

ANDREW SCHERER, ESQ.

New York Law School, 185 West Broadway, NY, NY 10013 • ascherer@nyls.edu • 212.431.2144

CURRENT

POLICY DIRECTOR, Impact Center for Public Interest Law at New York Law School. Responsible for policy, advocacy and leadership of academic center, launched in 2014 to advance the public interest and support the practice of public interest law.

VISITING ASSOCIATE PROFESSOR, New York Law School. Teach Housing Rights Clinic, Pro Bono Scholars Seminar and Impact Center Colloquium

PRINCIPAL, Andrew Scherer Consulting. Consultant, advisor and expert witness, with expertise in: access to justice and the rule of law; delivery of legal aid services; housing, property and land rights and policy; social, economic and civil rights; poverty law. (2010 to present)

AUTHOR, Residential Landlord-Tenant Law in New York, Thomson-Reuters, 2014-15 (first published in 1995 and updated annually), a comprehensive treatise, with Views from the Bench by Hon. Jean Schneider

EDUCATION

New York University School of Law, J. D., 1978. Review of Law and Social Change. **University of Chicago,** Sonia Shankman Orthogenic School, Child Therapy Fellow, 1973-1974.

University of Pennsylvania, B.A. in Urban Studies, 1972.

BAR ADMISSIONS

New York State, 1979; United States District Court, Southern and Eastern Districts of New York, 1980; United States Court of Appeals, Second Circuit, 1982; United States Court of Appeals for the Federal Circuit, 1997

CERTIFICATIONS

National Institute for Trial Advocacy, Teacher Training, 2010
Curso Sobre Sistema Jurídico, Universidad de la Habana, Havana, Cuba, 1993

HONORS/AWARDS

Open Society Foundations, Visiting Fellowship in Myanmar, January, 2014
Urban Justice Center, Social Impact Award, May 2011
Housing Court Answers, Housing Justice Award, December, 2010
Village Voice "Thanksgiving Honor Roll for Hard Times," November, 2008
NYU Law School Alumnus of the Month, January 2007

TEACHING / ACADEMIC

2018 to present

VISITING ASSOCIATE PROFESSOR and POLICY DIRECTOR, Impact Center for Public Interest Law, New York Law School, Teach Housing Rights Clinic, Pro Bono Scholars Seminar, Impact Center Colloquium, Land Use Law

2014 to 2018

DISTINGUISHED ADJUNCT PROFESSOR, New York Law School

- 1996 to 2017 **ADJUNCT PROFESSOR, Columbia University Graduate School of Architecture, Planning and Preservation**, Taught Land Use and Planning Law to graduate students in Masters of Planning program
- January, 2014 **VISITING OPEN SOCIETY FELLOW, Yangon University Department of Law, Myanmar**, Taught seminar on “Public Interest Law, Economic Rights and Access to Justice”
- 2011 – 2014 **SENIOR FELLOW Furman Center for Real Estate and Urban Policy, NYU Law School and Wagner School of Public Service**
- 1989 to 1997 **ADJUNCT PROFESSOR, City University of New York School of Law**
Taught Housing Law and Policy Seminar and supervised students in field placements as part of Housing and Community Development Concentration/Clinic.
- 1991 to 1996 **FACULTY MEMBER, Bennington College July Program**
Taught introductory law course, emphasizing constitutional and civil rights, in college-credit summer program.
- 1988 to 1992 **ADJUNCT PROFESSOR, New York University School of Law**
Co-taught seminar in Housing Policy and Law for Root-Tilden public interest scholarship program with Hon. Emily Jane Goodman

