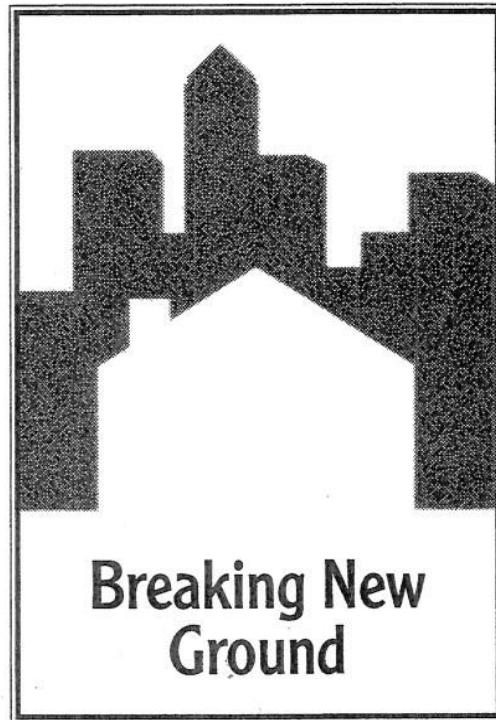


Housing Court Program



Judith S. Kaye • Chief Judge of the State of New York

Jonathan Lippman • Chief Administrative Judge

New York State Unified Court System • September 1997

SUMMARY OF INITIATIVES

The Unified Court System's Housing Court Program includes court initiatives designed to meet the housing-related justice needs of New Yorkers. The initiatives are summarized below.

I. Constitutional Reform: The New York City District Court

A constitutional amendment to restructure the trial court system by creating two tiers of trial courts—a Supreme Court with unlimited jurisdiction and a District Court with limited jurisdiction. A **Housing Division** will be established within the New York City District Court, on equal footing with the other divisions and with full constitutional status.

Page 5

II. Modern Case Management

An **Expedited Case Initiation** system, which eliminates the general intake part (Part 18) and assigns cases directly to the appropriate court part upon filing or answering a petition.

Page 8

Resolution Parts, presided over by Housing Court judges and staff, to effectively manage the settlement process for specific case types.

Page 8

Motion Parts to hear pre-answer motions, which will allow the Resolution Parts to focus on their calendars without the interruption of unrelated motions.

Page 10

Trial Ready Parts, supported by Housing Court Expeditors, to hear trials as scheduled.

Page 10

A **Housing Court Mediation Program** within the courthouse, overseen by a Mediation Coordinator, to provide an effective alternative to the traditional court process.

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III. Specialized Treatment of Cases

Rent Deposit Parts to comply with the requirements of the State Rent Regulation Reform Act of 1997 and to provide consistent treatment of rent deposit matters. *Page 12*

Pilot Cooperative/Condominium Resolution Parts to ensure prompt resolution of matters involving this type of housing. *Page 12*

An Enforcement Part within each borough, with a City building inspector to perform inspections as deemed necessary by the Court. *Page 13*

IV. Improved Access for Housing Court Litigants

A Night Housing Court in Queens and Richmond Counties to hear housing-related cases brought by self-represented litigants. *Page 14*

Expanded Hours of Clerks' Offices to limit congestion in the courthouses and assist those unable to reach the courthouse during regular business hours. *Page 14*

Resource Centers, located within the courthouses and staffed by Housing Court Counselors, to provide self-represented litigants with information on the Court and its procedures. The Centers will house small libraries, computers, public access terminals and instructional videos. *Page 15*

The introduction of simplified pleadings and procedures to eliminate the complexity and confusion of Housing Court for self-represented litigants. *Page 15*

An expanded staff of *pro se* attorneys—known as **Housing Court Counselors**—who will be available to assist self-represented litigants with court procedures during the course of their housing matters. *Page 16*

A **Volunteer Lawyers Project** to pair self-represented litigants with attorneys at the courthouse who will guide litigants through the various stages of a court proceeding. *Page 16*

The **Housing Court Associates** program places volunteers at Housing Court locations to offer non-legal information and assistance to self-represented litigants. *Page 17*

A toll-free **Telephone Reference Service** for the public to obtain information about the Housing Court 24 hours a day. *Page 17*

Exploration of the feasibility of a **Community Housing Court** to hear specific aspects of housing matters. *Page 17*

V. Technological Innovations and Improved Information

Informational Monitors in the courthouse lobby and courtrooms to display easily understandable information about the Court, including the day's calendar. *Page 18*

A computerized **Automated Case Assignment** system to expedite case initiation and ensure equal distribution of cases. *Page 18*

A **Case Management Application** to streamline case processing by assisting judges in tracking and managing their large case inventories. *Page 19*

A **Buildings Database**—merging databases from the Housing Court, the City Department of Housing Preservation and Development, and the State Division of Housing and Community Renewal—for properties involved in Housing Court proceedings. *Page 19*

Developing partnerships with the City Human Resources Administration and the State Division of Housing and Community Renewal to ensure prompter and more effective resolution of Housing Court proceedings. *Page 19*

An on-line Housing Court Case Information System that makes a wide array of court information, including case history, status of proceeding and return date, available on one's personal computer for a minimal fee. *Page 20*

The Housing Court's "Home Page" on the Internet, which will provide comprehensive information about the Housing Court. *Page 21*

VI. Enhanced Court Resources

New court facilities in Bronx and Queens Counties with ample space and resources to accommodate the large numbers of litigants who appear daily. *Page 22*

Assignment of Resource Assistants to the Resolution Parts to ensure quicker resolution of housing matters by assisting the judge in information gathering as well as acting as liaison to relevant government agencies. *Page 23*

