

# ANNUAL REVIEW OF THE HOUSING INITIATIVE

# 1998



Date: May 1999

Justice Fern Fisher-Brandveen, Administrative Judge Of The Civil Court Of the City of New York

## Table of Contents

<b>I. MODERN CASE MANAGEMENT</b> .....	1
The Elimination of Part 18, the General Intake Part .....	1
Reduction of Delay and Waiting Time .....	1
Resolution Parts .....	2
Trial Ready Parts .....	3
Housing Court Mediation Program .....	3
Experiences with the Initiative in Each County .....	5
New York County .....	5
Kings County .....	5
Bronx County .....	5
Queens County .....	6
<b>II. SPECIALIZED TREATMENT OF CASES</b> .....	6
Rent Deposit Part .....	7
Coop/Condominium Part .....	7
Enforcement Part .....	7
Illegal Activity Part .....	8
The City Part .....	8
The New York City Housing Authority Part .....	8
<b>III. IMPROVED ACCESS FOR HOUSING COURT LITIGANTS</b> .....	8
Night Housing Court .....	8
Expanded Hours of Clerk's Office .....	9
Resource Centers .....	9
Simplified Pleadings and Procedures .....	9
Housing Court Counselors .....	10
Volunteer Lawyer Project .....	10
Community Housing Courts .....	12
<b>IV. TECHNOLOGICAL INNOVATION AND IMPROVED INFORMATION</b> .....	12
Informational Monitors .....	12
Automated Case Assignment .....	12
Housing Court Case Management Application .....	12
Building Database .....	12
The Partnership Project with the Human Resources Administration (HRA) .....	12
Housing Court Case Information System .....	13
Website .....	13
<b>V. ENHANCED COURT RESOURCES</b> .....	13
Additional Interpreters .....	13
New and Improved Facilities .....	13

Resource Assistants .....	13
Judges' Seminars .....	14
Public Forums .....	14
<b>VI. IMPACT OF THE INITIATIVE ON EVICTIONS .....</b>	<b>14</b>
<b>CONCLUSION .....</b>	<b>14</b>

This report reviews the Housing Court Program and its objectives, as published in September of 1997 from its commencement in January 1997 through to the conclusion of its first year in operation. The program was implemented in every county except Richmond, as the volume in Richmond County is inappropriate for most of the new changes. However, Richmond County has benefitted from some aspects of this new program.

## **I. MODERN CASE MANAGEMENT**

**Objectives:** a) To avoid delays and unnecessary in-court time for litigants, b) to eliminate hallway settlements, and, c) to provide an effective alternative dispute resolution program through modern case management.

### **The Elimination of Part 18, the General Intake Part**

The general intake part, Part 18, was eliminated as of January 15, 1998 as the initial place for assignment of cases, in order to expedite cases and to end the chaotic atmosphere which was the first impression for litigants. The Initiative started with a new random computer assignment system, developed by the Office of Court Administration, Division of Technology, which had, to that point, never been tested. Initial problems with this computer assignment system were minimal. The first few days, we experienced some mechanical and software problems and difficulties with system down time. Court dates could not be given to respondents as they answered and clerks were forced to mail court dates to the homes of respondents. Additionally, the program failed to properly count new cases so that some Resolution Parts received more new cases than other Resolution Parts. Most of the impact from the problem was felt in New York County, where some Judges had as many as 130 matters on the calendar on a given day and other Judges were assigned much less. The glitches with the computer assignment system were cured by mid-April and the system continues to run smoothly.

A new statistical collection form was developed for the Resolution Parts to keep track of daily activity. Each county faxes the form to the Administrative Judge on a daily basis. The form has been instrumental in providing a variety of information and in particular determining whether cases are distributed evenly. Furthermore, the statistics assisted in determining whether the computer random assignment system was properly counting cases when it was first implemented.

### **Reduction of Delay and Waiting Time**

Steps to reduce waiting time initially involved staggering the scheduling of new cases at 9:30 a.m. and 11:00 a.m. started January 15, 1998. Judges were directed to adjourn cases to 2:00 p.m., except for good cause. It was hoped that this system would stretch the work of the Resolution Parts into the afternoons thereby putting an end to a part of the culture of the Housing Part that included compressing most, if not all, of the Court's work between the hours of 9:30 a.m. and 1:00 p.m. Subsequently, we were forced to institute a 2:00 p.m. calendar for a limited number of new cases in order to insure that the Resolution Parts stopped trying to conclude the business of the part before the lunch break and to insure that sufficient time is devoted to each case. We requested the change in the program in March and the change was on line by April 6, 1998.



