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## Court Review: Volume 44, Issue 1/2 – The Perceptions of Self-Represented Tenants in a Community-Based Housing Court

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# The Perceptions of Self-Represented Tenants in a Community-Based Housing Court

Rashida Abuwala and Donald J. Farole

This study examines the impact of the Harlem Community Justice Center, a community-based housing court that attempts to achieve speedier and more durable outcomes in landlord-tenant disputes. However, it may be particularly beneficial to *pro se* litigants (i.e., those who represent themselves without an attorney). In New York City, most landlords are represented, while the vast majority of tenants are not. In fact, one report notes that only 12% of tenants are able to afford counsel while 98% of landlords are represented.<sup>1</sup>

The primary objective of this study was to examine the experiences of *pro se* tenants whose cases are heard in Harlem, surveying their perceptions of the fairness, accessibility, timeliness, respectfulness, and comprehensibility of the court process. We conducted a survey of *pro se* tenants both in Harlem and in New York City's centralized housing court located in southern Manhattan (hereinafter referred to as "downtown housing court"). Survey results were supplemented with structured court observations, also conducted at both locations.

## BACKGROUND

The vast majority of housing-court cases in New York City are filed by landlords to evict tenants for nonpayment of rent. These tenants are often hampered by their inability to navigate the complexities of the legal system. Unable to afford legal representation, often unaware of their rights and responsibilities, and afraid of losing their apartments, many tenants must file their own pleadings and responses to pleadings in court—an intimidating and complex process. These problems are compounded by the high-volume of housing-court cases such as New York City's, which hears more than 300,000 cases annually.<sup>2</sup> According to one description: "housing court, with its unruly atmosphere of lawyers and tenants negotiating in the hallways or yelling into cell phones, can be overwhelming . . . the hearings before some of the most overworked judges in the system are usually brief, so litigants often have but a few minutes to recount their emotional slide into debt."<sup>3</sup>

Recently, community-based models have emerged, which

offer alternative approaches to resolving housing cases in New York City, as well as the possibility of enhanced access to justice for *pro se* litigants. Community courts hearing housing cases were opened in Harlem and Red Hook, Brooklyn.

Opened in May 2001, the Harlem Community Justice Center is located in East Harlem and handles all housing-court cases from two Harlem zip codes (10035 and 10037). All other housing cases in Manhattan are heard at the centralized housing court.

The Harlem Community Justice Center seeks to address many of the underlying problems that give rise to housing cases. The court is staffed by a single judge and handles cases only from a limited geographic area. It also seeks to provide the judge with access to comprehensive and up-to-date information. The court works closely with an on-site housing resource center that is staffed by case managers, a *pro se* attorney, and personnel from partner city agencies. The resource center seeks to link clients to services, including mediation, benefits assistance, budget counseling, and loan-assistance programs.

Aspects of the Harlem Community Justice Center—its neighborhood location, smaller caseload, single judge and courtroom, on-site services—might be expected to improve the court experience for tenants in terms of both perceptions and outcomes. The importance of enhanced tenant *perceptions* should not be underestimated. Studies show that litigants place great weight on having their problems settled in a way they view as fair.<sup>4</sup> To date, there has been no systematic evaluation of the impact of a community-based housing court. By drawing on the perspectives of unrepresented tenants appearing in both the Harlem and downtown housing courts, our study provides the first indications of the comparative advantages (and/or disadvantages) of a community-based housing court.

Between January and May 2007, a total of 343 tenants were interviewed: 196 in the Harlem Housing Court and 147 in the downtown housing court. The survey measures tenant perceptions about, and satisfaction with, their court experience. Tenants were asked to assess their experience in a variety of procedural fairness domains, including:

## Footnotes

1. COMMUNITY TRAINING AND RESOURCE CENTER AND CITYWIDE TASK FORCE ON HOUSING COURT, INC., HOUSING COURT, EVICTIONS, AND HOMELESSNESS: THE COSTS AND BENEFITS OF ESTABLISHING A RIGHT TO COUNSEL (1993), available at <http://www.cwtfhc.org/about.html>.
2. Paula Golowitz, *The Housing Court's Role in Maintaining Affordable Housing*, in HOUSING AND COMMUNITY DEVELOPMENT IN NEW YORK

CITY 177, 177-202 (Michael Schill, ed., 1999).