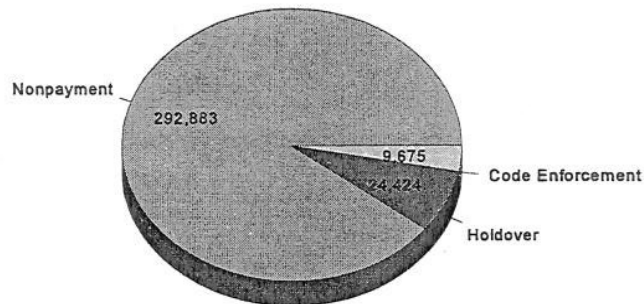
An Expanded Interpreter Staff to ensure the needs of the growing immigrant population appearing in Housing Court are met. *Page 23*

Judges' Seminars and Training for continued education on relevant law, case management techniques, computer skills and related issues. *Page 23*

Introduction

The Housing Part of the New York City Civil Court (the “Housing Court”) was established in 1972 to enforce State and local laws regulating housing maintenance standards in New York City. Over the past 25 years, however, the overwhelming number of nonpayment proceedings, often involving self-represented litigants, has shaped the character and operation of the Court, so that its primary function has been to process the large volume of eviction proceedings.

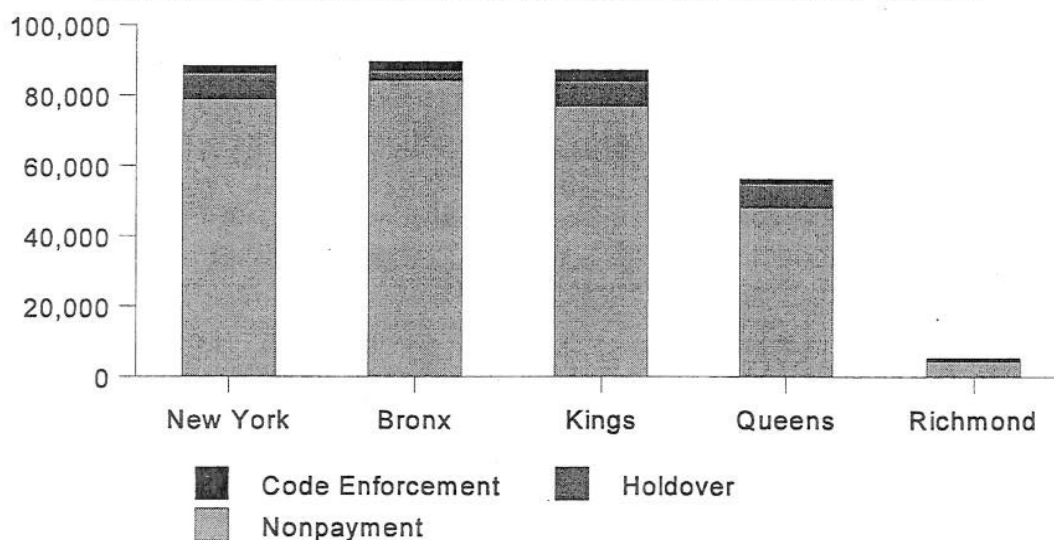
NEW YORK CITY HOUSING COURT FILINGS IN 1996



Citywide, over 3,000 matters—primarily eviction proceedings for nonpayment of rent—are on the Court’s daily calendar, currently handled by 35 Housing Court judges.

NEW YORK CITY HOUSING COURT

NONPAYMENT - HOLDOVER - CODE ENFORCEMENT CASES - BY COUNTY



The combination of massive caseloads, litigants largely unfamiliar with the legal process and limited judicial resources has resulted in an environment that more closely resembles a hospital emergency room than a court. Courthouse decorum is noticeably lacking, with facilities ill equipped to accommodate the large number of litigants that appear daily. Landlords and tenants come to the courthouse either to commence a proceeding or to respond to a petition, forming long lines in the Clerk's Office and seeking out the *pro se* attorney for assistance. Nearly all cases begin in the massive general intake part, known as Part 18, where litigants, often accompanied by children, can wait for hours for their cases to be called and the opposing party to appear. After intake, a case is assigned to a Trial Part. The litigants are directed to the appropriate courtroom, where they again wait, often for long periods of time, for their case to be called. If resolution cannot be reached, they are given a future date to return for trial. Throughout the process, settlement negotiations take place in every corner of the courthouse—resulting in stipulated agreements that in many instances are not honored and, as a consequence, tenants returning to Court for Orders to Show Cause to forestall evictions.

As the Housing Court reaches its 25th anniversary, it faces both growing caseloads and the impact of new Federal and State legislation. In particular, implementation of the Federal welfare reform bill is expected to increase the number of nonpayment proceedings, as public entitlements are reduced or

State Rent Regulation Reform Act of 1997, which take effect in October 1997, will add significantly to the workload of the Court by requiring rent deposits in all summary proceedings upon a tenant's request for a second adjournment unless, at an immediate hearing, the tenant can establish one of several enumerated defenses.

Anticipating these new demands on the Court, the court system has developed a comprehensive plan to ensure that the Housing Court meets the housing-related justice needs of New Yorkers. The plan builds on the court system's proposal for a constitutional amendment restructuring the trial court system and including the Housing Court within the new District Court, with Housing Court judges as constitutional officers. The court system is not waiting, however, for constitutional reform to respond to the pressing housing-related needs of litigants.

The Housing Court Program will immediately and dramatically change the Housing Court—replacing a system of triage with orderly procedures, modern technology and services to ensure fulfillment of the Court's stated mission while simultaneously providing for proceedings that are, as mandated by statute, quick, simple and inexpensive. The program is a set of operational initiatives that will bring modern and efficient case management, with the proven benefits of the individual assignment system and the targeted treatment of specific case types, to all aspects of housing-related proceedings.

