
New York State Courts Access to Justice Program

2010



JONATHAN LIPPMAN

Chief Judge

ANN PFAU

Chief Administrative Judge

FERN A. FISHER

Director, New York State Courts
Access to Justice Program
Deputy Chief Administrative Judge
New York City Courts

ROCHELLE KLEMPNER

Chief Counsel
New York State Courts
Access to Justice Program

New York State Courts Access to Justice Program 2010

JONATHAN LIPPMAN

Chief Judge

ANN PFAU

Chief Administrative Judge

HON. FERN A. FISHER

Director

ROCHELLE KLEMPNER

Chief Counsel

Our Mission: To ensure access to justice in civil and criminal matters for New Yorkers of all incomes, backgrounds and special needs, by using every resource, including self-help services, *pro bono* programs, and technological tools, and by securing stable and adequate non-profit and government funding for civil and criminal legal services programs.

CONTENTS

MESSAGE FROM JUSTICE FISHER.....	iii
NYS COURTS ACCESS TO JUSTICE PROGRAM GOALS.....	v
2010 HIGHLIGHTS.....	vii
INTRODUCTION.....	1
PART I: COURT PROGRAMS AND INITIATIVES.....	5
Volunteer Lawyer for the Day Program - Consumer Debt.....	5
Volunteer Lawyers Program - Consumer Debt.....	6
Volunteer Lawyer for the Day Program - Housing.....	7
Volunteer Lawyers Program - Housing.....	8
Uncontested Divorce Program.....	9
Volunteer Attorney Program - Family Court.....	10
Law Student and Law Graduate Volunteers.....	11
Resolution Assistance Program.....	11
National <i>Pro Bono</i> Celebration Week.....	12
ProBonoNY.....	13
Nassau County Access to Justice Program.....	17
Law Office of the Public Advocacy Center (Suffolk County)	17
Court Help Centers.....	18
PART II: SELF-HELP SERVICES.....	21
DIY Form Usage.....	21
DIY Form Development.....	25
DIY Form Training and Outreach.....	28
DIY Star Awards.....	31
CourtHelp.....	32

Publications and Forms	32
Improved Information in the Courthouses.....	33
YouTube.....	33
PART III: ADDRESSING THE ACCESS TO JUSTICE NEEDS OF A DIVERSE POPULATION.	35
Guardian Ad Litem Program.....	35
Expansion of Social Work in the Court.....	37
Assigned Counsel Project.....	37
Integrated Part.....	38
The Poverty Simulation.....	38
PART IV: COMMUNITY OUTREACH.	41
Community Seminar Series.....	41
Public Librarians' Program.....	42
Community Law Day.....	43
Court Tours.....	43
Community Leaders Roundtable.....	43
Mobile Court Help Center.....	44
Twitter.....	44
Speakers Bureau.....	45
PARTNERS.....	47
EXHIBITS.....	51
Exhibit A: English and Spanish DIY User Surveys.....	52
Exhibit B: DIY Promotional Flyers.....	53
Exhibit C: DIY Promotional Slideshow.....	54
Exhibit D: Onondaga Surrogate's Court May 4, 2010 Letter.....	56
Exhibit E: Community Seminar Series Slideshow.....	57

MESSAGE FROM JUSTICE FISHER



Increasingly, many New Yorkers are facing crises due to the economic downturn. Personal and financial problems are leading more individuals with legal problems to our courthouse doors. The Judiciary, the third branch of government, cannot ignore the inequality that litigants experience when they are faced with life affecting legal issues without access to adequate legal assistance. I am honored that in March 2009, Chief Judge Jonathan Lippman appointed me the Director of the New York State Courts Access to Justice Program, entrusting the program with the important responsibility of ensuring equal access to justice to everyone. Access to justice has found a champion in our Chief Judge, Jonathan Lippman, who has led the way nationally by conducting statewide hearings on civil legal services funding.

I am pleased to present this report highlighting the New York State Courts Access to Justice Program's activities over the 2010 calendar year.

With the support of highly capable and devoted judicial and non-judicial staff throughout the state, the NYS Courts Access to Justice Program has met the challenges with a high level of commitment and professionalism. As evidenced throughout this report, equal access to justice for unrepresented litigants has improved by increasing and developing court programs and services; such as, volunteer lawyer programs, court help centers, community outreach, and self-help tools. As a result of the dedicated service of those who work in the courts, as well as our numerous partners that support the court system, we have provided truly vital and superior assistance to the people we serve.

Although successes in 2010 were numerous, the NYS Courts Access to Justice Program staff will not rest on these achievements until stable and adequate funding has been found for civil legal services and all New Yorkers, regardless of income, background or special needs, have equal access to justice. I urge you to read the testimonies and written support submitted for the Access to Justice Task Force hearings and the full and extremely comprehensive report of the Task Force in favor of an adequate steady stream of funding for civil legal services.* Join Chief Judge Lippman, me and others in this fight. The time is now.

December 2010

A handwritten signature in cursive script that reads "Fern A. Fisher".

Fern A. Fisher
Director

* <http://www.nycourts.gov/ip/access-civil-legal-services/public-hearings.shtml>.

NYS COURTS ACCESS TO JUSTICE PROGRAM GOALS

Finding long-term solutions to chronic lack of civil legal assistance for people of low-income and modest means in New York including finding a permanent public funding stream for civil legal services.

Improving and increasing the availability of criminal defense representation to people facing criminal charges.

Gathering and reviewing statewide data on legal services delivery and needs towards increasing and improving civil and criminal legal assistance.

Coordinating efforts between courts, legal aid organizations and other legal and non-legal organizations, administrative agencies and lawmaking bodies to expand access to justice.

Analyzing, recommending and promoting proposed legislation, court rules, codes of conduct, policies and systemic changes that will open greater access to the courts.

Analyzing and addressing the collateral consequences of criminal convictions.

Fostering the development of new low-income and modest means income *pro bono* programs and supporting and improving the quality of existing *pro bono* programs both court-based and outside the court, using lawyers, law students and other professionals.

Testing and developing delivery of legal assistance models both court-based and non-court-based, including limited scope representation delivery systems to improve and increase availability of assistance.

Expanding access to justice for unrepresented litigants by increasing the availability of self-help tools using a variety of methods including, but not limited to, technology, plain language forms and signs, and informational materials.

Providing culturally competent access to justice for litigants of diverse backgrounds and languages.

Addressing access to justice for individuals with special needs or social services needs by expanding social work and social services in the court system.

Providing more opportunities for justice via community empowerment using outreach, education and training of government officials and offices, neighborhood agencies and community members.

Fostering awareness of the needs of unrepresented litigants and litigants of diverse backgrounds and special needs and insuring high quality service by both judicial and non-judicial personnel via education, training and literature.

2010 HIGHLIGHTS

★ COURT PROGRAMS AND INITIATIVES

- Court-based volunteer lawyer programs expanded outside of New York City to Nassau and Suffolk Counties.
- Court-based limited assistance programs in New York City and Nassau and Suffolk Counties trained 1,433 volunteer lawyers and served 12,521 litigants.

★ SELF-HELP SERVICES

- DIY (Do-It-Yourself) Form usage sextupled in 2010 over usage in 2008.
- Eight DIY Form programs developed or modified.
- The DIY Star Award established and awarded.

★ DIVERSE POPULATIONS

- The number of social work interns doubled in the New York City Housing Courts.
- The pool of Guardians Ad Litem (GAL) in the New York City Housing Court GAL Program increased by 51%.
- Poverty Simulations held for Family Court judicial and non-judicial personnel.

★ COMMUNITY OUTREACH

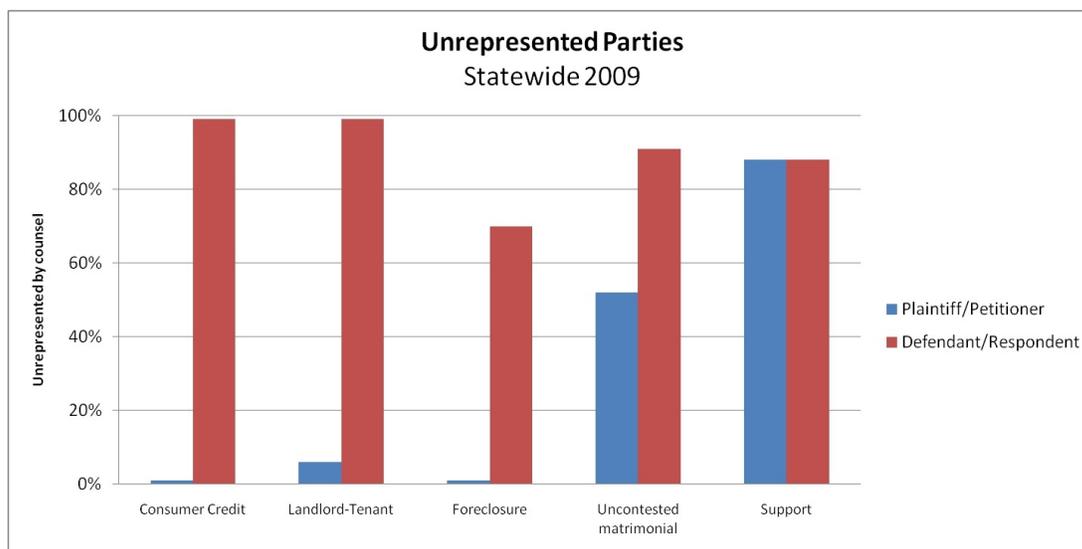
- Public Librarians' Training program created for New York State.
- Mobile Help Center launched.
- Social media sites established and utilized.

**Please read further for all of the
NYS Courts Access to Justice Program's
accomplishments in 2010.**

INTRODUCTION

The New York State Courts Access to Justice Program is dedicated to improving equal access to justice for New Yorkers of low-income and modest means who cannot afford an attorney by making it easier to navigate the court system. The chronic lack of free or low-cost legal assistance has led to a crisis in the courts. The crisis is reflected by both the volume of cases filed that affect everyday people's lives,¹ as well as the ever-rising numbers of unrepresented² litigants in these case types.

As displayed in the chart below,³ the overwhelming numbers of unrepresented litigants in the courts are staggering. In 2009, nearly 100% of defendants in consumer debt cases throughout the state were unrepresented, while nearly 100% of plaintiffs had counsel. In New York City, other than the litigants represented by the NYS Courts Access to Justice Program's Volunteer Lawyer for the Day Programs, few consumer debt defendants had lawyers to represent them in court. This uneven playing field was also seen in foreclosure cases where nearly 100% of plaintiffs were represented, while 70% of defendants did not have an attorney (83% of defendants in New York City).



In Family Courts throughout the state, 88% of litigants were unrepresented in their efforts to modify their child or spousal support orders. In New York City, 92% of both petitioners and respondents in child support cases were completely

¹ Family cases, matrimonials, consumer credit, foreclosures and landlord-tenant cases comprise 70% of New York State's civil caseload.

² The NYS Courts Access to Justice Program has chosen to use the term "unrepresented" litigants and not "self-represented" litigants. The term "self-represented" seems to imply that individuals who appear without attorneys have made a choice to represent themselves and are on an equal playing field as attorneys. It is a misconception that litigants choose to be *pro se*; the overwhelming majority have no other recourse.

³ These figures are tallied from the UCS statistics annexed to Judge Fern Fisher's October 2010 closing statement at the public hearing on Civil Legal Services, available at: <http://www.nycourts.gov/ip/ny2j/pdfs/Judge%20Fisher's%20Testimony.pdf>. Excerpts from this testimony, as revised, are reprinted here.

unrepresented; another 4 to 5% had counsel for part of the proceeding. Effectively, 97 to 98% of individuals dealing with child support issues in New York City did so without full benefit of counsel. The numbers in landlord-tenant cases are similar, with approximately 99% of tenants appearing without an attorney. A growing number of landlords are also unrepresented; small property owners are increasingly taking advantage of the services offered in Court Help Centers.

Clearly, the economic downturn coupled with unmet legal needs have caused increased pressures for litigants now faced with foreclosures, evictions, credit card debts, support payment issues, and other financially related legal problems. The inability to pay debts starts a downward spiral in people's lives. Economic pressures negatively impact families. Judges and clerks see more angry, crying, desperate and hopeless litigants. Although bar associations and other *pro bono* attorneys must be applauded for their efforts, most low-income and modest means litigants have difficulty obtaining equal justice. It is against this backdrop that the NYS Courts Access to Justice Program works to increase *pro bono* programs, self-help measures, and the dissemination of information, to remove barriers to justice for all New Yorkers regardless of education, income, background or special needs.

As discussed in Part I of this report, "**Court Programs and Initiatives**," a primary objective in 2010 was to provide greater opportunities for *pro bono* service throughout the state in areas where it is needed most. In New York City and Nassau and Suffolk Counties, limited assistance court-sponsored volunteer programs, such as the Volunteer Lawyer for the Day Programs, were made available to numerous otherwise unrepresented litigants at the courthouses. Such volunteer programs create a structure in which the NYS Courts Access to Justice Program can recruit, train and supervise a growing cadre of volunteer attorneys. Outside New York City, the NYS Courts Access to Justice Program continued to facilitate ProBonoNY Local Action Committees in their efforts to support and increase attorneys' *pro bono* legal services. Collaborations with outside organizations have tapped into New York's immense legal community, providing greater *pro bono* resources. The NYS Courts Access to Justice Program has accomplished numerous efforts with the assistance of partners acknowledged on page 47 of this report. Also important in 2010 was the NYS Courts Access to Justice Program's ongoing Initiatives, such as courthouse Help Centers, or the New York City Housing Court's Resolution Assistance Program, which do not represent litigants but provide valuable assistance at the courthouse.

Equally important as the fostering of assisted services for unrepresented litigants is the creation of self-help tools. As discussed in Part II of this report, "**Self-Help Services**," the NYS Courts Access to Justice Program's self-help services, such as document assembly DIY Form programs, plain language publications, dissemination of information over the internet, and improved courthouse signage, have proven effective tools to assist the ever increasing numbers of unrepresented litigants in need of information.

In recognition that the court must be a full partner in resolving society's most pressing problems, Part III of this report, "**Addressing the Access to Justice Needs of a Diverse Population**," discusses the programs, trainings and partnerships that the NYS Courts Access to Justice Program has implemented or overseen to protect New York's most vulnerable citizens and to increase access to justice for this under-served

population. For example, the Guardian Ad Litem Program in New York City's Housing Court seeks to safeguard the rights and prevent the eviction of at-risk litigants who are unable to advocate for themselves, often due to mental illness or age. Poverty simulations conducted for judicial and non-judicial personnel seek to increase their sensitivity to the plight of the 2.7 million New Yorkers that live below the poverty level.

Part IV of this report, "**Community Outreach**," highlights the NYS Courts Access to Justice Program's ongoing initiatives to increase access to justice, perceptions of fairness and courthouse efficiency by providing information to the public through various outreach programs. Efforts such as community law days, seminars, roundtables and the Public Librarians' Program all seek to empower our communities through education.

In 2010, with the court system experiencing budget shortfalls, the NYS Courts Access to Justice Program was greatly challenged to find creative solutions to promote equal access to justice. Included in this report are summaries of the most significant measures taken to address these challenges.

PART I: COURT PROGRAMS AND INITIATIVES

Various NYS Courts Access to Justice Programs and Initiatives were instituted and continued throughout 2010 to meet the ever-growing needs of the unrepresented public. Partnerships with non-profit organizations, law schools, government agencies and bar associations with similar goals were forged or continued to address some of New York litigants' most pressing legal issues in areas such as family law, divorce, consumer credit, foreclosures and landlord-tenant. Utilizing lawyers, law students and other professionals, the NYS Courts Access to Justice Program worked hard to foster the development of new low and modest-means income *pro bono* programs, and support and improve the quality of existing *pro bono* programs, both court-based and outside the court. Alternative models for the delivery of legal services, such as "unbundled" or limited scope assistance, were developed or expanded to improve and increase the availability of legal assistance. Below is a summary of the NYS Courts Access to Justice Program's 2010 Programs and Initiatives.