3. David Chen, *Boom Times in the City's Housing Courts*, N.Y. TIMES, May 27, 2003, at B1.
4. See, e.g., TOM TYLER, WHY PEOPLE OBEY THE LAW (1990); Tom R. Tyler & E. A. Lind, *A Relational Model of Authority in Groups*, in 25 ADVANCES IN EXPERIMENTAL SOCIAL PSYCHOLOGY 115 (Mark P. Zanna ed., 1992).

- Opportunity to participate in the process;
- Clarity of the process;
- Polite and fair treatment from the judge and court staff;
- Fairness of the outcome; and
- Satisfaction with the outcome.

Tenants were also asked to rate their preparation for court, difficulties faced in preparing for the appearance, awareness and use of available services, and suggestions for improvement.<sup>5</sup>

To complement the survey, research staff conducted structured court observations in the Harlem and downtown housing courts. Using court observation instruments, we formally assessed tenant court appearances in terms of preparation, behavior during the appearance, treatment by other parties (judge, court clerks, attorneys, etc.), and case outcomes. In total, 406 court appearances were observed: 109 in the Harlem housing court, and 297 in various downtown court parts.

## II. DESCRIPTION OF SURVEY SAMPLE

Overall, survey respondents appear to be generally representative of housing-court tenants. Most of those interviewed were racial/ethnic minorities—half African-American and another quarter Hispanic. Two in three (67%) were female. The majority had at least one indicator of low socioeconomic status: 59% reported being unemployed, receiving Section 8 rental assistance, or living in public housing (Table 1).

	<b>HARLEM</b>	<b>DOWN-TOWN</b>	<b>TOTAL</b>
<b>RACE</b>			
Black***	63%	36%	51%
Latino†	21%	31%	25%
White	4%	16%	9%
Other	12%	18%	15%
<b>GENDER</b>			
Female**	70%	63%	67%
<b>HIGH SCHOOL DIPLOMA/GED</b>	86%	86%	86%
<b>EMPLOYED***</b>	68%	59%	64%
Part-time	11%	17%	14%
Full-time	57%	42%	50%
<b>RECEIVE SECTION 8 RENTAL ASSISTANCE***</b>	21%	13%	17%
<b>LIVE IN PUBLIC HOUSING**</b>	29%	25%	28%
†p<.10 **p<.01 ***p<.001			

5. Data was collected via in-person interviews which took approximately five minutes to administer. The survey relied on a convenience sample, with litigants approached by research staff or court personnel to participate in the survey. Tenants were assured that participation was strictly voluntary, would in no way affect their court cases, and that their responses would be kept confidential

Those interviewed in the Harlem and at the downtown housing courts were similar in many, but not all, respects. There were no significant differences across sites in gender, education level, and employment status. However, those interviewed in Harlem were more likely to identify themselves as African-American (63% compared to 36% downtown) and less likely as white (4% compared to 16% downtown).

## CASE CHARACTERISTICS

Not surprisingly, more than 8 in 10 (85%) of those surveyed were involved in a nonpayment of rent case. A larger percentage of downtown litigants were in court on a holdover case (19% vs. 7% downtown).<sup>6</sup> Also not surprisingly, the overwhelming majority of tenants, both downtown (87%) and particularly in Harlem (97%), appeared *pro se*. By contrast, very few tenants reported that their landlord was *pro se* (5% in Harlem; 6% downtown). The majority of tenants (53%) also reported that they are facing eviction as a result of their current court case. Importantly, despite the fact that public-housing (NYCHA) cases comprise a larger percentage of Harlem's than downtown's caseload, the Harlem tenants interviewed for this study were not significantly more likely to be public-housing residents than were those downtown (29% vs. 25%, respectively).

	<b>HARLEM</b>	<b>DOWN-TOWN</b>	<b>TOTAL</b>
<b>CASE TYPE</b>			
Nonpayment***	92%	76%	85%
Holdover***	7%	19%	13%
Other***	2%	4%	3%
<b>TENANT IN PUBLIC HOUSING (NYCHA)</b>	29%	25%	28%
<b>FIRST APPEARANCE IN COURT CASE†</b>	26%	19%	23%
<b>TENANT PRO SE*</b>	97%	87%	93%
<b>LANDLORD PRO SE</b>	5%	6%	5%
<b>TENANT FACING EVICTION*</b>	45%	62%	53%
†p<.10 **p<.01 ***p<.001			

## APPEARANCE OUTCOME

Harlem tenants are much more likely to report having agreed to a stipulation or stipulation with final judgment (75% compared to 53% downtown). While stipulations do not necessarily result in a final case resolution, often they do. Note too

and reported in the aggregate only.  
6. A holdover case is brought to evict a tenant or person in the apartment who is not a tenant for reasons other than the nonpayment of rent—for example, violating a lease provision, illegally putting others in the apartment, being a nuisance to other tenants.