The program covers six broad areas:

I. Constitutional Reform: The New York City District Court

II. Modern Case Management

Expedited Case Initiation
Resolution Parts
Motion Part
Trial Ready Parts
Housing Court Mediation Program

III. Specialized Treatment of Cases

Rent Deposit Part
Pilot Cooperative/Condominium Resolution Part
Enforcement Part

IV. Improved Access for Housing Court Litigants

- Night Housing Court
- Expanded Hours of Clerks' Offices
- Resource Centers in the Court
- Simplified Pleadings and Procedures
- Housing Court Counselors
- Volunteer Lawyers' Project
- Housing Court Associates
- Telephone Reference Service
- Community Housing Court

V. Technological Innovations and Improved Information

- Informational Monitors
- Automated Case Assignment
- Housing Court Case Management Application
- Buildings Database
- The Partnership Project
- Housing Court Case Information System
- Housing Court's "Home Page"

VI. Enhanced Court Resources

- New and Improved Facilities
- Resource Assistants
- Expanded Interpreter Staff
- Judges' Seminars and Training

I. Constitutional Reform: The New York City District Court

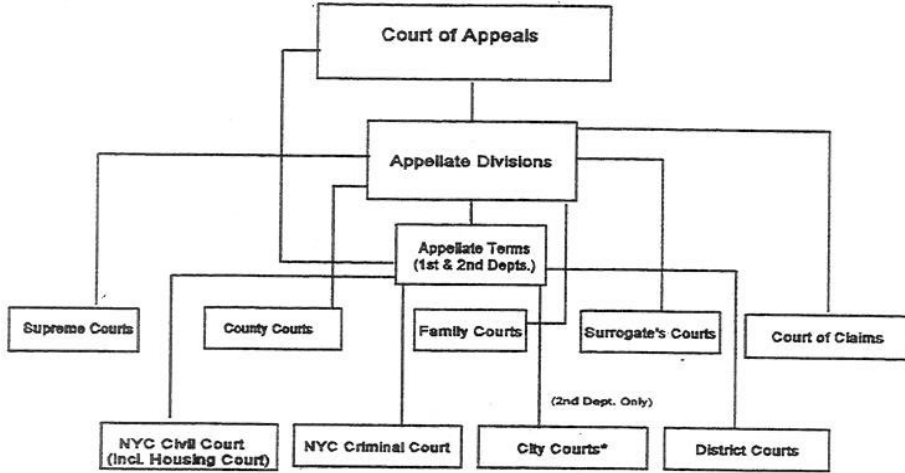
Prior to 1972, jurisdiction to enforce the laws concerning housing maintenance standards and to entertain summary proceedings to recover possession of real property was divided between the Civil and Criminal Courts of the City of New York. Recognizing a need to consolidate authority in one forum for effective enforcement of housing maintenance laws, the Legislature created the Housing Part as a division of the New York City Civil Court and gave it wide-ranging jurisdiction over property located in New York City. This measure was designed to halt the deterioration and abandonment of buildings, preserve existing housing stock and encourage new construction.¹

Despite the Legislature's broad delegation of power to the Housing Court, the Court has never been accorded the stature or resources essential to fulfill its vital role. Most significantly, under the 1972 legislation, Housing Court judges were not made constitutional judicial officers but rather were designated as nonjudicial referees appointed by the Administrative Judge of the New York City Civil Court for terms of five years. As a court that dramatically affects the lives of so many New Yorkers, Housing Court should be raised to the level of constitutional significance of other judicial forums in the State.

A proposed constitutional amendment to restructure the New York State trial courts has been submitted to the Legislature. The amendment would, among other things, elevate the status of Housing Court within the State court structure. Under the proposal, the existing complex nine-tier trial court system would be replaced with a simple system of two trial courts—Supreme Court and District Court. The Supreme Court would continue as the general trial court of unlimited jurisdiction, with specific divisions for family, commercial, public claims and probate matters. The Statewide District Court would have limited jurisdiction in criminal and civil matters. In New York City, the New York City Civil Court would be merged into a branch of the District Court, with a civil, criminal and housing division. Housing Court judges, like Civil and Criminal Court judges, would become District Court judges, and thus obtain full constitutional status.

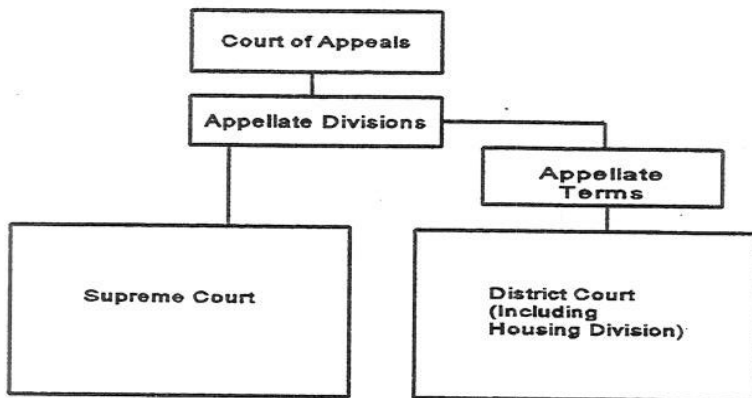
¹ See New York City Civil Court Act § 110. The three major types of proceedings brought in Housing Court are enforcement proceedings (where a tenant seeks an order from the Court directing the landlord to make repairs in the premises); nonpayment proceedings (where a tenant is alleged to owe rent to the landlord); and holdover proceedings (where a tenant retains possession of an apartment after the expiration of a tenancy).

