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Title: A Local Law to amend the administrative code of the city of New York, in relation to client satisfaction surveys for city-funded indigent legal services

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Attachments: 1. Summary of Int. No. 958, 2. October 15, 2015 - Stated Meeting Agenda with Links to Files, 3. Committee Report 12/4/15, 4. Hearing Testimony 12/4/15, 5. Hearing Transcript 12/4/15

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Int. No. 958

By Council Members Lancman, Gentile, Johnson, Koo, Palma and Cohen

A Local Law to amend the administrative code of the city of New York, in relation to client satisfaction surveys for city-funded indigent legal services

Be it enacted by the Council as follows:

Section 1. Title 7 of the administrative code of the city of New York is amended by adding a new chapter 10 to read as follows:

CHAPTER 10

CIVIL INDIGENT LEGAL SERVICES

Subchapter 1

General Provisions

§ 7-1001 Definitions. For the purposes of this chapter, the following terms have the following meanings:

Civil indigent legal services. The term “civil indigent legal services” means free and low-cost legal services that are funded in whole or in part by the city and are provided to clients in civil legal matters on the basis of financial need.

Client. The term “client” means a person represented in a civil legal proceeding by a city-funded attorney.

Coordinator. The term “coordinator” means the coordinator of the office of civil justice.

Subchapter 2

Client Satisfaction Surveys and Reporting

§ 7-1021 Client satisfaction surveys. a. No later than 180 days after the effective date of the local law that added this chapter, the coordinator shall develop a survey for distribution to persons represented by attorneys providing civil indigent legal services and written instructions for submitting such survey to the coordinator when completed. Such survey and instructions each shall include a prominent notice informing the client that by submitting the survey, the client waives confidentiality with respect to the client’s responses, including the existence of the representation. The coordinator shall provide different options for completing and submitting such survey, which options shall include, but need not be limited to, submission by mail, by telephone and electronically over the internet.

b. The survey required by subdivision a of this section shall contain questions designed to measure a client’s satisfaction with his or her representation in a civil legal matter by a city-funded attorney according to the following factors:

1. The client’s overall satisfaction with the attorney’s performance;
2. The client’s satisfaction with the level of participation he or she had in the representation;
3. The client’s satisfaction with the attorney’s investigation of the case;

4. The client's satisfaction with the efficiency of the attorney's use of time;

5. The client's satisfaction with the attorney's communications about the case in general and its possible outcomes; and

6. Any other factors that the coordinator deems important to gauging the client's satisfaction with the representation.

c. No later than 30 days after developing the survey pursuant to subdivision a of this section, the coordinator shall distribute to all attorneys providing civil indigent legal services to one or more clients or who have current contracts with the city to provide civil indigent legal services:

1. Copies of the survey; and

2. Instructions for how the client can submit the survey by mail, by telephone or electronically.

d. Commencing 30 days after the coordinator develops the survey pursuant to subdivision a of this section, at the conclusion of any representation by an attorney providing civil indigent legal services, such attorney shall provide the client with the materials listed in subdivision c of this section. Completion of the survey by the client is optional. The client shall submit any completed survey directly to the mayor's office of civil justice according to the instructions provided with the survey. The city shall bear the cost of submission of surveys.

e. The coordinator shall retain every survey collected pursuant to this section for at least two years.

§ 7-1022 Reporting. a. No later than October 1 of each year, the coordinator shall submit a report to the mayor and the council on the quality and effectiveness of civil indigent legal services provided by city-funded attorneys.

b. Such report shall include:

1. Conclusions drawn from the surveys submitted pursuant to section 7-1021 and any other relevant indicators of quality that the coordinator deems appropriate; and

2. Recommendations for systemic changes that would improve clients' trust in, participation in and

overall satisfaction with the civil indigent legal services provided by city-funded attorneys.

§ 2. Title 9 of the administrative code of the city of New York is amended by adding a new chapter 3 to read as follows:

CHAPTER 3

CRIMINAL INDIGENT DEFENSE SERVICES

Subchapter 1

General Provisions

§ 9-301 Definitions. For the purposes of this chapter, the following terms have the following meanings:

Client. The term “client” means a person represented in a criminal proceeding by a city-funded indigent criminal defense attorney.

Coordinator. The term “coordinator” means the coordinator of criminal justice services.

Subchapter 2

Client Satisfaction Surveys and Reporting

§ 9-321 Client satisfaction surveys. a. No later than 180 days after the effective date of the local law that added this chapter, the coordinator shall develop a survey for distribution to persons represented by city-funded indigent criminal defense attorneys and written instructions for submitting such survey to the coordinator when completed. Such survey and instructions each shall include a prominent notice informing the client that by submitting the survey, the client waives confidentiality with respect to the client’s responses, including the existence of the representation. The coordinator shall provide different options for completing and submitting such survey, which options shall include, but need not be limited to, submission by mail, by telephone and electronically over the internet.

b. The survey required by subdivision a of this section shall contain questions designed to measure a client’s satisfaction with his or her representation by a city-funded indigent criminal defense attorney according to the following factors:

1. The client's overall satisfaction with the attorney's performance;
2. The client's satisfaction with the level of participation he or she had in the representation;
3. The client's satisfaction with the attorney's investigation of the case;
4. The client's satisfaction with the efficiency of the attorney's use of time;
5. The client's satisfaction with the attorney's communications about the case in general and its possible outcomes; and

6. Any other factors that the coordinator deems important to gauging the client's satisfaction with the representation.

c. No later than 30 days after developing the survey pursuant to subdivision a of this section, the coordinator shall distribute to all city-funded indigent criminal defense attorneys who have one or more clients in criminal proceedings in the city or who have current contracts with the city:

1. Copies of the survey; and
2. Instructions for how the client can submit the survey by mail, by telephone or electronically over the internet.

d. Commencing 30 days after the coordinator develops the survey pursuant to subdivision a of this section, at the conclusion of any representation by a city-funded indigent criminal defense attorney such attorney shall provide the client with the materials listed in subdivision c of this section. Completion of the survey by the client is optional. The client shall submit any completed survey directly to the mayor's office of criminal justice according to the instructions provided with the survey. The city shall bear the cost of submission of surveys.

e. The coordinator shall retain every survey collected pursuant to this section for at least two years.

§ 9-322 Reporting. a. No later than October 1 of each year, the coordinator shall submit a report to the mayor and the council on the quality and effectiveness of representation provided by city-funded indigent criminal defense attorneys.

b. Such report shall include:

1. Conclusions drawn from the surveys submitted pursuant to section 9-321 and any other relevant indicators of quality that the coordinator deems appropriate; and

2. Recommendations for systemic changes that would improve clients' trust in, participation in and overall satisfaction with the legal services provided by city-funded indigent criminal defense attorneys.

§ 3. This local law takes effect immediately.

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