

RESOLUTION ADOPTED BY
NEW YORK STATE BAR ASSOCIATION

NOVEMBER 1, 2008

RESOLVED, that the New York State Bar Association approves the report and recommendations of the President's Committee on Access to Justice entitled, "Toward a Right to Counsel in Civil Cases in New York State"; and it is

FURTHER RESOLVED, that in view of the New York State Bar Association's commitment to the goal of a civil right to counsel in legal matters affecting basic human needs, the New York State Bar Association urges the New York State Legislature to expand the civil right to counsel in New York by enacting the following legislation:

1. Provide a right to counsel for vulnerable low income people who face eviction or foreclosure from their homes.
2. Extend the existing right to counsel for unemployment insurance claimants – those who have received a favorable decision from the Unemployment Insurance Appeal Board and are defending that decision in an appeal to the Appellate Division or Court of Appeals brought by another party – to claimants who have received a favorable determination from an administrative law judge are defending against an appeal before the Unemployment Insurance Appeal Board. Additionally, the existing \$500 cap on reimbursement for appointed counsel should be raised to a level high enough to ensure that attorneys will accept the cases.

FURTHER RESOLVED, that in the longer term, the legislature should work towards adopting the other measures discussed in the Report of the New York Bar Association titled, "Toward a Right to Counsel in Civil Cases in New York State," to ensure that litigants are able to fully participate in civil cases concerning their basic human needs; and it is

FURTHER RESOLVED, that the officers of the Association are hereby empowered to take such other and further steps as they may deem warranted to implement this resolution.