



# EQUAL JUSTICE AMERICA

## Summer 2023 EJA Fellow:



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**Update 1:** I'm so grateful to receive funding through Equal Justice America to support my legal work with the Urban Justice Center in their Safety Net Project over the summer. I am looking forward to returning to housing law in a way that centers clients and recognizes the larger movement that eviction defense services are a part of. Although the systemic issues causing mass evictions and treating housing as a market rather than a basic right are not necessarily always combated through direct legal defense work, it is important that tenants have a shield against the current and immediate harm these systems are causing. The right to counsel movement faces sustainability issues as cases rise. Tenants are being denied access to counsel more and more post-COVID court shutdowns, while the city continues to tout its progressive civil programing designed to put an end to this inequality. I am interested to learn more about what it means to be a lawyer, neighbor, and advocate in this space during this right to counsel era, while tenants are being denied their right to counsel every day.

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**Update 2:** The past few weeks have been insightful for me in learning the direct power of a collective. In housing court, individual tenants do not have much power to wield against their landlords in order to get vital repairs, solve overcharges, and other disputes. It is a predatory system, and in particular so now that Right to Counsel are overwhelmed with the amount of new cases and turning people away. Therefore, working on rent strike and tenant union cases has shown me a new tool that tenants can use in court—the collective voice. Although different from other class action suits, administratively consolidating housing cases has the potential to pressure landlords into solving repairs, truly showcasing the court the true severity of the injustices against each tenant, amplifying the voices of directly impacted tenants, creating a community supportive of the trauma and struggles of court, and more. Although the administrative hurdles in order to get to this stage and complete the demands of the tenants are heavy, it has still been a very unique experience to see first-hand the power of the people within a system that strategically disadvantages and silences them.

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**Update 3:** These past few weeks it has been interesting to see housing court transition from a hybrid to a more in person system. The right to counsel is not only not being fulfilled due to the large number of cases and the court refusing to continue to adjourn every case until tenants can receive attorneys but is also switching back to pre-covid routines. It used to be that on the first court date for every case, tenants were to appear virtually. Now, certain cases being heard for the first time are in person. It is strange to see a court system return back to old, unsustainable models of administration. It is especially strange to see given that there was ample time given to create a better system, as the court was closed and cases were stopped for months. New case law decided in the past few weeks has skewed very pro-landlord, and the same anti-tenant legal loopholes and court practices are back in full force. In a time where one would expect to see a pro-tenant wave of policies and voices, it feels as if the opposite is happening. It is crucial that the right to counsel coalitions built over the past few years continue their fight, and that tenant unions continue to build collective power, otherwise it seems as if evictions will continue on uninterrupted despite the lessons we should have internalized after a pandemic.

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**Update 4:** As I finish up my time with the Urban Justice Center, I am thinking about what is next for New York tenants. The current right to counsel system is not self-sustaining, and moreover is failing to even provide this self-proclaimed right to counsel as tenants are being rejected from representation daily. Even then, I am not convinced that a right to counsel—although necessary as a harm reduction measure—is an effective solution to protect tenants against eviction. Of course, most advocates for this right to counsel would agree as well that this alone is not enough to cure the deficiencies of the system of eviction the City perpetuates. In order for this counsel to advocate effectively, the laws governing the housing system must be completely overhauled. Perverse incentives still bring landlords to file cases against tenants who have nowhere else to go. Tenants are unable to access necessary safety net resources because of arbitrary or punitive requirements. Spanish and other language translation services are lacking, and non-english speakers are at a further disadvantage against landlords' attorneys seeking money or warrant as quick as possible. I wonder what is next for the tenants' rights movement in New York, a city that is uniquely positioned to lead the country into a future era of ending mass evictions.

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**Update 5:** After a summer working at the Urban Justice Center, I learned a lot about working in direct services, about housing law in NYC, but really about the systemic causes of eviction defense in the first place. Housing being a commodity, and one of the most profitable markets in NYC, causes vulnerable New Yorkers to have their wages garnished to landlords who leech off of their tenants' incomes and puts them through traumatic cycles of eviction that only displace them and cause cycles of poverty and housing insecurity to continue. Working directly with clients has shown me that the individual impact of an eviction defense lawyer can cause immediate good and prevent the trauma and direct harm that evictions cause. However, the problems run much deeper. Without a complete overhaul of the housing system, eviction defense attorneys are just a Band-Aid solution to an issue of cruel and unusual punishment inflicted on poor New Yorkers, and the bleeding out will only continue. I hope to continue to learn about alternatives to the current system during my last year in law school, and work to implement these alternatives advocated for by those directly impacted once I graduate.