



PRESS RELEASE

**New York State
Unified Court System**

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Chief Judge Announces Creation of Permanent Commission on Access to Justice

New York — Chief Judge Jonathan Lippman today announced the creation of the Permanent Commission on Access to Justice. The new Commission will continue to carry out the vital mandate of the Task Force to Expand Access to Civil Legal Services in New York. One of a series of innovative measures implemented by Judge Lippman to make the courts accessible and navigable for all — regardless of income — the Task Force, now recognized as a national model, was launched in 2010 to help ensure low-income New Yorkers access to legal representation in civil matters involving housing, personal safety and other basic necessities. While our federal Constitution guarantees criminal defendants access to a lawyer, it does not extend this right to litigants in most civil cases.

The change in status of the Task Force to a permanent entity was spurred by the suggestion of its chair, former President of the federal Legal Services Corporation Helaine Barnett, and members based on the group's significant contributions to date and recognition of the work that remains in removing barriers to justice for all New Yorkers.

Since its formation, the Task Force has assisted Judge Lippman in holding annual public hearings to assess the extent and nature of the state's civil legal services crisis, also conducting its own studies to measure the impact of the justice gap on vulnerable litigants and others. Over

the past five years, the Task Force has worked closely with civil legal services providers, law firms, law schools and other stakeholders statewide to identify the crucial issues, collecting and analyzing data, and publishing annual reports that document the negative effects of the justice gap and contain proposals to help remedy New York's civil legal services crisis.

Among its findings, the Task Force reported that the justice gap negatively affected all New Yorkers, from the neediest families to the largest corporate litigants, and that the provision of civil legal services for low-income New Yorkers not only makes a profound difference in the lives of vulnerable individuals and families but also enhances court efficiency and reduces litigation costs. The Task Force also documented that the state's economy was losing many hundreds of millions of dollars because unrepresented New Yorkers were not able to obtain federal funds, from disability payments to veterans' benefits, thereby requiring the state and local governments (and ultimately taxpayers) to spend even more on social services needs arising from poverty. According to economic experts, for every dollar invested in civil legal services, the state receives more than six dollars in return.

Task Force proposals to help alleviate the civil legal services crisis include a multi-year initiative that has resulted in increased civil legal services funding via the Judiciary budget — to an unprecedented \$85 million for the current fiscal year. The group has also been instrumental in the expansion and implementation of a range of non-monetary actions, such as programs to boost the private bar's pro bono efforts and civil legal assistance initiatives that harness the skills of law students and specially trained non-lawyers. These non-monetary measures, combined with the Judiciary's increased civil legal services funding allocations, have served to help thousands of New Yorkers escape domestic violence, avert homelessness, and secure or maintain access to critical services and benefits to which they are entitled by law. In fact, recent Office of Court Administration data show that the number of unrepresented litigants in civil matters in courts statewide has fallen significantly, from 2.3 million in 2010 to 1.8 million as of November 2014.

The new Permanent Commission on Access to Justice has been charged by Judge Lippman with building on the achievements of the Task Force to further increase the availability of effective legal assistance for New Yorkers grappling with matters affecting their most basic needs. This entails assisting the Chief Judge in holding public hearings relating to its mandate, conducting relevant research and issuing annual reports to the Chief Judge with its findings and recommendations. Ms. Barnett will continue to lead these efforts as chair of the new

Commission, with those who sat on the Task Force also staying on as members of the renamed entity.

“I commend the Task Force’s eminent chair and members for their enormous strides in fostering equal justice for all, as well as for their unequivocal commitment and keen insight in helping bring about the formation of a permanent entity to further advance this noble endeavor,” said Judge Lippman. “While the Task Force’s efforts have led to substantial progress in this difficult arena, the lack of affordable, meaningful civil legal assistance is still, regrettably, one of the justice system’s biggest challenges. Its adverse impact continues to be felt by individuals and families statewide, threatening the stability of our institutions and the well-being of our society as a whole. I am so pleased that Ms. Barnett and the Task Force members will have the opportunity to continue this essential work as participants on the Permanent Commission on Access to Justice, and eagerly await the accomplishments to come as they strive to make the ideal of equal justice a reality in New York.”

“I am proud of the work of the Task Force members to date, and both honored and humbled that Judge Lippman has asked me to continue to spearhead these efforts as chair of the Permanent Commission on Access to Justice. It has truly been a privilege to lead this highly accomplished, dedicated group whose wisdom and passion have inspired a variety of innovative ways to address the state’s civil legal services crisis. I very much look forward to working with the Commission’s distinguished members as we build on these initiatives and generate new ideas to reduce New York’s justice gap,” said Ms. Barnett.

A subcommittee of the Task Force — led by New York Court of Appeals Associate Judge Sheila Abdus-Salaam and whose members included Deputy Chief Administrative Judge of New York City Courts Fern Fisher and former New York State jurist E. Leo Milonas, a partner at the law firm of Pillsbury Winthrop — recommended that the Task Force’s conversion to a permanent entity be accomplished through enactment of a Rule of the Chief Judge. The subcommittee proposed a draft order for submission to the Court of Appeals pursuant to Article VI, §28(c) of the State Constitution and section 211 of the Judiciary Law.

A copy of the new rule establishing the Permanent Commission on Access to Justice (Part 51.1 of the Rules of the Chief Judge) and a membership roster are attached.

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