



NYIC 2016 New York City Policy & Budget Priorities

Legal Services for New Americans

Recommendation

Ensure access to affordable, reliable legal services to immigrants.

- **Include \$13.3m to Legal Services in the Immigrant Opportunity Initiatives (IOI).** The City Council and the Mayor should include \$13.3 million in the final budget for IOI, which would pay for 150 attorneys or paralegals to provide unrestricted services to immigrants. The cost of each case should be raised to \$1,500 per case, but only be used for complex case representation to complement other funding sources.
- **Improve Protections From Immigrant Services Scams.** The City Council should pass legislation to ensure that City law matches State law, and to give the Department of Consumer Affairs new tools when receiving complaints of immigrant services scams. In addition, law enforcement agencies, including District Attorneys and the New York Police Department, should implement systems specifically to assist immigrant victims of fraud.
- **Improve Contract Management for Legal Service Providers.** The Mayor should ensure that City contracts with Legal Service Providers are administered and executed in a manner that allows organizations to provide a continuity of service while adhering to ethical rules and principles governing attorneys.
- **Baseline the New York Immigrant Family Unity Project.** The City Council and the Mayor should baseline the New York Immigration Family Unity Project (NYIFUP) at \$5.23 million.

History

- **2013:** The New York City Council creates the “DACA Initiative” and invests \$18 million over three years to fund adult literacy and legal services to help New Yorkers become eligible and apply for Deferred Action for Childhood Arrivals (“DACA”). The New York City Council also funds a pilot of the New York Immigrant Family Unity Project (NYIFUP) to provide representation to immigrant New Yorkers detained by Immigration and Customs Enforcement (ICE)
- **2014:** The New York City Council fully funds NYIFUP to represent all detained New Yorkers. IOI contracts are extended for another year to existing recipients. The City Council also partners with two private funders – Robin Hood and the New York Community Trust – to fund representation of Unaccompanied Minors at the local immigration court.
- **2015:** After a suspended RFP process, the Administration returns \$3.3 million of baselined IOI funds to City Council and groups with IOI contracts exist for an additional year. The DACA initiative ends, and in its place the Administration announces a new program, ActionNYC, to be funded by \$7.9 million.

Community Need and Background

New York is a city of immigrants. Six out of every ten New Yorkers are immigrants or the children of an immigrant, and 37% of all New Yorkers are foreign-born. Yet these newcomers continue to lack access to the services they require, including competent legal representation. Under our current laws, as many as 1 in 3 New Yorkers may qualify for relief but not know about it because they’ve never had the opportunity to have their case evaluated by a lawyer.

While New York City has been a trailblazer in recognizing the enormous contributions immigrants make to our city by creating unique initiatives and programs, we must do more to help those that live in the shadows. Immigrants facing deportation but who are not currently detained are particularly vulnerable, as are those who turn to scammers because of a lack of legitimate providers.

Opportunity and Talking Points

Investing in legitimate legal resources will help eligible all immigrants who may qualify for relief under current laws. 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.

- There are over 60,000 immigrants who are facing imminent deportation in New York City’s immigration courts – including thousands in detention. Many lack access to counsel in these removal proceedings.
- Current funding streams can help with straightforward applications, but there are no funding sources for more complex cases, including for victims of abuse, victims of crime, and those facing imminent deportation.

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