- **VOLUNTEER LAWYER FOR THE DAY PROGRAM - CONSUMER DEBT**

The NYS Courts Access to Justice Program's Volunteer Lawyer for the Day Project for consumer debtors in the New York City Civil Court connects low-income litigants with trained *pro bono* attorneys who provide legal advice and limited representation to individuals in connection with consumer debt proceedings. The New York City Civil Court is struggling to cope with growing numbers of consumer debt filings. New York City residents who have been sued in debt collection cases are overwhelmingly unrepresented by counsel and face major substantive and procedural obstacles to the fair adjudication of their cases. To help meet this need, this program was developed in cooperation with local bar associations and legal services organizations to recruit, train and supervise *pro bono* attorneys to provide limited representation for unrepresented consumer debtors.



In the Lawyer for the Day program, a volunteer attorney "covers" cases in a particular courtroom on a specified day. The lawyer meets the client for the first time at the courthouse, and appears on the client's behalf during the day. The representation is complete at the end of the day. In this program the volunteer lawyers primarily represent litigants in vacating default judgments and during settlement negotiations. Unbundled representation during the settlement conference helps level the negotiating positions of the parties. Moreover, unrepresented litigants benefit from having assistance in discerning possible defenses. Highlights of 2010 include the following:

- ***Program Expansion and Partnerships:*** Begun as a pilot program in 2009, this program expanded to include almost daily programs in New

York, Kings, Queens and Bronx Counties in 2010. This program is conducted in partnership as follows:

- New York County Lawyers' Association - operates four days a week in the New York County Civil Court.
- NY Appleseed - operates four days a week in the Queens County Civil Court.
- The Brooklyn Bar Association's Volunteer Lawyer Program - operates four days a week in the Kings County Civil Court.
- New York Legal Assistance Group - operates four days a week in the Bronx County Civil Court.
- **Trainings Held:** In 2010, the program offered three Continuing Legal Education (CLE) training programs and recruited and trained a total of 260 volunteer attorneys to provide limited representation for unrepresented consumer debtors in the Civil Courts of Kings, Queens, Bronx and New York Counties.
- **Program Website:** The Program launched new webpages to recruit volunteers: http://nycourts.gov/courts/nyc/civil/vlfd_civil.shtml.
- **Litigants Served:** Approximately 2,150 litigants were assisted by this program in 2010. Using the lowest rate per case received by local legal services organizations, at \$1,200 per case, the value of legal services provided by the volunteers in one year was in excess of two million dollars.

● VOLUNTEER LAWYER PROGRAM - CONSUMER DEBT

Volunteer attorneys provide legal advice to unrepresented New York City Civil Court Consumer Debt litigants under the supervision of the Civil Court Help Center's Court Attorneys. Volunteer lawyers meet with unrepresented litigants on a walk-in basis in the Court's Help Centers and review Court papers, help fill out forms and discuss case strategy. This is an advice-only project; volunteers do not represent the litigants in court or file papers on their behalf. Highlights in 2010 include:



- **Trainings Held:** In 2009, the NYS Courts Access to Justice Program established a New York City Civil Court Consumer Services Advisory Committee to leverage and coordinate the resources of organizations (for example, CLARO, county bar associations and legal services providers) that provide *pro bono* legal services to consumer debtors in the Civil Courts. Working with the Committee, the NYS Courts Access to Justice Program organized joint citywide volunteer attorney recruitment and trainings in 2010 for both the VLP Consumer Debt Program and CLARO (Civil Legal Advice and Resource Office). Four CLE programs were held throughout the year, one in Kings County, one in Queens County and two in New York County. A total of 449 volunteer attorneys and law students were recruited and trained to provide advice in the court's VLP program,

as well as CLARO. A training program is scheduled for attorneys interested in volunteering in Richmond County beginning January 2011.

- **Program Website:** The Program also maintains webpages to recruit volunteers: <http://nycourts.gov/courts/nyc/civil/vlp.shtml>.
- **Program Expansion:** In 2010, the NYS Courts Access to Justice Program worked with CLARO to expand CLARO's court-based consumer debt volunteer program to Bronx County. Court-based programs already existed in Kings, Queens, and New York Counties. CLARO is expanding to Richmond County in January 2011.
- **Litigants assisted:** In 2010, the NYS Courts Access to Justice Program VLP Consumer Debt Program assisted 1,320 litigants in New York and Kings Counties.

- **VOLUNTEER LAWYER FOR THE DAY PROGRAM - HOUSING**

The NYS Courts Access to Justice Program's Volunteer Lawyer for the Day (VLFD) Program is designed to assist unrepresented tenants and owners during their appearance in the Resolution Part of the New York City Housing Court. It is an unbundled legal services program where representation begins and ends the same day. Volunteer lawyers handle the portion of the litigant's nonpayment case that takes place in the Resolution Part, not the entire matter. By volunteering, lawyers help some of the thousands of unrepresented tenants threatened with the loss of their homes and unrepresented landlords in financial or other distress. Launched in 2006 as a pilot project (www.nycourts.gov/courts/nyc/housing/pdfs/vlfdreport_0208.pdf), it has since been established as a full-scale program which operates two days a week in the New York and Kings County Housing Courts. The Program provides New Yorkers who cannot afford an attorney with much needed legal representation. The VLFD program increases access to justice while helping the court deal with a heavy caseload. A summary of 2010 highlights is as follows:

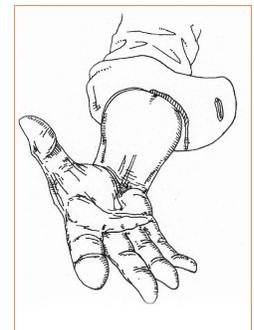


- **Trainings Held:** In 2010, the VLFD Program held four volunteer attorney group training sessions in New York County to maintain a constant flow of volunteers for the Program. Attorneys were also individually trained by watching the CLE course on DVD.
- **New Partnerships:** Starting in the fall of 2009 and throughout 2010, the NYS Courts Access to Justice Program partnered with the CUNY School of Law to implement the "LaunchPad for Justice" and "Incubator for Justice" initiatives. The VLFD Program trained and supervised recent CUNY Law graduates to participate in the program. During the first quarter of 2010, the VLFD also collaborated with New York Law School (NYLS) to train and supervise NYLS's Public Interest Graduate Fellows to participate in the VLFD Program.

- **New Training Segment:** A new 1.0 CLE credit training segment entitled How to Conduct Intake was developed and added to the VLFD Program's 3.5 credit hours of free CLE, which include topics covering nonpayment proceedings, ethics of unbundled representation, and negotiating and writing stipulations of settlement in Housing Court.
- **Website Updated:** The VLFD website for prospective and participating volunteers: http://nycourts.gov/courts/nyc/housing/vlfd_housing.shtml was updated.
- **Volunteer Commitment:** While volunteer lawyers receive free CLE in exchange for two days of service, many serve beyond the minimum required hours. For instance, CUNY Law LaunchPad Fellows and Incubator for Justice Volunteer Attorneys contributed approximately 3,500 hours of combined service.
- **Litigants Helped:** In 2010, about 400 litigants were represented through the VLFD Program in the New York County and Kings County Housing Courts, and volunteers who assisted them gained invaluable, hands-on experience in lawyering under the supervision of an experienced supervising counsel and court staff. In addition, throughout the year, approximately 350 litigants received free legal advice and consultation from Program staff.

● VOLUNTEER LAWYERS PROGRAM - HOUSING

The NYS Courts Access to Justice Program's Housing Court Volunteer Lawyers Program (VLP) recruits, trains, and places volunteer attorneys in one of six Help Centers in the New York City Civil Court, where they provide legal information and advice to unrepresented tenants and owners alongside experienced Help Center Court Attorneys. Volunteer lawyers review court papers, predicate notices, leases, rent records, eviction notices, and other housing or court-related documents. Volunteer lawyers discuss with litigants the strengths and weaknesses of their cases. At times, they assist litigants in completing forms. Volunteer lawyers do not represent the litigants in Housing Court or file papers on their behalf. Highlights in 2010 include:



- **New Training:** In 2010, a new live training was developed with a fresh team of experts in the field who volunteered to teach the course. The training offers 8.5 free CLE credit hours in "Fundamentals of Residential Landlord-Tenant Law" to prospective volunteers willing to provide at least 12 hours of volunteer service.
- **Trainings Held:** Over 150 attorneys were trained during six CLE sessions held throughout the year at the New York County Civil Court. After completing the course, volunteer lawyers were ready to meet with unrepresented litigants visiting the Help Centers.

- **Social Media Used:** For the first time, Twitter was used to recruit for the VLFD Program.
- **Litigants Helped:** In 2010, VLP lawyers assisted hundreds of unrepresented litigants. In New York County alone, over 300 litigants received legal advice. Because the overwhelming majority of tenants and a large number of small property owners cannot afford attorneys, the VLP provides an important service to New York City residents faced with the loss of their home or the need to begin a proceeding in Housing Court.
- **Website Updated:** The VLP website: <http://nycourts.gov/courts/nyc/housing/vlp.shtml> was updated. Prospective volunteers can learn about training dates and submit an application on the VLP's pages on the Civil Court's website. By viewing the website, litigants can see when a volunteer lawyer will be available in their county. Likewise, participating volunteers can see when a volunteer lawyer is needed and then schedule online their time to volunteer.

● UNCONTESTED DIVORCE PROGRAM

The NYS Courts Access to Justice Program recruits and trains volunteer attorneys to assist unrepresented litigants with the preparation of uncontested divorce forms at on-site clinics in the Supreme Court Help Centers. Approximately 50,000 uncontested divorces are filed annually in New York State, many by litigants without attorneys. Legal service providers are unable to assist with uncontested divorces due to limited funding. New York's divorce process can be complicated, even when it is uncontested. This complex process is often confusing and overwhelming for unrepresented litigants. Many of these unrepresented litigants seek help in the Supreme Court Help Centers. The NYS Courts Access to Justice Program launched the Uncontested Divorce Program for unrepresented litigants in New York and Kings County Supreme Courts in the summer of 2009. The project uses a software program designed for use by attorneys generating legal documents. This program helps streamline the drafting process, and produces personalized documents for each litigant. Highlights from 2010 include:

- **Program Expansion:** In 2010, the Uncontested Divorce Program expanded to Queens and Bronx Counties. The Program now runs one day a week in New York County, two days a week in Kings County, two days a week in Queens County and one day a week in Bronx County. Partners for recruitment and training now include: New York Legal Assistance Group, Bronx County Bar Association, Brooklyn Bar Association, the Queens Bar Association and the New York City Bar Association.
- **Trainings Held:** In 2010, the program offered five CLE training programs and a total of 226 volunteer attorneys were recruited and trained to provide assistance to unrepresented litigants in Uncontested Divorce proceedings in New York City's Supreme Courts of Kings, Queens, Bronx

and New York Counties.

- **Litigants Helped:** In 2010, over 1,000 litigants were assisted by this Program.
- **Program Replication:** In 2010, the NYS Courts Access to Justice Program distributed uncontested divorce software program author licenses, and provided assistance to courts in Westchester, Nassau, Suffolk and a number of upstate counties to facilitate the replication of the New York City-based project.

- **VOLUNTEER ATTORNEY PROGRAM - FAMILY COURT**

Volunteer lawyers provide legal advice and procedural and legal information, as well as assistance with initial pleadings in support, paternity, custody, visitation, family offense and guardianship matters to unrepresented litigants in Family Court under the supervision of Family Court Help Center Attorneys. Given the complexity of Family Court matters and the significant rights involved, assistance is crucial to ensure that unrepresented litigants understand their rights and are better able to pursue the most appropriate relief for their situations. The New York City Family Court staff, working with the NYS Courts Access to Justice Program, offers free CLE training in return for a *pro bono* commitment to this Program. The Family Court provides all administrative support for the project including scheduling and oversight of the partner organization and volunteers, as well as indemnification coverage. Highlights in 2010 include the following:

- **Trainings and Recruitment:** In 2010, the program offered three comprehensive 3-part CLE training programs and recruited and trained a total of 160 volunteer attorneys to provide assistance to unrepresented litigants on a daily basis in the Family Court Help Centers of Kings, Queens, Bronx and New York Counties. In addition to sole practitioners, program participants include many large law firms that have agreed to send associates on a regular basis. The firms also conduct periodic trainings with DVD's of the training programs.
- **Litigants Helped:** In 2010, over 2,500 litigants were assisted by this program.
- **Program Expansion:** In early 2010, the program expanded to Bronx County and partnered with a non-profit organization, LIFT (Legal Information for Families Today), that enabled the program to expand to Queens County Family Court in mid-2010.

The availability of such enhanced services and the advance preparation it allows, helps reduce delays and adjournments in already clogged Family Court calendars, and ensures a more efficient and fair outcome for unrepresented litigants. In addition, better preparedness and fewer delays encourage litigants to pursue their matters to final resolution rather than abandoning their actions in frustration.

- **LAW STUDENT AND LAW GRADUATE VOLUNTEERS**

In 2009, the NYS Courts Access to Justice Program applied for approval of a Student Practice Order. The Appellate Divisions of the First and Second Departments approved Student Practice Orders, authorizing a program of activities for law students and law graduates awaiting admission to the New York State Bar, acting under the supervision of the NYS Court Access to Justice Program. Under the auspices of this program, law students and law graduates provide legal advice and limited scope representation to unrepresented litigants in certain actions and proceedings in New York City's Civil Court, Family Court and Supreme Court. In 2010, matters in which legal assistance was provided by law graduates and law students included consumer debt, landlord tenant, uncontested divorce, and foreclosure. This practice order has enabled the court system to tap into New York's law students and recent law school graduates to expand its pool of volunteers.

- **RESOLUTION ASSISTANCE PROGRAM**

The NYS Courts Access to Justice Program continued to run the Resolution Assistance Program (RAP) in the New York City Housing Court's Resolution Parts. RAP trains college students, law students and other approved volunteers to provide in-court assistance to tenants and owners, who are parties to nonpayment proceedings and are appearing without an attorney. As nonpayment proceedings involve peoples' homes and livelihoods, it is important for unrepresented litigants to know the resources available to them within the courthouse and the community at large. That is where RAP Assistants become most helpful and necessary. RAP volunteers provide non-legal support to unrepresented tenants and owners who are discussing their claims or defenses in hallway negotiations, encourage unrepresented tenants and owners to talk about the settlement of their cases before a court attorney or judge, where appropriate, inform unrepresented tenants and owners about places to go for further assistance in their nonpayment proceeding, and perform other duties as required. Highlights in 2010 include:



- ***New Partnerships:*** The NYS Courts Access to Justice Program partnered with the New York City Paralegal Association and New York City Service to recruit and train prospective volunteers. RAP also worked with Benjamin N. Cardozo School of Law, St John's University School of Law, and the Columbia Law School Tenants' Rights Project to involve law students in the Program.
- ***Trainings:*** In 2010, 15 sessions were held at the New York County Civil Court, and one session was offered at Cardozo School of Law during the Public Advocacy Law Week. Overall, 69 volunteers enrolled in the Program and served in the Bronx, Queens, Kings and New York County

Housing Courts.

