

May 26, 2022

Honorable Andrea Stewart-Cousins
President Pro Tempore and Majority Leader, New York State Senate
188 State Street Room 907, Legislative Office Building
Albany, NY 12247

RE: Passage of Right to Counsel legislation to guarantee the right to a free lawyer for vulnerable tenants facing eviction in New York State

Dear Senator Stewart-Cousins,



125 Broad Street
19th Floor
New York NY 10004
(212) 607-3300
nyclu.org

Donna Lieberman
Executive Director

Wendy Stryker
President

We are writing to urge you to prioritize the statewide Right to Counsel legislation ([A7570](#)/ [S6678](#)) this session and to work with tenants, organizers, advocates, and legal services providers to ensure prompt passage of this legislation into law. Introduced by Assembly Member Latoya Joyner and Senator Rachel May, this legislation would guarantee all New York State tenants at or below 80 percent of Area Median Income the Right to Counsel when facing an eviction.

New York State's already devastating eviction crisis will only get worse if we don't enact permanent solutions that strengthen tenants' rights and empower tenants to fight for their homes. Right to Counsel is proven to reduce evictions: when in its pilot phase in certain New York City neighborhoods, evictions declined more than five times faster in neighborhoods with Right to Counsel than in areas without it. Following New York City's full citywide implementation of Right to Counsel, evictions have decreased by nearly 40%. Nationally, the seven cities that now have Right to Counsel have seen up to a 77 percent reduction in evictions.

Outside of New York City, nearly all landlords across the state have lawyers, while the vast majority of tenants do not. This creates an imbalance of power in the courts. With 1.2 million households behind on rent due to the COVID-19 pandemic and [240,000 eviction cases pending across the state](#), New York tenants need a Right to Counsel.

The NYCLU strongly supports this legislation because the right to legal representation in eviction cases is a civil liberties issue, a gender justice, racial justice, and economic justice issue:

- Eviction proceedings are complex and nearly impossible to navigate alone. Evictions are traumatic, disrupting children's education and tearing apart entire communities.
- Evictions disproportionately impact Black and brown tenants, with women facing the greatest burdens.
- The State spends millions of dollars on shelters and homeless services and studies have shown that Right to Counsel saves public money that

would otherwise be spent on shelter and emergency room costs, homelessness services, and more. A recent [analysis](#) estimates that the state will save three to six dollars for every dollar invested in Right to Counsel.

That is why we are urging you to prioritize this critical legislation that would significantly strengthen the protections for New York City tenants and expand this right to tenants across the state. The legislation would establish Right to Counsel as a **right** for all tenants facing eviction and:

- Cover every tenant across the state earning up to 80 percent of Area Median Income.
- Cover any legal proceeding that could result in a tenant losing their home.
- Require that tenants be represented throughout their entire case, not just when they show up in court. This includes legal advice, advocacy, and assistance.
- Require the State to contract with non-profit legal services organizations to provide Right to Counsel and with non-profit community based organizations to provide tenants' rights education and tenant organizing.

Movements for statewide Right to Counsel are gaining traction! [Washington State, Connecticut, and Maryland](#) recently passed Right to Counsel statewide and Minnesota, Nebraska, and Delaware are not far behind. Since the movement for Right to Counsel began in New York, we must continue to lead the way – The May / Joyner bill is the most effective and most expansive Right to Counsel legislation introduced in the U.S. to date!

For more information about this legislation and our campaign, please visit the Right to Counsel [website](#). Again, we ask you to prioritize our statewide Right to Counsel legislation to ensure that the most vulnerable tenants have the right to an attorney during the COVID-19 pandemic and beyond.

Sincerely,

Caroline Nagy

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ACLU of New York

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