



PRESS RELEASE

**New York State
Unified Court System**

**Hon. Lawrence K. Marks
Chief Administrative Judge**

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Chief Judge Holds Public Hearing on Civil Legal Services Needs in NY, Highlights Impact of NY Judiciary’s Civil Legal Services Grants on the Delivery of Justice

Albany, New York – Presiding over a statewide public hearing at the Court of Appeals on New York’s justice gap, Chief Judge Janet DiFiore today highlighted the economic and social benefits to individuals, communities, the Judiciary and State when meaningful legal assistance is provided to needy New Yorkers in matters involving their basic needs. The Chief Judge also noted New York’s standing as a national leader in the provision of essential civil legal services to low-income litigants, as well as the daunting challenges that remain in eliminating barriers to justice.

Judge DiFiore was joined on the hearing panel by the four Presiding Justices of the Appellate Division: Hon. Rolando T. Acosta of the First Department; Hon. Randall T. Eng of the Second Department; Hon. Karen K. Peters of the Third Department; and Hon. Gerald J. Whalen of the Fourth Department; along with Chief Administrative Judge Lawrence K. Marks and New York State Bar Association President Sharon Stern Gerstman.

Public hearings addressing New York’s civil legal services crisis have been held annually by the court system since 2010. While the findings and recommendations spurred by the hearings over this period have helped to significantly reduce New York’s access-to-justice gap, Judge DiFiore underscored the need to do more, vowing to continue to boldly pursue the goals of New York’s Permanent Commission on Access to Justice.

The Commission – charged with expanding access to civil legal services for low-income New Yorkers and chaired by Helaine Barnett – has provided critical support in preparation for the annual hearings, as well as in the development of the Chief Judge’s yearly report and

recommendations to the Legislature and Governor about the level of public resources needed to meet the state's civil legal services needs.

In discussing New York's leadership role on access-to-justice issues, Judge DiFiore cited, among other accomplishments, the New York Judiciary's budget allocation of \$100 million for direct grants to civil legal services providers – the highest amount nationally – via its Civil Legal Services Program. This is the second consecutive year that the program has met the \$100 million annual funding goal proposed by the Commission on Access to Justice.

The grants, which include a \$15 million allocation to the New York State Interest on Lawyer Account Fund (IOLA), are being distributed among 81 civil legal services providers throughout the State, with funds allocated based on the proportion of the population in a county living at or below 200 percent of the poverty line. To date, the program has provided hundreds of thousands of low-income New Yorkers with effective legal assistance on matters pertaining to their fundamental needs.

At today's hearing, witnesses from all regions of New York – including Merck & Co. CEO Kenneth C. Frazier, Governor Cuomo's Chief Counsel, Alphonso David, and New York City Bar President John S. Kiernan – offered live testimony supporting the importance of accessible, publicly funded civil legal services for low-income New Yorkers confronting legal problems affecting their housing, family stability, personal safety, access to health care and other necessities.

Hon. C. Randall Hinrichs, Administrative Judge of the Suffolk County Courts, who also provided live testimony during the hearing, announced his collaboration with the Commission on Access to Justice and other stakeholders on a pilot program to provide effective legal assistance countywide to Suffolk residents struggling with legal issues relating to life's essentials. New York is one of only seven states to receive the National Center for State Courts "Justice for All" grant to develop a statewide strategic action plan to ensure effective legal assistance for all New Yorkers facing legal problems involving life's necessities, with the Suffolk County pilot a first step in the implementation process of this statewide initiative.

Among the written submissions received as part of the hearing is a letter to the Chief Judge from The Children's Rights Society of Orange County, a grant recipient of the Judiciary's Civil Legal Services Program. Chief Attorney and Executive Director Karen A. Riley provided a concrete illustration of how the Program has had a positive impact on low-income children by enabling the Society to establish an education law and advocacy program to represent low-income special needs children, many of whom are in foster care. Thanks to this advocacy program, the school district has made dramatic gains in compliance with state and federal access-to-education requirements, and test scores and graduation rates for the district's foster children

and special needs students have improved greatly. “No doubt, these improvements will have a major impact on their future opportunities for success,” wrote Ms. Riley.

“Over the last eight years, thanks to these public hearings, the year-round work of the Commission, the unfailing support of Governor Cuomo and the Legislature, and above all, the dedicated efforts of so many public interest and pro bono attorneys, New York has become the undisputed national leader when it comes to serving the civil legal needs of low-income people,” said Chief Judge DiFiore. “Yet for all the progress made, we know there is much work ahead. I am committed to working with our court system partners to design strategies to leverage the power of technology, increase pro bono services, make our courts more efficient and accessible, and to develop a long-range strategic plan to coordinate all our efforts in ensuring that every New Yorker, regardless of economic status, has access to legal services when basic human needs are at stake.”

“I commend Chief Judge DiFiore for holding this important public hearing. The testimony gathered today by a diverse group of professionals will help policy makers in Albany effectively address legal service needs in New York State,” said New York State Senate Judiciary Chair John J. Bonacic.

“Supporting civil legal services to meet the legal needs of low-income New Yorkers is not only the right thing to do, it makes good financial sense,” said New York State Assembly Judiciary Committee Chair Helene E. Weinstein. “Investing in civil legal services saves the State money in numerous ways, such as by preventing homelessness and keeping families together, thereby avoiding foster care costs. In fact, studies commissioned by the Chief Judge’s Permanent Commission on Access to Justice reveal that civil legal services funding results in a return of ten dollars in economic benefit to the State for every dollar invested.”

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