- **New Training Program:** RAP training was expanded to include a segment taught by the Human Resources Administration on the “One Shot Deal,” a one-time emergency grant, to highlight the social services aspect of the Housing Court.
- **Recruitment Video:** 2010 was also marked by the completion of a recruitment video featuring two former RAP volunteers who shared their views about their experience serving with the Program.
- **RAP Website:** RAP’s website for prospective or participating volunteers was also expanded: <http://nycourts.gov/courts/nyc/housing/rap.shtml>.

● NATIONAL PRO BONO CELEBRATION WEEK

Approximately half a million consumer debt-related actions are filed every year in New York City courts. Virtually all of the defendants in these litigations are unrepresented. In order to bring attention to this important area of need, the second annual National *Pro Bono* Celebration Week, October 24-30, 2010, focused on the timely and urgent topic of consumer credit litigation. In New York City, the New York State Courts Access to Justice Program co-sponsored a kick-off event, *pro bono* expo, and a series of training programs. The NYS Courts Access to Justice Program also held an ethics program.



- **The National Pro Bono Celebration Week Kick-off Event and Pro Bono Expo:** This event was held in conjunction with the Office of the Mayor of the City of New York and the New York State Bar Association at the New York County Supreme Court. It was attended by over 200 people. The program included remarks by Carol Robles Roman, Esq., Deputy Mayor for Legal Affairs, Stephen P. Younger, Esq., President of the New York State Bar Association, and Hon. Jeffrey Oing, then the Supervising Judge of the New York Civil Court. Six organizations and eight individual attorney participants in the consumer debt program were honored for their role in partnering with the NYS Courts Access to Justice Program in serving those New Yorkers engaged in consumer credit litigation. Also recognized were 185 attorneys who have dedicated significant time to the NYS Courts Access to Justice Program’s Family Court, Foreclosure, Housing Court, and Uncontested Divorce Volunteer Lawyer and Volunteer Lawyer for the Day Programs, as well as the Guardian Ad Litem Program in New York City Housing Court. Throughout this event, a *Pro Bono* Expo was held, during which attendees could sign up to train and serve in *pro bono* programs. Seventy-eight attorneys were recruited at this event.
- **Ethics in Pro Bono Service CLE:** The NYS Courts Access to Justice Program held this event with the New York County Lawyers’ Association. It was hosted by the law firm of Skadden, Arps, Slate, Meagher and Flom.

A panel of distinguished speakers that included Hon. Fern A. Fisher, DCAJ for NYC Courts and Director of the NYS Courts Access to Justice Program, and Jeremy Feinberg, Esq., Statewide Ethics Counsel for the New York State Courts, discussed conflicts in *pro bono* representation, ghostwriting of *pro se* litigants' legal papers, and the availability of ethics hotlines.

- ***Pro Bono Week Training Series:*** During *Pro Bono Week*, a partnership was launched with the Queens County Bar Association to conduct a series of free CLE *pro bono* training programs in October and November 2010 for attorneys to provide legal assistance and limited representation to unrepresented litigants in Queens Civil, Supreme and Family Courts. Free CLE programs were offered in ethics, consumer debt, uncontested divorce and family law in return for volunteer service in court-sponsored *pro bono* programs. Launching the series of training programs was a CLE program on ethics, featuring Hon. Fern A. Fisher, Stephen P. Younger, Esq., President of the New York State Bar Association, and Chanwoo Lee, Esq., President of the Queens County Bar Association. This program recruited and trained 267 attorneys, many of whom volunteered for multiple programs.

- **PROBONONY**

Throughout 2010, the NYS Courts Access to Justice Program continued to fund and facilitate “ProBonoNY,”



UCS's statewide program intended to support and increase attorneys' *pro bono* legal services outside New York City. ProBonoNY is implemented through a series of Local Action Committees co-chaired by Judicial District Administrative Judges and local attorneys. Membership on the committees includes judges and other court personnel, local bar association representatives, individual attorneys in private and governmental practice, public-interest legal service providers, and law school faculty.

In 2010, ProBonoNY service contracts funding attorney/*pro bono* coordinators who work with the Local Action Committees were renewed for the Fifth, Sixth, Seventh, Eighth, Ninth and Tenth Judicial Districts. In the Tenth Judicial District, the court system hired an attorney/*pro bono* coordinator to coordinate services in Nassau County. NYS Courts Access to Justice Program staff members worked closely with all of the ProBonoNY committees, attended most meetings and participated as active members of several of the committees, as well as assisted with the administrative and program-related needs of the various committees and their coordinators. NYS Courts Access to Justice Special Counsel helped plan recruiting programs and events, and assisted in planning new *pro bono* projects in legal areas of greatest need underserved by existing programs, facilitated information exchange between the committees, advised on Access to Justice issues, such as rules governing limited-scope legal services and the NYS Courts'

Attorney Emeritus Program, and made specific suggestions for projects modeled on successful Access to Justice Projects in New York City and elsewhere throughout the state.

NYS Courts Access to Justice Special Counsel also edited an electronic periodical for committee members, called ProBonoNY Bulletin. The Bulletin is published six to eight times a year and is available on the NYS Courts Access to Justice Program's website, at <http://nycourts.gov/ip/nya2j/publications.shtml>. It contains articles by the ProBonoNY committees' coordinators and by committee members reporting on committee events and programs, describing future plans, and discussing areas of interest to other *pro bono* coordinators around the state.

During 2010, ProBonoNY sponsored full representation and limited scope assistance in such key service areas as family law, landlord-tenant proceedings, consumer law, foreclosure, veterans' issues, and many others, resulting in an estimated total of 6,100 cases handled/clients served, and 18,000 hours of voluntary legal services. Highlights of the ProBonoNY Committees' 2010 activities for each Judicial District include:

- **Third Judicial District:** The most significant event for the Third District Discussion Group was the kick-off during National *Pro Bono* Week of a new program, unique for the Albany area, an Attorney-for-a-Day Program in Albany City Court, sponsored in partnership with local service providers and attorneys. In this program, trained *pro bono* volunteers provide limited-scope representation for eligible tenants on first appearance in eviction proceedings and are also available to assist generally with questions that may arise during the day's proceedings. The Discussion Group also co-sponsored a CLE program for volunteers in bankruptcy proceedings and continued its tradition of posting story boards that highlight volunteer attorneys and their clients in many of the courthouses throughout the District.
- **Fifth Judicial District:** Highlights included support for the many Syracuse area "Talk to a Lawyer" legal advice and referral clinics, including co-sponsoring with the Onondaga County Bar Association's Volunteer Lawyer Project two free CLE programs for clinic volunteers, and working with the Fifth Judicial District Office and OCBA Volunteer Lawyers Project to implement a pilot Tenant Assistance Project in Justice Court in East Syracuse. The Committee's work also included a *Pro Bono* Bankruptcy Project, the Crouse/University Hospital Medical Legal Collaborative free walk-in legal clinic, the Oswego County Bar Association Volunteer Clinic and Referral Program staffed by Committee member retired Justice Robert J. Nicholson, expanded access to divorce for low-income people through the Judiciary Law Section 35(8) *Pro Bono* Divorce Project, and support for the free legal services component of the "Say Yes to Education" initiative in Syracuse.

- **Sixth Judicial District:** In 2010, the ProBonoNY Committee sponsored three major CLE seminars: in Broome County, Bench and Bar *Pro Bono* in Action: Child Support A to Z, and in Madison, Tioga, Tompkins and Chemung Counties, a Judges' Best Practices Program. The Committee also co-sponsored elder law clinics: two in Tioga County, and one each in Madison and Broome Counties. The Committee's coordinator, in addition to preparing and administering the CLE programs and elder law clinics, concentrated on individual case referrals to attorneys recruited throughout the District as a result of 2009 Committee activities. The Committee, in collaboration with Legal Services of Mid-NY, held its first-ever *Pro Bono* Appreciation Celebration and Reception. The Committee is preparing an important new program to be implemented in early 2011: a limited-scope "Attorney for the Hour" legal services program assisting tenants in Binghamton City Court.
- **Seventh Judicial District:** The ProBonoNY Committee has had a special focus on extending the availability of *pro bono* legal services throughout the District, using their existing programs in Rochester as a model. A major accomplishment in 2010 was the Committee's inauguration of district-wide broadcasting of CLE programs to locations in multiple courthouses, made available at no cost to local attorneys who commit to accepting *pro bono* referrals. During National *Pro Bono* Week, two major matrimonial and one ethics CLE programs were broadcast and are available on DVD at no charge to volunteers. Additional highlights for the Committee working in partnership with local service providers and other agencies were: recruiting a major corporation's in-house staff of patent attorneys to attend a Wills CLE program and then hold two successful wills clinics for Habitat Homeowners and persons with HIV/AIDS in Steuben County; co-sponsoring two taxpayer clinics for the deaf/hard of hearing community; implementing the Chief Judge's Attorney Emeritus initiative; and participating in a program of assistance and advice for micro-entrepreneurs.
- **Eighth Judicial District:** The ProBonoNY Committee partnered with local bar associations and Erie County Bar Association Volunteer Lawyers Project (VLP) and other service providers throughout the District. During 2010, the Committee cooperated with VLP in focusing *pro bono* recruiting efforts in Buffalo and Erie County on newly admitted lawyers and on Buffalo's large law firms. Emphasis was placed on participation in VLP's Attorney of the Morning Program (representing low income tenants facing eviction in Buffalo City Court) and in representation of claimants in Unemployment Insurance Benefits Fair Hearings. These are subject areas of great need in the region, and these programs offer participating attorneys a satisfying and educational experience with manageable time commitments. The Committee co-sponsored two CLE programs in these subject areas early in the year, substantially increasing *pro bono* participation from Buffalo's largest law firms. In Chautauqua County, the Committee, with local bar associations and Southern Tier Legal Services

co-sponsored recruiting and training of volunteers in a series of monthly *pro se* divorce clinics held during 2010. The Committee co-hosted a *Pro Bono* Reception and Awards Ceremony honoring seventeen Chautauqua County attorneys for their commitments to strengthening *pro bono* services for low-income residents. As a recruiting and training method, the Committee's coordinator is now able to offer to potential volunteers throughout the District a library of recordings of all VLP live CLE programs since September 2009, at no cost to attorneys who commit to accepting *pro bono* referrals.

- ***Ninth Judicial District:*** Highlights for 2010 in Westchester County include a popular series of Lunch & Learn CLE and recruiting programs; continuation of a project for *pro bono* representation of claimants in Unemployment Insurance Benefit Fair Hearings; preparations for an uncontested divorce clinic; and a reception, *Pro Bono* Expo, CLE program and recognition event during National *Pro Bono* Week. In Orange County, highlights include continuing the Committee's *pro bono* project to provide training for volunteers on the rights of children with disabilities, including the right to a free and appropriate education, and then refer cases for *pro bono* representation; preparation to commence a program to assist local veterans on a variety of issues, with CLE training for volunteers; and a Partners in Justice Reception honoring a number of individual volunteers and specifically honoring the Orange County Bar Association for its substantial support of the Committee's activities. The Dutchess County Committee, in close collaboration with the Dutchess County Bar Association (which the Committee honored for its support for the Committee's activities), sponsored CLE training programs in unemployment insurance benefits, consumer law/debtors' issues, and new law updates in the areas of matrimonial law and powers of attorney. The Rockland County Committee sponsored a highly successful Family Law CLE program for volunteers in the Committee's new limited-scope legal advice program in Rockland Family Court, the first of its kind in the Ninth District; recruited 40 attorneys to *pro bono* work as a result of the Committee chair's letter to Rockland attorneys explaining the need for *pro bono* work and encouraging registration on the Committee's panel of volunteers; and commenced planning for a program addressing veterans' issues.
- ***Tenth Judicial District/Nassau County:*** Nassau County formed its ProBonoNY Committee in 2010, after hiring a court-based *Pro Bono* Coordinator and Director of *Pro Bono* Activities, under the supervision of Nassau County Administrative Judge Anthony Marano's office. The Committee formed a partnership with the Nassau County Bar Association [NCBA] to provide *pro bono* representation for homeowners during the mandatory foreclosure conferences. The NCBA also developed a Mortgage Foreclosure Legal Consultation Clinic that provides a "one stop shop" for those Nassau County residents facing foreclosure, during which they can meet with housing counselors, lawyers trained in foreclosure,

and bankruptcy attorneys in a clinical setting at the NCBA. An initiative to place court forms for unrepresented litigants on the internet was undertaken.

- **Tenth Judicial District/Suffolk County:** The Suffolk County *Pro Bono* Action Committee continued to partner with Nassau Suffolk Law Services and the Suffolk County Bar Association to provide services in the areas of matrimonial law, guardianship, foreclosure, adoption, trusts and estates, bankruptcy, veteran's rights and consumer debt. In 2010, over 200 additional attorneys were recruited and more than 2,400 volunteer lawyer hours were provided.

- **NASSAU COUNTY ACCESS TO JUSTICE PROGRAM**

Beginning in April 2010, through a contract with the Nassau County Bar Association (NCBA), a coordinator was hired to work with the NCBA and the NYS Courts Access to Justice Program to supervise and effectuate the Nassau County Access to Justice Program. Nassau County has a large volume of foreclosure cases. The NYS Courts Access to Justice Program has provided funding, training for volunteer attorneys and the program coordinator, and program oversight (in conjunction with the NCBA) so that all Nassau County foreclosure litigants now have the option of obtaining the immediate advice and assistance of a *pro bono* attorney at their mandatory mortgage modification conferences before the referees. The Nassau County Access to Justice Program trained nearly 40 new attorneys to participate in representation of homeowners during the conferences, and has assisted over three thousand families during the 31 weeks since the program's inception.

- **LAW OFFICE OF THE PUBLIC ADVOCACY CENTER (SUFFOLK COUNTY)**

The NYS Courts Access to Justice Program provided partial funding to the Touro College Jacob D. Fuchsberg Law Center (Touro) to help set up the Law Office of The Public Advocacy Center (Center). This partnership has yielded extraordinary results. Under the leadership of the Director of Public Interest and Executive Director of the Public Advocacy Center, an attorney has been hired who provides services in the areas of landlord-tenant, consumer debt, and family court matters to unrepresented Suffolk County residents. This program provides limited and full representation to litigants that seek help in the Court Help Center. The Center has also formed relationships with the bar, and has been receiving referrals from a variety of sources. Since the program began in May 2010, direct legal services have been provided by the Center to more than 100 residents of Long Island, many from the Court Help Center. Indirect services, in the form of hosting and supervising the Foreclosure Assistance Program in partnership with the Suffolk County Bar Association have been provided to hundreds more.

- **COURT HELP CENTERS**

Providing equal access to justice for all New Yorkers is the highest priority of the New York State Courts Access to Justice Program. Increasing numbers of court users appear in court without legal representation. Many of the litigants that visit the Court Help Centers are nervous, emotional, have never been to court and do not know what to expect. These unrepresented litigants do not know in what court to litigate their cases, what types of matters are appropriate for resolution by the courts, what papers are required to commence a case, how to file and serve necessary documents, or how properly to present their cases. The Court Help Centers were created in response to the increasing number of litigants who go to court without legal counsel because they cannot afford representation. The Court Help Centers are located in the courthouse and operate on a first come, first served basis to any unrepresented litigant, regardless of income. These offices provide free comprehensive procedural and legal information on Supreme Court special proceedings (*i.e.*, Article 78), matrimonial/family, real property/housing and other civil assistance. The Help Center staff does not provide legal advice and no attorney-client relationships are created. The Court Help Centers offer referrals to full-service representation, *pro bono* attorney providers, legal clinics and other low cost legal service providers. They provide referrals to alternative dispute resolution and social service support systems. Unrepresented litigants can also use the internet for legal research and DIY Forms in many Help Centers. In addition, unrepresented litigants can get free court forms and publications in the Help Centers.



