



RTCNYC Tool 7.1

Data Points to Collect to Build the Case for Right to Counsel

When bolstering your arguments for Right to Counsel, it is important to collect information about the landscape of evictions, the associated costs that come with evictions, and projections for the potential benefits of Right to Counsel. Here in New York City, we are lucky to have many different sources for data, but even so, having a tangible resource like the Cost and Savings Report was instrumental in our work. Below is a list of some of the data points we collected that were instrumental in building the case for needing Right to Counsel.

We had a lot of data about housing in New York City at our disposal, which was critical for producing the report:

- The number of evictions;
- A reasonably reliable figure for the number of tenants that would be income eligible for a right to counsel;
- Number of tenants already receiving counsel either through city spending or from the private bar (i.e., retained counsel);
- The number of families and individuals entering shelters, and the percentage who did so due to eviction (which included factoring in those who entered shelter due to an “informal eviction” such as those voluntarily leaving before an eviction is entered) or leaving an overcrowding situation caused by a past eviction;
- The average shelter stay length (when over a year, it can affect the way shelter costs are calculated);
- Shelter funding broken down by state, city, and county level (so as to figure out where savings may accrue);
- The percentage of unsheltered homeless who became homeless due to eviction;
- The percentage reduction in ordered evictions when tenants had counsel. We benefited greatly from previous studies on evictions that showed how effective legal representation could be. We used these reports to show that we don’t need any more pilots---we’ve already had many--we need a right! See two reports [here](#) and [here](#) from NYC and two [here](#) and [here](#) from Boston. In addition, in 2017, the NYC Office of Civil Justice (an entity created by the City in 2014) released a [report](#) that showed the City’s investment of \$60 million from 2014-2016 had resulted in a 24% drop in evictions.

However, we didn’t have and still don’t have access to data about the number of filings; we only have the number of evictions. This has been a barrier to predicting caseloads and other related impacts. Additionally, there was significant variation as to the cost per case (even at times between service providers), with the range being anywhere from \$1,400 to \$3,200 per case.

We were fortunate to have a major financial analysis firm produce the Cost Savings Report pro bono; otherwise, it is not clear we would have been able to afford it. Secure such



services as early as you can, a report like this one can be a real game-changer. It was also critical to produce a [distilled, 2-page version of the report](#), as we knew most people would not be able to digest the full 27-page report.