## Resolution Parts

With the appointment of five new Judges in June and a sixth in December, there are now 28 Resolution Parts city-wide. Additional Resolution Parts will be opened after the next ten judges are appointed. Initial criticism of the Resolution Parts included complaints that the calendars were too long, and that self-represented litigants were confused by the change in the system. The problems encountered by each borough are discussed below. The numbers in all the Resolution Parts are now markedly improved. In response to the concern about litigants learning the new system, a videotape describing the process has been filmed and is ready for use. The video will be played throughout the day in each Resolution Part. The actual filming was supervised by court employees. The Housing Committee of the Association of the City Bar has prepared a new tenant manual which describes the Housing Court and will be distributed in the clerk's office as soon as it is edited and printed. A landlord manual will be attempted in-house. Each Judge has been required to provide written part rules that will be posted in the parts, placed on the website and made available to litigants by September of 1999.

Forty Court Attorneys have been hired since the Initiative started to serve in either the Resolution Parts, as Housing Court Counselors or replacements for departing Court Attorneys. Each has received extensive training, including instruction on mediation. Most of the Court Attorneys, who have been in our employ prior to the Initiative, have also received mediation training and the remainder will be trained in 1999. Each future Court Attorney will also receive mediation training. In addition, the Administrative Judge has met with most of the Court Attorneys to emphasize that they are responsible for conferencing the cases in order to insure that all claims and defenses are addressed in a stipulation and that they are not merely to determine if litigants understand a stipulation. Since some stipulations are prepared by attorneys prior to a conference with a Court Attorney, it has been emphasized that the stipulation is not to be used as a framework for the conference.

Hallway negotiation is occurring less with the new changes. Although the Initiative envisioned that all negotiations will take place inside the Resolution Parts under the Court's direct supervision, and not in the hallways where settlements have been traditionally reached, hallway negotiations continue and will be difficult to completely eradicate for several reasons. First, despite additional resources and staffing there are still only three people (the Judge and the two Court Attorneys) in each Resolution Part to oversee a settlement at any given time. While the three cases are being "supervised," numerous cases remaining on the Court's calendar are left waiting to see Court personnel. The courtrooms are too small to accommodate all the bodies, which leads to hallway congestion. The hallways in Queens County have been touted as the least congested; however, this is due to the fact that the new facility presently provides an additional courtroom for each Resolution Part for conferencing purposes. In New York County, some congestion has been relieved by the opening of a large conference room where the Court Attorneys can oversee negotiations. There is no more space in any of the counties for additional conference rooms. Unfortunately, in the Bronx and Queens Counties, smaller conference rooms have had to be locked because practitioners have used them as their personal offices. In Queens County, these rooms can now only be used with court permission. Attorneys are often difficult to locate and some litigants prefer not to wait and will proceed without court personnel. Ingrained habits will undoubtedly change

with the passage of time.

In keeping with the Initiative's goals, every effort is being made to ensure that each stipulation is conferenced with a Judge or Court Attorney regardless of whether a stipulation was drafted in the hallway. The Resolution Part videotape will serve to inform litigants that no one is required to talk about their case without a Court Attorney or Judge present. In the Bronx, for example, Judge Sherman has recently prohibited attorneys from calling cases in the parts. Now only Court personnel may call out cases. Moreover, Court personnel have been instructed not to direct or suggest that litigants talk to opposing attorneys.

In line with the Initiative's goals, the Advisory Council and the Administrative Judge co-sponsored a seminar in New York County on the ethics of lawyers litigating against an unrepresented litigant. Professor Mary Daly, who is the head of the Ethics Committee at the City Bar, Judge Joan Lobis, a Legal Services attorney and a landlord attorney were speakers. The Administrative Judge personally wrote ninety practitioners on both sides urging them to come and asking them to invite others. The seminar was well attended. The seminar was filmed and we intend to make the tape available for viewing in other counties.