The Court Help Centers are staffed by a combination of court attorneys and court clerks. Five of the existing offices follow a one-court model, *i.e.*, they generally provide procedural and legal information about a particular court (Supreme Court or New York City Civil Court). One office, housed in a courthouse with multiple courts (*i.e.*, Supreme, Surrogates and lower Civil), is a multi-court office which provides assistance for all three courts. The Suffolk model (the Library Resources for the Public Program) is a collaboration with the Public Access Law Library, where multiple services are offered to the unrepresented in one location.

Highlights of the Help Center activities in 2010 include:

- **Expansion of Help Centers:** In 2010, utilizing the NYS Courts Access to Justice “Best Practices for Court Help Centers and Programs to Assist Unrepresented Litigants” manual (<http://nycourts.gov/ip/nya2j/publications.shtml>), New York and Queens County Family Courts opened their first Court Help Centers. The NYS Courts Access to Justice Program guided the Family Court in the establishment of the Help Centers. These new centers provide free legal and procedural information on support, custody, paternity, visitation,

family offense and guardianship matters. In addition, they also house and provide supervision for the Family Court Volunteer Lawyers Program, which provides free limited legal assistance on family court legal issues. The Kings County Supreme Court Help Center was also relocated into a significantly larger space which was renovated to accommodate volunteer lawyers, public access terminals, and private consultation seating areas. The NYS Courts Access to Justice Program also provided the Help Center with a large screen television.

- **Expansion of Volunteer Lawyer Services:** Many of the centers utilize volunteer lawyers from court-sponsored programs. In 2010, new Family, Uncontested Divorce and the Foreclosure Volunteer Lawyer's Programs were added to several centers, similar to the Housing and Civil Court Volunteer Lawyer's Programs offered in the Civil Court. Help Center Court Attorneys supervise the volunteer lawyers, who assist litigants by providing legal advice.
- **Name Change:** In March 2010, the names of the Eighth, Ninth and Tenth Judicial District "Offices of the Self Represented" were changed to "Court Help Center" to match the Court Help Centers in New York City and to provide a name that would immediately be understood by litigants. In addition, new signage was created to reflect the change.
- **Staff Training:** Help Center staff meetings were held to discuss concerns and provide training. Meetings with the New York City Help Center staff were held separately. Staff were trained in the DIY Form programs.
- **Filemaker Program for Gathering Statistical Data:** Working with OCA's Exam Development Group, the NYS Courts Access to Justice Program made substantial progress on a new filemaker program that would allow the Court Help Centers to produce summary weekly, monthly or yearly reports. When completed in 2011, this program will greatly improve the present data collection system. Once in place, reports generated by the new program will enable the NYS Courts Access to Justice Program to assess the areas of the law for which unrepresented litigants have the most need so resources can be fashioned to meet those needs by location.
- **Supreme Court Forms Committee Created:** In December 2010, the NYS Courts Access to Justice Program formed a committee comprised of supervisors of the New York City Supreme Court Help Centers to create, review and revise forms for use throughout the New York City Supreme Court Help Centers. The library of forms utilized in the Court Help Centers is invaluable to litigants. These forms provide education, direction and guidance so it is vital that these forms are easy to read and understandable. The goal of the committee is to create standard, fillable, plain language forms, available for use on a court shared computer drive.
- **Language Line Services:** For many litigants, English is not their first language. The Court Help Centers provide interpreters for those litigants who do not speak or understand English. However, in some situations, an interpreter must be ordered because the court does not staff interpreters

in every language so the litigant must return another day. To address this issue, in December 2010, the Civil Court Help Center in New York County began piloting the use of Language Line services. This over the phone interpretation service allows instant communication with staff and Help Center users and provides access to languages where court interpreters are not readily available.

- **Mobile Help Center:** Plans were begun for a Mobile Help Center which will be in service in the spring of 2011. Volunteer attorneys will have an additional venue in which to provide assistance to litigants who encounter the greatest barriers to using the courts. The NYS Courts Access to Justice Program has partnered with the New York Legal Assistance Group (NYLAG), a not-for-profit legal services provider, on a Mobile Court Help Center to help augment the court's existing Help Centers in helping unrepresented litigants navigate their way through the court system. The Mobile Help Center is being donated by the New York Legal Assistance Group through a grant received from a private foundation. The Mobile Help Center is designed to replicate the resources in the court's Help Centers. The vehicle will be equipped with video stations, DIY computer terminals, and self-help style materials. It can also be used as a mobile courtroom for emergency proceedings. The Mobile Center will provide the same informational assistance, educational materials, and referrals to non-profit agencies and organizations that the court's Help Centers provide, but will do so in the form of a "book mobile" type unit housed in a 35-foot custom built command center-type vehicle. The Mobile Center, staffed by court employees, attorney volunteers and at times NYLAG staff attorneys, will travel around New York State visiting neighborhoods geographically remote from the courthouse on an established schedule, targeting those who encounter the greatest obstacles (*i.e.*, elderly, disabled, victims of domestic violence, homeless) in coming to court.

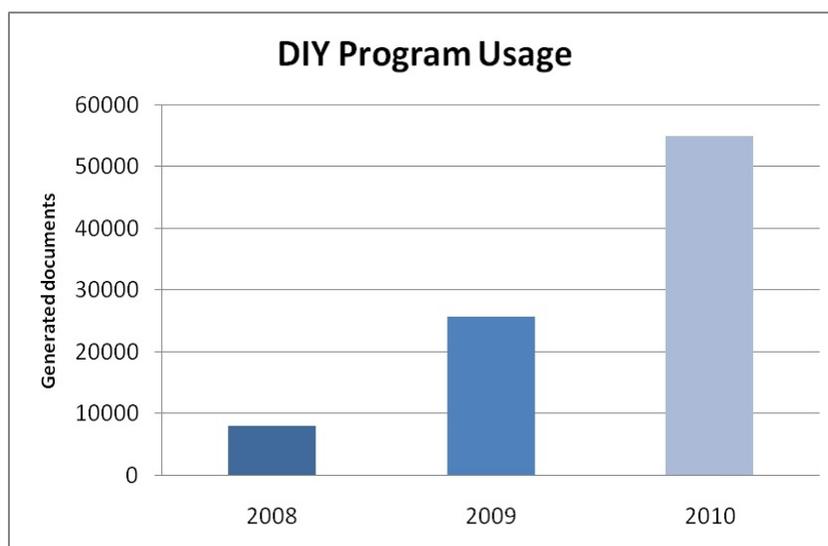
PART II: SELF-HELP SERVICES

There is increasing understanding that both access to justice and effective court operations are greatly facilitated by increasing self-help services for those who represent themselves. With budget and time constraints, it is unrealistic to devote all available resources to services that require court assistance. Self-help services, such as document assembly programs, plain language publications and court forms, dissemination of information over the internet, and improved courthouse signage, have proven effective tools to assist the ever-increasing numbers of unrepresented litigants in need of information.

In 2010, the NYS Courts Access to Justice Program dedicated a substantial amount of time and energy toward improving self-help services; particularly, the implementation and expansion of the document assembly programs, known as DIY (Do-It-Yourself) Forms, which were launched statewide in 2009. The DIY Forms have proven to be a tremendous success. A number of the most significant achievements in 2010 for the DIY programs, as well as other self-help resources, are discussed below.

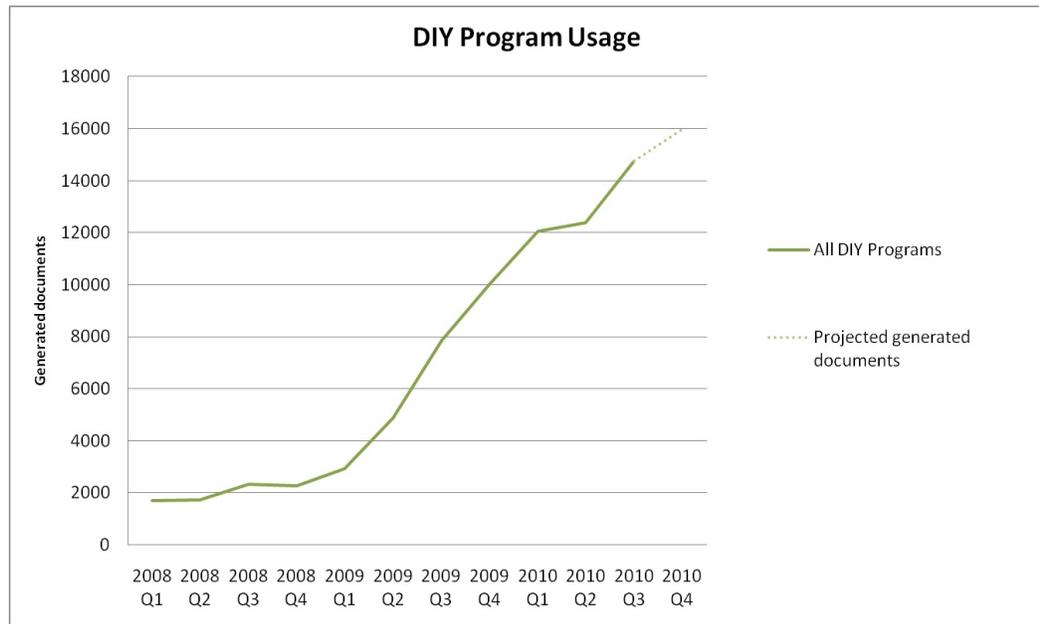
- **DIY FORM USAGE**

DIY Forms are free and easy guided step-by-step computer programs that ask the litigant a series of questions and then use the answers to prepare personalized instructions and court forms that are ready to serve and file. DIY Form programs can be accessed on the internet and in many courthouse clerks' offices and Help Centers throughout the state. DIY programs are currently available for various Family, Supreme, Surrogate's, New York City Civil and New York City Housing Court forms. In 2010, over 55,000 court forms were generated by DIY users, more than doubling usage in 2009, and nearly sextupling usage in 2008. These numbers have increased due to the efforts of court personnel in every district throughout the state.



Tracking usage of the DIY Form programs is extremely important to the success of the programs. Even with limited staff and resources, best practices have warranted spending the time to collect and review statistical information. The statistical information is used to learn where more training and outreach is needed and to discover any problems in the programs. The NYS Courts Access to Justice Program conducts quarterly reviews of statistics maintained from three sources used to track DIY usage: LawHelpInteractive (LHI) statistics, Universal Case Management System (UCMS) statistics, and DIY User Surveys. All three methods provide useful information to improve usage of the programs and service to the public. 2010 usage highlights are as follows:

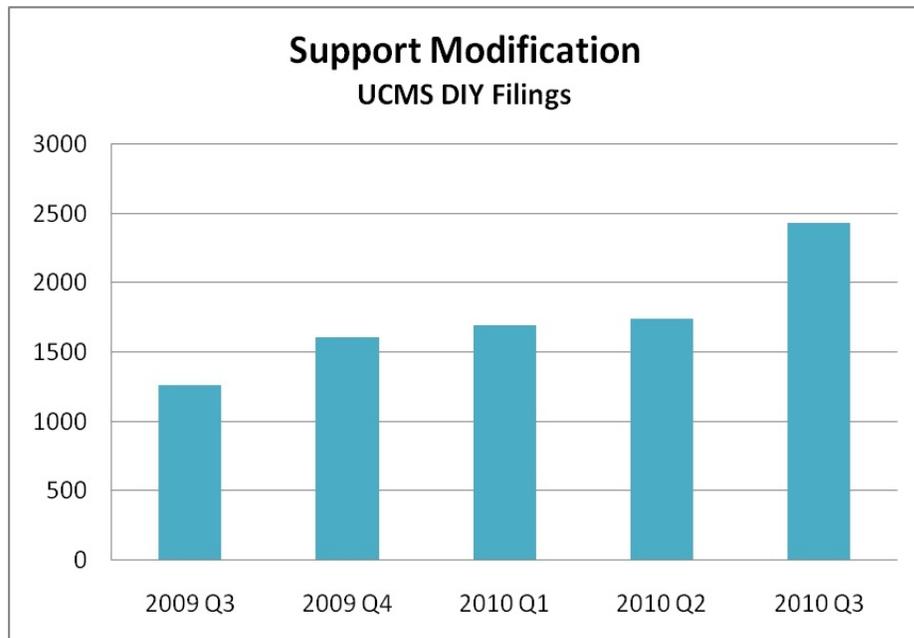
- LHI Statistics:** LHI is Pro Bono Net's server that UCS contracts to host the DIY programs on the internet. LHI compiles quarterly usage statistics that indicate how many times a document was generated from a particular program. LHI statistics have been available since January 2008 for New York City Civil Court programs and since April 2009 for statewide programs. In 2010:
 - There was an estimated 110% increase in the number of generated documents from 2009.



- During the first three quarters of 2010, there was a 45% increase in the number of generated New York City Civil Court DIY Forms. In that same period, there was an 11% increase in the number of generated statewide forms.
- The Affidavit to Vacate a Default Judgment in a Consumer Debt Case DIY program had the greatest increase in usage. During the first quarter, there were 406 documents generated but during the

third quarter, there were 1301 documents generated, an increase of 220%.

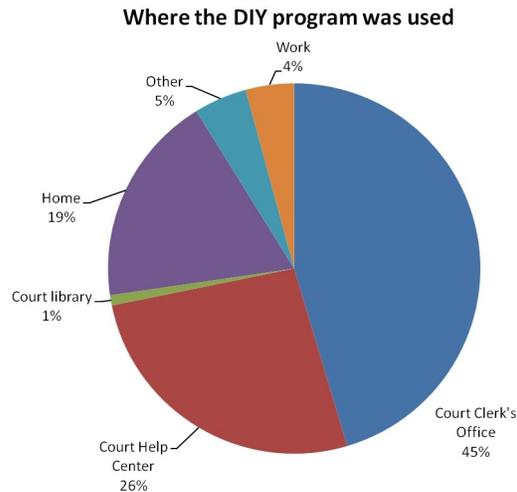
- **UCMS Statistics:** Family Court, Surrogate’s Court and the New York City Civil Court employees record DIY filings in UCMS when a litigant submits a DIY generated document. Comparing the total number of unrepresented filings to the number of DIY filings gives an estimate of the incorporation of the programs in the courthouse. In general, UCMS recorded DIY filings increased throughout 2010.



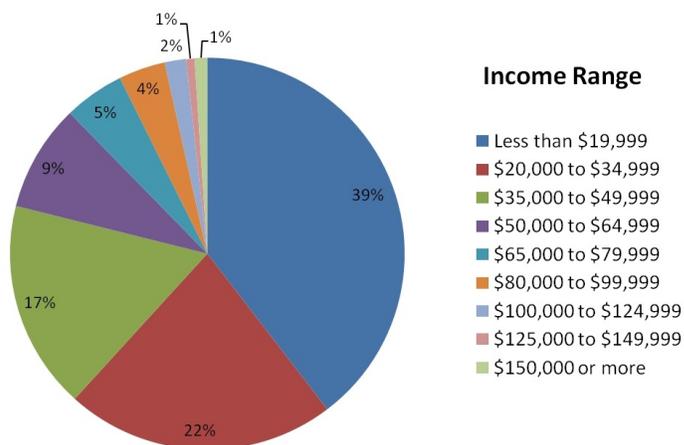
For example, the above chart of the Family Court Support Modification Petition DIY UCMS filings indicates a steady increase since the program was launched in 2009.