LEGAL EMPLOYMENT

- 1978 – 2010 **LEGAL SERVICES NYC (LS-NYC)**
- Was Executive Director for 9 years and worked for the organization for 32 years. The largest nonprofit civil legal services provider in the United States, at the time I stepped down LS-NYC served approximately 25,000 low-income clients annually with legal matters involving housing, government benefits, family law, employment, education, immigration, community development, consumer and civil rights. At the time, LS-NYC had 17 offices throughout NYC’s five boroughs, over 400 employees, including 225 attorneys and 50 paralegals, and an annual budget of over \$45 million.
- 2001 to 2010 **EXECUTIVE DIRECTOR**
- As Executive Director had overall responsibility for all aspects of the organization, including implementation of Board policy; management, administration and legal work supervision; fundraising; maintenance of positive relations with external entities, including the Bar, client and community organizations, foundations, government agencies and other funding sources; strategic planning; and program development. Accomplishments during tenure as Executive Director included:
- Significantly improved quality and impact of legal work
 - Increased funding and staff by over 60%
 - Initiated highly successful annual private fundraising campaign
 - Opened new offices and started many new service programs
 - Increased participation of *pro bono* attorneys from approximately 50 per year to more than 800 per year.
 - Executed cutting edge citywide technology plan
 - Successfully implemented major organizational restructuring
- 1996 to 2001 **PROJECT DIRECTOR, Legal Support Unit**

The Legal Support Unit (LSU) was the back-up and support center for the neighborhood-based offices of Legal Services NYC and provided continuing legal education, training, coordination, support and advocacy in poverty law. Responsibilities as Director included administrative and substantive oversight of the work of the office, fundraising and development, advocacy, training and litigation.

1993 to 1996 *COORDINATING ATTORNEY, SPECIAL PROJECTS*, Legal Support Unit

In addition to continuing housing law coordination responsibilities outlined below, wrote initial edition of treatise, "Residential Landlord-Tenant Law in New York."

1983 to 1993 *COORDINATING ATTORNEY IN HOUSING LAW*, Legal Support Unit

As Coordinating Attorney, was involved in legal education and training, litigation and advocacy, fundraising and program development. Activities included: lecturing on housing law issues in New York and nationally; producing, writing and editing legal education materials; initiating and coordinating significant law reform, appellate and class litigation involving issues such as due process rights of tenants facing eviction, municipal land use obligations, civil rights of tenants in tax-foreclosed housing, rent regulation, and eviction rights of homeless families (citations available upon request); acting as counsel and consultant for housing and community groups throughout New York City; and legislative and administrative advocacy before city, state and federal agencies, commissions and committees.

1978 - 1983 *STAFF ATTORNEY, SENIOR ATTORNEY*, Bronx Legal Services (an operating unit of LS-NYC)

Represented low-income individuals and groups in wide range of legal matters including housing, government benefits, employment, consumer, family, immigration and civil rights. Litigated in a variety of administrative tribunals and courts, including Housing Court, Civil Court of the City of New York, Supreme Court of the State of New York (trial court, Appellate Term and Appellate Division), New York State Court of Appeals, United States District Court and Second Circuit Court of Appeals.

PUBLICATIONS

Books/Contributions

Residential Landlord-Tenant Law in New York, Thomson-Reuters, 2019-20 (first published in 1995 and updated annually), a comprehensive treatise, with Views from the Bench by Hon. Jean Schneider (with Views from the bench from Hon. Fern Fisher from 1995 to 2017)

"Right to Counsel for Tenants in Eviction Cases," chapter in Emily Jane Goodman, Ed., Landlords and Tenants: Not a Love Story, 2018

"Eviction" and "Housing Courts," entries in Andrew Carswell, Ed., Encyclopedia of Housing, Second Edition, Sage Publications, 2012 and in First Edition, Willem Van Vliet, Ed., Garland Publishing, Inc., 1997.

"Basic Landlord-Tenant Law," Practising Law Institute, published annually 1997-2002, co-edited with Hon. Richard Rivera

"Housing Law and the Elderly," chapter in Practising Law Institute, New York Elder Law Handbook, 1998 (updated annually 1995-1998)

Law Review Articles

"Why a Right: The Right to Counsel and the Ecology of Housing Justice," New York Law School Impact, 2016

"The Price of Equal Justice: How Establishing a Right to Counsel for People Who face Losing Their Homes Helps Tackle Economic Inequality," in Impact: Collected Essays on the Threat of Economic Inequality, New York Law School, Vol 1, 2015.

