



## **WE NEED A PIPELINE OF RTC ATTORNEYS WHO CAN PROVIDE HIGH QUALITY FULL REPRESENTATION FOR TENANTS**

To implement Right to Counsel, NYS needs attorneys with the time, expertise, capacity and resources to ensure high quality full representation for tenants. To support NYS legal services providers in attracting, training, supervising and retaining the new talent we need for the work, we need \$12M in funding to implement effective strategies that will build and support a pipeline of highly capable eviction defense attorneys.

Effective strategies to do this include:

- **Greatly expanding housing rights advocacy in law school curriculum and generating interest by law students in eviction defense and tenant rights, by:**
  - *Providing financial support for In-House Clinics on eviction defense* at all 15 NYS law schools. This would increase capacity to provide legal defense to tenants throughout the state, train law students to do eviction cases, and provide the educational/academic grounding in poverty law and institutional barriers that lead to the housing crisis we are currently experiencing. Ideally, this funding would provide approximately \$250,000 to each law school to fund a tenure-track professor and the additional staff required to have an in-house tenant rights/eviction defense clinic. This would cost approximately \$3,750,000.
  - *Funding Academic Fellowships for Students in Eviction Defense* during the summer, so that students can gain first-hand experience providing legal defense alongside legal aid attorneys. Funding 84 fellowships, at a cost of \$10,000 per fellow, would attract a substantial number of law students who otherwise might not have considered doing this work during the summer. This would cost \$840,000 per year at full implementation.
  - *Paying for Bar Prep courses* – the cost of bar prep courses can be prohibitively expensive for students interested in doing public interest law. But, without a paid bar prep course, the likelihood of passing the bar



(especially for first generation law students and students of color) is substantially lower. These courses cost \$2,000-\$3,000 each. Providing this financial incentive to attract an additional 100 law students per year to commit to eviction defense work would cost approximately \$300,000 per year.

- o *Accelerated loan forgiveness programs* for law students entering housing law.

- **Attracting Undergraduate Students to go to Law School.**

- o *Creating paid summer internships* at legal aid organizations for undergraduates. These internships could be paired with justice institutes that last a few weeks at local law schools during the summer. Initial focus should be on the SUNY and CUNY schools. Additional assistance like scholarships for LSAT study courses could be provided to interns who intend to become eviction defense lawyers.

- **Training supervisors of eviction defense work.** With rapid development of a work force that has sufficient numbers of attorneys to provide high-quality RTC legal representation to eligible tenants, there will be a need for well-trained supervisors to train the attorneys and supervise their work. The IOLA Fund currently funds the highly-regarded Housing Justice Leadership Institute at New York Law School (HJLI) which, for 5 years, has been providing training for supervisors of RTC work in NYC. With state funding, HJLI could be expanded to provide the training to new supervisors upstate as well.

- **Promoting RTC work and the development of the pipeline.** Funding should be provided for coordination of the pipeline work through a nonprofit entity. This RTC pipeline project would:



- o *Develop a network of law school eviction prevention clinics* to share curriculum, exchange ideas and support students.
  - o *Develop and distribute promotional/marketing materials* to undergraduates, law students, potential lateral hires, and the general public to help attract new attorneys to the work.
  - o *Establish and maintain a statewide jobs board* for RTC jobs that would facilitate connections between interested law graduates, attorneys and others with available jobs in the field.
- **Providing sufficient funding so that legal services organizations can provide an attractive wage and benefits package** and a supportive work environment to employees. Attorneys, paralegals and others will only be interested in eviction prevention work if they can find the work fulfilling and the working conditions appealing. This means that legal services providers need to be able to pay competitive wages, provide a competitive benefits package and have case caps, high quality training and supervision and other support needed to avoid burnout.
- **RTC Will Reduce Evictions and Eviction Filings; more so with improved tenant protection legislation. This will reduce the number of attorneys needed to serve eligible tenants.** RTC will, of course, create a need for a greatly expanded workforce of tenant attorneys to provide representation. However, *the number of attorneys needed to defend tenants is a direct consequence of the number of cases landlords initiate* and the implementation of RTC will simultaneously bring down case filings. In NYC, filings dropped by 30% after RTC's passage. Outside of NYC, it's estimated they'll drop 19%. Filings will also go down if NY passes and implements tenant-protective measures like Clean Hands, which would negate a landlord's ability to sue for nonpayment if there are housing code violations, and **Good Cause eviction**, which would limit a landlord's



ability to sue for things other than nonpayment. So while we are planning for capacity and building a pipeline based on current cases, we have to keep in mind that there will be fewer cases once RTC is passed and implemented.