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Gale A. Brewer, Borough President

**Testimony of Gale A. Brewer, Manhattan Borough President
Hearing of the New York City Council Committee on Courts and Legal Services
April 15, 2015**

Good afternoon. I am Gale Brewer, the Manhattan Borough President, and I offer my thanks to the Committee and Chairman Lancman for moving ahead on this crucial issue. I strongly support the proposed legislation to create an Office of Civil Justice.

For years I have seen- and helped- constituents struggle through civil legal proceedings without adequate representation. Going to court is always stressful. For those without legal counsel or adequate financial resources those stresses can destroy families.

We desperately need legal representation for tenants in Housing Court. As a Council Member and now as Manhattan Borough President my staff and I often have to go from agency to agency on behalf of indigent constituents, trying to get them help and prevent their eviction.

A fully funded, empowered, and staffed Office of Civil Justice Coordinator promises to reduce the injustice faced by many civil defendants who are without counsel, and to limit resulting family hardships. I applaud the Administration and Council for bringing this proposal forward. I believe it is long overdue.

The facts are sobering:

We have nearly 60,000 homeless, a record high, many of them families and children that the city must shelter at a cost of about \$38,000 per year.

For the last year we have data, nearly 30,000 households were evicted through Housing Court.

In the last decade more than 100,000 units of regulated housing have been lost in Manhattan alone, and evictions played a significant role in these losses. We know that once a regulated apartment becomes vacant, the chances of it remaining affordable for another family are quite slim.

The city and state housing laws and court proceedings are notoriously complex and arcane. Nearly 90% of the landlords who brought eviction proceedings in Housing Court are represented by attorneys; 90% of defendants are without counsel. We have seen multiple studies showing that expert legal representation can prevent evictions in an astonishingly high percentage of cases.

These facts, compelling as they are individually, are also deeply entwined. A key factor in keeping affordable housing is to prevent evictions and the most effective way to do that is through the provision of legal counsel. I believe that a Civil Justice Coordinator office, if adequately led, staffed, and funded, would be able to limit evictions and resulting homelessness, and reduce the shelter population and its related costs. I also believe that, with representation, more tenants will be able to raise the issue of repairs needed in their homes, and actually obtain those necessary repairs.

While I support the pending legislation that would ensure legal representation in eviction proceedings for very low income tenant households, we must help a wider group of New Yorkers. The proposed Office of a Civil Justice Coordinator could do just that. I would hope to see it do much more and serve a greater need by coordinating and monitoring cases, and managing efficiently an expansion of free and low-cost legal services- something I consider essential to basic fairness and equal justice.

But the challenge is not only to assist the lowest income tenants. We must address the needs of working families and individuals who need legal representation in civil matters but who

are ineligible for public assistance or existing legal services programs, yet unable to afford a private lawyer at prevailing rates.

The Office created by this legislation should be charged with supporting and coordinating with agencies and programs that assist working families and individuals. It should also work with those agencies to develop innovative programs and new models for providing adequate legal representation in Civil matters for all who require it.

In summary, I strongly support legislation to create a robust Office of Civil Justice Coordinator with a clear legal mandate and adequate funding and staffing to address the issues outlined above.

Thank you.