"Why We Need a Right to Counsel in Civil Matters Where Basic Human Needs are at Stake," edited transcript of a New York State Bar Association panel discussion, 64 Syracuse L. Rev. 3 (2014)

"Securing a Civil Right to Counsel: The Importance of Collaborating," 30 N.Y.U. Rev. L. & Soc. Ch. 675 (2006)

"Why People Who Face Losing Their Homes in Legal Proceedings Must Have a Right to Counsel," 3 Cardozo Public Law, Policy and Ethics Journal 699 (2006)

"The Human Right to Housing: Making the Case in U.S. Advocacy," Clearinghouse Review Journal of Poverty Law and Policy, with Maria Foscarinis, Brad Paul and Bruce Porter (July-Aug. 2004)

"Report of The Working Group on Assessment of Systems For Delivering Legal Services," 67 Fordham L. Rev. 1869 (1999)

"United States Violations of the Right to Shelter under International Law," 1990 International Review of Contemporary Law 69, with Renee Steinhagen

"Gideon's Shelter: The Need to Recognize a Right to Counsel for Indigent Defendants in Eviction Proceedings," 23 Harv. C.R.-C.L. L. Rev. 557 (1988)

"Is There Life After Abandonment? The Key Role of New York City's *In Rem* Housing in Establishing an Entitlement to Decent, Affordable Housing," 13 N.Y.U. Rev. L. & Soc. Ch. 953 (1984-1985)

Miscellaneous

"Do No Harm: Proposals for a Set of Eight Core Principles and a 15-Step Sequencing Process for Land Rights Sensitive Mine Survey and Clearance in Myanmar," with Scott Leckie and Geoffrey Myint, Displacement Solutions, October 2014

"Myanmar at the HLP Crossroads: Proposals for Building an Improved Housing, Land and Property Rights Framework that Protects the People and Supports Sustainable Economic Development," with Scott Leckie, Displacement Solutions, October 2012

"Occupy the Justice System: The Civil Right to Counsel and the Equitable Distribution of Justice," MIE Journal, Summer 2012

"Nassau Kicks the Down-and-Out to the Curb," Op-Ed, Newsday, March 13, 2001

"Housing Rights in Latvia," with Scott Leckie and Anna Pomykala, Centre on Housing Rights and Evictions, Geneva, February, 2000

"Special Rent Increases Spark Much Litigation," New York Law Journal, March 11, 1996, p. S1, col. 1

"Rent Regulation is Source of Friction," New York Law Journal, Oct. 10, 1995, p. S9, col. 1

LSNY Eviction Prevention Manual, a comprehensive manual on New York Landlord-Tenant law, funded by a grant from the New York Community Trust (1992), revised 1993, 1994

"Health Care Proxies and Living Wills," *New Choices for the Best Years*, vol. 31, no. 9 (October, 1991)

"Right to Counsel for Low-Income Tenants Faced with Eviction," *New York Law Journal*, Nov. 25, 1986, p. 1, col. 1.

"Stemming the Tide of Displacement: Housing Policies for Preventing Homelessness," *Coalition for the Homeless, Community Action for Legal Services and New York Lawyers for the Public Interest*, co-authored with Simha Rosenberg and Leslie Salzman (1986)