**NEW YORK STATE UNIFIED COURT SYSTEM
CURRENT TRIAL COURT STRUCTURE**



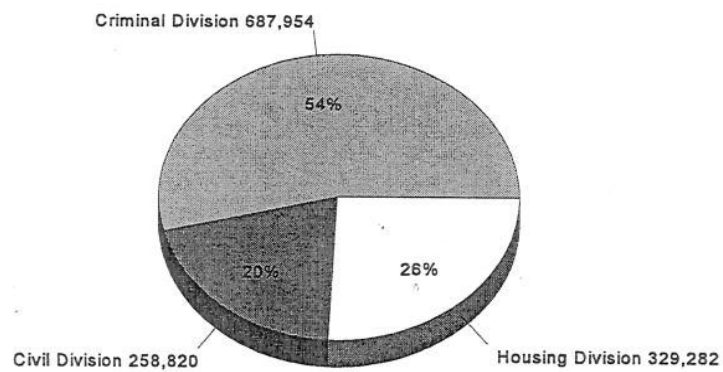
* County Courts hear criminal appeals in the 3rd & 4th Departments

**NEW YORK STATE UNIFIED COURT SYSTEM
PROPOSED RESTRUCTURING OF THE TRIAL COURTS**



The newly configured New York City District Court, with a housing division equal in status to the other divisions, will ensure that Housing Court matters are processed as other civil matters. The impact will be felt in all aspects of the Court's operations and will significantly benefit court users, as greater resources are provided to the Court, allowing for improved facilities and more orderly procedures.

**COURT RESTRUCTURING: DISTRICT COURT IN NEW YORK CITY
EXPECTED FILINGS BASED ON 1996 VOLUME**



II. Modern Case Management

The Housing Court Program will take effect immediately. Under the program, delays in conferencing cases, hearing motions and holding trials will no longer be commonplace, as decades-old case processing procedures are replaced with modern case management. Settlements in the hallway, which currently take place outside of the Court's direct oversight, will be eliminated and judges, aided by trained staff, will maintain control over all aspects of the calendar. Moreover, an effective alternative dispute resolution program will be available to those who seek settlement outside the traditional court process.

Expedited Case Initiation

At the core of the Housing Court Program are case management initiatives to ensure that cases are resolved expeditiously—avoiding delays in dispositions and unnecessary in-court time for litigants. A key element of the program—elimination of the general intake part, Part 18, with its huge calendars—will streamline case processing significantly. The traditional procedure that requires a single, massive calendar part, where litigants can wait for hours before being assigned to another court part, will be replaced with a more modern approach. Cases will be assigned directly to the appropriate part that actually handles the case—a new Resolution Part—upon filing of or answering a petition. This new method of case assignment will ensure that litigants proceed promptly with their housing disputes, for early resolution under judicial supervision or for trial. Expedited case initiation will begin in December 1997 throughout New York City.

Resolution Parts

The majority of cases, particularly cases alleging the nonpayment of rent, are resolved by stipulations of settlement that are negotiated by the parties outside the courtroom and brought to the judge to be "so ordered." The Housing Court Program changes that practice, providing a court forum for the orderly negotiation of settlements under the Court's supervision. Under the program, the case management tools available in Housing Court are being expanded to include specialized Resolution Parts—parts specifically designed to more effectively manage the settlement process for specific types of cases. These parts will begin operation in December 1997. The Resolution Parts, which include a Nonpayment Part/Holdover

Part, Drug Holdover Part, Cooperative/Condominium Part, New York City Housing Authority Part and New York City Part,² will be presided over by Housing Court judges and appropriate staff. The calendars will be significantly more manageable, allowing greater attention by the Court, both at the outset of a case and throughout its entire life.

The parties initially will conference a matter with the Court in a Resolution Part, where cases will be assessed for mediation, settlement or trial. Matters deemed appropriate for mediation will be transferred to the Housing Court Mediation Program (*see infra* p. 11). If settlement is not possible, the court attorney will explore potential motion practice and, if motion practice is likely, the matter will remain in the Resolution Part. Cases that are trial ready will be assigned to the Trial Ready Part for trial on a date certain.

For matters that appear to the Court to be appropriate for settlement, the actual negotiations will take place in the Resolution Parts under the Court's direct supervision. Court attorneys will conduct settlement conferences and oversee the drafting of stipulations of settlement whose terms address the outstanding issues and can reasonably be fulfilled. In cases involving termination of public assistance benefits or Federal housing subsidies, or where an application for emergency assistance must be made, a designated court staff member will act as a liaison to determine the status of pending matters and, where possible, to accelerate the process.

The signed stipulation will then be presented to the judge in the courtroom, in the presence of the parties, for an allocution and "so ordering." The allocution will ensure that the parties fully understand the terms and consequences of signing the stipulation, which should limit the numbers of tenants returning to court for Orders to Show Cause.

² The Drug Holdover Resolution Part will hear holdover proceedings involving allegations of drug activity. The New York City Housing Authority Resolution Part and the New York City Resolution Part will hear nonpayment and holdover proceedings in which the Housing Authority and the City, respectively, are the petitioners.

Motion Part

To ensure that the Resolution Parts are able to resolve the assigned nonpayment and holdover matters without being overrun with unrelated motions, a Motion Part will be available beginning December 1997 to handle motions brought prior to the filing of an answer. The Motion Part will offer an opportunity for prompt oral argument and hearings, as required. If a matter continues after the motions are decided, the judge will assign the matter from the Motion Part to the appropriate Resolution Part or to a Trial Ready Part. The Motion Part will also serve as an emergency back-up part for hearings on motions transferred from the Resolution Parts as determined by the Court Expediter.

