

Hello, my name is Tracey Alter. I am an attorney and the Director of the Family Court Legal Program at the Pace Women's Justice Center, a non-profit legal services organization affiliated with Pace University's School of Law, here, in White Plains. Our mission is to prevent abuse and pursue justice for victims of domestic violence and elder abuse. We do so through high quality civil legal services, innovative programs, community partnerships, education, and awareness. Many Pace Women's Justice Center clients are low-income residents and members of growing immigrant populations of the greater community.

The Family Court Legal Program offers emergency legal services free of charge to victims and survivors of intimate partner violence at our two site offices in the White Plains and Yonkers Family Courts. Our Center staff attorneys, pro bono attorneys, and law students interview victims of abuse, file family offense, custody and child support petitions, and regularly appear before Family Court judges, especially on order of protection cases. Beyond our Family Court Legal Program walk-in site offices, the Pace Women's Justice Center additionally provides holistic and comprehensive civil legal services to victims and survivors of domestic violence throughout the counties of Westchester and Putnam.

As available not-for profit legal resources are limited for the many litigants who cannot afford the high cost of private counsel, it is vital for our office to have the capacity to effectively inform the public as to eligibility requirements for assigned counsel 18-b representation, whether for order of protection, custody, or Article 10 abuse and neglect cases, among others. Eligibility guidelines and criteria for 18-b representation should be *more specific and transparent* than they currently appear to be. No formula seems to exist for calculating potential financial eligibility.

Thus, our office is unable to explain with any particular degree of certainty whether a litigant may or may not qualify for counsel assigned by the court.

In addition, callers to the Center's Legal Helpline seeking information and guidance regarding 18-b representation express frustration that more details regarding eligibility for court-appointed counsel are not available. Center staff and pro bono attorneys answering the Center's Legal Helpline find it is a disservice to the public to encourage a pro se litigant to seek 18-b assistance if that person will likely be ineligible. As the people we speak to often may be in personal danger and their children may likewise be in danger, it becomes even more imperative that the timely provided information be as accurate and useful as possible.

The current criteria used to determine a litigant's eligibility for assigned counsel seems to include a number of broadly relevant financial factors affecting a person's ability to afford private counsel. These may include personal income, expenses, assets such as homes, car ownership, and bank accounts, as well as consideration of debts and loans, but no specific income and asset guidelines are offered. Also, any financial analysis should include an awareness and special consideration for victims of domestic violence seeking assigned counsel who may currently be cut off from access to financial means and assets by their abusers.

Presently, eligibility criteria for the court appointment of assigned counsel seem to differ among counties, among courts within the same counties, and even among judges within the same courts. This inconsistency creates disparities across the state. Those most harmed are those most vulnerable, members of the greater community who may face not only financial barriers to access to counsel but also language, education and disability barriers. Access to counsel is access to a more fair and just legal system for all. The residents of this State deserve a transparent and reliably streamlined process for appointment of assigned counsel. Such criteria will benefit not only the public, but also the members of the bar and the bench.

In closing, eligibility for assigned counsel should be clear and consistent across the State, regardless of whether you live in a County further upstate or in New York City or in Putnam or Westchester County. Thank you for giving me this opportunity today to speak on behalf of the Pace Women's Justice Center.