



Legal Clinic for Pro Se Litigants in the SDNY

THIRD QUARTER SNAPSHOT: 4/1/2017 – 6/30/2017

Overview

During this quarter we:

- Were contacted by **400** individuals, up from **346** individuals last quarter.
- Assisted **357** individuals with **371** separate matters (some individuals have more than one matter), up from **292** individuals and **309** separate matters last quarter.
- Worked with **177** individuals more than once, up from **122** individuals last quarter.
- Held **727** total consultations, averaging about **242** consultations per month, up from **545** total consultations (about **181** per month) last quarter; **35** of our consultations were held in White Plains.
- Provided translator or interpreter services to **15** individuals, down from **23** individuals last quarter.
- 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 was the same last quarter. We are aware of only **four** 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 **six** 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 **18** such litigants last quarter. **Twelve** individuals who contacted us near the end of this quarter have been scheduled for appointments in July, and we are continuing to try to reach **25** individuals.
- Secured limited scope pro bono counsel to assist with depositions in **seven** of **13** cases where we sought such counsel, although in **one** such matter the client declined to work with counsel. In **one** of the matters placed with pro bono counsel for deposition purposes, the lawyer later agreed to expand the representation to include mediation.
- Secured limited scope pro bono counsel to assist with mediation in **nine** of **14** cases where we sought such counsel, although in **two** of these cases, counsel was unable to reach the client and enter into a retainer agreement. In **one** of the mediation cases we could not place, pro bono counsel was secured through the court's office of pro se litigation.
- Consulted with NYLAG employment lawyers assisting **three** pro se litigants in connection with mediation.
- Secured limited scope pro bono counsel to assist a pro se plaintiff with seeking temporary injunctive relief.
- Secured full representation pro bono counsel in **16** of **18** cases where we sought such 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. This figure is the same as last quarter.
- Worked with volunteers from **eight** firms on intake and drafting litigation documents; and with **17** student, recent law graduate and other interns on legal research and other projects.



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Levels of Service Provided

290 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 246 such matters last quarter).

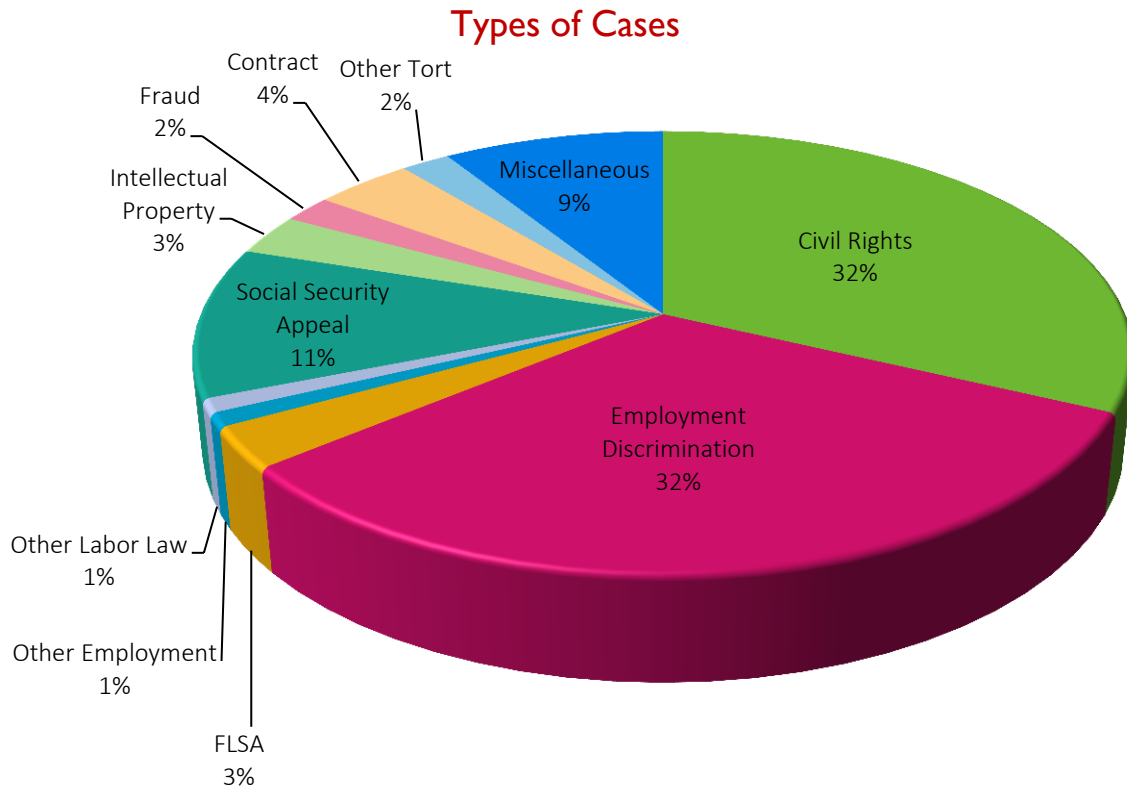
59 matters received an intermediate level of service, **brief services**, meaning that we helped for a limited amount of time with specific matter-related projects, such as research, drafting or strategy (up from 53 such matters last quarter).