AFFILIATIONS/ORGANIZATIONS

1985 to present	Member, Association of the Bar of the City of New York (Co-Chair, Task Force on the Civil Right to Counsel 2018 to present); Chair, Executive Committee, 2007-8; Member, Executive Committee, 2003 to 2008; Ad Hoc Committee to Preserve Legal Services, 2000 to present; Judiciary Committee, 2011 to present; Legal Services and <i>Pro Bono</i> Committee, 1996 to 2002; Nominating Committee, 1999; Advisory Committee for the <i>Pro Bono</i> Housing Court Project, 1992 to 1995; Housing Court Committee, 1987 to 1991; Special Committee on Legal Problems of the Homeless, 1986 to 1987; Subcommittee on the <i>Pro Bono</i> Housing Court Project of the Legal Assistance Committee, 1985 to 1987)
1996 to present	Member, New York State Bar Association (Legal Aid Committee, 1996 to present; President's Committee on Access to Justice, 2006 to present; Chair, Civil Gideon Subcommittee of President's Committee on Access to Justice, 2007 to present; Committee on Federal Legislation, 2011 to present; Co-Chair, Working Group on Mandatory Pro Bono Reporting, 2013 to 2014)
1999 to present	Member, Public Interest Advisory Group to the Practising Law Institute
2002 to present	Member, Advisory Board to Stein Center for Law and Ethics, Fordham University School of Law
2003 to present	Founding Member, National Coalition for a Civil Right to Counsel
2004 to present	Member, Advisory Committee, ProBono.Net; co-founder of LawHelp.org, an online legal information resource
2010 to present	Global Housing, Land and Property Rights Expert Registry of Displacement Solutions, www.displacementsolutions.org .
2012 to present	Advisor, Strategic Advocacy for Lasting Results (SALR) Project, National Legal Aid and Defenders Association
2012 to present	Member, Advisory Committee on revision of Court Forms to New York State Office of Court Administration
2015 to present	Member, Solidarity Board of Community Action for Safe Apartments (CASA)
2016 to present	Member, Housing Court Advisory Council
2013 to 2014	Advisory Committee to the Robin Hood Fund's plan for the Immigrant Justice Corps, chaired by Hon. Robert Katzmman

2001 to 2010	Trustee, LS-NYC Tax Deferred Annuity Plan
2000 to 2010	Employer Trustee, UAW Region 9A Education Fund
1997 to 2007	Co-coordinator, New York State Legal Services Project Directors Association
1976 to 2009	Member, National Lawyers Guild
1999 to 2010	Member, Legal Services Advisory Committee to the New York State Office of Court Administration
1998 to 2002	Co-chair, Legal Services State Planning Steering Committee
1995 to 1999	Member of Advisory Committee, Anna Lou Dehavenon, Ed., <u>There's No Place Like Home: Anthropological Perspectives on Housing and Homelessness</u>
1995 to 1996	Member, Committee on Homelessness, New York County Lawyers Association
1995	Member, Advisory Committee on Rent Stabilization to the New York State Assembly Housing Committee
1985 to 1994	Founding Member, Board of Directors, Citywide Task Force on Housing Court (now called Housing Court Answers)
1988 to 1994	Member of Research Advisory Board, Community Resource and Training Center
1987 to 1991	Member, Board of Directors, Association for Neighborhood Housing Development
1987 to 1989	Commissioner, Jersey City Historic Preservation Commission
1986 to 1988	Member, Advisory Committee on Eviction Process to the New York City Human Resources Administration

SELECTED COLLOQUIA/PRESENTATIONS

Panelist, "The New Rent Laws and Their Impact on the Valuation of Residential Property," New York City Tax Commission, and the Centers for New York City Law and for Real Estate Studies at NYLS, Jan., 2020

Working Group Facilitator, Housing Working Group of the NYS Permanent Commission on Access to Justice, May, 2017, 2018 and 2019

Guest Speaker, "Developments in the Civil Right to Counsel in New York City," Task Force on Civil Gideon and Access to Justice, Philadelphia Bar Association, June, 2015

Guest Speaker, "The Right to Counsel in Housing Cases," Network of Bar Leaders, New York City, May 2015

Panelist, "Emerging New Ways to Do Justice," National Lawyers Guild Mid-Atlantic Regional Meeting, April, 2015

Panelist, "Community Preservation and Heritage Conservation," World Monuments Fund and Yangon Heritage Trust conference: "The Role of Heritage in the Sustainable Development of Yangon," Yangon, Myanmar, January 2015

Panelist, "The Right to Counsel in Housing Cases," National Legal Aid and Defender Association Conference, Arlington, VA, November 2014

Interviewer, "An Interview with the Chief Judge," a public interview of Chief Judge Lippmann at the New York State Partnership Conference, Albany, NY, September 2014

Moderator, closing plenary session, "Until Civil Gideon," Conference, Fordham Law School, November, 2013

