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Legal Services Providers Warn NYC's Right to Counsel Is at a Breaking Point, Call for Urgent Investment and System Reforms

(NEW YORK, NY) — Today, 14 leading Right to Counsel (RTC) legal services organizations will [testify before](#) the NYC Office of Civil Justice (OCJ), warning that the City's landmark eviction-prevention program is being undermined by chronic underfunding, rising case complexity, and implementation failures that leave thousands of eligible tenants unrepresented each year.

The coalition — including The Legal Aid Society, Legal Services NYC, Bronx Defenders, Mobilization for Justice, NYLAG, Queens Defenders, NMIC, and others — urged the City to take immediate action to stabilize the program and ensure it fulfills its promise of universal access to counsel for tenants facing eviction.

Providers reported that while eligibility for RTC representation has surged by 110 percent since 2022, City funding has grown only 33 percent, covering at most 33,000 of more than 50,000 eligible cases. As a result, only one in three tenants facing eviction is currently represented — despite a statutory right to counsel.

“Tenants are walking into court believing they have a right to a lawyer, only to learn there is no one available to help them,” the coalition testified. “Right to Counsel cannot function unless the City funds it at the actual cost of providing ethical, effective representation.”

Background

Providers called for a \$7,500 per-case rate across all RTC contracts — reflecting the real costs of eviction defense — and for the City to end the draconian 10 percent contract penalty that destabilizes staffing and undermines service delivery. They also urged the NYC Office of Civil Justice (OCJ), the NYS Office of Court Administration (OCA), and the NYC Human Resources Administration (HRA) to work collaboratively with providers to fix system-wide barriers that prevent tenants from connecting with counsel, accessing repairs, or receiving timely rent assistance.

The testimony outlines concrete, ready-to-implement solutions, including:

- allowing providers to report lengthy cases across fiscal years;
- establishing an empowered HRA ombudsperson;
- enabling in-court applications for benefits citywide;
- guaranteeing rent breakdowns and NYS Division of Housing and Community Renewal (DHCR) histories at first appearances;
- mandating early engagement on repairs and access dates; and
- creating a structured early-intervention model to stop evictions before they start

“With eviction filings at their highest level since the pandemic, the City must invest in the tools that keep families housed,” the coalition stated. “Right to Counsel is one of the most effective anti-eviction programs in the country. It needs to be fully funded, fully staffed, and fully implemented — not hollowed out when New Yorkers need it most.”

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The Legal Aid Society is a nonprofit organization that exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For nearly 150 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of the people we serve and helps improve our communities.

www.legalaidnyc.org