



US Centre Summer Research Grant

Recipient name: Juliet Nil-Uraz

Project title: Quantifying the Importance of Legal Assistance for Social Welfare Problems: A Comparative Perspective

Summary of project:

Although the United States is an outlier among OECD countries in the ubiquity of evictions that renters experience, no federal program guarantees legal assistance to those who are evicted. In the absence of such a guarantee, legal representation for low-income tenants is scarce, uneven, and exceptional. In response, New York City pioneered a right to counsel for tenants facing evictions in 2017. A growing body of evidence found that the program's recipients were less likely to be evicted. There, lawyers stemmed evictions. But how enduring and protective is such an attorney's representation? Questions linger, first, about whether lawyers' interventions break or merely postpone housing insecurity; and second, about whether and how seeing a lawyer helps tenants resolve what went wrong in the first place. In this project, I use econometric methods to answer those questions by evaluating the introduction of NYC's right to counsel. My ultimate goal is to study how providing legal assistance to low-income households can help alleviate poverty.

Introduction

This grant supported one of my Ph.D. projects that aims to evaluate the introduction of the right-to-counsel program in New York City. It provided me with the resources to conduct fieldwork in New York City and attend a workshop in Boston, a conference in Cambridge and a symposium in Washington D.C. The goal of my fieldwork was to collect data and information to better understand the context of the implementation of the right-to-counsel program, check the credibility of my empirical strategy, and refine my research questions accordingly. My fieldwork took place between June 12 and July 3, 2023. Although its content differed greatly from what I had initially planned, it gave me a different perspective for future stages of my research. It opened up the possibility of adding more jurisdictions to my analysis and also provided some explanation for the challenges I faced in accessing granular data from New York City agencies. The three in-person events provided unique opportunities for me to discuss my project and ideas with academics, policymakers and legal sector actors. Their content was extremely relevant to my research and allowed me to network and set up unexpected and enriching research collaborations. The rich material I collected from this experience has greatly expanded the scope and potential of my research to have a greater impact. In this report, I successively present my fieldwork and the events in which I participated.

A. Fieldwork in New York City

To evaluate the introduction of the right-to-counsel in New York City, I adopt an econometric approach that exploits the ZIP code rollout of the program. However, the rollout was not implemented randomly, which makes it more difficult to evaluate. In particular, to enhance the credibility of any research design, I need precise information about the criteria that were used to select the areas in which the program was first implemented. It is essential to control for the variables that capture these criteria to avoid bias in my estimates. Furthermore, I need to provide a comprehensive picture of the local provision of legal assistance before and after the introduction of the program to ensure that I do not attribute to the right-to-counsel an effect that would arise from pre-existing differences in access to local legal services.

Initially, I wanted to (i) visit the offices of the New York City Department of Social Services for on-site access to the documentation that guided the implementation of the right-to-counsel program, and (ii), visit legal services to better understand the extent to which welfare advice is provided by housing attorneys. None of these visits were possible due to the lack of capacity of the respective agencies to accommodate me. Instead, I met one-on-one with different stakeholders involved in: the implementation of the right-to-counsel program (group A), its evaluation (group B), the provision or mapping of legal services (group C), and the study of inequalities in the United States (group D). Table 1 lists the relevant positions of the people I met.

Table 1: Fieldwork meetings overview

Implementation of the right-to-counsel program (group A)	The former director of the New York City Office of Civil Justice , who oversaw the implementation of the right-to-counsel program.
	The coordinator of the National Coalition for a Civil Right to Counsel , an organisation that advocates for “the recognition and implementation of a right to counsel for low-income people in civil cases that involve basic human needs such as shelter, safety, sustenance, health, and child custody”.

Evaluation of the right-to-counsel program (group B)	Researchers at New York University's Furman Centre who worked on assessing New York City's right-to-counsel based on housing court records. ¹
	The managing director of the Right to Counsel resource center created by the advisory firm Stout which works with multiple jurisdictions across the United States to support their implementation of a right-to-counsel program and to analyze how their data can inform our understanding of the eviction process.
	The director of the Access to Justice Lab at Harvard Law School, which conducts randomized control trials types of experiments to evaluate, among others, the impact of legal representation in eviction proceedings.
Provision and/or mapping of legal services (group C)	The executive director of the National Centre for Access to Justice , which created the Justice Index, a measure of the availability of access to justice policies in each U.S. state.
	The executive director of Pro Bono Net , a non-profit organization that creates digital tools and fosters collaboration among civil legal organizations at the national level.
	The Senior Program Officer for the Access to Justice Research Initiative at the American Bar Foundation.
Study of social and economic inequalities in the United States (group D)	Rebecca Sandefur , the Professor in and Director of the Sanford School of Social and Family Dynamics at Arizona State University, Director of the Access to Justice Research Initiative at the American Bar Foundation.
	Janet Gornick , the Director of the Stone Center of Socio-Economic Inequality, Professor of Political Science at the Graduate Center of the City University of New York.

These different meetings provided me with:

- Background information on the challenges faced by the program at the time of its implementation and today. The future of the program was uncertain during my visit to New York, as legal aid providers were renegotiating funding and contracts with the municipality;
- New data on the location and capacity of legal advice providers across the United States;
- General information about clients' data that is collected by legal services and courts in jurisdictions other than New York that have implemented right-to-counsel programs;
- Resources to more comprehensively map the capacity and geographical coverage of legal advice providers across the United States;
- New research questions and a clearer understanding of the remaining knowledge gap in the literature on the right-to-counsel and access to justice;
- Additional material to supplement my literature review with studies that have been conducted to demonstrate the cost-effectiveness of the right-to-counsel and that have been released outside of the academic publication process.

¹ I.G. Ellen, K. O'Regan, S. House and R. Brenner (2021), "Do Lawyers Matter? Early Evidence on Eviction Patterns After the Rollout of Universal Access to Counsel in New York City", *Housing Policy Debate*, Vol 31, No. 3-5, pages 540-561.

B. Research events

I was invited to participate in the launch of the [Justice Data Observatory](#) in Boston on June 20, 2023. This observatory is hosted by the American Bar Foundation and funded by Canada's International Development Research Center (IDRC), in partnership with the Organization for Economic Co-operation and Development (OECD) and the World Bank. It aims to identify data gaps on access to justice as well as establish a global research agenda in this area. I was also invited to participate in [the International Legal Aid Group](#) meeting held at Harvard Law School from June 21-23, 2023, whose theme was around the "Challenges of Access to Justice". This biannual event brings together a network of legal aid specialists, including leaders and officials from legal aid commissions and ministries of justice from more than two dozen countries.

These two events gave me a platform to share the challenges of collecting data to map the evolution of legal aid provision in different jurisdictions. For my Ph. D., I am mapping the physical facilities for accessing legal advice on welfare issues in New York City, but also in England, Wales and India. As part of a previous research project, I collected budgetary data to trace legal aid funding in England and Wales, Germany, France, the Netherlands and Sweden. During these events, I had the opportunity to exchange with the delegates of some of these countries and discuss my findings with them, thus paving the way for cross-checking my data collection with official sources.

Finally, I attended the [symposium](#) on "The Civil Legal Aid Crisis in Eviction Cases: Options and Opportunities" organised by Rand Corporation on June 23, 2023, in Washington D.C. This one-day in-person event offered me a national overview on the current state of evaluation and implementation of right-to-counsel programmes across the United States. I had the opportunity to share my Ph.D. projects with actors involved in the development of right-to-counsel policies at the federal level and network with researchers working on very close topics with similar impact evaluation frameworks. After that event, I had several follow-up calls that opened up opportunities for research collaboration.