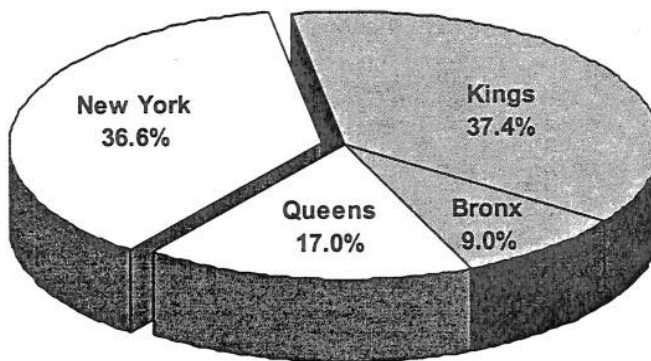
### **Trial Ready Parts**

There are thirteen Trial Parts throughout the City. In New York County, one Trial Part is presided over by a Civil Court Judge. An extra Trial Part was necessary in New York County to handle the trial load. New York County will continue to have proportionately more trials than any other County. New York County trials are more protracted and complicated because of the nature of the housing stock and the population. A total of 1571 trials were completed throughout the City.

At public forums at the City Bar and the New York County Lawyers, attorneys from both sides expressed their happiness with the Trial Parts. Under the old system, Judges tried cases piecemeal. Now, lawyers may try their cases day-to-day until conclusion. Trial dates can be obtained in much shorter time than in the past. In New York County, parties sometimes have to return on a different date for trial because all the trial Judges are occupied. Waiting time is occurring less and less, as Judge Cammer has been sending trials to Civil Court Judges assigned to non-housing parts who are not busy. Present intentions are to assign three to four of the nine new Judges to be appointed to New York County in order to further reduce waiting time for trials and reduce the numbers in the Resolution Parts.

### **Housing Court Mediation Program**

Before taking steps to implement an Alternative Dispute Resolution Program in the Housing Part, The Administrative Judge met with Professors



Trial Part Statistics

Vivian Berger, Lela Love and Jackie Nolan Haley, all of whom are involved in teaching the subject matter. The Administrative Judge also met with Janice Tudy Jackson of Victim Services, Mark Collins of the Office of Court Administration, and the Association of the City Bar of the City of New York, Housing Committee, Housing Task Force and ADR committee representatives for education and suggestions.

Until recently, the Department of Housing Preservation and Development (HPD) Mediation Program was the only Alternative Dispute Resolution Program available in the Housing Parts in Bronx, Kings and New York Counties. There was insufficient space for any Alternative Dispute Resolution Program in the Kings and Bronx buildings. Therefore, the HPD program was removed from Bronx and Kings counties and consolidated in New York County where more services were needed due to the complexity and number of cases, and where more oversight could be maintained over the program.

The HPD program, once consolidated in New York, was reworked to increase oversight of the program's operations. Previously, the HPD program worked out of Part 18 without supervision by the Court. We requested that HPD work with us to develop a relationship between the Judges and the mediators. Meetings were held with the mediators, Judges and Court Attorneys. Mediators have now been directly assigned to each Resolution Part and they work with the Judge and Court Attorneys in the part. HPD mediators have received mediation training in a program that conforms to Judge Kaye's ADR guidelines. The feedback indicates that Judges are more satisfied with the program. At the Administrative Judge's request, Dan Weitz, the Office of Court Administration ADR coordinator, and Professor Lela Love will monitor HPD's progress.

The Administrative Judge suggested that HPD staff assist in the Resource Centers to disseminate non-legal information and to serve as bilingual intake personnel. The Commissioner of HPD, Richard Roberts agreed to look into this possibility and a person was hired by HPD and assigned to the Bronx Resource Center.

A Mediation Coordinator was hired in December of 1997 and is currently responsible for ADR in Queens and Richmond Counties. The Queens program was put together with the assistance of The Association of the City Bar and the Queens Mediation Network of Community Mediation Services, Inc. The program operates with volunteers from both organizations. After extensive discussions with critics of mediation from the City Bar, a model program was developed which met their concerns. The program in its initial stage only involves cases where both litigants are self-represented. Cases meeting certain guidelines are only referred for mediation after screening by the Mediation coordinator, and basic legal, procedural and mediation information are provided to both litigants prior to mediation. All mediators were trained in a three-session training program designed to give trained mediators a background in housing and the ability to spot red-flag issues. A manual developed by the Coordinator for the mediators was edited and approved. A brochure was printed which describes the Queens Mediation Program. The Queens program has been successful in attracting volunteers.