Trial Ready Parts

The Housing Court Program provides for Trial Ready Parts that will be available for cases in which a trial is necessary. The Trial Parts will have significantly smaller calendars, since cases appropriate for settlement will remain in the Resolution Parts, and litigants can expect their trials to commence on the day scheduled. In counties with large numbers of Trial Parts, Housing Court Expeditors will ensure that the Trial Ready Parts are fully utilized by monitoring the various court parts and assigning cases efficiently. In situations where the Resolution Parts need assistance with hearings on motions, Trial Ready Parts will be available to act as back-up parts.

In addition to trial ready matters, the Trial Ready Parts will hear related motions made subsequent to assignment to the part, handle lock-out proceedings (primarily cases where the landlord allegedly has illegally locked the tenant out of the apartment), and determine motions for legal fees.

Trial Ready Parts will begin full operation in December 1997. As of October 20, 1997, one Trial Ready Part will be operating in each county (with the exception of Richmond)³ to assist in handling the immediate hearings and trials required under the State Rent Regulation Reform Act of 1997.

³ Due to the relatively small caseload in Richmond County, there currently is not a need for a Trial Ready Part.

Housing Court Mediation Program

In many instances, non-legal issues underlie Housing Court proceedings and hinder resolution of housing disputes, adding cases to the Court's calendar that can be resolved outside of the courtroom. In such circumstances, mediation rather than traditional court processes may produce a more effective solution—providing the parties with a forum to air their disagreements while working toward a settlement. To that end, a new Housing Mediation Program will be available within the courthouse. Developed in conjunction with the Unified Court System's Community Dispute Resolution Centers (CDRC), the program will use volunteer mediators, who are trained for this program and knowledgeable in alternative dispute resolution and housing law, to work with landlords and tenants. The program will be overseen by a Housing Court Mediation Coordinator.

If, after assignment by the Resolution Part judge and review by the Mediation Coordinator, it appears that the matter cannot be resolved through mediation, the case will be restored promptly to the Housing Court calendar and assigned to a Trial Ready Part. Upon successful completion of the mediation process, the mediator will submit a stipulation of settlement to the Court for approval.

The Housing Court Mediation Program is scheduled to begin operation in Queens and Richmond Counties in January 1998, with a goal of expansion to Kings County by Fall 1998. Funding will be requested in the 1998-1999 budget to ensure continuation of this important initiative.

III. Specialized Treatment of Cases

The Housing Court Program dispenses with outmoded procedures, bringing updated case management and specialized approaches to particular case types to housing matters. Specialized case treatment will apply to rent deposit cases, enforcement proceedings and, in a new pilot program, to cooperative and condominium cases.

Rent Deposit Part

The State Rent Regulation Reform Act of 1997 requires the Court to hold immediate hearings upon a landlord's application for a rent deposit—triggered by a tenant's request for a second adjournment or the proceeding pending for more than 30 days. Immediate trials also are required upon a tenant's failure to comply with a rent deposit order. To address these added responsibilities under the new law, the Housing Court will establish a dedicated Rent Deposit Part in each courthouse to begin operation on October 20, 1997. Presided over by a Housing Court or Civil Court judge, these specialized parts will hear all matters related to rent deposits. The use of a dedicated part for rent deposit cases will ensure and facilitate the objectives of the statute and provide for consistent treatment of cases.

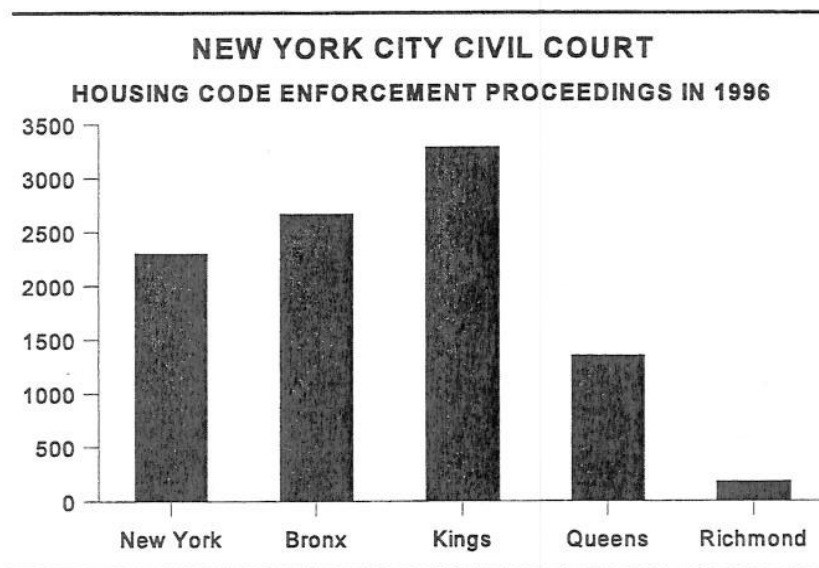
Pilot Cooperative/Condominium Resolution Part

In recent years, the number of Housing Court cases involving resident-owners and cooperative/condominium boards has increased. These matters have serious implications both for the resident and for the cooperative or condominium, which must rely on maintenance and common charges to operate the buildings. To ensure prompt resolution of these matters and the development of procedures appropriate for this case type, a pilot Cooperative/Condominium Resolution Part will open Citywide in December 1997.

The part will promote expeditious resolution of both nonpayment and holdover proceedings involving cooperatives and condominiums. As with all other Resolution Parts, the Court will work with the parties to formulate a workable settlement and, where settlement is not possible, assign the case promptly to a Trial Ready Part for trial on a date certain.

Enforcement Part

To fulfill the Court's mission to enforce the housing laws, an Enforcement Part, known as the Housing Part (HP), currently exists in each borough. A judge knowledgeable about Housing Code enforcement oversees the thousands of proceedings brought each year by tenants and the Department of Housing Preservation and Development for orders directing landlords to correct building violations.



