

**MAKE
THE ROAD
NEW YORK**
2022-2023

OVERVIEW OF ACHIEVEMENTS

We are pleased to report that during this grant period Make the Road New York’s (MRNY) legal department continued to deliver valuable legal assistance to meet a range of challenges affecting the communities we serve. Across our offices in Brooklyn, Queens, Staten Island, Westchester County and Suffolk County, we delivered high quality, impactful services to low-income, immigrant communities while also adapting to new and emerging legal developments.

Overall, in the past year, our organization worked prodigiously to close 13,763 cases, which benefited 24,214 people. This notable increase in cases closed from last year reflects the targeted, intentional advocacy of our team as the dramatic impacts of the COVID-19 pandemic began to ease and we turned towards the post-pandemic recovery. As New York began to recover from the devastating impact of the pandemic on our community and the economy, the demand surged for legal assistance across our core areas.

Our Housing team played a pivotal role in expanding access to representation to underserved tenants in Queens closing 295 cases, an increase from last year. There are only a few legal service providers in Queens that offer free legal services to local tenants. Through our efforts, we were able to accept referrals from partner organizations that participate in the Right to Counsel program, which not only eased some of the strains on their programs, but also provided valuable legal services to tenants in Queens at a critical moment when the state’s pandemic-relief eviction moratorium ended and put thousands of renters at risk of losing their homes and courts reopened.



Population Served: Low Income Immigrants and Families

Total Funding: \$9,139,300

Total IOLA Grant: \$312,500

Staffing Full Time Equivalents:

- Total Staff: 67.8
- Paralegals: 25.92
- Lawyers: 23.81
- Other: 18.07

As New Yorkers returned to work, our Workplace Justice team saw an increase in clients seeking representation for exploitative working conditions and closed 237 cases, a significant increase from the previous year. As pandemic relief programs like the Excluded Workers Fund came to a close and we wrapped up appeals and distributed funds on the remaining pending cases, our team took on more wage theft, unpaid leave, and discrimination cases. Using new screening tools, we were able to submit wage theft complaints for more workers to the Department of Labor for investigation. Meanwhile, the labor agencies that enforce workplace rights suffered from unprecedented backlogs and significant resource constraints resulting in slower adjudication processing times and fewer closed cases than in some prior years before the pandemic.

In FY23, we closed 5,730 health care cases, with increased referrals and enrollments for healthcare navigation and service enrollment resulting from an increase in our outreach efforts, including for newly arrived immigrants. We also increased our income maintenance cases, closing 4,816 cases, which includes obtaining food stamps for 2,899 households. Our income maintenance numbers increased overall, despite the decrease in ERAP and FEW cases, as resources were reallocated to other employment and housing cases as these programs concluded.

Finally, our Immigration team continued to deliver reliable and trusted legal services in 2,668 cases, helping thousands of individuals navigate the immigration system. Throughout the year, our team succeeded in defending individuals against deportation, securing critical forms of relief like asylum or cancellation of removal, as well as securing other vital remedies for our clients, including deferred action, naturalization, and lawful permanent residence. During the same period, we observed a decrease in the number of certain case types. For example, we closed fewer removal cases resulting in termination or administrative closure as a result of ongoing litigation against the government's prosecutorial discretion policies and the increasing backlog of cases in immigration court. We also closed fewer family-based adjustment cases relative to the previous year, which was due to processing delays at U.S. Citizenship & Immigration Services (USCIS) and in the courts. Additionally, we noticed a decrease in DACA renewals, despite providing services to a large number of clients with DACA (and serving as class counsel in the DACA litigation fight in *Batalla v. Mayorkas*), likely the result of clients exploring other permanent forms of immigration relief given the uncertainty caused by the litigation against that program.

In addition to our direct legal services, our team crafted a number of innovative tools and programs designed to meet new and emerging needs within the communities we

serve. Together with partners at Justicia Lab, our Workplace Justice team developed an innovative application for advocates called Reclamo that screens for wage theft, calculates the wages owed, and drafts demand letters and complaints for the New York State Department of Labor. Earlier this year, Reclamo was selected by the United States Conference of Mayors as a Civic Tech Pitch finalist at the Civic I/O Mayors' Summit at SXSW. During the last year we used the tool to test and refine it and we are currently helping to launch this tool more widely, increasing access to justice especially for workers centers across the state who serve particularly vulnerable workers and may not have access to lawyers.