The Richmond County program has obtained volunteers from YIP, a community mediation program. The program has yet to pick up and may not be suitable for this County. The bar is resistant to using mediation and the number of double pro se cases that are appropriate for mediation

has been minimal. Recently, the mediators have also been used for personal appearance civil cases in order to insure cases for them to mediate. The Richmond County Judges and the Administrative Judge received an award recently from YIP at a community gathering for our efforts in bringing mediation services to the Court.

### **Experiences with the Initiative in Each County**

The experiences with the Initiative varied in the five counties and are discussed below.

#### **New York County**

During the first two months of the Initiative, New York County experienced tremendous caseloads due to the folding of the backlog of cases in Part 18 into the intakes of the Resolution Parts, and trials that had been scheduled in the old housing parts. New York County illustrated the downside of the old Part 18 system. Cases were allowed to be adjourned over and over in that part without proper judicial scrutiny, resulting in a warehouse for over 2,000 cases. These old cases, that tended to be the headaches of the system, had to be absorbed into the new system. An initial triage system, set up using three Civil Court Judges, did not work as effectively as possible. A renewed effort to relieve the backlog in New York County was successful. At our request, Judge Traficanti, the Deputy Chief Administrative Judge for Courts Outside the City of New York, assigned three upstate Judges to the Civil Court for Term 3. These Judges were assigned to handle the Civil Term and commercial landlord/tenant cases, thereby freeing up Civil Court Judges to help with the housing backlog. The renewed effort reduced the backlog of trials. The numbers in the Resolution Parts were reduced by creating two extra Resolution Parts. Additional judges will be appointed to New York County to bring the numbers down to more ideal.

#### **Kings County**

The numbers in both the Kings Resolution and Trial Parts have consistently remained the best in the city. The 11 and 3/5th Judges assigned to that County are adequate for the moment and there are fewer adjourned cases in Brooklyn than any other County. A trial Judge was reassigned to create an additional Resolution Part in order to decrease the numbers in the Resolution Parts. Kings County has experienced very little delay in providing trial dates.

The complaints about Kings County have primarily involved the numerous calendar calls in this Borough. Kings is the only County in which all the Judges have calendar calls. In other boroughs, very few, if any, Judges have calendar calls. Practitioners have complained that it has been impossible to make calendar calls when parts are calling the calendars simultaneously. To address this issue, the latest directive requires staggered calendar calls. It appears that the staggered system is working slightly better. We will continue to strive for a solution which meets both the judges' concerns and practitioners' needs.

#### **Bronx County**

Bronx County recovered from absorbing the Part 18 backlog within the first few weeks of the Initiative. The numbers in the Resolution Parts have been manageable but higher than ideal. The



pervasive problem in the Bronx has been the numbers of orders to show cause which add to the numbers in the Resolution Parts. The orders to show cause have dipped recently, probably due to §747 of the Rent Regulation Act kicking in. However, as long as the Borough remains the lowest in income and the highest in Jiggets' applications, we cannot expect a substantial decrease in orders to show causes. The addition of two new Housing Judges in 1999 will bring the numbers in the Bronx more in line with the Kings County numbers and very close to acceptable. The Bronx has experienced no delays in obtaining trials. At the public forum sponsored by the Civil Court in April 1998, all comments on the Initiative were positive.

### **Queens County**

Queens County absorbed its Part 18 caseload with minimal problems. The numbers in the Resolution Parts have been manageable. With the addition of another Judge on June 15, 1998, the numbers in Queens became acceptable. The desirable space available in our great new facility made changes easier to implement. Queens has experienced no backlogs in trials since the inception of the Initiative. The only complaints in Queens from the Bar have been about the 2:00 p.m. calendar.

Visually, Queens operates the best of all counties due to the expansive facilities. There is less hallway traffic than any other county. Court Attorneys and cases to be conferenced have the benefit of a full courtroom near the Judge's courtroom as a waiting space and for conferencing of cases.

### **Richmond County**

For the first time a Housing Judge was assigned on a two-fifth basis to Richmond County to assist with the increasing volume of housing cases.

## **II. SPECIALIZED TREATMENT OF CASES**

Objective: To provide for specialized case treatment and approaches.

The Specialized Parts were implemented as of January 15, 1998. Initially, there were some problems with identification of specialized cases by litigants and our clerks, resulting in cases being assigned to non-specialized parts. This problem continues to exist to a lesser extent with coop/condominium cases which fail to self-identify. Shortly, we will ask all petitioners to fill out a form when the petition is filed, indicating if the premises are a condominium or cooperative.

