



## NYIC 2016 State Policy & Budget Priorities

### Legal Services for New Americans

#### Recommendation

Ensure access to affordable, reliable legal services to immigrants.

- **Include \$30m to Legal Services for Immigrants in the Budget.** The Governor and State Legislature should include \$30 million in the final budget, which would expand the network of Opportunity Centers run by the Office of New Americans (ONA) from 27 to 50 and increase their budgets from \$150,000 to \$500,000, expand the six ONA Legal Counsel contracts to \$500,000 each, and increase trainings and technical assistance.
- **Invest \$1m to Coordinate Statewide Anti-Fraud Campaign.** The Governor and State Legislature should invest \$1 million to support a statewide anti-fraud campaign to warn New York's immigrant communities of the high prevalence of scams related to immigration services and connect them to legitimate resources.
- **Invest \$2m for Pilot Project to Increase Access to Justice.** The Governor and State Legislature should ensure that \$2 million is included in the final budget for a pilot project that would place 18 immigration attorneys at organizations in underserved areas around State. Each attorney would also spend at least one day a week in their Assembly Member's District Offices to provide in-house consultations to constituents.

#### History

- **2012:** Governor Cuomo creates the New York State Office for New Americans (ONA) as a budget line agency. Much of the legal funding previously allocated to immigration service providers through the Bureau of Refugee and Immigrant Assistance (BRIA) is now re-routed through ONA.
- **2013:** ONA is created as an executive agency, making it the first permanent state agency dedicated to immigrant welfare in the country. Funding for ONA is at \$5.4 million in the FY2014 enacted budget.
- **2015-2016:** Funding for ONA is increased to \$6.4 million in the FY2016 budget, for a net gain of \$1 million on FY2015. ONA budget also includes \$250,000 for a state version of the New York Immigrant Family Unity Project.

#### Community Need and Background

Existing resources for affordable legal services are scarce, with suburban and rural areas suffering the most from this gap between need and aid. In New York, an estimated **one third of all undocumented immigrants qualify for immigration relief**. However, there is currently only **1 non-profit lawyer/ BIA Representative for every 2,700 undocumented immigrants**. Without the ability to connect with affordable, reliable legal experts, most immigrants continue living on the margins, unaware as to whether or not there are steps that they could take to stabilize their lives in the United States.

The need for legal representation is especially great in more complex cases and deportation cases, where the stakes are exponentially higher. Immigrant victims of fraud often end up facing deportation or other consequences that could have been avoided with proper legal help. **84% of detained immigrants are not represented by counsel**. Of those without lawyers, only **3% of detained immigrants and 13% of non-detained immigrants obtain relief from deportation**.

#### Opportunity and Talking Points

Investing in legitimate legal resources will help eligible legal immigrants naturalize and achieve citizenship, and will help improve outcomes for all immigrants who may qualify for immigration relief. In addition, it will protect all immigrants who are vulnerable to fraudulent schemes, as non-authorized providers often seek to fill that gap in the market.

- By increasing investment in ONA Opportunity Centers, these centers could **provide direct services to 10,000 persons** and **screen 15,000 additional New York residents**.
- Additional investment in ONA can expand the technological infrastructure, training programs, and technical assistance for **communities in remote or hard-to-reach areas** and provide remote screenings and supervision.
- The pilot project to increase access to justice will increase, and at times create, legal services in the neediest areas and allow Assembly Members to provide a critical service to their constituents.

*For additional information, please contact Camille Mackler at [cmackler@nyic.org](mailto:cmackler@nyic.org).*