

# Exhibit 2

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UPSOLVE, INC., *et al.*,

Plaintiffs,

-v-

Case No. \_\_\_\_\_

LETITIA JAMES, Attorney General of New  
York,

Defendant.

**DECLARATION OF REV. JOHN UDO-OKON**

1. My name is Reverend John Udo-Okon. I am over the age of twenty-one and competent to testify to the matters set forth in this Declaration. Unless otherwise indicated, the facts stated herein are based on my personal knowledge or upon my review of documents to which I have access.

**BACKGROUND**

2. I immigrated to the United States from Nigeria in 1997. Prior to coming to the United States, I carried out missionary work in Northern Nigeria, which included organizing

churches and working with missionaries on a national project to develop Christian arts for Nigerian audiences.

3. In 1999, my wife, Pastor Felicia Udo-Okon, and I formed a small church in the living room of our apartment in the Bronx. We named that church the Word of Life Christian Fellowship International. We then moved into a small storefront we rented, which was in a lower-income neighborhood, plagued by violence and drugs. We eventually relocated the church to the South Bronx, which is among the poorest neighborhoods in New York City.

4. At the church, I preach the gospel by providing service to people in need, with a focus on the needs of community members in the South Bronx. I believe that this is the best service I can offer to a community that is trapped in cycles of poverty that have existed throughout generations.

5. For example, we work with one program to provide food to 8,000 households per month. We also work with schools and mobile food pantries to ensure access to food for local children. To further meet the needs of our community, my church also frequently works with social services centers, clinicians, case workers, and community health workers to engage with community residents and provide them the assistance that they need.

6. Recently, we have begun to provide COVID-19 relief services, including a vaccine equity partnership with New York City in three zip codes in the South Bronx, and enlisting seventeen field workers to link local residents with vaccines. My work on COVID-19 vaccine distribution was recently featured in the New York Times. See Liam Stack, *'A Safe Space': Black Pastors Promote Vaccinations from the Pulpit*, N.Y. Times (Oct. 9, 2021), <https://www.nytimes.com/2021/10/09/nyregion/covid-vaccinations-black-churches.html>.

## **THE NEED FOR LEGAL ADVICE IN THE COMMUNITY**

7. One of the greatest unmet needs in my community is that many people cannot understand or access their legal rights.

8. Our community members face many legal problems—they are at risk of eviction, face harassing calls from debt collectors, and sometimes have their power shut off even when they have critical medical equipment that requires electricity.

9. But our community members cannot afford to hire lawyers to help them with their problems. And the legal system is too complicated for members of our community to do it on their own. In general, there also are not many consumer lawyers based in my neighborhood, and there are very few lawyers who reflect the diversity of my community. Because they do not have access to good legal advice, members of my community often end up acting against their own interests through, for example, not responding to lawsuits in general.

10. As a result, members of my community are shut out from ways to vindicate their own rights, and are left with what feels to them like an oppressive justice system stacked against them. This is a situation that predominantly Black communities like mine face every day, and is one of the many unfortunate examples through which vulnerable populations, like my own community, cannot access and fight for their legal rights.

11. Left without any other options, people frequently come to me with legal problems they cannot solve on their own. But since I know that it is illegal for me to provide legal advice, all I can do is refer members of my community to outside agencies. Unfortunately, these agencies are often overwhelmed with requests for free legal assistance. Members of my community tell me that they are put on long waiting lists before even receiving legal advice, even though in most

cases their situations are quite time sensitive and having to wait means losing the ability to access their rights.

12. Since members of my community cannot afford to pay for a lawyer, cannot access free lawyers quickly enough, and cannot understand the system on their own, they are left without any guidance and, as a result, often without any ways to move forward because they cannot meaningfully access the justice system.

13. Based on my conversations with members of my community, this problem is especially severe when it comes to credit issues and debt-collection lawsuits. In some cases, individuals in the community are being harassed by debt collectors every day. In many other cases, people do not think they owe the debts that are being demanded. But one thing is consistent: people do not know what to do when they are sued on a debt and have nowhere to turn to for help.

14. Many of these individuals face devastating consequences and risk long-term harm to their property, their credit, and their well-being because they do not know how to respond to their debt collection lawsuits. As a result, members of my community often do not participate in their own lawsuits, even when they don't think they owe the debt they are being sued for.

15. I am aware of people losing their homes, and having their credit scores obliterated because they cannot adequately respond to the lawsuits, cannot speak to the debt collectors in a meaningful way, and do not have any assistance in filling out the requisite forms for their lawsuits.

16. In addition to these negative consequences, people in my community are also prevented from accessing opportunities. One area where these disparities come to light is with respect to affordable housing. In this case, the affordable housing is—in theory—supposed to benefit members of my community by providing them with a place to live. However, many of these housing developments have credit score and credit verification requirements, and therefore,

as a result of having their credit damaged by their debt-collection lawsuits, the people who these programs are designed to help are disqualified from even accessing this affordable housing to begin with.

17. There is a critical and immediate need in my community for legal advice on how to respond to debt-collection lawsuits. People seek that advice from me directly. However, due to New York's unauthorized practice of law regulations, I am unable to provide that advice, in fear that I would be arrested or fined.

18. I am already aware of other people in my community who have tried to give this kind of advice. There are many other issues for which people cannot afford or access legal representation. As a result, these people turn to their religious leaders for help. One such religious leader in the South Bronx was accused of practicing law without a license because he was trying to help members of his community out with their legal issues. I fear that I would face the same consequences if I tried to help members of my own community out with their debt collection lawsuits.

19. Because of my religious beliefs, I believe it is my duty to help meet the needs of my community and to advocate for a more fair legal system in which everybody—including the disproportionately poor and disproportionately Black members of my community—can access their legal rights.

#### **THE AMERICAN JUSTICE MOVEMENT**

20. There are hundreds of individuals in my community who would benefit from legal advice about how to respond to debt-collection lawsuits and on other issues right now. Attached to this Declaration as Exhibit A is a petition with 114 signatories who both need and would be willing to receive this legal advice at this very moment. These signatures were collected in a single

day; I have no doubt there are more similarly situated individuals who would welcome this type of program and advice as well. Every day that these community members are not offered advice on how to handle their debt-collection lawsuits means more people facing the risk of wrongly losing their property and facing permanent damage to their credit.

21. I, and other individuals I know, would be ready, willing, and able to provide this type of legal advice immediately and for free. The only thing stopping us is the threat of being prosecuted for violating New York's unauthorized practice of law regulations. I cannot risk this type of punishment.

22. Working with the American Justice Movement to receive the relevant training and provide this narrow advice would greatly benefit members of my community, who I have already established a sense of trust and familiarity with.

23. I would welcome the opportunity to be trained by the American Justice Movement with respect to the narrow scope of legal assistance provided in debt collection lawsuits. I would be willing to comply with the relevant ethical obligations, including confidentiality and conflict-of-interest protections, for the individuals seeking my advice. My assistance will always be free to the people who receive it.

24. After witnessing firsthand the devastating effects of inadequately responding to these debt collection lawsuits, I would explicitly put the needs of the members of my community first, and would do my best in giving advice best suited for their interests, not my own. The reason I am providing this advice is not for my own gain but rather to help increase access to the courts and ensure that all members of my community can access their legal rights, and to advocate for broader awareness of the barriers that people face trying to access their rights.

25. I hope to be able to participate in this program as soon as possible because with each passing day more members of my community are deprived of their own rights and property due to the lack of free legal assistance to help them vindicate those rights.



I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed this 15 day of December, 2021



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Rev. John Udo-Okon