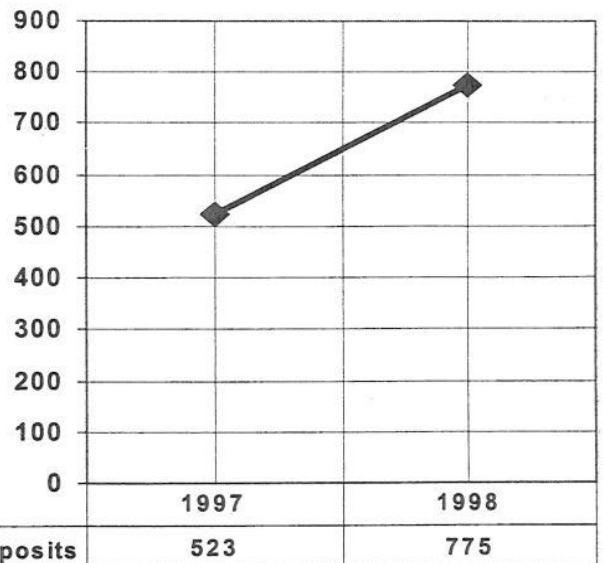
All Judges were rotated in September from Specialty Parts and Trial Parts in order to prevent any Judge from burning out, becoming too cozy with specialty practitioners or dominating one particular area of the law. Judges will continue to be rotated periodically. In this way, plum assignments can also be rotated. Rotation of Judges in Kings County is particularly difficult because there are insufficient chambers for the Judges in the courthouse; most Judges have a room in the back of the courtroom which serves as chambers. When the courtrooms are changed all the Judges' personal effects have to be moved as well which is traumatic and costly. This should change with the additional floors provided with the new lease that will provide more chamber space.

The Administrative Judge asked for new rules from the Chief Administrative Judge as permitted by the CPLR to allow some motions to remain tied to the Resolution Part instead of having to be referred to a Judge who has been reassigned to a different part. Those rules have been approved by the Administrative Board and Judge Lippman.

### Rent Deposit Part

In each county except Richmond, the Rent Deposit Part calendar is presided over in Part Y, the pre-answer motion part. The work of Part Y is substantially reduced from that of the motion calendar in the old Part 18, allowing the presiding Judge the time to handle any rent deposit applications.

A standardized transfer order and an adjournment form were developed to comply with the statute. A new cashier program went into effect without any problems.



*These statistics include all rent deposits including deposits made pursuant to the Rent Regulation Act. Statistics in 1999 will be maintained in separate categories.*

### Coop/Condominium Part

We have yet to receive any feedback, positive or negative. In May 1999, we will cosponsor a public forum with the City Bar and coop/condominium practitioners and Judges in the part. The New York County Coop/Condominium Part is the most bustling due to the nature of the housing stock. As a result that part has a higher number of motions than other Resolution Parts. Judge Cammer is monitoring the workload of this part to determine if steps are needed to assist the judge with motions. There are still some problems with self-identification by coops/condominiums and sometimes cases are not assigned to the coop/condominium part. Commencing May 1, 1999, on filing, petitioners will be required to complete a form indicating if the premises is a cooperative or a condominium.

### Enforcement Part

Any efforts to improve this part will be determined by the resources HPD can provide. The numbers of HPD inspectors have substantially decreased over the years. Since the inception of the Initiative, HPD has lost numerous attorneys who have not been replaced. A video on enforcement actions has been filmed and will be distributed throughout the City. The film will also be kept in the

Resource Centers. It is hoped that this will inform the public and encourage more awareness of this proceeding to obtain repairs. HPD and I have agreed to offer joint training programs for landlords in Queens on code enforcement issues. HPD has set up informational tables in all the courthouses one day each week. A Kings County program which offered alternatives to fines for landlords in the Enforcement Parts has been expanded to other boroughs. An interactive computer program to assist self-represented landlords in defending HP cases is in progress. There has been a 5% increase in filings of Housing Part actions since 1997.

#### **Illegal Activity Part**

There have been no significant occurrences in this part.

#### **The City Part**

There have been no significant occurrences in this part.

