



Legal Clinic for Pro Se Litigants in the SDNY

SECOND QUARTER SNAPSHOT: 1/1/2017 – 3/31/2017

Overview

During this quarter we:

- Were contacted by **346** individuals, up from **136** individuals last quarter.
- Assisted **292** individuals with **309** separate matters (some individuals have more than one matter), up from **123** individuals last quarter.
- Worked with **122** individuals more than once, up from **51** individuals last quarter.
- Held **545** total consultations, averaging about **181** consultations per month, up from **224** total consultations (about **75** per month) last quarter.
- Provided translator or interpreter services to **23** individuals, up from **14** individuals last quarter; we also secured a translator for **one** pro se litigant at the request of the court.
- Diverted **73** matters to appropriate fora or services, such as state courts, other federal courts, administrative agencies, law enforcement agencies, legal services organizations and/or social services organizations, or advised client not to proceed. This figure is up from **28** such matters last quarter. We are aware of only **five** instances where an individual whom we advised to not file suit in this court or to not further pursue a filed suit in this court did so contrary to our advice.
- Were unable to assist **18** litigants due to a legal conflict or otherwise (litigant was incarcerated, was represented by counsel, was a corporation, had questions about a suit pending in another forum, or could not be reached after the initial intake despite multiple attempts). This figure is up from **eight** such litigants last quarter. In **one** such matter the EDNY Pro Se Clinic agreed to provide limited scope representation to the litigant. **Six** individuals who contacted us near the end of this quarter have been scheduled for appointments in April, and we are continuing to try to reach **30** individuals.
- Secured limited scope pro bono counsel to assist with depositions in **11** of **15** cases where we sought such counsel and limited scope pro bono counsel to assist with mediation in **zero** of **two** cases where we sought such counsel. In **two** of the matters where pro bono counsel took on depositions, pro bono counsel later agreed to expand the representation (in one matter to include summary judgment and settlement and in the other to provide full representation).
- Secured limited scope pro bono counsel to assist a pro se defendant with seeking relief from a judgment.
- Secured full representation pro bono counsel in **six** of **eight** cases where we sought such counsel (not including the case where limited scope pro bono counsel expanded the representation); in one of the two cases where we did not secure counsel, the client found private counsel.
- Referred **14** clients to other legal or non-legal service providers to assist those individuals with matters beyond those raised by their pending SDNY cases; this service is in addition to assisting those individuals with their pending SDNY cases.



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Levels of Service Provided

246 matters received our basic level of service, **advice and counsel**, meaning that we discussed the case and provided information or legal advice, which could include referrals to other legal or non-legal service providers.

53 matters received an intermediate level of service, **brief services**, meaning that we helped for a limited amount of time with specific matter-related projects, such as research, drafting or strategy.

10 matters received our highest level of service, **extensive services**, meaning that we spent over 10 hours on matter-related projects (the same types of projects covered by “brief services”).

Highlights

During this quarter we:

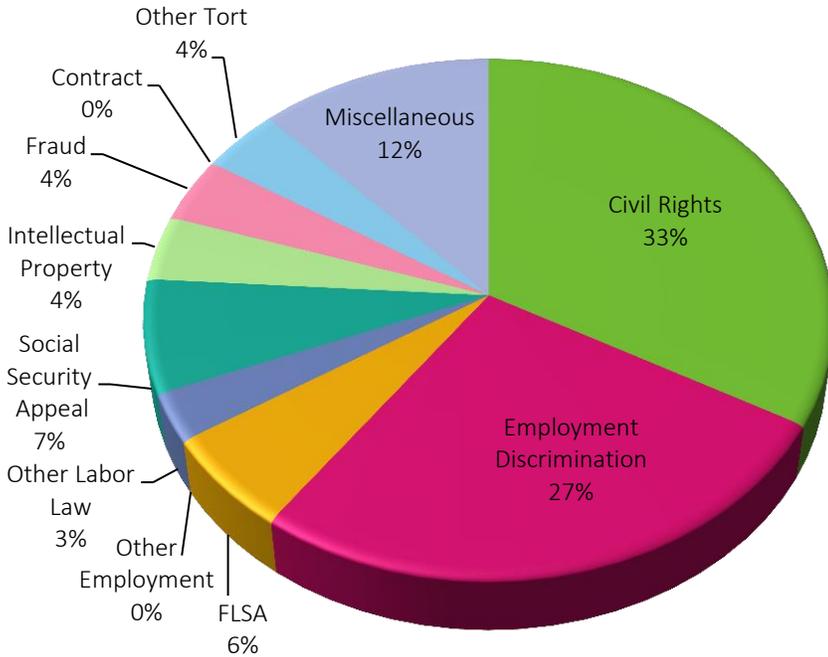
- Met with judges and other representatives of the court to discuss the logistics of running the clinic once a week from the White Plains courthouse starting at the end of April 2017.
- Consulted with NLYAG, other public interest organizations and private law firms on issues for specific clients and on subjects of interest to multiple clinic clients, including on issues involving employment law, public benefits, foreclosures and whistleblower law.
- Worked with **13** volunteers from **six** firms on intake; with **ten** volunteers from **five** firms on drafting litigation documents; and with **four** student or recent law graduate interns on legal research and other projects.
- Assisted a pro se FLSA defendant who had been unaware of the case against him until judgment was entered to write to the court seeking relief from the judgment; and secured pro bono counsel to assist with further proceedings.
- Counseled a pro se plaintiff in an employment discrimination suit in connection with a favorable settlement offer; the plaintiff accepted it.
- Assisted a pro se plaintiff in a FLSA case with drafting correspondence that convinced the defendant to make the final settlement payment required under the terms of a court-approved settlement agreement.
- Advised a pro se plaintiff in a case alleging attorney malpractice that diversity jurisdiction was lacking, leading client to dismiss his SDNY case voluntarily and to re-file his case in state court.
- Advised a pro se plaintiff in a police misconduct case that his claims were time barred, leading him to dismiss his SDNY case voluntarily.



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Types of Cases



Jurisdictional Basis:

- **93%** of clients filed cases raising **federal questions**
- **7%** of clients filed cases involving **diversity jurisdiction**

Pro Se Party:

- **88%** of clients were **plaintiffs**
- **12%** of clients were **defendants**

Court Location:

- **95%** of clients with filed cases are litigating in **Manhattan**
- **5%** of clients with filed cases are litigating in **White Plains**

Referral Source:

- **18%** of clients were referred to the clinic by a **judge** (**61%** of these referrals were made by court order and **39%** at a conference)

Numbers of Matters Where We Assisted With:

Determining Proper Forum	26	Discovery	29
Other Pre-filing Issues	77	Summary Judgment	10
Drafting Complaint	6	Other Motion	14
IFP Application	3	Pre-trial Preparation	0
Service of Process Issues	12	Trial	0
Removal/Remand	1	Mediation/Settlement	28
Default Judgment	2	Judgment/Post-Judgment	13
Motion to Dismiss	18	Explanation of Status/Process	106
Amending Complaint	24	Explanation of Court Order	33
Answer	9	Other	20

Demographic Data

Employment Status	Highest Education Level	Race	Age
1% Student	3% 8 th Grade or Less	41% Black	58% 18-59
12% Part-Time	12% Some High School	21% Latino	42% 60+
23% Full-Time	16% High School Diploma	26% White	
53% Unemployed	6% GED	11% Asian	
12% Retired	15% Vocational/Some College	1% Other	
	29% College Diploma		
	20% Graduate Degree		
			Gender
			61% Male
			39% Female