- **User Surveys:** The NYS Courts Access to Justice Program has been inputting data from returned surveys into a database since May 2009. (A copy of the User Survey is attached hereto as Exhibit “A”). In 2010, the NYS Courts Access to Justice Program collected data from over 4500 User Surveys. Highlights of user demographics derived from the collected data include the following:
 - **Age:** Examining all of the DIY Programs together, 77% of DIY litigants are between the ages of 18 and 44. However, in the case of the Surrogate’s Court Small Estate Affidavit DIY Program, only 26% of the litigants are between the ages of 18 and 44. The majority of users for this program are between the ages of 45 and 64.
 - **Internet Access:** 22% of litigants said they do not have the internet in their homes. Of this 22%, 87% used the DIY program in a court facility, proving that it is important to continue efforts to provide

- internet-based self-help services in the courthouses and continue outreach to non-court based facilities that provide free internet to the public to assist users who cannot get to a courthouse easily.
- Where Used: 72% of litigants completed the DIY program in a court facility. Regardless of internet access at home, the majority of litigants use DIY programs in the courthouses that offer them.



- Income: 39% of DIY users have an income of less than \$20,000, 22% have an income between \$20,000 and \$34,999 and 17% have an income between \$35,000 and \$49,999. The significant percentage of usage by low income litigants indicates that the programs are easy and accessible for all New York State residents.



Surveys also indicate a lower income range for Spanish users, 55% have an income less than \$20,000 and 27% have an income between \$20,000 and \$34,999.

- **DIY FORM DEVELOPMENT**

Development of DIY Forms takes a considerable amount of time to produce a legally

NYS DIY Forms DO-IT-YOURSELF

acceptable universal form and instructions. All DIY programs go through substantial testing by both judicial and non-judicial personnel, private attorneys and stakeholders in the community before being released to the public. Additionally, all DIY Forms are sent to a plain language specialist to be edited for lower English proficiency users.

2010 New Programs and Program Modifications:

- ***New York City Adult Name Change Fee Waiver Addition:*** A fee waiver option was added to the New York City Civil Court Adult Name Change Program in June 2010. After the litigant completes the information required for the Adult Name Change petition, the questions for the litigant's income and assets are asked and a fee waiver affidavit is printed with the name change petition.
- ***New York City Roommate Holdover Program:*** In response to requests from the New York City Civil Court Help Center staff, a new DIY Form program was developed to assist a New York City resident who wants to make a roommate move out of a shared house or apartment. There were no existing court or published forms tailored to this situation and legal services organizations do not assist these litigants. The Roommate Holdover DIY Form program produces either a Notice of Termination or a holdover Notice of Petition and Petition and instructions for what to do next. This program was launched in November 2010.
- ***New York City Small Property Owners Nonpayment Petition Rent Demand Addition:*** In response to requests from the New York City Civil Court Help Center staff, an option for unrepresented landlords to create a Rent Demand Notice was added to the Small Property Owners Nonpayment Petition Program in December 2010. This program assists landlords who own a one-or two-family house, or a residential building with fewer than five apartments, or own a cooperative or condominium.
- ***Family Court Support Modification Petition Changes:*** Working with the Family Court DIY developer's group, additional options and features were added to the Support Modification Program.
 - For New York County litigants, the petitioner can file against the Commissioner of Social Services if the other parent is on public assistance.
 - Additional modification requests to the order and change of circumstance reasons were added at the request of Family Court personnel.

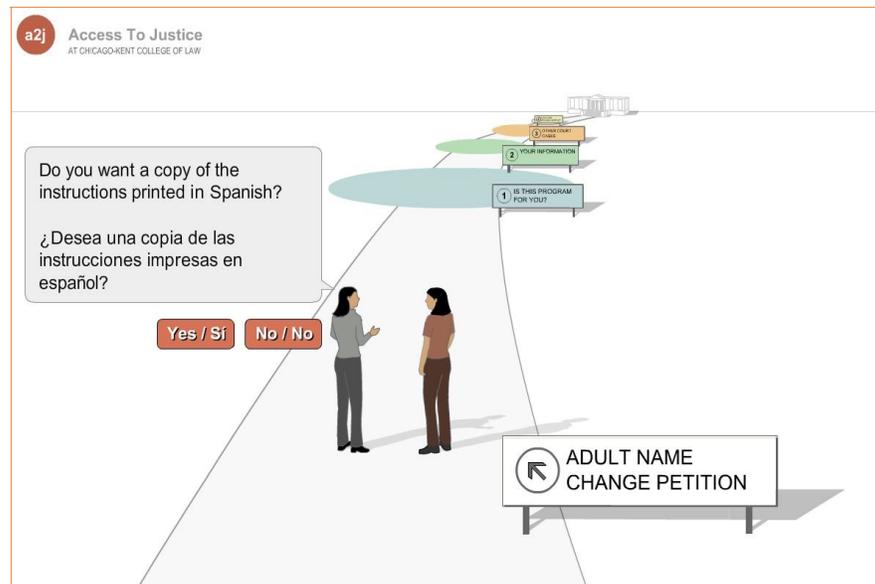
2010 DIY Audio Added: Audio is an important addition to a DIY Form program for litigants of lower-literacy levels or litigants who may understand better by

listening to spoken text. Audio is also essential for assisting visually impaired litigants. Audio begins when the program initiates. This feature was added to the following programs:

- **Family Court Support Modification Petition Program:** added May 2010.
- **New York City Adult Name Change Petition Fee Waiver:** added June 2010.

2010 DIY Spanish Options Added:

- **Spanish Instructions:** Spanish instructions were added to a number of DIY Form programs. During the program, the litigant is given the option of choosing Spanish instructions. If the user chooses the Spanish option, the instructions generated with the DIY court form are printed in Spanish, in addition to English.



This is very helpful to low-English proficiency litigants and also helpful for persons who may be assisting the litigant. Spanish instructions were added to the following programs:

- Family Court Support Modification Petition Program: added May 2010.
- New York City Civil Court Adult Name Change Petition Program: added July 2010.
- New York City Civil Court Minor Name Change Petition Program: added July 2010.
- New York City Civil Court Tenant Affidavit to Vacate a Default Judgment Program: added July 2010.
- Supreme Court Adult Name Change Petition Program: added October 2010.

- Family Court Paternity Petition Program: added October 2010.
- Surrogate's Court Small Estate Petition Program: added October 2010.
- **Spanish User Survey:** If the litigant chooses the Spanish option, the User Survey is also printed in Spanish. The Spanish User Survey was implemented in May 2010. Since then, over 250 Spanish User Surveys have been returned. (A copy of the Spanish User Survey is attached hereto as Exhibit "A").

2010 DIY Programs in Development:

- **Surrogate's Court Guardianship Article 17-A:** Article 17-A guardianship proceeding provides for continued legal guardianship of mentally retarded or developmentally disabled individuals after they reach the age of 18. A developer's group, dubbed EGG (Expert Guardianship Group), was created in January 2010, with volunteer court employees from Surrogates' Courts across the state. During 2010, the group answered legal and procedural questions about the proceeding through countless emails and webinars. In December 2010, EGG began testing the logic and programming of the DIY program and the documents it generates. When completed in early 2011, this program will produce the Petition and all of the accompanying required forms needed in this complicated proceeding.
- **Landlord Nonpayment Petition Program for Outside New York City:** Started in the fall of 2010, this program will produce either a Rent Demand Notice or a nonpayment Notice of Petition and Petition for unrepresented landlords outside New York City. This program will be the first DIY Form applicable to District Courts, City Courts and Justice Courts. A developer's group of volunteer clerks and judges from these courts throughout the state was established to answer jurisdictional, legal and procedural questions about their own courts and to test the logic and programming in early prototypes.
- **Family Court Enforcement Petition Program:** When completed, this Family Court DIY Form will produce a Petition to enforce spousal and/or child support orders. Clerks with DIY training in the Bronx Family Court, working with NYS Courts Access to Justice staff have undertaken programming the initial draft of the A2J front end. Review is underway.
- **Small Claims Assessment Review (SCAR):** The SCAR DIY Form program will produce a Small Claims Assessment Review petition for Supreme Court. SCAR gives property owners an opportunity to challenge the assessment on their real property. In 2009, over 85,000 petitions were filed in New York courts outside New York City, predominantly by unrepresented litigants. The volunteer developer from the Albany Supreme Court working on the A2J front end of this program was an attendee of an "Introduction to DIY Programming" webinar.
- **Spanish Family Court Paternity Petition:** A Spanish version of the Family Court Paternity Petition Program will be available in February 2011. The text of the entire DIY program will be written in Spanish. This

program was chosen because there is very little English text that a litigant must in-put. With this option, Spanish Instructions, a Spanish copy of the Petition (in addition to the court's English copy), and a Spanish User Survey, will be generated. An interpreter in the Kings County Family Court is assisting with the creation of the Spanish program.

DIY Development Webinars: In an effort to cultivate a cadre of DIY Form volunteer developers throughout the state, the NYS Courts Access to Justice Program held a webinar called "Introduction to DIY Programming" in May and June 2010. These webinars trained attendees on the features and basic programming techniques of A2J Author, the "front-end" of DIY Forms. The webinars were opened to all court personnel and no programming experience was required. Seventy-five people attended. Another webinar is scheduled for January 2011.

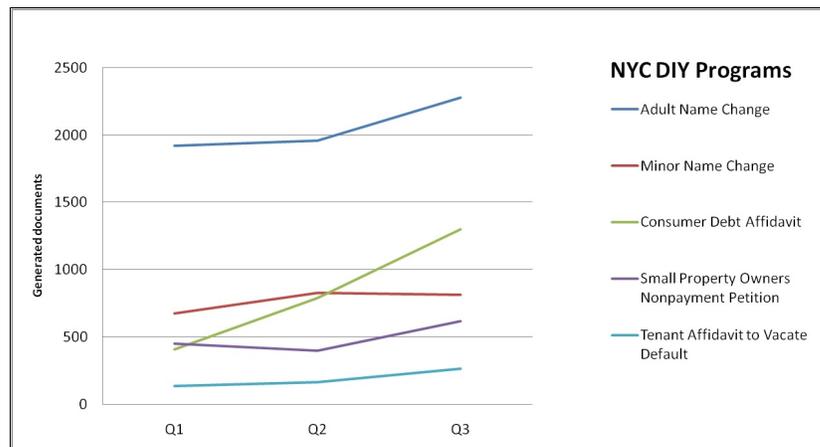
DIY Partnership Continued: The partnerships between the NYS Courts Access to Justice Program and Western Legal Services of New York, Legal Services Corporation and the State Justice Institute continued in 2010.

- **DIY FORM TRAINING AND OUTREACH**

Personnel Training: Despite limited resources, the NYS Courts Access to Justice Program focused considerable time and energy on training court personnel about DIY programs. User Surveys establish that personnel training is essential to the success of the DIY Form programs. Indeed, DIY User Surveys report that 73% of litigants learned about the DIY program from a court employee. Furthermore, 72% of litigants completed a DIY program in a court facility such as a Help Center or clerk's office. Throughout 2010, members of the NYS Courts Access to Justice Outreach Team made on-site visits to meet with Administrative Judges, District Executives and District and local Court Help Center staff in the Third, Fourth, Sixth, Seventh, Eighth, Ninth and Tenth Judicial Districts. Both live trainings and webinars were conducted throughout 2010:

- ***Live Trainings:*** Live trainings have proven to be the most effective tool for increasing the usage of a DIY program. For example, the live training on the New York City Affidavit to Vacate Default Judgment - Consumer Debt DIY Form training led to a 1,779% increase in courthouse usage. During the first quarter of 2010, there were only 44 Consumer Debt DIY documents generated inside the Civil Courts (plus 362 generated outside the courthouse), but after live trainings conducted at the end of the first quarter and during the second quarter, 827 documents were generated inside the courthouses during the third quarter.

The green line in the chart below charts the increase in this program's use.



Although live training, with the opportunity to test the DIY program at a computer terminal, is the best way to train court personnel, budget constraints make it difficult to conduct live trainings throughout the state. The following live trainings for court personnel were held in New York City:

- Affidavit to Vacate Default Judgment Consumer Debt training for New York City Civil Court Clerks in March, April and May 2010.
- Adult Name Change Fee waiver training for New York City Civil Court Clerks in March 2010.
- Tenant Affidavit to Vacate Default Judgment training for New York City Civil Court Clerks in June 2010.
- Roommate Holdover Trainings for New York City Civil Court Clerks and Help Center personnel in November 2010.
- Adult Name Change training for Supreme Court Help Center personnel in December 2010.
- New Employee Orientation Trainings throughout the year.
- **Webinar Trainings:** All court staff and personnel were invited to attend webinars on specific DIY programs. These webinars highlighted features of a program, its application in the court and how the program improved courtroom efficiency. Webinars were held for:
 - Family Court Paternity Petition Program in May 2010.
 - Surrogate's Court Small Estate Affidavit Program in June 2010.
- **DIY Intranet Pages:** The internal website for court employees was expanded to allow court personnel ready access to DIY Form program information. The intranet pages include promotional materials, UCMS tracking and reporting guidelines, a sampling of User Survey comments, training and testing announcements, a what's new section, information on how to volunteer, and DIY Star Award court staff recognition pages.
- **Courthouse Visits:** Site visits were made to Family Courts in Albany, Bronx, Buffalo, Dutchess, Fulton, Hamilton, Kings, Nassau, New York,

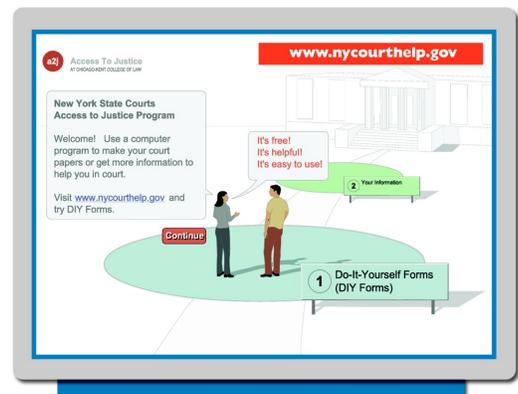
Orange, Rensselaer, Rockland, Saratoga, Suffolk and Westchester Counties with the respective Chief Clerks to observe their DIY equipment set-ups and locations. Site visits were also completed for the New York City Surrogate's Courts, as well as Onondaga Surrogate's and Family Courts. As a result of discussions held in each location, mutually identified enhancements and recommendations were made and computers were provided to courthouses in the Fourth Judicial District.

Public Training

- **Clergy Training:** Many unrepresented litigants turn to their clergy when faced with difficult legal-related issues. New York LawHelp was contracted to undertake public clergy training about the DIY Form programs in New York City and Nassau and Suffolk Counties. Working with the Interfaith Center of New York, more than 30 trainings were held in 2010 where the DIY programs were demonstrated and promotional materials were distributed.
- **Brooklyn Family Justice Center:** Trainings were held in May 2010 for personnel in this important center that provides information and services for domestic violence victims in one location.
- **Library Outreach:** Public library systems are an excellent community resource for unrepresented litigants seeking information regarding legal processes. Public libraries offer free internet, and many unrepresented litigants who may not have access to a computer take advantage of this service. In 2010, the NYS Courts Access to Justice Program conducted live DIY hands-on training sessions for the public librarians in Queens, Nassau, Suffolk, Binghamton, Buffalo and Rochester. Over 200 librarians were trained.

Public Outreach

- **Promotional Materials:** Printed plain language promotional cards, flyers and posters were disseminated throughout New York in the courthouses, Help Centers, public access libraries and all training and outreach events. Court personnel can download materials from the NYS Courts Access to Justice intranet site. (Sample flyers are annexed hereto as Exhibit "B").
- **Internet Sites:** Aside from linking to the DIY Form programs from CourtHelp, outreach was done to other websites to provide links to the DIY Form programs. Many User Surveys filed by litigants using the Support Modification Petition Program state that they learned about the program from the New York State Division of Child Support Enforcement website at: www.newyorkchildsupport.com. Most DIY programs are linked from the



legal informational self-help website, LawHelp.