#### **The New York City Housing Authority Part**

This part throughout the City consistently has higher numbers of cases than other Resolution Parts. Efforts to address this issue will depend on the attorney staff that the New York City Housing Authority has available to handle cases.

### **III. IMPROVED ACCESS FOR HOUSING COURT LITIGANTS**

**Objectives:** a) To provide greater access and provide resources for self-represented litigants in order to limit confusion within the courthouse and ensure more effective processing of cases, and, b) to improve public confidence in the justice system.

#### **Night Housing Court**

The implementation of Night Court had to await the appointment and training of the five new Judges who started on June 15, 1998. In light of the summer, we elected to wait until September to commence. The Night Housing Court started in Queens and Richmond Counties one night a week beginning in the September term. Only cases in which both litigants are pro se can be scheduled for night. If either side requests the night, the case is assigned to the night unless a litigant has extenuating circumstances and is unable to come to court at night. The numbers of pro se litigants choosing to have their cases scheduled at night is slowly increasing.

Our statistics on the use of the clerk's office at night in Kings County and the lack of room to open any new parts would indicate that Kings should be the next site for Night Court for self-represented litigants.

## **Expanded Hours of Clerk's Office**

Each borough has at least one day of expanded clerk's office hours. Offices open daily at 8:00 a.m. in the Bronx, Kings, and New York Counties. Offices in Queens and Richmond Counties open at 8:00 a.m. only one day a week. Offices in all counties are open until 7:00 p.m. one day a week. Usage has increased since the implementation of this service with Kings County showing the most use and Richmond County the least. A Housing Court Counselor is available at night for self-represented litigants. Volunteer lawyers are available in the evenings as well.

## **Resource Centers**

Resource Centers are set up in all counties except Richmond, where space is a problem. Fliers, books and pamphlets have been obtained and placed in the Centers. Wiring for public access terminals and computers has been completed in New York County and is progressing in all other boroughs.

The old Housing Court informational video, done by the City Bar, has been edited to update it with the changes in the system. Videos on the Resolution Part, and HP Actions have been completed in English and Spanish. A video for small property owners on non-payment proceedings is currently being filmed. These projects were accomplished by court employees, with funding from the City Bar. The City Bar video has been placed in the New York County Resource Center and will be placed in the other centers as soon as televisions and VCRs are set-up. The Resource Centers will also have available the other videos.

We have been working with the Fund for the City of New York on the interactive computer program and progress has been made in this regard. The tenant side of the program is completed and we are working on the landlord portion.

Students from Saint John's and other interns have been working in various Resource Centers. Members of the Red Hook Americorps have been working in the Kings County Resource Center as intake staff and to disseminate non-legal information. This model can be used when the Red Hook Court opens. As mentioned earlier, recently an HPD employee was added to the Bronx Resource Center and functions as an intake clerk and an information resource. There is a need for a consistent intake clerk in all the other counties. The use of interns, who do not have consistent schedules, is not adequate to insure that the public is served well.

Efforts have been made to insure that the Resource Centers are comfortable and attractive to the public.

## **Simplified Pleadings and Procedures**

An informational sheet and posters were prepared on how to answer a non-payment proceeding. The informational sheet was translated into Korean, Chinese, Russian, Creole and Spanish.



We also developed a triplicate form for our clerks to record a respondent's oral answer. For the first time, respondents have a record of how their oral answer is recorded and petitioners receive a legible record of the oral answer. The form also provides the date, time and place for the Court date. A Housing Judge is working on revising the order to show cause forms.

The warrant manual has proven to be a more extensive task than contemplated. A survey of practices in each County demonstrated the need for a manual setting forth uniform policies. The research on the warrant manual has been completed. The manual's finalization awaits review by both landlord attorneys and tenant attorneys and some policy determinations thereafter by the Administrative Judge.

### **Housing Court Counselors**

An additional Housing Court Counselor was hired and trained for each of the four major boroughs. In July, Richmond County received a Housing Counselor for an extra day, and presently there is a Housing Counselor two days a week in that Borough. A full-time person is needed in Richmond County. Hopefully we can secure this service in a future budget.

Regular meetings have been held with the Housing Court Counselors to review issues and concerns. A training seminar on ejectment actions is being planned. Questions by landlords on ejectment actions have increased in the Resource Centers.

A computer program has been developed to track the type of cases and type of advice given and to do conflict checking. The program is being used in New York, Kings and Bronx Counties and will soon be installed in Queens County.