	<b>HARLEM</b>	<b>DOWN-TOWN</b>	<b>TOTAL</b>
APPEARANCE OUTCOME			
Stipulation*	49%	36%	43%
Stipulation with final judgment*	26%	17%	22%
Order to show cause granted	7%	12%	9%
Order to show cause denied	1%	2%	2%
Adjourned***	8%	24%	15%
Discontinued	8%	4%	6%
Set for trial	2%	1%	2%
Unsure	0%	2%	1%
AGREED TO PAY MONEY TO LANDLORD***	69%	46%	59%
* <i>p</i> <.05 *** <i>p</i> <.001			

that Harlem litigants are far less likely to have reported an adjournment (8% vs. 24% downtown), suggesting less delay in case processing. Harlem tenants are much more likely to report having agreed to pay money to their landlord (69% vs. 46% downtown).

### III. HOUSING RESOURCE CENTER

Both the Harlem and downtown courts feature housing resource centers, which attempt to link clients to needed resources, including mediation, entitlement-assistance, budget-counseling, and loan-assistance programs. The majority of tenants interviewed at both sites (57% in Harlem, 59% downtown) report being knowledgeable about the housing resource center (Table 4).

Most of those (56% overall) who know about the resource centers report having visited them for assistance related to their current court case. Those at the downtown housing court, however, were more likely than those in Harlem to report having visited the resource center (64% downtown vs. 51% in Harlem). Note too that downtown tenants are far more likely than those in Harlem (57% vs. 29%, respectively) to say they intend to visit the resource center in the future.

Why Harlem tenants are less likely to have visited the housing resource center, or to intend to visit the center, is unclear. It might suggest that previous experiences with the resource center among tenants in Harlem were less likely to live up to their expectations than among those downtown. Alternatively, it may be that Harlem tenants were linked to services the day of the court appearance in which they were interviewed, thus precluding the need to return to the resource center. Once again, however, the survey findings provide no conclusive evidence as to why tenants in Harlem have less contact with the resource center.

### IV. COURT EXPERIENCE

Survey respondents were asked about their preparedness for and understanding of the court process, their views about the judge and other court actors, and their overall satisfaction with the court process (Table 5).

	<b>HARLEM</b>	<b>DOWN-TOWN</b>	<b>TOTAL</b>
KNOWLEDGE OF RESOURCE CENTER	57%	59%	58%
HOW FOUND OUT ABOUT RESOURCE CENTER <sup>a</sup>			
Referred	61%	56%	59%
On own	39%	44%	42%
REFERRAL SOURCE <sup>b</sup>			
Judge	31%	22%	27%
Court clerk	32%	26%	30%
Court attorney	9%	7%	8%
Housing resource center coordinator	7%	2%	5%
Other/Not sure***	21%	44%	30%
VISITED RESOURCE CENTER FOR CURRENT CASE <sup>a</sup>	51%	64%	56%
INTEND TO VISIT RESOURCE CENTER*** <sup>a</sup>	29%	57%	41%
<sup>a</sup> Asked only of those who have knowledge of the Resource Center (n=198). <sup>b</sup> Asked only of those referred to the Resource Center (n=114). * <i>p</i> <.05 *** <i>p</i> <.001			

### TENANT PREPAREDNESS

The vast majority (83%) of tenants “strongly agree” or “agree” that they felt prepared for their court appearance, with tenants in Harlem more likely to feel prepared (90% in Harlem vs. 73% downtown). These percentages, which may appear high at first glance, are likely due in part to some survey respondents’ inclination to provide socially desirable responses, particularly when compared to the fact that less than half report having received any information about the housing court process. Indeed, research staff conducting structured court observation reported that the tenant appeared to understand what happened in court (i.e., did not appear confused or unable to follow the proceedings) in only 47% of the observed appearances. Note that those who reported having received information or materials about the housing-court process are slightly more likely to “strongly agree” that they understood what happened in court (22% vs. 14% for those who did not receive materials).

### V. PERCEPTION OF THE JUDGE AND COURT

Tenant perceptions of the judge were overwhelmingly favorable in both the Harlem and downtown housing courts, although on most measures those in Harlem tended to view the judge somewhat more favorably than those downtown (Table 6). Specifically, Harlem tenants were more likely to “strongly agree” or “agree” that the judge:

- treated them with respect (99% vs. 87% downtown);
- carefully considered their input in making a decision (92% vs. 72% downtown);
- listened to them (99% vs. 83% downtown);
- treated them fairly (98% vs. 85% downtown); and
- understood the facts of the case (99% vs. 81% downtown).