- **Courthouse Slideshows:** In December 2010, DIY silent slideshows were created to run continuously in prominent locations throughout the New York City Civil Court buildings. (Slides from a sample slideshow are annexed hereto as Exhibit "C").
- **Twitter:** Twitter is now used to inform the public about DIY Form programs.

- **DIY STAR AWARDS**

In January 2010, Judge Fisher established the "DIY Star Award." This award recognizes UCS personnel and courts who have made



exceptional contributions to the successful development and implementation of the DIY Form programs, furthering equal access to justice for unrepresented litigants. Quarterly statistical information, litigant User Surveys and nominations by fellow employees are reviewed to choose winners. In addition to applauding the individuals or courts whose actions are critical in creating lasting change in court culture and work environment, the DIY Star Award boosts employee morale and has fostered competition among the courts; thus, improving data collection compliance, program promotion and program awareness and usage.

In 2010, each winning "DIY Star" courthouse was awarded a large touch-screen monitor and computer for litigants to use the DIY Form programs. The touch-screen computer monitor enhances the ease of use of the already user-friendly programs. (See copy of May 4, 2010 letter from the Onondaga Surrogate Ava S. Raphael attached hereto as Exhibit "D"). DIY Star winners are featured on the court's intranet homepage and the internet:

<http://www.nycourts.gov/ip/nya2j/DIYawards.shtml>. Recipients of the DIY Star Award:

- **Nassau County Supreme Court:** Court Information Center Staff and Library staff, December 2010.
- **Bronx County Family Court:** Petition Division Staff and Assistant Deputy Chief Clerk Gilbert Rodriguez, August 2010.
- **Bronx County Surrogate's Court:** Court Staff, Chief Clerk Michael P. Hausler and Data Entry Clerk Joan Reid, August 2010.
- **Onondaga County Surrogate's Court:** Court Staff and Surrogate Ava S. Raphael, April 2010.
- **Kings County Family Court:** Petition Room Staff and Court Clerk Specialist Mike Williams, February 2010.

- **COURTHELP**

In 2010, the NYS Courts Access to Justice Program continued to maintain the Unified Court System’s statewide website for unrepresented litigants which facilitates access to the courts and makes more court-related information available to the public. CourtHelp, <http://nycourthelp.gov>, launched several years ago, continues to be an important resource for litigants who do not have an attorney. 2010 CourtHelp highlights include the following:



- CourtHelp received over 600,000 unique visits.
- The Forms page received over 42,000 visits.
- CourtHelp is the main home of the NYS Courts Access to Justice Program’s DIY Forms. The Family Court Support Modification Petition program page received approximately 31,500 visits. The Surrogate’s Court Small Estate Affidavit program received nearly 21,000 visits.

The NYS Courts Access to Justice Program outreach team trained court staff throughout the state on CourtHelp resources to better assist the public. The Public Librarian’s Program also included an overview of the resources available on CourtHelp.

- **PUBLICATIONS AND FORMS**

In response to the public’s need for written plain language information, the NYS Courts Access to Justice Program achieved the following in 2010:

- **Guide to Small Claims & Commercial Small Claims:** Partnering with the Civil Court of the City of New York, and Nassau and Suffolk Counties, this publication was updated and re-written in simplified language for litigants to understand how to proceed in a small claim or commercial small claim case. The publication was substantially re-organized from previous versions after being reviewed by a “plain language” specialist. The publication is available in the Help Centers and on the court’s website: <http://nycourts.gov/courts/nyc/civil/pdfs/smallclaims.pdf>. The publication is also available in Spanish: http://www.nycourts.gov/courts/nyc/civil/civil_spanish/pdfs/smallclaims.pdf and Chinese: http://www.nycourts.gov/courts/nyc/civil/civil_chinese/pdfs/smallclaims.pdf.
- **Coloring Books:** Working with the New York City Family Court, the NYS Courts Access to Justice Program published a Family Court coloring book: <http://www.nycourts.gov/publications/pdfs/coloring-book-family-court.pdf>. The NYS Courts Access to Justice Program also published New York City Civil Court coloring books in English: http://nycourts.gov/courts/nyc/SSI/colorbook/Binder_EN.pdf, Spanish: http://nycourts.gov/courts/nyc/SSI/colorbook/Binder_SP.pdf, Chinese: http://www.nycourts.gov/courts/nyc/SSI/colorbook/Binder_CH.pdf, and French: http://www.nycourts.gov/courts/nyc/SSI/colorbook/Binder_FR.pdf.

- **Supreme Court Forms:** In December 2010, a committee was formed to create, review and revise forms for use throughout the New York City Supreme Court Help Centers. The goal of the committee is to create standard, fillable, plain language forms for unrepresented litigants.

- **IMPROVED INFORMATION IN THE COURTHOUSES**

The NYS Courts Access to Justice Program produced plain language posters, flyers, postcards, slideshows, publications and signage to improve information for unrepresented litigants in the courthouses by prominently presenting services and information in clear and understandable formats.

- **Silent Slideshows:** Slideshows were produced to continuously play in prominent locations throughout the New York City Civil Court buildings, informing unrepresented litigants of useful information; such as DIY Form programs, Help Center services, and Community Seminars. (Slides from a sample slideshow are annexed hereto as Exhibit “E”).
- **Plain Language Posters and Postcards:** Promotional materials for Family, Surrogate’s, Supreme and New York City Civil Courts were produced and distributed throughout the state, informing litigants about available DIY Form Programs.
- **Plain Language Posters:** Posters for the New York City Civil Court were produced and distributed, informing litigants about upcoming events, community seminars, Help Centers, free internet, and Volunteer Lawyer Programs.
- **Publications Distributed:** The updated Guide to Small Claims and Commercial Claims was printed in English, Spanish and Chinese and distributed to the New York City, Nassau and Suffolk courts for distribution to small claims litigants.
- **Plain Language Nomenclature:** The names and signs for the Offices of the Self-Represented were changed to Help Centers so litigants can understand where to get help and new signage was provided to various judicial districts.

- **YOUTUBE**

Realizing that an ever increasing number of New Yorkers rely on social media websites to find information, in 2010, the NYS Courts Access to Justice Program established a YouTube site as another method of disseminating information for self-help to the public. YouTube is linked from the NYS Courts Access to Justice website: <http://nycourts.gov/nya2j>. Plans are underway to add more content in 2011. The following videos were posted on the YouTube site: <http://youtube.com/user/NYCourtsA2J>:



- ***The Resolution Part:*** The NYS Courts Access to Justice Program updated this video originally produced by the New York City Civil Court. Designed for unrepresented litigants appearing in the New York City Housing Court for the first time, this video explains the Part's procedures and objectives, introduces the role of various court personnel and gives a complete walk-through of all the services provided by the New York City Civil Court. English and Spanish versions are available on YouTube.
- ***Small Claims Form Instructions:*** This tutorial explains how to fill in the New York City Small Claims Court form used to start a Small Claim or Commercial Claim case.

PART III: ADDRESSING THE ACCESS TO JUSTICE NEEDS OF A DIVERSE POPULATION

The New York State Courts Access to Justice Program is dedicated to providing fair and efficient justice for individuals with diverse backgrounds and/or special needs. To this end, the Program continuously strives to foster awareness of the challenges faced by these unrepresented litigants through training and education of both judicial and non-judicial personnel. In addition, the NYS Courts Access to Justice Program is mindful that many of these litigants come to court facing a myriad of difficulties, some of which are at the very root of their legal problems. By taking an active role in promoting creative solutions, such as expanding social work and social services in the court system, the NYS Courts Access to Justice Program is often able to address the gap in services that legal services organizations and the private bar are unable to fill.

● GUARDIAN AD LITEM PROGRAM

The NYS Courts Access to Justice Program continues to oversee the operation of the New York City Civil Court- Housing Part, Guardian Ad Litem Program. The Guardian Ad Litem (GAL) Program recruits, trains, supervises and provides Housing Court Judges with a pool of GALs who safeguard the rights and prevent the eviction of some of New York City's most vulnerable people. 2010 highlights of the GAL Program's activities include:



- **Requirements to Become a GAL:** Beginning in 2010, prospective GALs are interviewed in person and must undergo a background check in order to participate in the program. This is in addition to submitting the application materials and references that were previously required. Only those who successfully complete the interview and background check are invited to the training. Interviews are conducted by the Coordinator of the Program along with a Housing Court Judge or Court Administrator. More information on becoming a Guardian Ad Litem is available on the internet: <http://www.nycourts.gov/courts/nyc/housing/GALprospective.shtml>.
- **Expansion of the GAL Pool:** Despite the fact that more stringent requirements were instituted to become a GAL, the Program expanded its list of available GALs from 121 to 183 - 99 attorneys and 84 non-attorneys.
- **GAL Training:** The Program continues to offer free training several times a year. Training hours were increased in an effort to better prepare GALs for the work they are expected to do upon appointment. CLE credits provided were increased accordingly. Moreover, the Program continued to offer free practical workshops designed to supplement the initial training provided and respond to issues of concern to GALs. In 2010, workshops included:
 - Recognizing Elder Abuse.
 - Rent Control vs. Rent Stabilization.

- Collaboration with HRA Concerning One-Shot-Deals.
- Issues of Legal Importance Concerning Section 8.
- Cooperative Apartments, Mitchell-Lama and Housing Court.
- HRA's Office of Legal Affairs' Filing of Article 81 Applications.

Most practical workshops provided CLE credit.

- ***GAL Recruitment:*** In 2010, the GAL program expanded recruitment efforts by collaborating with the New York City Bar Association's Housing Court Committee to make the GAL Program known to the membership of the New York City Chapter of the National Association of Social Workers (NASW). NASW has since agreed to share information about the program through its newsletter and email list. The Program also initiated discussions with HRA and ReServe to institute a pilot that would utilize ReServists to serve as GALs. ReServists consist of retired professionals seeking a way to work, on a part-time basis, and give back to the community. This pilot as well as outreach through NASW will enable the Program to augment its list and enhance the quality of services rendered.
- ***Improved Information for Wards:*** The GAL Program has also taken steps to inform litigants who are appointed a GAL of information and resources available to them. Specifically, the Program created a litigant brochure for judges to give to wards upon the appointment of a GAL. This brochure aims to explain the meaning of a GAL appointment, the role and function of a GAL, and what litigants can do if they have specific concerns. The brochure is also available in Spanish. Additionally, an information sheet for owners, similar to the GAL litigant brochure, was created and made available to judges. For copies of these brochures, see: <http://www.nycourts.gov/courts/nyc/housing/GALexisting.shtml#brochures>.
- ***Improved Information for Court Staff:*** In 2010, the GAL Program added webpages to the NYS Courts Access to Justice intranet site to serve as a resource to all New York City Civil Court, Housing Part Judges and their court staff. Here, judges and court staff can find GAL programmatic information and guidelines helpful to the GAL appointment process. Other resources include legal notices, forms, brochures and information on the upcoming GAL training dates.
- ***Procedural Manual:*** The GAL Program is in the process of co-drafting a procedural manual with Adult Protective Services (APS). The purpose of this manual is to provide guidelines for APS and GALs to follow in their effort to protect an impaired adult's legal rights and advocate in their best interest. These guidelines would aim to promote efficiency, collaboration, and uniformity across the boroughs. The guidelines would also seek to encourage mutual understanding of the roles of APS and GALs with respect to each other and to the impaired adult. The manual should be finalized in 2011.
- ***Improved Process for Securing a GAL:*** The GAL Program was able to successfully pilot a GAL FileMaker application, co-created with OCA's Division of Technology, in three New York County Housing Court Parts. This application provides judges with a mechanism for securing GAL

names more efficiently while also preserving the integrity of the GAL appointment process, ensuring that such names are provided in a manner that is fair and impartial, pursuant to Part 36 Rules. The application will be expanding to all New York County Housing Court Parts in 2011.

- **Lunch and Learn Webinar** : The GAL Coordinator/Special Counsel for Court-Based Interdisciplinary Programs co-presented a webinar for the Judicial Institute’s Landlord-Tenant series with New York City Housing Court Judge Marc Finkelstein, entitled, “Guardians *Ad Litem*.” The webinar described the New York City Civil Court’s Housing Part’s Guardian *Ad Litem* Program, the role and function of GALs, and the Court’s duty to appoint a GAL when indicated and to oversee their work.

- **EXPANSION OF SOCIAL WORK IN THE COURT**

The NYS Courts Access to Justice Program continues to expand the availability of social work assistance within the New York City Civil Court. In 2010, the Special Counsel for Court-Based Interdisciplinary Programs, assisted by a lead social worker, established new partnerships with New York University and CUNY Hunter College Graduate Schools of Social Work to add to the already existing partnerships with Columbia University School of Social Work and Yeshiva's School of Social Work. These new partnerships have led to the number of social work students placed in the Court doubling from three to six, resulting in more litigants being served by the Assigned Counsel Project (ACP) or in PART I (also known as the Integrated Part).

- **ASSIGNED COUNSEL PROJECT**

The NYS Courts Access to Justice Program continues to oversee the partnership program between the New York City Civil Court and the Department for the Aging (DFTA), known as the Assigned Counsel Project (ACP). This Project provides free legal and social work services to seniors who are facing eviction in Housing Court due to a nonpayment or holdover case or are petitioners seeking to evict a tenant or roommate because the person threatens their welfare or safety. Both the attorney and the social worker or social work intern work as a team to resolve the case. Legal representation is provided by the following sub-contracted legal service providers: MFY, Brooklyn Legal Services of NY, Brooklyn Legal Aid Society, and JASA Queens Legal Services for the Elderly. Social work assistance is rendered by DFTA social workers, Civil Court’s lead social worker, and social work interns on both ends. The ACP is funded to serve 529 seniors appearing in Housing Court per year. In 2010, social work interns overseen by the NYS Courts Access to Justice Program provided social work services to 15.5% of the 529 seniors served. Moreover, the demand for services has been so high that DFTA has initiated plans to expand the Project to Staten Island and the Bronx.



- **INTEGRATED PART**

Part I (also known as the Integrated Part) continues to thrive. Part I is a Special Part located in the New York County Civil and Supreme Courts. Cases are transferred into Part I when a tenant is the subject of both a Housing Court case and an Article 81 Guardianship case. Both cases are presided over by the same Acting Supreme Court Justice. Social work interns, working under the supervision of the lead social worker and Special Counsel, remain available to the Part to assist with challenging litigants in need of social service intervention while their case is still pending before the Court. Social work interns provide information, secure benefits, obtain counseling, and address emergency situations. In 2010, a social work intern was assigned to conduct a needs assessment and is developing a proposal for how the Part may avail itself of social work assistance more efficiently and improve information given to litigants.