### **Volunteer Lawyer Project**

The Project became fully operational by the Winter of 1998. To date, more than one hundred and seventy-eight individuals have been trained to participate in the Project. More will be able to volunteer after completing the training. These individuals responded to a solicitation through the mail or a presentation made at a membership meeting of the various Bar Associations throughout the City of New York. It is estimated that over 3,500 letters and brochures were sent to individual members of the following organizations:

- Asian-American Bar Association of New York
- Bronx County Bar Association
- Bronx County Black Bar
- Bronx County Women's Bar Association
- LeGal
- Metropolitan Black Bar Association
- NYS Bar Association - Real Property Law Section
- Puerto Rican Bar Association

Presentations were made at membership meetings for the following organizations:

Dominican Bar Association, Inc.  
Latino Lawyers Association of Queens County  
Macon B. Allen Black Bar Association  
Metropolitan Black Bar Association  
New York County Lawyers Association  
Puerto Rican Bar Association

The Hon. Israel Rubin organized a meeting, of representatives from the following organizations:

Asian-American Bar Association of New York  
Association of the Bar of the City of New York  
Jewish Lawyers  
LeGal  
National Lawyers Guild  
Network of Bar Leaders  
New York County Lawyers Association

During Judge Rubin's meeting, there was a demonstration of the video conferencing technology and the Administrative Judge made a presentation about the Volunteer Lawyers Project to these groups.

As a result of this extensive outreach effort, one hundred and thirty-two attorneys confirmed their attendance for the Volunteer Lawyers Training Program in Manhattan, which commenced on June 9, 1998. The Training Program consists of four evening sessions lasting approximately three hours. The instructors were drawn from various segments of the legal profession, i.e., landlord & tenants' bar, legal services, and law schools. The course was designed to provide the participants with a solid foundation in the various areas of landlord & tenant practice. For example, topics included non-payment and holdover proceedings, NYCHA terminations, succession rights, and post-judgment motion practice. Training sessions were also conducted in Queens and attracted a number of volunteers. Training will be offered in the Bronx in the late spring or early fall.

Presently, case management software is being reviewed for use by the volunteers. We have met with vendors regarding video conferencing equipment. The City Bar has committed to purchasing a unit so that volunteers can go to the Association to provide services through video conferencing. In addition, various computer and telecommunication corporations will be solicited to provide technical and fiscal assistance in establishing the communications network required to sustain the Volunteer Lawyers Program.

The City Bar has offered to allow us the use of their domestic violence telephone hotline for our volunteer lawyers. We are exploring this possibility.

## **Community Housing Courts**

Extensive meetings and conversations have been held with the Center for Court Innovation regarding the Red Hook and East Harlem community courts and Housing Link Programs in the Midtown Court. Civil Court and Housing Court Judges were taken on tours of the Red Hook and Harlem Communities by the Administrative Judge in order to acquaint Judges with these communities. On both tours, the Judges had the opportunity to eat lunch with community members, talk to community leaders and take a walking tour of the community. Another tour of Red Hook is planned for the fall.

## **IV TECHNOLOGICAL INNOVATION AND IMPROVED INFORMATION**

### **Informational Monitors**

The programing of the informational monitors was the second project undertaken by the Division of Technology after the computerized random assignment system. We have identified the appropriate vendor for the video monitor program and we are in the process of purchasing the appropriate items. The television monitors have already been purchased and are presently in storage. A pilot use of the video monitors will be up and running in the Bronx by early spring 1999, with the other boroughs following shortly thereafter. Video monitors will ultimately be installed in all housing courtrooms, each Part Y, each Resource Center and each landlord/tenant clerk's office.

### **Automated Case Assignment**

The Automated case assignment system is on-line and working properly as discussed earlier in this memorandum.

### **Housing Court Case Management Application**

The Department of Technology (DOT) will move onto the case management system after the programing issues involving the video monitors are resolved. As of July 13, 1998, all Housing Judges had received laptop computers.

### **Building Database**

A comprehensive building information database will be the last project attempted by DOT. We have been informed that this project will be quite extensive and difficult to accomplish with present resources.

### **The Partnership Project with the Human Resources Administration (HRA)**

Two task force meetings have been held with the Court, and representatives of the Income Support and Protective Services for Adults (PSA) Divisions of HRA. HRA has placed a PSA intake worker in each of the four major boroughs one day a week. The worker has already been placed.

