



Legal Clinic for Pro Se Litigants in the SDNY

FOURTH QUARTER SNAPSHOT: 7/1/2017 – 9/30/2017

Overview

During this quarter we:

- Were contacted by **419** individuals, up from **400** individuals last quarter.
- Assisted **402** individuals with **420** separate matters (some individuals have more than one matter), up from **357** individuals and **371** separate matters last quarter.
- Worked with **209** individuals more than once, up from **177** individuals last quarter.
- Held **941** total consultations, averaging about **313** consultations per month, up from **727** total consultations (about **242** per month) last quarter; **36** of our consultations were held in White Plains, up from 35 last quarter.
- Provided translator or interpreter services to **22** individuals, up from **15** individuals last quarter.
- Attempted to divert **106** 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 was **73** individuals last quarter. We are aware of only **ten** 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 **nine** 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 compares to **six** such litigants last quarter. We are continuing to try to reach **eight** individuals who first contacted us near the end of the quarter.
- Secured limited scope pro bono counsel to assist with depositions in **seven** of the **11** cases where we sought such counsel, although **one** litigant chose not to work with counsel. In **three** of the matters placed with pro bono counsel in prior quarters for deposition purposes, the lawyers later agreed to expand the representation to include exploring settlement.
- Secured limited scope pro bono counsel to assist with mediation in **two** of **five** cases where we sought such counsel. This figure does not include the matters where deposition counsel expanded the representation to include exploring settlement. In **two** of the mediation cases we could not place, the Clinic provided assistance by counseling the litigants and helping to draft mediation statements. In the **one** other mediation case we could not place, pro bono counsel was secured through the court's office of pro se litigation.
- Secured full representation pro bono counsel in **4** of **11** cases where we sought such counsel.
- Referred **35** 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. This figure is up from **14** such individuals last quarter.
- Worked with volunteers from **15** firms on intake and drafting litigation documents; and with **35** student, recent law graduate and other interns on legal research and other projects.



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Levels of Service Provided

301 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 (up from 290 such matters last quarter).

77 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 (down from 59 such matters last quarter).

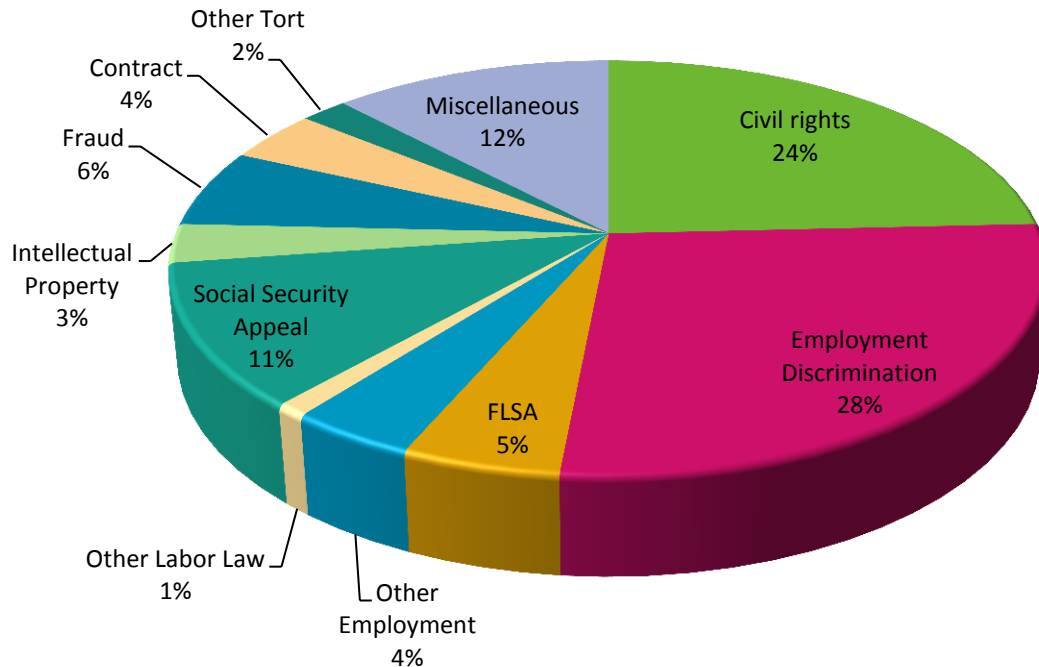
42 matters received our highest level of service, **extensive services**, meaning that we spent over 10 hours on matter-related projects (the same types of projects covered by “brief services”) (up from 22 such matters last quarter).