Substantial delays in Enforcement Proceedings have occurred due in large measure to insufficient numbers of New York City building inspectors to perform initial inspections and subsequent reinspections, the results of which are *prima facie* evidence of conditions at a premises. To eliminate this delay, the court system is working with the City to provide for a building inspector to be assigned to each Enforcement Part. Once assigned, the inspector would be available to conduct reinspections as well as emergency inspections deemed necessary by the Court. The availability of a designated inspector within each Enforcement Part will expedite the processing and resolution of actions and therefore limit the further decay of buildings within the City. It is anticipated that the inspectors will be in place by the end of the year.

IV. Improved Access for Housing Court Litigants

Hundreds of thousands of self-represented litigants—landlords as well as tenants—appear in Housing Court each year, many of whom lack the knowledge necessary to navigate the complexities of the Court. Although it is overwhelmingly a “*pro se* court,” Housing Court lacks the resources to assist self-represented litigants adequately. This deficiency has consequences both for the Court and its litigants, not the least of which are significant delays in proceedings and the potential for public distrust.

To ensure greater access for self-represented litigants from the outset of a matter, the Housing Court Program includes initiatives designed to ensure that self-represented litigants have the resources they need to proceed. Assistance that begins as early as possible in the process will provide litigants with information that will allow them to complete their cases in the Court. A more accessible court will limit confusion within the courthouse and ensure more effective processing of cases. The end result, it is anticipated, will be a more efficient and orderly court process and improved public confidence in the justice system.

Night Housing Court

Many self-represented litigants, often small landlords, are simply unable to come to Court during normal business hours. Court appearances during the traditional time can impose a significant burden to those who work, attend school or care for small children during the day. To accommodate these needs, a Night Housing Court will open in Queens and Richmond Counties in January 1998. At Night Court, self-represented litigants will be able to proceed with their housing-related cases. At the outset, the cases will be limited to nonpayment and holdover proceedings involving buildings containing fewer than six units. A fully staffed court part will be available to handle all aspects of housing matters, and self-represented litigants will be able to obtain emergency Orders to Show Cause.

Expanded Hours of Clerks' Offices

In an effort to limit the congestion in the courthouses and assist those unable to reach the Court during regular business hours, the Housing Court will extend the hours of operation of the Clerks' Offices effective Winter 1997. Clerks' Offices will

open at 8:00 am and remain in operation until 7:00 pm on designated days as dictated by the needs of the county.⁴ During the extended hours, attorneys and litigants will be able to file petitions and answers, commence enforcement (HP) proceedings, review court files and obtain Orders to Show Cause. A Housing Court Counselor (*see infra* p. 16) will be available during these extended hours to assist self-represented litigants.

Resource Centers in the Court

A cornerstone of the Housing Court Program is an expanded informational network that provides self-represented litigants with the information they need to use the Court effectively. At the center of this network are Resource Centers that will be located within the courthouses. The Centers, each staffed by a Housing Court Counselor, will answer questions and provide written information and instructional videos about Housing Court. The Centers also will house small libraries, with publications and forms relevant to housing matters.

Computers also will be available within the Centers to allow self-represented litigants to obtain information about the Court. In the near future, the computers will be programmed, in user-friendly format, to prepare *pro se* petitions and answers that can be printed for filing with the Clerk's Office. Public access terminals also will be available to provide information from the Court's database as well as building information from the City Department of Housing Preservation and Development.

The first Resource Center is scheduled to open in Queens County in the Fall, with a second to follow in Bronx County in early 1998. Funding will be sought for additional Resource Centers in Kings and New York Counties.

Simplified Pleadings and Procedures

Further assistance to self-represented litigants will be available by the court system in early 1998 with the introduction of plain language pleadings and forms for use in Housing Court. The forms will be in plain English that is readily understandable to non-lawyers. Supplemental instruction sheets will be available in English, Spanish, Creole, Russian, Polish and Chinese.

⁴ In Richmond County, the Clerk's Office will have extended hours on Thursdays, operating from 9:00 am to 7:00 pm.

To simplify the complex process of securing warrants of eviction, a Clerk's Procedures Manual will be available in early 1998 detailing the uniform procedures for the issuance of a warrant in the five boroughs. The manual will contain step-by-step instructions, in plain language, designed to guide self-represented litigants through the process. The Clerks' Offices as well as the Resource Centers will have copies of the manual for public reference.

Housing Court Counselors

As part of the Housing Court Program, the existing staff of *pro se* attorneys—who will be known as Housing Court Counselors—will be expanded to ensure that self-represented litigants have access to attorneys who can provide assistance regarding court procedures during the course of their housing matter. All self-represented litigants will be advised of the services of the Housing Court Counselors at the time of filing a proceeding or answering a petition.

The Housing Court Counselors will provide advice about Housing Court matters, supplying litigants with necessary information on how to proceed, as well as assistance in completing required forms. A detailed Housing Court Manual, prepared by the court system in both English and Spanish, also will be distributed. The manual will include procedural and substantive information on the various Housing Court proceedings as well as sample pleadings. Expansion of the *pro se* attorneys staff will first occur in Bronx and Queens Counties in the Fall, with expansion to Kings and New York Counties in 1998.

Volunteer Lawyers Project

Self-represented litigants seeking assistance on complex matters beyond procedural inquiries will be referred to a new Citywide Volunteer Lawyers Project. Spearheaded by Hon. Israel Rubin, Associate Justice of the Appellate Division, First Department, and former Administrative Judge of the New York City Civil Court, the project will pair self-represented litigants with attorneys who will be available at the courthouses to guide the litigants through the proceedings—answering questions and providing advice at the various stages of the litigation. The volunteer attorneys will assist in preparing pleadings as well as provide referral information to relevant social service agencies. In addition, the volunteer attorneys will staff a Housing Hotline, where self-represented litigants can obtain advice about the Housing Court and its procedures. The Volunteer Lawyers Project will begin in Winter 1998.