Expert Witness on Access to Justice and the Civil Right to Counsel, Pennsylvania State Senate Judiciary Committee Hearing, Pittsburgh, PA, October 2013

Planning Committee Chair and Panel Moderator, "Why We Need a Right to Counsel in Civil Matters Where Basic Human Needs Are At Stake," New York State Bar Association sponsored live video presentation to New York State law schools, October, 2013

Co-facilitator, "Stakeholder Consultations on Land Mines and Land Rights in Myanmar," Norwegian People's Aid, Yangon, Myanmar and Chiang Mai, China, May-June 2013

"Opportunities for & Challenges to Establishing a Human Right to Housing in the U.S.," Columbia Law School Human Rights Institute, April 2013

Co-planner of conference: "New York City Housing Court at 40, Controversies, Challenges and Prospects for the Future." Panel moderator for panel: "Housing Court and Access to Justice." New York City, March, 2013

"An Effective Legal Aid Structure for Criminal Justice," Public Interest Litigation Conference, Kituo Cha Sheria, Nairobi, Kenya, August, 2012

"Public Interest Litigation and Social and Economic Rights," trainer and co-facilitator of three-day seminar for judges of the Supreme Court, Court of Appeal and High Court of Kenya organized by the African Center for International Legal and Policy Research, July, 2012

Co-planner of First National Conference, National Coalition for the Civil Right to Counsel, December, 2011; moderator, "International Perspectives on the Civil Right to Counsel;" panelist, "The Right to Counsel: a Google Earth View" and "Priority Setting and Systemic Advocacy in a Post-Civil Right to Counsel World"

"Marriage Equality: What's Next New York?" New York City Bar Association, May, 2010

"Introduction to and Overview of New York Housing Law," Association for Neighborhood Housing Development, New York City, March, 2010

Testimony on behalf of Legal Services NYC before various committees of the New York State Senate and Assembly and the New York City Council several times a year, 1998 to 2010

Regular Continuing Legal Education events and other trainings on history of legal services, legal practice issues, Legal Services Corporation Regulations, and housing law issues, Legal Services NYC, 1983 to 2010

"Implementation of the *Pro Bono* Agreement in the Americas," Bogota, Colombia, May, 2009

"The Revolution in *Pro Bono* Services," Harvard Business School Club of NY Conference on New Developments in Nonprofit Leadership, September, 2008

"Leaders Make a Difference: *Pro Bono* and Public Service - Why Do It?," ABA Annual Meeting, NYC, Aug., 2008

"An Obvious Truth: The Need for a Civil Right to Counsel in New York" (Primary Convener), New York State Bar Association and Touro Law School, Central Islip, NY, March, 2008

"The History of Civil Legal Services in the United States," Cardozo Law School, NYC, September, 2007

"*Pro Bono* and NGO Collaboration in the U.S.," Conference on *Pro Bono* in the Americas, Lima, Peru, Feb. 2007

"New York City Housing Court: Can it Better Address the Problems Before It," Cardozo Law School and New York County Lawyers Association, NYC, October, 2004

"Challenges to the Legal Services Corporation Restrictions," National Legal Aid and Defenders Association Conference, Seattle, Washington, November, 2003

"Standards for Assessing Housing Rights Under International Law," Centre on Housing Rights and Evictions, Bangkok, Thailand, July, 2003

"*Pro Bono* and Legal Services Collaboration in New York City," *Pro Bono* Convocation, Santiago, Chile, December, 2002

"Effective Advocacy under the LSC Regulations," Management Information Exchange, Managers in the Middle Conference, Toronto, March, 2001

"Housing Policy Roundtable," Fordham Law School, NYC, March, 2001

"The Right to Counsel in New York City Civil Court," The Jack Newton Lerner Lecture Series, New York County Lawyers Association, March, 2001

"Developments in the Delivery of Legal Services in New York City," New York County Lawyers Association Civil Courts Committee, January, 2001

"What Role Can and Should Legal Services Programs Play in the Communities They Serve," Roundtable, Strengthening Our Communities Conference, Columbia University, NYC, January, 2000

"Recent Developments in Landlord-Tenant Law," New York State Judicial Training Seminar, Rye Brook, New York, July, 1999