Another notable accomplishment was the creation of an organization-wide response to the ongoing challenges facing newly-arrived immigrants that have been relocated to New York City by states like Texas, often without any orientation or discussion about the impact on their immigration case. As of April 2023, the most recent data shows that this population now exceeds 50,000. When the buses started arriving, MRNY staff went to greet the buses at dawn at Port Authority to welcome them and provide basic legal, health and other services information. Our legal team developed a series of workshops to help hundreds of these individuals understand and navigate the early stages of their cases. Through these workshops, we offered critical information regarding the immigration court process with the goal of mitigating additional harm in their cases, such as an in absentia order or missing the statutory one-year filing deadline for asylum applications. In addition, we explained how the employment and labor systems work in the United States and reviewed basic workplace rights in New York. Many of the attendees needed more individualized assistance, consistently reporting that they had hearings and appointments with immigration agencies outside of New York, for example, and did not know how to proceed. In response, we created specialized follow-up consultations to provide limited legal assistance on a range of preliminary matters, including helping individuals update their mailing address with the immigration courts and filing motions to transfer their cases to New York, thereby avoiding the possibility of receiving an in absentia order for failing to appear in a faraway immigration court.

DIRECT LEGAL SERVICES: CASES

Housing

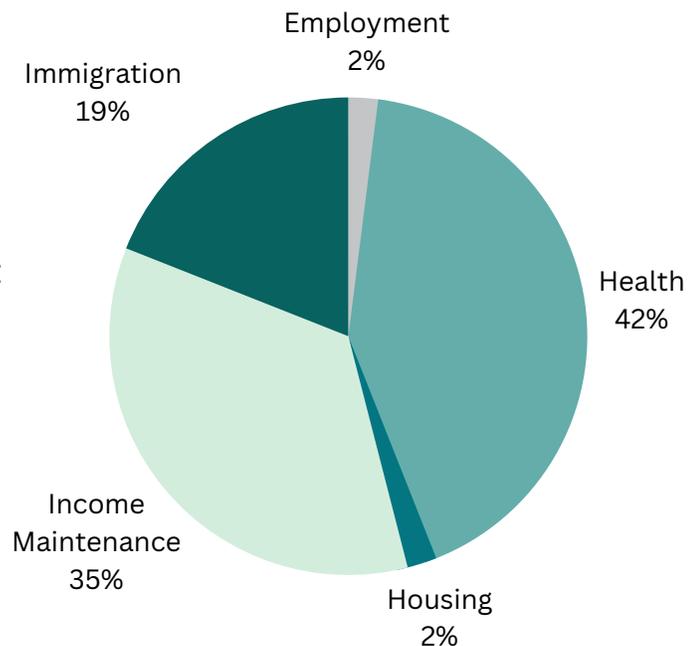
Our housing legal team represents five rent stabilized households in a six-unit building in Bushwick Brooklyn where there was a fire in October 2022. The devastating fire resulted in significant fire and water damage throughout the building. Luckily, no lives were lost, but the building itself was deemed uninhabitable by the Department of Buildings (DOB) due to the damage and all tenants were ordered to immediately vacate until the building was repaired.

After conducting intakes and listening to the tenants’ issues, our attorneys strategized with the tenants and organizers at a partner organization on the best course of action to preserve the tenants’ rights and restore them back to their homes as soon as possible. We worked with the organizers to file rent reduction orders with the Division of Homes and Community Renewal (DHCR) and then filed an emergency HP Action in Brooklyn Housing Court to compel repairs and obtain financial relief for the tenants due to the landlord’s lack of action.

We successfully advocated for a default order against the landlord, directing all repairs within thirty days, and the Judge also issued a finding of harassment based on the severity of violations in the building which resulted in each tenant receiving a credit of \$1,000 towards future rent. We entered into a favorable three-way settlement agreement with the Department of Housing, Preservation, and Development

(HPD) to fully repair the building and remove all violations by September 2023. Repair work is currently underway, and the housing team continues to work with our community partners to ensure the five rent stabilized families we represent return to their long-term affordable homes in renewed and safe conditions.

