



Yale College
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Navigating New York City's Civil and Housing Courts as a Non-lawyer

With the generosity and support of the Heinz Committee, I spent this summer as an intern for the New York State Unified Court System's Office for Justice Initiatives (OJI). This division of the judiciary oversees and implements the state's efforts to increase access to justice for litigants with civil legal matters who are unable to afford legal representation. One of OJI's efforts is the Court Navigator Program, which trains non-lawyer volunteers, Court Navigators, to offer in-court assistance to unrepresented litigants with their housing and consumer debt legal matters. My task was to evaluate the program's operations in the civil courts of the Bronx, Brooklyn, Manhattan, and Queens, and determine whether it provided effective access to justice for unrepresented litigants.

While I interned for OJI, I decided that I needed to serve as a Navigator to best assess the Court Navigator Program. Therefore, my time was split between working in the OJI offices and working as a Navigator in four different courts. This gave me the opportunity both to participate in the higher-level decision-making and to see how these decisions affected the Program and the litigants on the ground. I received the same training as the new Navigator volunteers; I completed walk-throughs by court staff in the four courts I worked in; I introduced myself as a Navigator when I spoke to unrepresented litigants, clerks, court attorneys, and judges. In addition, evaluating the Program as a Navigator would give me the most accurate portrayal of the program. I witnessed instances where court staff simply refused to assist unrepresented litigants and instances where other court administrators went the extra mile to make unrepresented litigants feel heard and respected. One of the court administrators at the Help Desk put a candy bowl out every morning and made sure that everyone who walked through the door left with something – a manual on their rights as tenants, a postcard about how to complete a Do-It-Yourself form, a resource sheet with legal service providers. Being on the ground gave me valuable insight that I would not have known had I spent all my time in the office.

In addition, I genuinely enjoyed serving as a Navigator: I listened to the stories of the unrepresented litigants and provided them with solutions to their legal issues. I served in a different capacity as a Navigator in the different courthouses. In Brooklyn, I prevented default judgments against SRLs by directing them to their courtrooms and learned about the barrier of unclear directions. In Manhattan, I assisted the elderly and the illiterate with electronic Do-It-Yourself Forms and realized those left behind with technological solutions. In Queens and in the Bronx, I helped small landlords start cases against their nonpaying tenant and discovered those barred from receiving legal aid services. I realized how many barriers unrepresented litigants faced when coming to court and just how confusing and daunting it is to interact with the judicial system.

Most of the unrepresented litigants who appeared in housing court were tenants who were involved in eviction proceedings or nonpayment proceedings. However, I discovered that the stories were often more complicated than painting the landlord as the bad guy or the tenant as the good guy, or vice-versa. I encountered unrepresented litigants who refused to pay rent because they wanted leverage in compelling their landlord to eradicate the bed bugs or fix the caved in ceiling. I also encountered small landlords who were in court because the tenants of their single multiple-dwelling homes that they relied on as their sole source of income refused to

pay. Since almost all free legal service providers helped the evicted, not the those who do the evicting, the small landlords had to start their own cases. I learned that there is no universal good or bad actor and that stories are often more complicated than their legal labels lend.

By the end of the summer, I had produced a comprehensive comparative report on the operations of the Court Navigator Program in each of the four boroughs. I identified areas in the court with the most need for Navigators and areas that operate smoothly with or without Navigators. I also included conclusions drawn from interviews with Navigators, such as suggestions for the training and scheduling. My efforts have led the Special Counsel in charge of the Court Navigator Program to reframe the program description in recruitment materials and in the training to better reflect the task of Navigators, include a shadowing component to the walk-throughs to allow the volunteers to first learn by observing, and place Navigators at sites based on their personalities and interests.

In two short months, I was able to improve the Court Navigator Program to better serve the unrepresented litigants in the civil and housing courts around the four boroughs of New York City. My experience helped me discover a cause I am passionate about – access to justice for those without the financial means to obtain legal representation. I have always been drawn to the judiciary for its ability to establish individual rights protections. However, I discovered a gap between what happens behind the chambers and what is happening on the ground – individual rights protections may serve their purposes only if the people are aware of them or of how to exercise the rights. After I graduate, I will continue my efforts in increasing access to justice for all litigants via studying available alternatives to traditional legal aid and working with state leaders and legal service providers to devise new ones. I also plan on attending law school in the coming years.

In conclusion, I would like to express my sincerest gratitude to the Heinz Committee for affording me this opportunity to work with New York's judiciary on increasing access to justice. I would not have been able to have had this experience were it not for your support. When people think about government service internships, they do not usually think about ones in state courts. Based on my studies and experiences, I have found that state judiciaries are often underappreciated and understudied compared to their federal counterparts. But the judiciary branch, in general, is arguably the branch most entwined with the people, and state judiciaries are where a vast majority of these interactions happen. For my senior thesis, I will be using the power of history to reinvigorate academic interest in state judiciaries and to demonstrate the importance of these institutions. My thesis will focus on the origins of judicial review in state courts. Thank you for taking a chance on me and for supporting my interests in access to justice and state judiciaries. I am beyond grateful for your support. After I increase access to justice for the unrepresented litigants, I seek to sit on a high court where I will be able to administer a justice fairer for all.