## **Housing Court Case Information System**

Members of the Housing Court's Practitioner Committee have been asked to provide guidance to the Administrative Judge with respect to what information they would like to obtain from the court via the modem in order to move this project along.

## **Website**

The Housing Court website is on-line at [UCS.LJX.COM/NYCHOUSINGCT](http://UCS.LJX.COM/NYCHOUSINGCT). At present, information on Judges' biographies, locations of the courthouses, rules and procedures for the New York County Child care Center, and the Volunteer Lawyer Project, can be obtained from the Website. Housing Part rules will be available soon.

## **V. ENHANCED COURT RESOURCES**

**Objective:** To provide the resources necessary to expedite the just resolution of cases.

### **Additional Interpreters**

Additional Spanish and Creole interpreters were hired along with full time interpreters in Chinese, Polish, Korean and Russian. We also have a full-time sign language interpreter who serves city-wide.

### **New and Improved Facilities**

Both the Bronx Housing Court and the Queens Civil Court were opened with manageable problems.

The recently signed lease in Kings County, with an additional 3 ½ floors, should allow us to address many of our facility space needs.

### **Resource Assistants**

Eight Resource Assistants were hired and assigned to the four major boroughs. Resource Assistants have already been used to go to apartments to check on pertinent issues such as whether an illegal basement apartment exists or if a readily observable condition is present. Information obtained by Resource Assistants have been useful in settling cases in the Resolution Parts. The assistants also assist in contacting outside agencies and generally help in the courtrooms. An additional eight Resource Assistants are part of 1999's budget submission.



## Judges' Seminars

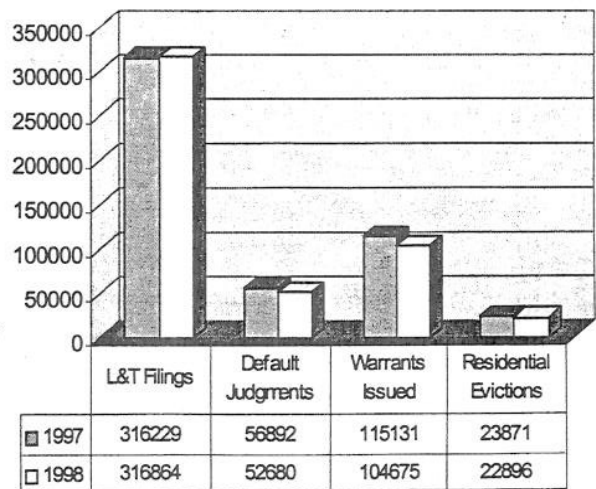
An interactive seminar on cultural diversity was offered to the Judges at their monthly training seminar. Monthly training seminars are offered to the Housing Judges and Civil Court Judges on housing issues. These seminars are mandatory for Housing Judges.

## Public Forums

Public forums have now been completed in all five Boroughs. Transcripts of each forum are available. Plans are being made to start the cycle again.

## VI. IMPACT OF THE INITIATIVE ON EVICTIONS

There has been a decrease in warrant applications in every borough but Brooklyn, where applications were up a scant 208. We are compiling statistics on defaults in the Resolution Part but preliminarily it appears that the default rate is slightly lower than in the old Part 18. The number of default judgments, warrants issued and evictions carried out by Marshals have decreased.



Impact on Evictions

## CONCLUSION

Considering the massive changes made to the Housing Part after twenty-five years of operating in the same fashion, the Judges, the non-judicial personnel and the landlord-tenant bar have been extremely gracious and patient. The Administrative Judge has appeared at the City Bar and the New York County Lawyers at forums and meetings, and her Practitioner Committee has met twice since the commencement with her to iron out difficulties. Each of the Supervising Judges has a borough-based Practitioner Committees to address concerns. Based on experiences and feedback from the bar, revisions to the original Directive implementing the Initiative were prepared and disseminated.

The future challenge before the Housing Part is twofold. First, the utilization of new resources must be carefully considered, in light of the increase to fifty Judges and the addition of new non-judicial personnel in 1999. Limited court space in all boroughs except Queens makes effective use of these essential resources challenging. Second, as improved resources provide the capability to devote sufficient time to each housing case, the challenge will be to further encourage the end to the swift "factory" processing of cases which has been the culture of the court for so long.