Housing Court Associates

Beginning this Fall, a corps of non-lawyer volunteers—known as Housing Court Associates—will be available to support the Housing Court Counselors as well as to directly assist the public. These volunteers, law or paralegal students who have participated in the Office of Court Administration's Housing Court Training Program, will check case status, direct litigants to proper locations within the courthouse, help litigants complete forms and explain Housing Court procedures. Students from the Jacob D. Fuchsberg Law Center of Touro College and St. John's University will be among the first group of Associates.

Telephone Reference Service

A toll-free telephone reference service will be available beginning November 1997 to provide Housing Court users with information about the Court and its procedures. The service will be an automated system which will provide detailed information 24 hours a day, with an option to speak with court staff or trained volunteers during normal business hours.

Community Housing Court

As implementation of the Housing Court Program proceeds on a Citywide basis, the court system will also explore the potential benefits of decentralizing some aspects of Housing Court in community-based courts. These efforts build on the model of the Midtown Community Court, New York's first community court, which seeks to make justice swifter, more constructive and more accessible by hearing cases in a neighborhood setting. The Red Hook Community Justice Center—a new, multi-jurisdictional community court currently under development in Red Hook, Brooklyn—will test the extent to which a community dominated by public housing can benefit from having Housing Court cases resolved onsite alongside Criminal and Civil Court matters. The Red Hook facility is scheduled to open in early 1999.

V. Technological Innovations and Improved Information

The Housing Court Program integrates sophisticated computer technology into daily court operations, bringing the benefits of modern automation to the administration of justice for housing matters. The technological initiatives described below, planned and developed by the court system's Information and Technology Department, will be implemented on a phased-in basis commencing December 1997.

Informational Monitors

Court users entering the Housing Court in December 1997 will find modern video monitors in the lobby area displaying easily understandable and readily accessible information about the Court, including the location of the Clerk's Office and the various court parts. These monitors will permit daily announcements to be displayed to ensure that litigants receive necessary information as soon as they enter the courthouse.

In addition, informational monitors will be installed in each courtroom to televise the day's calendar and the sequence of cases to be heard by the judge. The monitors, which will display the name of the case being heard as well as the next cases to be called, will alleviate confusion and provide court users with a reasonable time frame for their case to be heard.

Automated Case Assignment

For a fair and efficient case assignment system, technology is being developed for the random assignment by computer of all Housing Court cases to the appropriate court part. This technology will expedite case initiation and ensure an equal distribution of cases.

Upon reviewing the court papers at the time of filing or answering, a clerk will input the type of proceeding into the Court's computer system. The Profile Assignment Table, which is the application that establishes the parameters for assignment, will then automatically assign the matter to a specific part on a specific date. The Automated Case Assignment System will be in operation by December 1997 to ensure the success of the expedited case initiation and the new specialized parts.

Housing Court Case Management Application

Central to the effectiveness of the case management processes established for Housing Court is up-to-date court automation that will bring accurate information to the judges on the bench and streamline case processing. An innovative Housing Court Case Management System is being developed for use on personal computers to allow the Housing Court judges to easily track and manage their case inventories.

Using the automated case management system, judges will have immediate access to information concerning their pending cases. They will be able to schedule cases effectively and run individualized reports on their inventories—both on their laptops in the courtroom and their computers in chambers. Judges will receive extensive training on using the Case Management Application, with back-up support services also available. Distribution of laptops to Housing Court judges already has begun.

Buildings Database

Comprehensive building information is essential to the Court if it is to fulfill its mission to enforce the housing laws and regulations and provide summary justice. A Housing Court Buildings Database is being created for all properties involved in Housing Court proceedings—merging databases from the Housing Court, City Department of Housing Preservation and Development, and the State Division of Housing and Community Renewal. This database, which will be accessible to judges on the bench, will include a list of all violations at the premises, pending administrative and court proceedings involving the same building or same landlord, and the status of such proceedings. The Buildings Database will be operational by Fall 1998.

The Partnership Project

Human Resources Administration

The court system, in conjunction with the Commissioner of the City Human Resources Administration (HRA), has established a Task Force with representatives from the divisions of Income Support and Protective Services for Adults to explore models for earlier HRA intervention in housing matters. Currently, HRA workers in the courthouse act as liaisons, referring public assistance recipients and applicants for ongoing and emergency assistance to the appropriate Income Support Center. At both the Centers and PSA, many caseworkers, struggling with their caseloads, are unable to deal with a client's housing matter until it reaches an emergency level.

Such delays result in prolonging the Housing Court proceeding as tenants await the issuance of benefits from HRA. In some situations, the tenant may be evicted before entitled benefits are issued. The work of the Task Force is expected initially to promote early resolution of Housing Court matters and to protect the infirm and elderly, with the longer range goal to prevent the commencement of eviction matters.

Division of Housing and Community Renewal

The Housing Court shares jurisdiction with the City Department of Housing Preservation and Development (HPD) and the State Division of Housing and Community Renewal (DHCR) in enforcing Code violations. Building information maintained by these government agencies may be vital to the Court in resolving a case. Access to HPD's database has been provided to the Court since 1987. However, due to the confidentiality of information contained within DHCR's database, that agency's records have not been made available to the Housing Court.

Through agreement with DHCR, that agency's database will be available to Housing Court judges this year. Armed with information concerning the condition of the premises, the regulatory status of the apartment and the legal registered rent, judges will be able to expeditiously move parties toward settlement in the Resolution Parts. Through enforcement of the rent regulations, in conjunction with the other relevant rent laws, the Court can ensure further preservation of affordable housing.