Highlights

During this quarter we:

- Helped a pro se plaintiff defeat a motion to dismiss her claims of improper forcible hospitalization.
- Counseled a pro se plaintiff in an employment discrimination suit in connection with a favorable settlement offer and reviewed the draft settlement agreement; the plaintiff accepted the offer.
- Helped pro se plaintiffs in two unrelated employment discrimination cases defeat motions for summary judgment.
- Advised pro se plaintiffs who lacked colorable LMRA claims to voluntarily dismiss their complaint, which they did.
- Opened a dialogue with Cardozo Law School’s Bet Tzedek Legal Services about ways our clinics can collaborate, and referred one case to the Bet Tzedek Legal Services for full representation and one case for limited scope representation (mediation).
- Began sending volunteers to observe court proceedings involving certain clinic clients in order to be in a better position to explain the court’s rulings to those clients.
- Met with representatives of the court’s office of pro se litigation, of the SDNY and EDNY court-annexed mediation programs and lawyers from the EDNY pro se clinic to discuss ways to assist pro se litigants in making use of the mediation programs in this court and the EDNY.
- Consulted with employees of the pro se intake office about ways in which the clinic can improve the assistance it provides to pro se litigants.
- Consulted with NYLAG attorneys, other public interest organizations and private law firms on issues for specific clients and on subjects of interest to multiple clinic clients.

Types of Cases



Jurisdictional Basis:

- **92%** of clients filed cases involving **federal question jurisdiction**
- **8%** of clients filed cases involving **diversity jurisdiction**

Pro Se Party:

- **87%** of clients were **plaintiffs**
- **13%** of clients were **defendants**

Court Location:

- **91%** of clients with filed cases are litigating in **Manhattan**
- **9%** of clients with filed cases are litigating in **White Plains**

Referral Source:

- **18%** of clients were referred to the clinic by a **judge** (**57%** of these referrals were made by court order and **43%** at a conference)
- **50%** of clients were referred to the clinic by the **Pro Se Intake Unit**;
- **3%** of clients learned of the clinic through a **friend or family**
- **3%** of clients learned of the clinic through the **pro se information package**;
- **16%** of clients learned of the clinic **through the court's website or NYLAG's website**;
- and
- **10%** of clients were **self-referred or referred by another source**.

Location of Service:

- **95%** of clients were seen in **Manhattan**
- **5%** of clients were seen in **White Plains**

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Numbers of Matters Where We Assisted With:

Determining Proper Forum	33
Other Pre-filing Issues	119
Drafting Complaint	37
IFP Application	28
Service of Process Issues	22
Removal/Remand	5
Default Judgment	2
Motion to Dismiss	31
Amending Complaint	26
Answer	6
Discovery	35
Summary Judgment	11
Other Motion	26
Pre-trial Preparation	1
Trial	0
Mediation/Settlement	34
Judgment/Post-Judgment	25
Explanation of Status/Process	220
Explanation of Court Order	44
Other	3

Demographic Data

Employment Status

2%	Student
12%	Part-Time
29%	Full-Time
42%	Unemployed
15%	Retired

Highest Education Level

3%	8 th Grade or Less
8%	Some High School
13%	High School Diploma
9%	GED
16%	Vocational/Some College
27%	College Diploma
24%	Graduate Degree

Race

42%	Black
22%	Latino
23%	White
10%	Asian
3%	Other

Age

15%	18-35
56%	36-59
29%	60+

Gender

57%	Male
43%	Female