**TABLE 5: TENANT PREPAREDNESS FOR AND UNDERSTANDING OF THE COURT EXPERIENCE<sup>+</sup>**

	HARLEM	DOWN-TOWN	TOTAL
FELT PREPARED FOR COURT APPEARANCE***	90%	73%	83%
UNDERSTOOD WHAT HAPPENED IN COURT***	99%	90%	95%
RECEIVED MATERIALS ABOUT THE HOUSING COURT PROCESS	43%	47%	45%

<sup>+</sup> Percentages refer to the percent “strongly agree” and “agree.” Other choices given were “neither agree not disagree,” “disagree,” and “strongly disagree.”  
\*\*\*  $p < .001$

**TABLE 6: PERCEPTIONS OF JUDGE<sup>a</sup>**

	HARLEM	DOWN-TOWN	TOTAL
JUDGE WAS AUDIBLE***	99%	90%	95%
JUDGE'S DECISION WAS CLEAR TO YOU***	99%	89%	95%
JUDGE TREATED YOU WITH RESPECT***	99%	87%	95%
JUDGE UNDERSTOOD THE FACTS OF YOUR CASE***	99%	81%	93%
JUDGE LISTENED TO YOU***	99%	83%	93%
JUDGE TREATED YOU FAIRLY***	98%	85%	93%
JUDGE EXPLAINED YOUR CASE TO YOU***	94%	80%	89%
JUDGE CAREFULLY CONSIDERED WHAT YOU SAID WHEN MAKING DECISION***	92%	72%	85%
JUDGE'S INSTRUCTIONS WERE CONFUSING	19%	16%	18%

<sup>a</sup> Percentages refer to the percent “strongly agree” and “agree.” Other choices given were “neither agree not disagree,” “disagree,” and “strongly disagree.”  
\*\*\*  $p < .001$

When looking only at the “strongly agree” responses, the cross-site differences are starker. For example, Harlem tenants are much more likely than those downtown to “strongly agree” that the judge treated them with respect (38% vs. 19% downtown), listened to them (30% vs. 16% downtown) and treated

**TABLE 7: OBSERVATION OF JUDGES' BEHAVIOR**

	HARLEM	DOWN-TOWN	TOTAL
GREETED TENANT***	90%	56%	65%
EXPLAINED CASE	80%	72%	74%
ASKED IF TENANT UNDERSTANDS	40%	37%	37%
MADE EYE CONTACT*	67%	80%	77%
MENTIONED HOUSING RESOURCES/SERVICES	7%	11%	10%

\* $p < .05$  \*\*\* $p < .001$

them fairly (30% vs. 17% downtown). In sum, tenant perceptions of the judge, while positive in both sites, are significantly more favorable in Harlem.

### OBSERVED INTERACTIONS BETWEEN THE JUDGE AND TENANT LITIGANT

Structured court observation noted characteristic interactions between litigants and the judge (Table 7). On some measures, no differences emerge between Harlem and downtown. Of note is that at both sites, the judge asked if the tenant understood what was occurring in the court proceeding in fewer than half the observed appearances.

On other measures, differences across sites do emerge. The observations indicate that tenants in Harlem were much more likely to have been directly greeted by the judge at the beginning of the court appearance (90% vs. 56% downtown). The judge in Harlem was also observed more often to explain the case to the tenant (i.e., summarizing the case history and current case status, describing resolution options available to the tenant, describing court procedures, etc.). By contrast, downtown judges were more likely to have made eye contact with the tenant (80% downtown vs. 67% in Harlem).

Note that both in Harlem (7%) and downtown (11%), the judges were seldom observed to have mentioned the housing resource center and available services. These findings do raise concern about how consistently tenants learn about the housing resource center (both in Harlem and downtown) from the judge, and perhaps suggest a need for housing-court judges to be more proactive.<sup>7</sup>

### OTHER ATTITUDES

Court officers and court attorneys were rated favorably both in the Harlem and downtown courts. More than 9 in 10 at both courts “strongly agree” or “agree” that the court officers were respectful. Most at both sites believed court attorneys’ explanation of the stipulation was sufficient, although again, those in Harlem were more likely to believe so (84% compared to 73% at downtown court).