Housing Court Case Information System

In December 1996, the New York State courts launched a new on-line civil case information system that has transformed modem-equipped personal computers into virtual clerk's offices. Once installed on a user's computer, a wide array of court information is available at the user's desk including civil Supreme Court case histories and New York City judgment docket and lien entries. The case information system also permits lawyers to check whether a motion has been decided, identify all cases filed against a given defendant, review a judge's calendar for a given day or conduct any number of other search requests based on the computerized records. Public users pay a minimal fee for the service.

The case information system is being expanded to include the Housing Court database. Shortly, litigants and their advocates will be able to obtain vital court information without a trip to the courthouse, including whether issue has been joined, the return date of the matter and the assigned part, whether an Order to

Show Cause has been signed and whether a warrant has issued. This technology will greatly assist litigants, practitioners and housing advocates who need immediate access to Housing Court information.

Housing Court's "Home Page"

For those with access to the Internet, the Housing Court will soon be on the Information Superhighway with a comprehensive "Home Page" to provide up-to-date information about the Court. A wealth of information will be available, including addresses, telephone numbers and hours of operation of the courthouses, rules of the Court and individual judges and general court procedures. Through the Home Page, court forms as well as the Housing Court Manual will be accessible. The Home Page will be on the Internet for access by the public in January 1998.

VI. Enhanced Court Resources

For too long, inadequate resources have hindered the Housing Court's ability to meet the diverse needs of Housing Court litigants. Housing Court judges are called upon to handle enormous calendars, containing many exigent matters. These demanding caseloads present a constant challenge—to expeditiously resolve a large number of disputes while ensuring that justice is served. Without ample resources, including appropriate facilities, sufficient support staff and ongoing education and training, little more than assembly-line justice can be dispensed.

A primary objective of the Housing Court Program is to ensure that the Court and particularly the judges have the resources necessary to expedite the just resolution of cases. The initiatives below complement the additional five judgeships recently approved by the Legislature in the 1997-1998 budget.

New and Improved Facilities

Adequate and properly maintained court facilities are essential for the orderly and speedy resolution of cases. To this end, two new Housing Court facilities have been constructed and are ready for occupancy—in Bronx and Queens Counties. The new Bronx Housing Court is a bright and spacious 10-story building with 13 courtrooms and a variety of other resources, including conference rooms, a Children's Center, and a computer network center. The new Queens County Civil Court, which contains the Housing Court, is a majestic building with 20 courtrooms, 12 of which will be used for housing matters. The new facility contains many amenities, including mediation/conference rooms, an attorneys' lounge, a Children's Center and a Resource Center. Plans for a new facility for Kings County Housing Court are in progress, with construction expected to commence in the year 2000.

In addition to the new facilities, improvements continue in the existing courthouses in Kings, New York and Richmond Counties. In Kings County, the court system has sought to obtain additional space to alleviate overcrowding and provide space for a new Children's Center. Strides also have been made in the cleaning and maintenance of the facilities, with painting, repairs and new furniture provided as needed on an ongoing basis. Moreover, improved signage has been installed in Kings and New York Counties, to easily direct litigants to the proper locations within the courthouses.

Resource Assistants

To ensure that Housing Court judges on the bench have all relevant information, court staff, denominated as Resource Assistants, will be assigned to the Resolution Parts. These nonjudicial employees will check the available databases to obtain all relevant information for the judge. When disputes arise as to existing conditions within an apartment or whether repairs have been completed, the Resource Assistant will be available to promptly visit the apartment and report back to the Resolution Part judge. Such procedures will ensure quick resolution of disputed matters without disruption to the judge's calendar and other pending matters. The Resource Assistant also will act as liaison for the Court in obtaining necessary housing and related information from relevant government agencies.

Resource Assistants will be introduced first in Bronx and Queens Counties, using existing statutory positions. Proposed funding for additional Resource Assistants will be included in the judiciary's 1998-1999 budget request.

Expanded Interpreter Staff

As the immigrant population continues to grow, with more than 146 different languages and dialects being spoken in New York City, the Housing Court must be prepared to serve this diverse community. To ensure fair and equal justice for all, the Housing Court Interpreters staff is being expanded by virtue of recently obtained funding in the 1997-1998 budget approved by the Legislature. A Russian interpreter has recently been hired; in early 1998, Chinese and Polish interpreters will be added to the staff. Moreover, procedures have been developed to ascertain a litigant's need for an interpreter at the time of filing a proceeding or answering a petition. If an interpreter is needed, the clerk will process the request to ensure that one is present on the return date and thus eliminate the need for an adjournment.

Judges' Seminars and Training

The Housing Court judges and their staff perform a monumental task each day—handling large volumes of often complex housing matters, involving in great measure self-represented litigants, with less than adequate resources. A Housing Court judge must have patience, the ability to handle stressful situations, and extensive knowledge of substantive housing and related law, including administrative law, public benefits and bankruptcy. The Housing Court Program includes

additional training seminars for Housing Court judges and new opportunities for the judges to meet with the communities to better understand the local housing issues that they are asked to resolve.

A series of Housing Court Seminars will begin in 1997, and continue on an ongoing basis, for judges to attend courses on the relevant law, case management techniques, and related areas such as computer skills, negotiation, stress management and understanding of diverse cultures. The court system's Education and Training Division will work closely with the Housing Court to develop meaningful sessions that will take place in small, informal settings for the judges. The Housing Court also has established a schedule of forums with local community organizations, to promote dialogue and inform the judges about local issues and housing conditions. This year, forums have been held in Kings, Queens and Richmond Counties, with additional forums scheduled for Bronx and New York Counties for Winter 1997. Tours of local communities also are being arranged. In the Fall, judges will visit Red Hook, Brooklyn and Central Harlem, with additional community tours to be scheduled in the near future.