is currently experiencing.

In 2017, I was proud to partner with then- Council Member Mark Levine– to pass the Right to Counsel legislation in the City Council. We passed this bill to fight the evictions crisis in our city and ensure that New Yorkers would not lose their homes without the benefit of legal representation. While the plan was to have the program roll out over the following few years, the COVID-19 pandemic significantly altered this. With the eviction moratorium that lasted between Spring 2020 and Spring 2022, many New Yorkers were able to avoid eviction and stay in their homes.

But, since the end of the moratorium in 2022, thousands of New Yorkers – including many from The Bronx – have faced renewed threat of eviction and have had to fight to stay in their homes in Housing Court. Unfortunately, many of them have had to do so without a lawyer, despite the Right to Counsel law. This is an unacceptable reality, and we must do more to ensure that this does not occur.

We know the significant harms that evictions inflict on our families, from homelessness to health problems, and social disconnection to job and learning loss. These harms must be mitigated, but fortunately we have the solution. Right to Counsel works. Since the program has rolled out, 84% of tenants with counsel won their cases and have been able to stay in their homes. Fewer evictions cases are being

filed, and communities are getting organized. We need to keep this progress intact going forward.

The Right to Counsel mandate deserves full funding in the next City Budget, and I pledge to work with our Council partners to ensure that full funding is included. But we must also work to build capacity – there are simply too many tenants facing eviction and not enough lawyers.

Alongside Borough President Levine, I have called on the Office of Court Administration to slow the calendaring of evictions cases until every eligible tenant has access to a lawyer. The Courts should not be violating our residents' rights. Unfortunately, we have not had a positive response from OCA on this front, so we must turn to ensuring that our tenants will be able to have access to the counsel that they are entitled to.

The failure to ensure that every eligible tenant in housing court has a lawyer by their side is an unacceptable failure that has resulted in displacement and homelessness. The City must act now to prevent even more tenants from being denied their rights by fully funding Right to Counsel and related programs such as the tenant organizing program through Local Law 53.

Thank you for your efforts in running this essential program and I urge you to continue to address this crisis with the seriousness that it deserves.