22 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 10 such matters last quarter).

Highlights

During this quarter we:

- In late April began running the clinic once a week from the White Plains courthouse.
- 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.
- Assisted a pro se defendant with avoiding a default judgment in a case involving alleged breach of contract for failure to pay her late husband’s medical bills.
- Assisted a pro se plaintiff in a civil rights case with filing a successful request for a TRO requiring the City to provide her with a place in a homeless shelter that would accept her emotional support animal; and secured pro bono counsel to represent her in connection with that request.
- Assisted a pro se plaintiff in a police brutality case with convincing the court to reopen the case after the court had closed the case for alleged failure to prosecute; the client had not received key mailings from the court.
- Secured pro bono trial counsel for a pro se plaintiff bringing claims of employment discrimination based on race.
- Advised a pro se plaintiff in a case alleging breach of contract that diversity jurisdiction was lacking, leading client to dismiss her SDNY case voluntarily and to re-file in state court.
- Assisted a pro se plaintiff in an employment discrimination case with preparing a mediation statement and advised the plaintiff in connection with the mediation, which led to a favorable settlement.
- Assisted a pro se defendant in connection with a successful motion to transfer venue.
- Consulted with other NYLAG attorneys, other public interest organizations and private law firms on issues for specific clients and on subjects of interest to multiple clinic clients.



Jurisdictional Basis:

- **93%** of clients filed cases involving **federal question jurisdiction**
- **7%** 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:

- **17%** of clients were referred to the clinic by a **judge** (**40%** of these referrals were made by court order and **60%** at a conference)
- **60%** of clients were referred to the clinic by the **Pro Se Intake Unit**;
- **4%** of clients learned of the clinic through a **friend or family**
- **3%** of clients learned of the clinic through the **pro se information package**;
- **12%** of clients learned of the clinic **through the court's website or NYLAG's website**;
- and
- **4%** of clients were **self-referred or referred by another source**.

Location of Service:

- **94%** of clients were seen in **Manhattan**
- **6%** of clients were seen in **White Plains**

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Numbers of Matters Where We Assisted With:

Determining Proper Forum	58
Other Pre-filing Issues	105
Drafting Complaint	24
IFP Application	16
Service of Process Issues	14
Removal/Remand	1
Default Judgment	5
Motion to Dismiss	26
Amending Complaint	34
Answer	15
Discovery	41
Summary Judgment	10
Other Motion	14
Pre-trial Preparation	0
Trial	0
Mediation/Settlement	26
Judgment/Post-Judgment	20
Explanation of Status/Process	194
Explanation of Court Order	49
Other	14

Demographic Data

Employment Status

4%	Student
15%	Part-Time
23%	Full-Time
45%	Unemployed
13%	Retired

Highest Education Level

2%	8 th Grade or Less
10%	Some High School
14%	High School Diploma
10%	GED
17%	Vocational/Some College
27%	College Diploma
20%	Graduate Degree

Race

35%	Black
15%	Latino
24%	White
8%	Asian
18%	Other

Age

15%	18-35
61%	36-59
24%	60+

Gender

64%	Male
36%	Female