"Housing Law and Eviction Rights in the United States," Global Consultation on Housing Rights and Evictions, Bangkok, Thailand, June, 1999

Co-chair (with Hon. Richard Rivera), "Basic Landlord-Tenant Law," sponsored by Practicing Law Institute and the Legal Support Unit of Legal Services for New York City, NYC, annual, 1997 to 2002

"Housing Law and the Elderly," Brookdale Center on the Aging, NYC, Annual, 1996 to 2000

"Nonpayment Eviction Proceedings," Volunteer Lawyer Program of New York City Housing Court, May, 1998

"The Impact of the Rent Regulation Reform Act of 1997 on Landlord/Tenant Litigation in New York," Association of the Bar of the City of New York, March, 1998

"The Housing Court Initiative," New York County Lawyers Association, January, 1998

"The Future of Rent Regulation in New York," Association of the Bar of the City of New York, January, 1997

Moderator, "Critical Issues in Landlord-Tenant Law," a four-part continuing legal education series sponsored by Lawyers Cooperative Publishing and Legal Services for New York City, NYC, Spring, 1996

"The Impact on Low-Income People of Changing Government Programs and Policies," Southern Human Rights Planning Conference, Tougaloo, Mississippi, May, 1996

"Structural Discrimination Against Pro Se Women Litigants in Eviction Proceedings," Civil Court Committee on Gender Bias in the Courts, NYC, November, 1995

"Due Process, Tenants' Rights, and the Eviction Process," Citywide Task Force on Housing Court, NYC, April, 1994

"Housing and the Labor Market," CUNY Graduate Center, NYC, November, 1993

"Providing Tenants With Lawyers in Housing Court: Should It Be Done? How Could It Be Done?" Association of the Bar of the City of New York, November, 1993

"Tenant Security in Private Rental Housing," Fannie Mae University Colloquium, University of Michigan, Ann Arbor, Michigan, October, 1993

"Future Directions for Public Policy on Homelessness," NYU School of Law, February, 1992

"Procedural Due Process and the Right to Counsel," University of Pittsburgh Law School, October, 1991

"The Institutionalization of Homelessness and Its Impact on Low Income Communities," Fund for the City of New York, April, 1991

"Landlord-Tenant Law: Past, Present and Future," Columbia University School of Architecture and Urban Planning, November, 1990

"Mandatory *Pro Bono* Legal Assistance and New York City's Housing Court," Queens Coalition for Political Alternatives, NYC, October, 1990

"Strategies for Winning a Right to Counsel for Tenants Faced With Eviction," Root-Tilden Program, New York University School of Law, September, 1990

"The Impact of City Charter Revisions on Low Income Housing," Community Service Society, NYC, May, 1990

"The Discriminatory Impact of Lack of Counsel for Low-Income Tenants Faced With Eviction," NAACP Legal Defense Fund, NYC, February, 1990

"The Supreme Court and the Right to Housing," The Nation Institute, Washington, DC, November, 1989

"Litigating for a Right to Counsel for Low Income Tenants Faced With Eviction," National Housing Law Project, Airlee, Virginia, May, 1989

"The State of Exclusionary Zoning Litigation in New York City," National Low Income Housing Coalition, Chevy Chase, Maryland, December, 1988

"The Need for Preventive Strategies to Address Homelessness," Program for the Assessment and Revitalization of the Social Sciences, University of Pennsylvania, Philadelphia, April, 1988

"Strategies for Preventing Homelessness in New York City," New York City Women's Bar Association, December, 1986

"The Relationship between Eviction and Homelessness," New School for Social Research, New York City, October, 1986

"Legislative and Policy Strategies for Preventing Homelessness," Atlanta Coalition for the Homeless, Atlanta, May, 1986

"The Rights of Special Classes of Tenants." New York County Lawyers Association, November, 1985

"The Role of New York City's *In Rem* Housing Program in Establishing an Entitlement to Decent, Affordable Housing," New York University Review of Law and Social Change, March, 1985

LANGUAGES

Fluent Spanish. Some French and German.