24,214
people
benefitted from
13,763
legal cases
closed



**Cases by
Legal Problem Area**

Immigration

CS is a longtime member and client of MRNY, and an activist for LGBT rights, who was detained by Immigration and Customs Enforcement (ICE) in 2019. We represented CS in his application for protection under the Convention Against Torture (CAT) relief. When he was initially denied, our legal team represented him first in an administrative appeal and then a petition for review before the Second Circuit Court of Appeals. In the meantime, we advocated zealously for his release—filing repeated release-requests with ICE, representing him in a bond hearing, and even litigating a habeas petition in federal district court. But ICE would not release him, despite the strength of his community ties and his case. Instead, ICE transferred him from New York to the deep south to detention centers known for poor conditions and treatment of detainees. Our legal and organizing teams kept pushing his case forward. In September 2022, the Second Circuit agreed that the Immigration Judge had erred in denying his case and reversed the decision. Our attorneys then asked the Board of Immigration Appeals to either grant or remand the case. In March 2023, an IJ in New York held multiple hearings in the case at which we represented CS, who now appeared by video from Louisiana. Shortly thereafter, three and a half years after CS was first detained, an Immigration Judge granted his CAT claim and he was released. Our staff was there to greet him at the airport when he returned to New York and to help him with his needs post-release, from healthcare to mental health services to emergency funds—all to get him back on his feet.

OTHER SERVICES: OVERVIEW

MRNY is committed to empowering our client community with the tools they need to have agency as they navigate often confusing and challenging systems. A central piece of the other legal services we provide is Know Your Rights (KYR) trainings (“talleres”) on current laws and important changes that might affect our client communities. Our talleres also serve as opportunities for individuals to learn how the legal landscape affects both their immediate and long-term needs. Over the course of the past year, we have provided a significant amount of these KYR sessions remotely,

21,990
people
benefitted from
Services Other
Than Direct
Legal Services

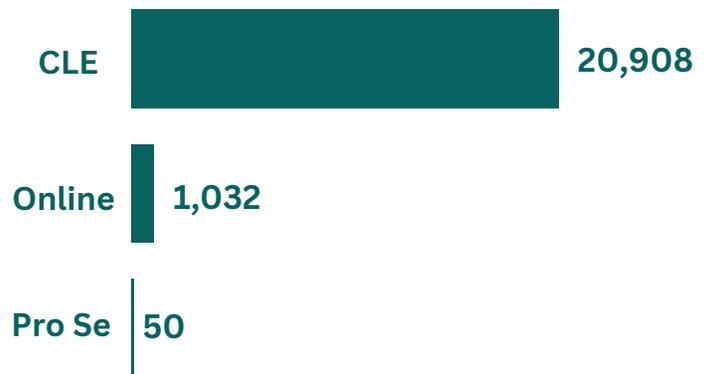
covering critical topics, such as updates to sick leave policies; housing law updates; and timely immigration information around DACA and asylum.

We surpassed our goal of engaging 12,500 people this year—with our efforts 2,127 people engaged in real-time (remote and in-person) and 17,912 watched our online content after the live webinar. Over the last year we continued to deliver most of these talleres on virtual platforms, such as Facebook Live and Zoom, which allowed us to reach many more individuals than we otherwise would. Clients and other interested members of the community can go back and watch offerings that are recorded, extending our capacity to disseminate vital and timely information. We also offered in-person talleres, which 431 people attended, and we are beginning a broader return to in-person workshops, using a hybrid model to bring the best of both in-person community and remote accessibility. We saw a sizable decrease in the number of KYR materials we put out as well as unique downloads which is reflective of the fact that during the grant period there were significantly fewer COVID-related changes to the law than there were the previous year and therefore fewer critical updates to share.

Our commitment to this legal and extra-legal support allowed us to rapidly adapt to the influx of migrants arriving from out of state. We began offering orientation sessions to the newly arrived migrants, which include legal KYR workshops for 276 individuals, translation services, emergency information, and distribution of phones to many more. Because of our holistic model, we could coordinate orientation services across our legal immigration, legal workplace justice, organizing and health teams.

There are a number of other kinds of “extra legal” support our team provides, for which we are not able to officially report, but which represent our responsiveness to emerging and holistic client needs. We assist clients with questions and information related to criminal legal system concerns; we assist our limited English proficient clients with translation or other document analysis unrelated to the case we might be working on; we communicate with local

