



October 6, 2022

Honorable Anthony Cannataro, Acting New York State Chief Judge
NYS Unified Court System - NYC Office
Office of Court Administration
25 Beaver Street - Room 852
New York, NY 10004

Honorable Anthony Cannataro:

As you know, the Right to Counsel NYC Coalition is a coalition of tenant organizing groups, legal service organizations, and advocacy organizations which advocates for a just implementation of the city's RTC law. We have appreciated our working relationship in the past and hope that we can continue it as we navigate these unprecedented times.

We write to express our deep concern that tens of thousands of NYC tenants are being denied Right to Counsel. We are all well aware of the capacity challenges the legal services organizations face, the backlog of cases due to COVID and the pressure from the landlords to move cases forward. We really appreciate the position the courts are in. However we cannot accept that the solution is to deny tenants access to Right to Counsel, under any circumstances.

We have laid out our solutions many times. For reference, we are outlining them below and attaching our letter to then Chief Judge DiFiore from February. We believe that you as the Chief Judge have the power to make these solutions a reality. Our basis for this is outlined in this [legal memo](#).

- Issue an administrative order to mandate that all eviction cases where a tenant is eligible for RTC shall be administratively stayed until the tenant has had an opportunity to meaningfully meet with and retain a right to counsel attorney.
- Don't calendar new eviction cases until the backlog of eviction cases is addressed to pair every eligible and unrepresented tenant with a right to counsel attorney for full representation.
- Reduce the volume of eviction cases on court calendars so that the number of new cases each day matches legal service provider capacity to provide full representation to all eligible tenants.
- Provide sufficient time between court dates to allow time for lawyers to complete essential work on each case, keeping in mind the current staffing shortages and work overload.

We understand the court's position of being a neutral arbiter. However, operating the courts in a way that denies tenants an opportunity to access representation is not a neutral act nor does it provide justice to tenants. This is a solvable crisis. We would welcome a meeting with you to discuss our solutions or any you may offer and look forward to creating a more just way forward.



Please contact Susanna Blankley, Coalition Coordinator, for any questions and to schedule a meeting at susanna@righttocounselnyc.org, 917-691-0544.

Sincerely,

The Right to Counsel NYC Coalition Steering Committee

Cc: Senator Brad Holyman, Chair of the New York State Senate Judiciary Committee;
Assemblymember Charles Lavine, Chair of the New York State Assembly Judiciary Committee;
Hon. Carolyn Walker-Diallo, Administrative Judge of the Civil Court of the City of New York;
Hon. Deborah Kaplan, Deputy Chief Administrative Judge, Deputy Chief Administrative Judge
for the New York City Courts; Hon. Jack Stoller, Citywide Supervising Judge, Housing Part of
the Civil Court of the City of NY.