7. These findings may not at first appear consistent with the findings from the survey that about 3 in 10 of those referred to the housing resource center were referred by the judge (see Table 4). The apparent discrepancy is due to the fact that the research staff administering the survey asked about referral source only to ten-

ants who indicated that they both had knowledge about the resource center and had been referred to the center. While 27% of this subset of tenants report having been referred by the judge, this constitutes only 9% of the entire sample of surveyed litigants.

**TABLE 8: SATISFACTION WITH COURT EXPERIENCE**

	HARLEM	DOWN-TOWN	TOTAL
YOUR LEGAL RIGHTS WERE TAKEN INTO ACCOUNT <sup>a***</sup>	85% (16%)	73% (8%)	80% (13%)
CASE HANDLED FAIRLY BY THE COURT <sup>a***</sup>	92% (19%)	75% (11%)	95% (16%)
THE RESULT OF YOUR CASE WAS FAIR <sup>a***</sup>	86% (15%)	66% (10%)	77% (13%)
OVERALL SATISFACTION			
- VERY PLEASED <sup>***</sup>	63%	40%	53%
- SOMEWHAT PLEASED <sup>*</sup>	24%	31%	27%
- NOT VERY PLEASED <sup>*</sup>	13%	29%	20%

<sup>a</sup> Percentages refer to the percent “strongly agree” and “agree.” Percentages in parentheses refer only to the percent “strongly agree.” Other choices given were “neither agree nor disagree,” “disagree,” and “strongly disagree.”  
\*  $p < .05$  \*\*\*  $p < .001$

While court personnel were rated positively at both courts, ratings of the court atmosphere were much more positive in Harlem. Six in 10 (58%) “strongly agree” or “agree” that the court atmosphere in Harlem is “pleasant;” only 28% of those in the downtown court felt the same way.

**VI. OVERALL EVALUATION OF THE COURT EXPERIENCE**

The majority of tenants both in Harlem and downtown provided favorable overall evaluations of their housing-court experience, with the Harlem Housing Court receiving slightly higher marks than downtown on all measures (Table 8).

Harlem tenants were more likely to “strongly agree” or “agree” that their legal rights were taken into account (85% vs. 73% downtown), that the case was handled fairly (92% vs. 75% downtown), and that the case result was fair (86% vs. 66% downtown). Harlem tenants were also more likely to say that they were “very” or “somewhat” pleased with the outcome of their court appearance (87% vs. 71%). Note that Harlem tenants have especially favorable perceptions with respect to both the fairness of the court procedures and the fairness of the outcome of their court appearance. Note too that in both sites, tenant perceptions were not significantly correlated with the outcome of their court appearance. For example, tenants who reported having signed a stipulation were no more likely than those who did not to be satisfied with their court experience, suggesting that evaluations of the court experience are not associated with the resolution of the dispute.<sup>8</sup>

- 8. As previously noted, this interpretation assumes that tenants who agree to a stipulation are more likely to have concluded the court process (or nearly so). This is not the case in all situations.
- 9. Specifically, an ordered logistic regression analysis was conducted to identify factors predicting overall satisfaction. This is the most appropriate method for dependent variables measured on a three-point scale (here, the dependent variable has three response categories: “very pleased,” “somewhat pleased,” and “not very pleased.”)

**TABLE 9: MULTIVARIATE MODEL MEASURING IMPACT ON OVERALL SATISFACTION**

VARIABLES	MODEL 1 COEFFICIENTS	MODEL 2 COEFFICIENTS
HARLEM COURT	.709***	.278
DEMOGRAPHICS		
Gender (Female)	.310	.573*
African-American	.583 <sup>†</sup>	.470
Hispanic	.246	-.001
SIGNED STIPULATION	.511 <sup>†</sup>	.192
FAIR RESULT		1.293***
FAIR PROCEDURES		.553***

<sup>†</sup> $p < .10$ , \*  $p < .05$ , \*\*\*  $p < .001$ .