- **THE POVERTY SIMULATION**

Every day, thousands of New Yorkers of limited means walk through the doors of our courts. The pressures on these individuals and families are staggering and permeate every facet of their lives, including their trips to court and their ability to comply with the demands of being engaged in litigation. In 2010, NYS Courts Access to Justice Special Counsel completed the training needed to conduct Poverty Simulations. In November, programming was offered which was designed to sensitize court personnel to the issues of those surviving on no or low-incomes. The program, which was presented to Housing Court personnel several years ago, was provided to the judicial and non-judicial personnel of the New York City Family Court. Over the course of four days, 193 court attorneys, clerks, magistrates, referees, and judges from the five New York City counties participated in the Poverty Simulation. The goal was to encourage open dialogue, whereby issues of poverty could be discussed in a way that might focus attention on the perception and treatment of poor people in the courts, and ensure that court personnel continue to be understanding of the needs of this population of court users. The methodology for this innovative training program is based upon a simulation developed by the Missouri Association for Community Action and modified by the NYS Courts Access to Justice Program staff for use in the New York courts. During this simulation, participants are assigned roles as members of low or no-income families. The participants are required to live for four simulated weeks (each week being fifteen minutes in duration) within their roles. Comments from participants included the following:

- “I tended to think of poverty as being solely a financial issue, but now I realize that it affects almost every area of people’s lives.”
- “It isn’t just that people don’t have enough money. They also don’t have enough time or energy. Just trying to do all the things we had to do to survive for an hour within the simulation was exhausting.”
- “As a judge, it will make me more mindful of all of the requirements

associated with the referrals I order people to complete. These agencies see people on the agency's schedule - not on the client's schedule. People can easily spend a whole day waiting to be seen. If I refer them to four resources and set a compliance date a month away, that can mean four days off of work in one month for them, which may be impossible, or if they're unemployed, four days of the expense of child care, plus four round-trips on some form of transportation, possibly a significant cost for them."

- "I have a better understanding of the impact poverty has on children, the stresses they feel, the choices they make, the frustration of the families, and the hopeless cycle of poverty they get into."
- "It drove home the point that the families before us are living in crisis generally - they're not just experiencing the legal crisis that brings them to us."

It is planned that this training will be offered in other courts and judicial districts in 2011.

PART IV: COMMUNITY OUTREACH

The continuing goal of the NYS Courts Access to Justice Program is to provide information to the public about the judicial system and to help remove barriers to justice for all citizens of New York State regardless of education, income, background or special needs. Towards this end, the NYS Courts Access to Justice Program Outreach Team develops and conducts outreach programs, such as Community Seminars, Community Law Day, Court Tours, and Speaker's Bureau, to empower our communities through education. Similarly, the Outreach Team works hard to train community leaders, neighborhood agencies, and government offices on available resources through Community Leaders Roundtables and the Public Librarians' Program.



● COMMUNITY SEMINAR SERIES

The NYS Courts Access to Justice Program continues to host a series of free seminars throughout New York City aimed at the needs of the unrepresented public. Live seminars are held and simultaneously video-conferenced to other courthouses. Signs announcing the seminars are posted throughout the courts and on the NYS Courts Access to Justice website, the Civil Court's website, OCA public events calendar and on Twitter. Seminars are also advertised through community organizations, bar associations, city council offices, local human resources offices, newspapers and public libraries. Presenters include judicial and non-judicial staff, private practitioners, legal services lawyers and representatives from various community and governmental agencies. The seminars seek to educate the public on court-related topics and to provide an opportunity to ask questions of experts in a particular field. Individuals can also suggest future topics via the website. Highlights of the community seminar series in 2010 include:

- **Topics Expanded:** The community seminar series was enhanced to include more in-depth topics to address a greater variety of legal issues. The following community seminars were held:
 - Orders of Protection, February 2010.
 - Paternity and Child Support, March 2010.
 - Custody and Visitation, March 2010.
 - Bankruptcy, May 2010.
 - Bedbugs, October 2010.
 - Domestic Violence, October 2010.
- **More Seminars Held:** The number of community seminars was increased from one every other month to two per month. The venue, once held only in the New York City Civil Courts, was expanded to include New York City Family Court facilities.
- **Attendance Doubled:** In 2010, attendance doubled and continues to grow. Feedback from surveys collected at the conclusion of the seminars,

and emails from the public sent to outreachcivil@courts.state.ny.us reveal that outreach efforts have had a positive impact on those attending.

- **Videos of Seminars on the Internet:** Most seminars are recorded and are available for viewing on the internet. Five new seminars were added this year for viewing:
<http://www.nycourts.gov/courts/nyc/civil/videos.shtml#seminars>.

- **PUBLIC LIBRARIANS' PROGRAM**

With the intent of reaching out into the community beyond the courthouse, in 2010, the NYS Courts Access to Justice Outreach Team concentrated outreach efforts on public library systems. The public libraries and librarians play an essential role in promoting and ensuring the public's access to justice as they are often the first contact the public turns to for information regarding legal matters. As a result, a program was developed for presentation to public librarians throughout New York State, called "Opening Courthouse Doors." Sessions were held gathering public librarians from geographic regions within each judicial district for presentations and hands-on workshops to introduce and inform the librarians about the access to justice resources which can be shared with public library patrons.

- **Portfolios Created:** Librarians' Portfolios tailored to each judicial district were created and distributed describing resources in the New York State courts. Portfolios include: Guide To Court System Resources, Reference Guide For Common Questions, Criminal and Civil Court Structure, Jury Duty Information, Careers In The Court System, Opportunities For Student Involvement, the Court System's CourtHelp web site, DIY (Do-It-Yourself) Forms, Library Resources Available To The Public, Local Court Information and numerous online resources for each judicial district. The Librarians' Portfolios are available online at:
<http://www.nycourts.gov/ip/nya2j/publications.shtml>.
- **Court Law Librarians Included:** A segment was added to the overall program when during initial presentations it became apparent that a partnership between public librarians and the court's law librarians would be beneficial. This addition to the program, presented by a local court law librarian, informs the public librarians about the existence, availability and role of the law librarian. In demystifying and at the same time educating the public librarians about the court system, the program was greeted with much enthusiasm.
- **Hands-On Training:** The presentations were held in computer labs and/or training centers to allow the public librarians an opportunity to go on the internet and learn how to navigate the court system's website. Librarians were given an opportunity to select one of the DIY Form and navigate their way through completion of the form; thereby, experiencing first hand the ease of use. This hands-on approach prepares the librarians to introduce the court's programs and resources to their patrons more effectively.

- ***Presentations Held:*** Presentations were held in the Long Island counties of Nassau and Suffolk, and upstate covering Binghamton, Buffalo and Rochester in the Sixth, Seventh, Eighth, and Tenth Judicial Districts. Approximately 200 local librarians have participated. Future presentations are being scheduled for the Third, Fourth, Fifth, and Ninth Judicial Districts. The goal is to conduct this program throughout all New York State Judicial Districts.

- **COMMUNITY LAW DAY**

On May 5, 2010, the NYS Courts Access to Justice Program held Community Law Day in Richmond County. This annual event is celebrated in a different location in New York City each year. The event was hosted by the Supreme, Civil, Family and Criminal Courts. Various government and social service agencies participated in the event by staffing informational resource tables to inform and educate the public about the services that are available to meet their social and legal needs. Co-sponsors included the New York State Court Officers Association and the New York State Supreme Court Officers Association. Other participants included the Staten Island Youth Court, Staten Island Legal Services, Safe Horizons, Citywide Task Force on Housing, American Red Cross, The Community Agency for Senior Citizens, Inc. and many other community organizations. Over 350 members of the public attended the 2010 Community Law Day.

- **COURT TOURS**

The NYS Courts Access to Justice Program oversees the Court Tours program, which has been in operation in New York City and Westchester County since 1990. Over the years, Court Tours have provided an opportunity for the public to become familiar with the court system. Tours were provided to various groups throughout the year, including students (4th grade - law school), senior citizens, foreign diplomats, summer youth programs and community organizations. Presentations are personalized to the needs of each individual group. Written information and promotional materials are distributed.

- **COMMUNITY LEADERS ROUNDTABLE**

The NYS Courts Access to Justice Program periodically holds roundtable discussions with New York City community leaders to provide information for participants to bring back to members of their community, religious congregations, senior centers, schools and community-based organizations. In 2010, roundtable discussions focused on matters pertaining to Family Court. Many thousands of families turn to New York's Family Courts each year seeking stability and safety. Issues covered included an overview of Family Court, domestic violence, child support, custody, visitation, foster care and adoption. Roundtables provided

participants with a better awareness of how to successfully navigate the Family Court.

- **MOBILE COURT HELP CENTER**

The New York State Courts Access to Justice Program partnered with the New York Legal Assistance Group (NYLAG), a not-for-profit legal services provider, to operate the first Mobile Court Help Center in New York State in the spring of 2011. The Mobile Court Help Center will expand and increase the effectiveness of the existing court-based Help Centers by bringing their services to the community. Creation of the Mobile Help Center resulted from a donation by NYLAG through a grant received from a private foundation. This vehicle will be equipped with video stations, computer terminals which can be used to access the court system's website, DIY forms, and other self-help materials. It may also be used as a mobile courtroom for emergency proceedings. The Mobile Court Help Center will provide the same informational assistance, educational materials, and referrals to non-profit agencies and organizations which are currently provided in existing court-based Help Centers. The Mobile Court Help Center is a 35-foot custom-built command center vehicle, and will be staffed by court employees, volunteer attorneys and NYLAG staff attorneys. The mobility of the unit will permit it to travel to local neighborhoods and remote geographic areas. Schedules will be established to accommodate groups who may have difficulty in getting to a courthouse, such as the elderly, disabled, victims of domestic violence and the homeless. It can also be available in the event of a natural emergency.

- **TWITTER**

In a continued effort to provide equal access to justice for New York State residents of all incomes and backgrounds, the NYS Courts Access to Justice Program joined the growing number of governmental agencies and social service programs that communicate to the public through electronic social media. Twitter allows individuals or organizations to quickly and simply advertise an event through the internet which can be accessed from a mobile device or computer. The NYS Courts Access to Justice Program's followers include other government, media and social service agencies, in addition to private citizens who want current information on services provided by the NYS Courts Access to Justice Program. Launched in the spring of 2010, the Twitter site: <http://twitter.com/NYCcourtsA2J> was used to post information about Community Seminars, *pro bono* events and DIY Form programs and will be used more frequently in 2011. Twitter is also linked from the NYS Courts Access to Justice website: <http://nycourts.gov/nya2j>.



- **SPEAKERS BUREAU**

The NYS Courts Access to Justice Program oversees a Speakers Bureau made up of judges and non-judicial personnel in the New York City Civil Court. Throughout the year, speakers visit schools, and community and governmental agencies to speak about civil, housing and small claims topics. In addition to legal information, speakers also provide information about court procedures and distribute resource materials about the court. Speakers have visited local senior citizen centers, planning boards, public libraries, school assemblies, town hall meetings, street fairs, housing fairs and conferences. In 2010, the Speakers Bureau sent speakers to:

- The Queens Fair Housing Conference.
- P.S. 241 Graduation Ceremony, Queens County.
- Auxiliary High School of Queens Fair.
- PSA #7 Community Council Street Fair, Queens County.
- Bronx District Attorney's Office, Crime Victims Unit.
- Brooklyn District Attorney's Office.
- Madison Square Boys and Girls Club, Bronx County.
- Brooklyn Gospel Tabernacle.
- New School Institute for Retired Professionals, New York County.

PARTNERS

There are many who are responsible for enabling the NYS Courts Access to Justice Program to improve access to justice for unrepresented litigants. Our list of partners would be infinite if all individuals were singled out for their efforts. Our efforts are bolstered by our many partners outside the court system. We thank all of these agencies, nonprofit organizations, charitable organizations, government offices, *pro bono* organizations, bar associations, law firms, law schools, social work schools, colleges, and public libraries throughout New York State for their tireless efforts and assistance.

ACE Group/ACE Rule of Law Fund
American Corporate Counsel Association,
Greater NY Chapter
American Red Cross
Arent Fox
Bank of America
Benjamin N. Cardozo School of Law
Bronx County Bar Association
Brooklyn Bar Association Volunteer
Lawyers Project
Brooklyn Family Justice Center
Brooklyn Law School
Buffalo and Erie County Public Library
Cadwalader, Wickersham & Taft
Citigroup
City Bar Justice Center
Citywide Task Force on Housing
Columbia Law School Tenants' Rights
Project
Columbia University School of Social
Work
Cooley Godward Kronish, LLP
Community Agency for Senior Citizens
CUNY School of Law
Davis Polk & Wardell LLP
Dechert LLP
Department for the Aging
Department of Health & Mental Hygiene
Deputy Inspector
DLA Piper
Erie County Bar Association Volunteer
Lawyers Project, Inc.
Feerick Center Social Justice - Fordham
Law School
Greenberg Traurig, LLP

Hughes Hubbard & Reed LLP
Hunter School of Social Work
Interfaith Center of New York
LawHelp NY
Legal Aid Society
Legal Aid Society of Mid-New York, Inc.
Legal Services of Central New York, Inc.
Legal Services Corp.
Legal Services of the Hudson Valley, Inc.
Legal Services NYC
Legal Services of Western New York
Legal Information for Families Today
Meals on Wheels
MFY Legal Services
Nassau County Bar Association
Nassau Library System
Nassau/Suffolk Law Services Committee,
Inc.
Neighborhood Economic Development
Advocacy Project
NY Center for Interpersonal Development
New York Appleseed
New York City Bar Association
New York City Commission on Human
Rights
New York City Department of Consumer
Affairs
New York City Fire Department
New York City Housing Authority
New York City Human Resources
Administration Adult Protective Services
New York City Paralegal Association
New York City Service
New York County Lawyers' Association
New York Law School Public Service

Fellows
New York Law School
New York Legal Assistance Group
New York State Bar Association
New York State Board of Elections
New York State Court Officers
Association
New York State Supreme Court Officers
Association
New York University School of Social
Work
Office of the Mayor of the City of New
York
Orrick, Herrington & Sutcliffe, LLP
Paul Hastings
Pro Bono Net
Proskauer Rose LLP
Queens Central Library
Queens County Bar Association
Volunteer Lawyers Project, Inc.
Rochester Regional Library Council
Richmond County Bar Association
Reed Smith, LLP
Ropes & Gray, LLP
Safe Horizon
Sanctuary for Families Center for
Battered Women's Legal Services
Self-Represented Litigants Network

Shearman and Sterling
Skadden, Arps, Slate, Meagher and Flom,
LLP
Social Security Administration
South Central Regional Library Council
State Justice Institute
Staten Island Chamber of Commerce
Staten Island Inner-Agency Council for
Aging
Staten Island Legal Services
Staten Island Youth Court
Staten Island Women's Bar Association
St. George Library Center
St. John's University School of Law
Stroock and Stroock and Lavan LLP
Suffolk County Bar Association
Suffolk Cooperative Library System
Sullivan & Cromwell, LLP
Touro College Jacob D. Fuchsberg Law
Center
Volunteer Legal Services Project of
Monroe County, Inc.
Wagner College
White and Case, LLP
Willkie Farr and Gallagher, LLP
Yeshiva University - Wurzweiler School of
Social Work

PROBONONY COMMITTEE PARTNERS

Third Judicial District ProBonoNY
partners:
Albany County Bar Association
Empire Justice Center
Legal Aid Society of Northeastern New
York
New York State Bar Association
The Legal Project

Fifth Judicial District ProBonoNY
partners:
Blitman & King, PLLC
Bond Schoeneck & King
Brown Memorial Church
Central New York Bankruptcy Bar

Association
Central New York Women's Bar
Association
Crouse Hospital
Federal Court Bar Association of the
Northern District of New York
Frank H. Hiscock Legal Aid Society
Hiscock & Barclay, LLP
Onondaga County Bar Association
Oneida County Bar Association
Oswego County Bar Association
QLAW, the LGBGT Bar Association of
Central New York
Syracuse Say Yes, local chapter of Say
Yes to Education Foundation

St. Matthew's Church, East Syracuse
Syracuse University College of Law
Upstate University Hospital
Vera House
Westcott Community Center