Number of People Benefitted from Other Services



officials and partner organizations on behalf of clients when necessary to advance their legal needs; and we always try to provide the kind of support you might expect from a community center, such as notarizing documents and ensuring that clients are

aware of and are connected to the other services our organization provides. This year, we provided pro se assistance to 50 individuals, which decreased from last year as our FEW work concluded. Of those 50, 39 received individual assistance on a pro se application or court document, which we have categorized in “other”. This "other" category included a range of critical services. For example, our immigration legal team assisted individuals submit I-589 forms (applications for asylum) on their own after going through a community orientation program with our team. We also helped individuals file motions to reopen their cases without an attorney. Additionally, we helped individuals file Petitions for Review in federal court on their own, and we helped another individual prepare for their Reasonable Fear Interview (a threshold asylum-related interview). Our pro se assistance also included the filing of a Department of Labor complaint and helping an individual submit online court documents related to an illegal lockout, resulting in that individual receiving a court date. We continue to assist clients with their higher service level needs, either through direct representation or a referral to another organization who can provide this. We value our ability to serve the entire client, even in the face of the challenges posed by the pandemic and their struggles during the recovery.

OTHER SERVICES: TECHNOLOGY

Over the past year we have continued to enhance our organization’s digital infrastructure and cultivate data literacy to facilitate our service provision; empower and educate community members of their rights; and prepare our offices for a return to a more hybrid model of client engagement.

Increasing capacity on both our data and grants teams, we began a series of projects consulting with attorneys and case managers to understand their needs for visualizing data and to communicate best practices for data entry. Through our cloud-based Salesforce case management system, we developed dashboards to allow case managers to see a breadth of information on their case dockets at a glance. These dashboards have also allowed us to check the quality of data for reporting and maintain a more direct line of communication with our team via Salesforce’s Task messaging system.

Moreover, taking advantage of our hybrid workspace, our legal grants team has been at work building a culture of data through cross-departmental collaboration and one-on-ones with staff. We held regular support hours for legal staff to encourage

questions and address ongoing issues with data management. These support hours have strengthened our ability to clean data in real time and communicate grant considerations for data collection to attorneys and advocates. Through our organization-wide Superusers group, we have also engaged in cross-departmental conversations on how to demystify the technical language of Salesforce; and, independently, we have generated trainings and resources throughout the year for the entire legal department, as well as others tailored for staff of specific legal programs.

OTHER SERVICES: TRAININGS

Professional development continues to form a critical part of our approach to delivering exceptional legal services and investing in our staff's growth and expertise. New staff engage in substantive onboarding of subject matter and organizational training. We provide unlimited access to the Practising Law Institute, a well-known legal training program, for all members of the legal department, including paralegals. Our team regularly engages in moot trial sessions as part of their trial preparation strategy, which creates an opportunity for staff to learn from one another, even if they are not involved directly in the case going to trial. In addition, we encourage our staff to participate in trainings that are offered by other allies and providers. As an organization, we continue to develop the skills of our supervisors, and all supervisors, whether staff attorneys or supervising paralegals, are required to attend quarterly supervision training.

We've also continued to build out the infrastructure of our organization-wide Diversity, Equity and Inclusion (DEI) work, analyzing our approach to organizing and service delivery through racial lens and tackling anti-Blackness in our work, and we have offered various trainings on related topics for all staff. Within our practice areas, we are committed to keeping our staff up to date on shifting practice trends. For example, our staff received tailored training on issues related to asylum, the federal government's parole authority, and the implications for clients in the interior of the United States.

The following list reflects a sample of some significant areas of training our legal team joined during the grant period: trial observation, Management Center training for supervisors, asylum law, SIJS, VAWA/U/T Visas, training on pleadings and removability, Post-Removal Order, tenants' rights, ERAP and holdovers, public benefits, sexual harassment in the workplace, New York City & the needs of asylum seekers, parole authority.

IMPACT CASES

Housing

Closed: We represented 13 households in three group housing matters for repairs, renewal leases, rent abatement and harassment, benefiting 39 people.

Active: We are representing 73 households in a total of 21 open group housing cases to contest rent increases, demand repairs, fight harassment by their landlords, and maintain stable and affordable housing, benefiting 231 people.

2,801,466
beneficiaries
were affected by
132
Impact Cases

Workplace Justice

Closed: We represented a total of 73 workers in 19 group labor and employment matters for workplace rights violations, including wage theft, unsafe working conditions, and employment discrimination.

Active: We are representing 257 workers in a total of 40 open group workplace justice cases to enforce their rights against wage theft, discrimination, and for paid leave and safe workplaces.

Individual Rights

Closed: We represented 6 individuals in 2 language access public accommodation cases, with a total of 1.8 million beneficiaries.

Immigration

Closed: We represented 43 clients in a total of 16 group immigration matters, including deportation and removal defense, family-based petitions, DACA renewals, asylum cases, and adjustment of status applications.