**PREDICTORS OF SATISFACTION**

To examine which factors are related to tenants’ satisfaction with the outcome of their housing-court appearance, a multivariate regression analysis was conducted to predict variance in respondents’ satisfaction. The purpose of a regression analysis is to examine the impact of factors—demographic characteristics, attitudes, etc.—that might influence an individual’s satisfaction with their court experience while at the same time accounting (“controlling”) for other factors that might provide alternative explanations for satisfaction.<sup>9</sup>

Two statistical models are presented to fully illustrate which factors most influence satisfaction (Table 9). In Model 1, the positive coefficient for Harlem Court (.709) indicates an increased chance that a tenant appearing in the Harlem Housing Court (vis-à-vis downtown) will rate the court experience more highly, even after controlling for a variety of demographic factors as well as whether a stipulation was agreed to (our proxy measure for whether the appearance may have resulted in a resolution of the dispute). In other words, tenants in the Harlem Housing Court were significantly more satisfied with their court experience than those in the downtown housing court.<sup>10</sup>

Model 2 reveals why tenants in the Harlem Housing Court had a more positive overall view of their court experience. This model shows that the perceived fairness of court procedures and the outcome of the court appearance are the most influential factors affecting *pro se* tenants’ evaluation of their housing-court experience. The statistically significant, positive coefficients for Fair Result (1.293) and Fair Procedures (.553) indicate an increased chance that individuals with more positive

- 10. Other factors (for example, whether the tenant felt prepared for the court appearance, visited the resource center, etc.) are not included in the statistical models presented in Table 9 because they are not significant predictors of overall satisfaction, are highly intercorrelated with other variables included in the analysis, or are measures for which there is considerable missing data.

perceptions of fairness—in procedures and outcomes—will rate their court experience more highly, even after controlling for a variety of factors. By contrast, those with more negative perceptions of fairness have an increased chance of rating their court experience less highly. Importantly, after tenants' perceptions of fairness are taken into account, tenants' court location (i.e., Harlem vs. downtown) is no longer a statistically significant predictor of satisfaction. Thus, *pro se tenants perceive the court experience in Harlem more positively because they are more likely to perceive the court process and appearance outcome as fair.*

## VII. CONCLUSIONS

This study was designed to determine how *pro se* tenants perceived their court experiences in the community-based Harlem Housing Court and the centralized housing courts located in southern Manhattan. The survey findings indicate that, in most areas, Harlem tenants viewed their court experience in somewhat more positive terms. Harlem tenants give the court higher marks with regard to taking their legal rights into account, fairness both in court procedures and the outcomes of the court appearance, and overall satisfaction with the court experience.

To be sure, both the downtown and Harlem housing courts fare very well in terms of tenant perceptions of the court experience. Contrary to some accounts,<sup>11</sup> our findings indicate generally positive perceptions even among tenants appearing in the high-volume downtown housing court. Across nearly all measures, the community-based Harlem Housing Court appears to achieve its goal of improving tenants' comprehension of their court experience as well as their perception that they were treated fairly, in terms of both the court process and the outcome of that process.

Importantly, our analysis demonstrates that the more positive perceptions of the Harlem Housing Court experience are due largely to the fact that Harlem tenants are more likely than those downtown to feel that the court process and outcomes are fair. While this finding is not surprising in so far as it is consistent with a broad literature emphasizing the importance of perceived procedural justice, its implications for housing court are potentially far-reaching. Enhanced perceptions of procedural fairness are *not* necessarily inherent to a community-based court model—indeed, the centralized downtown housing courts also receive high marks on procedural justice measures. The findings suggest that steps can be taken to further improve perceptions of procedural fairness in all court settings. Educating judges and court staff about procedural fairness, and identifying and implementing best practices for promoting procedural fairness, are two examples of such steps.

The results do raise areas for potential follow-up by both the Harlem and downtown housing courts. For example, court observation indicates that the judges in both Harlem and downtown ask if the tenant understands the proceedings and if the tenant agrees with the stipulation (in cases where one existed) less than half of the time. These results suggest that judges in both sites could do more to verify and to improve tenant understanding of the court process.

Certainly, there are limits to what this study can tell us about the Harlem Community Justice Center. Most important, since we lack data about case outcomes and future tenant appearances in housing court, we cannot evaluate whether or to what extent the Harlem Community Justice Center has achieved its goal of reaching speedier and more durable case resolutions. Future research might address this issue.

Note too that other potentially confounding factors for which we lack data may also help to shape tenant perceptions. For example, we do not know whether tenants are of the same race or gender as the judge before whom they appeared. It is possible that these or other factors may affect litigant perceptions of the judge as well as their overall perception of how they were treated by the court.

Nevertheless, the survey results offer encouraging news as to the benefits of a community-based housing court. The Harlem model does appear to enhance *pro se* litigants' perceptions of fair treatment and their overall satisfaction with the court process. It is hoped that the results of our research will help court planners, both in New York City and nationwide, when deciding whether to advocate for a greater number of community-based housing courts and/or to apply features of the Harlem Community Justice Center model on a broader scale.



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11. E.g., Golowitz, *supra* note 2.