**Sixth Judicial District ProBonoNY
partners:**

American Civic Association, Binghamton
Broome County Bar Association
Chemung County Bar Association
Chenango County Bar Association
Delaware County Bar Association
Legal Assistance of Western New York,
Elmira
Madison County Bar Association
Madison County Office for the Aging
Ostego County Bar Association
Ostego County Office for the Aging
NYSBA Elder Law Section
Rural Law Center of NY
Schuyler County Bar Association
Tioga County Bar Association
Tioga-Tompkins Neighborhood Legal
Services
Tioga Opportunities, Inc., Department of
Aging
Tompkins County Bar Association

**Seventh Judicial District ProBonoNY
partners:**

Advocacy Services for Abused Deaf
Victims
Aids Care, Rochester
Aids Care, Bath
Cayuga County Bar Association
City of Rochester, Department of
Neighborhood and Business DeafTax
Development
Empire Justice Center
Greater Rochester Association of
Women Attorneys
Legal Aid Society of Rochester
Legal Assistance of Western New York
Livingston County Bar Association
Monroe County Bar Association

Monroe County Legal Assistance Center
National Technical Institute for the Deaf
Ontario County Bar Association
Rochester Black Bar Association
Rochester Recreation Club for the Deaf
Rochester Deaf Moms
Rochester Deaf Rotary
Southern Tier Legal Services, Bath
Steuben County Bar Association
Steuben County Habitat for Humanity
The Daily Record
United Way of Steuben County
Wayne County Bar Association
Western New York Law Center, Buffalo
Yates County Bar Association

**Eighth Judicial District ProBonoNY
partners:**

Allegany County Bar Association
Bar Association of Northern Chautauqua
County
Erie County Bar Association Character
and Fitness Committee
Jamestown Bar Association
Legal Aid of Chautauqua Region
Niagara County Legal Aid Society, Inc.
Oak Orchard Legal Services
Southern Tier Legal Services

**Ninth Judicial District ProBonoNY
partners:**

Columbian Bar Association
Dutchess County Bar Association
Grace Smith House
Hope's Door
Hudson Valley Bankruptcy Bar
Association
Legal Aid Society of Rockland County
McCarthy Fingar, LLP
My Sister's Place
Orange County Bar Association
Orange County Dispute Resolution
Center
Pace Women's Justice Center
Public Interest Law Center at Pace
University School of Law

Rockland County Bar Association
Rockland County Commissioner of
Jurors
Rockland County Executive's Office
Rockland Family Shelter
Rockland Housing Action Coalition
Safe Homes
Westchester Black Bar Association
Westchester County Bar Association
Westchester Women's Bar Association

Tenth Judicial District ProBonoNY
partners:
Suffolk County Bar Association Pro
Bono Foundation
Touro College Jacob D. Fuchsberg Law
Center

EXHIBITS

Exhibit “A”:

English and Spanish DIY User Surveys.	52
--	----

Exhibit “B”:

DIY Promotional Flyers.....	53
-----------------------------	----

Exhibit “C”:

DIY Promotional Slideshow.	54
---------------------------------	----

Exhibit “D”:

Onondaga Surrogate’s Court May 4, 2010 Letter.	56
---	----

Exhibit “E”:

Community Seminar Series Slideshow.....	57
---	----

EXHIBIT A: ENGLISH AND SPANISH DIY USER SURVEYS

NYS DIY Forms User Survey
Thank you for taking the time to fill out this quick survey. Please return it with your completed papers.

- How comfortable are you using a computer and/or the internet?
 - Not comfortable
 - Comfortable
 - Very comfortable
- Do you have the internet at home?
 - Yes.
 - No.
- Where did you use this program?
 - Home
 - Court Clerk's Office
 - Court Help Center
 - Court library
 - Work
 - Other: _____
- Did you call/ask for help during the program?
 - Yes. Were you helped? Yes No
 - No.
- Were the questions clear to understand?
 - Yes.
 - No. Which ones? _____
- Were there any definitions in the program that you did not understand?
 - Yes. Which ones? _____
 - No.

- How did you learn about this program?
 - Word of mouth
 - Internet search
 - Court employee
 - Poster, sign, postcard, etc.
 - Other: _____
- Have you used a court DIY Forms program before?
 - Yes. Which ones? _____
 - No.
- We really appreciate your help. Do you have any suggestions or comments to add?

NOT ONLY DID THIS PROGRAM MAKE IT EASIER TO FILL OUT THE FORM, IT ALSO ANSWERED QUESTIONS I HAD. THANKS!

Optional questions:

- How old are you?
 - Between 18 and 24
 - Between 25 and 34
 - Between 35 and 44
 - Between 45 and 54
 - Between 55 and 64
 - 65 or older
- What is your annual income?
 - Less than \$19,999
 - \$20,000 to \$34,999
 - \$35,000 to \$49,999
 - \$50,000 to \$64,999
 - \$65,000 to \$79,999
 - \$80,000 to \$99,999
 - \$100,000 to \$124,999
 - \$125,000 to \$149,999
 - \$150,000 or more

Office Use:
Court Clerk: Fax this survey to Deputy Chief Administrative Judge Fern A. Fisher at (212) 295-4931 or mail to New York State Courts Access to Justice Program, 111 Centre Street, 12th Floor, New York, NY 10013

Cattaraugus County Small estate printed on December 17, 2010

NYS DIY Forms User Survey
Gracias por llenar este breve cuestionario. Sirvase devolverlo junto con sus documentos.

- ¿Cuán cómodo se siente utilizando una computadora o la Internet?
 - incómodo
 - cómodo
 - muy cómodo
- ¿Tiene Internet en su casa?
 - Sí.
 - No.
- ¿Dónde usó este programa?
 - En mi casa
 - En las oficinas del secretario del tribunal
 - En el Centro de Asistencia Judicial
 - En la biblioteca del tribunal
 - En mi trabajo
 - En otro lugar: Friend's house.
- ¿Llamó o pidió ayuda cuando usaba el programa?
 - Sí. ¿Le ayudaron? Sí No
 - No.
- ¿Fue fácil entender las preguntas?
 - Sí.
 - No. ¿Cuáles? _____
- ¿Hubo alguna definición en el programa que no entendiera?
 - Sí. ¿Cuáles? _____
 - No.

- ¿Cómo se enteró de este programa?
 - Me lo dijo alguien
 - Lo busqué en la Internet
 - Por un empleado de la corte
 - Un afiche, un folleto, una tarjeta, etc.
 - Otro: call for help at court's #
- ¿Ha usado anteriormente un programa judicial de auto ayuda?
 - Sí. ¿Cuáles? _____
 - No.
- Le agradecemos su ayuda. ¿Tiene alguna sugerencia o comentarios que añadir?

Por ahora creo que es un excelente programa que ayuda a entender mejor el procedimiento y no pagar por llenar formularios

Preguntas Opcionales:

- ¿Qué edad tiene?
 - Entre 18 y 24
 - Entre 25 y 34
 - Entre 35 y 44
 - Entre 45 y 54
 - Entre 55 y 64
 - 65 o más
- ¿Cuál es su ingreso anual?
 - Menos de \$19,999
 - \$20,000 a \$34,999
 - \$35,000 a \$49,999
 - \$50,000 a \$64,999
 - \$65,000 a \$79,999
 - \$80,000 a \$99,999
 - \$100,000 a \$124,999
 - \$125,000 a \$149,999
 - \$150,000 o más

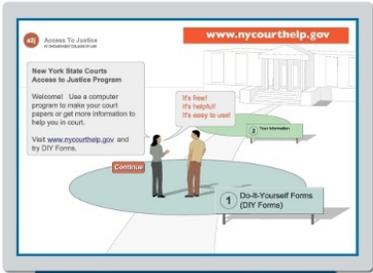
Office Use:
Court Clerk: Fax this survey to Deputy Chief Administrative Judge Fern A. Fisher at (212) 295-4931 or mail to New York State Courts Access to Justice Program, 111 Centre Street, 12th Floor, New York, NY 10013

Suffolk County Support modification printed on September 7, 2010

EXHIBIT B: DIY PROMOTIONAL FLYERS

NYS DIY Forms DO-IT-YOURSELF

Use these **FREE, EASY AND DO-IT-YOURSELF** computer programs to make your court papers at home or here in the Help Center or Clerk's Office!



- Change your name
- Nonpayment answers
- Change your child's name
- Explain why you missed a court date or didn't answer
- Nonpayment petitions
- and more...

www.nycourthelp.gov

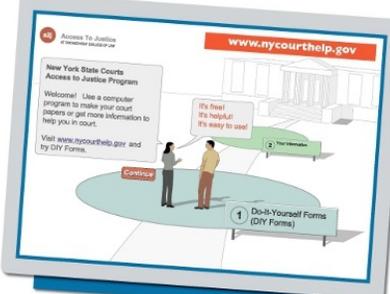
ACCESS TO JUSTICE
NY STATE COURTS

Do you want a Support Modification?

Use this **FREE, EASY AND DO-IT-YOURSELF** computer program to ask the court to change your support order

WHAT YOU NEED TO USE THE PROGRAM:

- The name & address of the other person
- A copy of the support order
- The names, addresses & birthdays of the children



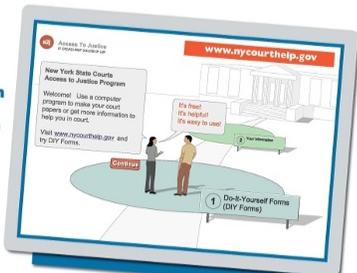
NYS DIY Forms DO-IT-YOURSELF

www.nycourthelp.gov ACCESS TO JUSTICE
NY STATE COURTS

NYS DIY Forms DO-IT-YOURSELF

Use these **FREE, EASY AND DO-IT-YOURSELF** computer programs to make your court papers

- Adult name change
- Support modification
- Small estate affidavit
- Paternity petition
- and more...



www.nycourthelp.gov

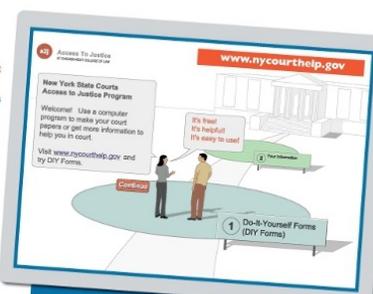
ACCESS TO JUSTICE
NY STATE COURTS

Do you want a Name Change?

Use this **FREE, EASY AND DO-IT-YOURSELF** computer program to ask the court to change your name

YOU CAN USE THIS PROGRAM IF:

- You are eighteen years old, or older
- You do not need to keep your name change private for safety or other reasons



NYS DIY Forms DO-IT-YOURSELF

www.nycourthelp.gov ACCESS TO JUSTICE
NY STATE COURTS

EXHIBIT C: DIY PROMOTIONAL SLIDESHOW

Did you miss your court date or fail to answer court papers?

The illustration shows a man in a blue suit running late, carrying a briefcase. A thought bubble above him depicts a judge sitting at a desk with a gavel, and a clock showing the time. This represents the user's concern about missing a court date or failing to answer court papers.

1

Did the landlord get a judgment against you?

The illustration features a window with a sign that says 'APARTMENT FOR RENT'. Next to it is a man in a blue suit looking stressed, with red lines radiating from his head, symbolizing the pressure of a landlord's judgment.

- Are you in danger of eviction?
- Can't afford an attorney?

2

The court has FREE, fast and easy **DIY (Do-It-Yourself) computer programs that can help you make your court papers.**

The screenshot shows the homepage of www.nycourthelp.gov. It includes a welcome message, a 'Continue' button, and a section for 'Do-It-Yourself Forms (DIY Forms)'. A speech bubble says 'It's free! It's helpful! It's easy to use!' and another says 'Your information'.

3

FREE **DIY "Tenant Affidavit to Vacate a Default Judgment" program makes court papers explaining:**

The screenshot shows a form titled 'Why didn't you go to your court date?'. It lists reasons such as 'I didn't know the new court date', 'My landlord told me not to come', 'I was sick', 'I had problems with childcare', and 'I got to court late'. There is a 'Learn More' button and a 'Continue' button. A section for 'REASONS' is also visible.

- why you missed your court date, or
- why you didn't answer the petition?

4

FREE **DIY Programs to make your court papers are located in the Court's Help Center.**



Help Center, Room 230

5

FREE **DIY Computers to make your court papers are located in front of the Clerk's Office in the main lobby.**



6

FREE **DIY Computers to make your court papers are located in Room 250.**



OSC (Order to Show Cause) Room, Room 250

7

Use FREE **DIY Programs on the internet at:
www.nycourthelp.gov**



8

EXHIBIT D: ONONDAGA SURROGATE'S COURT MAY 4, 2010 LETTER

 AVA S. RAPHAEL SURROGATE	ONONDAGA COUNTY SURROGATE'S COURT ONONDAGA COUNTY COURTHOUSE SYRACUSE, NEW YORK 13202-2173	Telephone (315) 671-2100 Facsimile (315) 671-1162	ELLEN S. WEINSTEIN, ESQ. CHIEF CLERK
May 4, 2010			
Hon. Fern A. Fisher Office of the Deputy Chief Administrative Judge 111 Centre Street New York, NY 10013			
Dear Judge Fisher:			
<p>On behalf of our entire staff and the public we serve, Chief Clerk Ellen Weinstein and I want to take this opportunity to thank you for the new computer terminal with a 19-inch touch screen recently awarded to us as part of our recognition as DIY Stars. The new equipment is now up and running much to the delight of our unrepresented litigants and staff.</p>			
<p>Our first user, an elderly woman who was the sister of the decedent leaving a small estate, had never before used a computer. With some prompting and assistance of our fine staff, her initial hesitation faded as she made her way through the DIY Small Estate Program. The consumer friendly touch screen monitor and the easy to follow questions/answers alleviated much of her anxiety and actually made her a computer convert. She left saying how much she enjoyed the experience and the opportunity of using a computer for the first time.</p>			
<p>As previously indicated to you, many of the unrepresented litigants presenting in our court to file small estate affidavits do not have access to computers. With only one DIY Program computer previously available, there have been many times when we could not accommodate those who could not afford the wait. The addition of this terminal and monitor is very much appreciated.</p>			
<p>We thoroughly enjoyed having you, Rochelle and Sun visit with us on April 13, 2010 and we thank you for our DIY Stars Award - not just for the eloquent accolades, which are always appreciated, but for providing us with the tools to do our job, thus furthering the mission of Access to Justice for all.</p>			
<p>Best Regards,  Ava S. Raphael</p>			
cc: Hon. James Tormey Michael Klein, Esq. Hon. Ann Pfau Hon. Michael V. Cocomma Rochelle Klempner, Esq. Sun Kim			

EXHIBIT E: COMMUNITY SEMINAR SERIES SLIDESHOW

Are you in danger of foreclosure?



1

Consumer Debt got you down?



2

Thinking about filing for Bankruptcy?



3

Have you been a victim of identity theft?



4

GET INFORMATION
Visit the Help Center
Watch Community Seminar Videos



Room 230

Many Topics



5

GET INFORMATION
Watch Community Seminar Videos

Click on **Video, Publications and Community Seminars** to watch Community Seminars online.

Community Outreach	The Judges assigned to the non-judicial employees work in New York City. Our people come to resolve their problems.
Video, Publications & Community Seminars	
Kids Corner	
Advisory Council	Whether you are a landlord dedicated to providing access to justice. We hope our website information you need concerning
Links	



www.nycourts.gov/nychousing

6

FREE Community Seminars held in the Courthouse

For dates and times, click on **Civil Court Information** and select **News & Announcements**.

Civil Court Information	
Legal Information	Court Statistics
Representing Yourself	News & Announcements
Judges	Court Services
Quick Finds	Attorney Information
	Volunteer Opportunities



www.nycourts.gov/nychousing

7



UNIFIED COURT SYSTEM

**New York State Courts
Access to Justice Program**

www.nycourts.gov/nya2j
(646) 386-4200