Active: We are representing 112 clients in a total of 31 group immigration cases. This includes both affirmative and defensive cases that provide families with legal permanent resident or other immigration status, employment authorization, and critical protections against deportation and removal. We continue to represent 10 clients in the impact litigation case to protect the Deferred Action for Childhood Arrivals (DACA) program, benefiting 1,000,000.

Make the Road New York et al. v. New York City Police Department:

In 2017, we filed a discrimination complaint with the New York City Commission on Human Rights on behalf of six MRNY members and clients alleging the NYPD engaged in unlawful discrimination by repeatedly ignoring their requests for Spanish interpretation when seeking assistance. Without access to meaningful interpretation, they were then denied critical services during moments of crisis, and two of them were themselves wrongfully arrested. MRNY subsequently joined as an organizational complainant after hearing similar stories from dozens more who were denied interpretation services at three police precincts in Queens. After securing a probable cause determination, we successfully negotiated a settlement agreement including \$72,000 to compensate our clients who were unlawfully denied Spanish interpretation when seeking assistance at their local precinct, as well as significant injunctive relief to ensure all 1.8 million Limited English Proficient (LEP) New Yorkers have equal access to government services. As part of our settlement agreement, the NYPD must take new steps to ensure those seeking services in their own language are provided access, including by posting new “language access” signs informing people of their right to interpretation and a two-year plan to hold NYPD accountable to follow their existing Language Access Plan and issue regular reports on it.

Investigation by Attorney General Letitia James of exploitative property group:

We represent nine households across three buildings owned by a notoriously bad landlord in Bushwick and Ridgewood, who are part of a larger coalition of tenants in buildings owned by the same landlord property group throughout Brooklyn and Queens. As a coalition, the tenants worked with Attorney General Letitia James, who sued the landlord for harassment that targeted rent-stabilized buildings in marginalized neighborhoods. That lawsuit resulted in a multi-million dollar settlement agreement in July 2022. As part of the settlement, the tenants in all of the landlord’s properties received damages for harassment. In addition, a monitor was appointed to oversee current and future maintenance in the buildings and ensure that conditions improve. We continue to work with the coalition and represent our clients in the three buildings to ensure that repairs are made, services are maintained, and harassment does not recur.

PRO BONO VOLUNTEERS

MRNY continues to build relationships and leverage additional resources to expand our reach and impact. We partner with private law firms who provide invaluable pro bono legal assistance and draw on their expertise and guidance. We engage law students and other volunteers to increase our capacity to serve the community and mentor the next generation of public interest lawyers. In total, our partnerships with pro bono attorneys, law students and other volunteers resulted in 5,417.95 hours on case services that we worked on during this grant period, many of which remain open. On cases closed during this period, we secured pro bono assistance on 67 cases with deposition defense, expertise with estate law and immigration law assistance, among others.

We also engaged critical pro bono support on ongoing matters. For example, Morrison Foerster provided substantial expertise with bankruptcy law on two employment matters. In one case, we secured a judgment before the New York State Division of Human Rights for a client who suffered sexual harassment whose employer subsequently filed for bankruptcy. With Morrison Foerster’s counsel, we engaged in further litigation in bankruptcy court to enforce the judgment for the client. In another case where we represent 12 restaurant workers in federal court who were severely underpaid and exploited, the employer filed for bankruptcy before we



27 Attorneys volunteered 479 hours

27 Law Students volunteered 4,972 hours

12 Other Volunteers volunteered 41 hours

Each  icon is equal to 6.6 volunteers.
 Attorneys are represented through the Green Figure.
 Law Students and Other Volunteers are represented through the Grey Figure.

concluded discovery. Pro bono co-counsel with significant bankruptcy practice experience and expertise provided guidance at every stage of the process ultimately resulting in a successful settlement agreement to resolve the matter. Simpson Thacher & Bartlett LLP pro bono attorneys conducted complex research on country conditions in support of asylum petitions on behalf of our immigration legal clients whose cases remain open.

MRNY also benefited from significant support from law school interns during the summer and throughout the academic year. During the summer of 2022, we hosted a class of 11 legal interns remotely who each worked in one of our core practice areas. We currently have a Columbia Law student as a spring semester legal intern who is assisting our immigration team provide know your rights information and brief consults to newly arrived migrants at welcoming orientation sessions.

SIGNIFICANT COLLABORATIONS

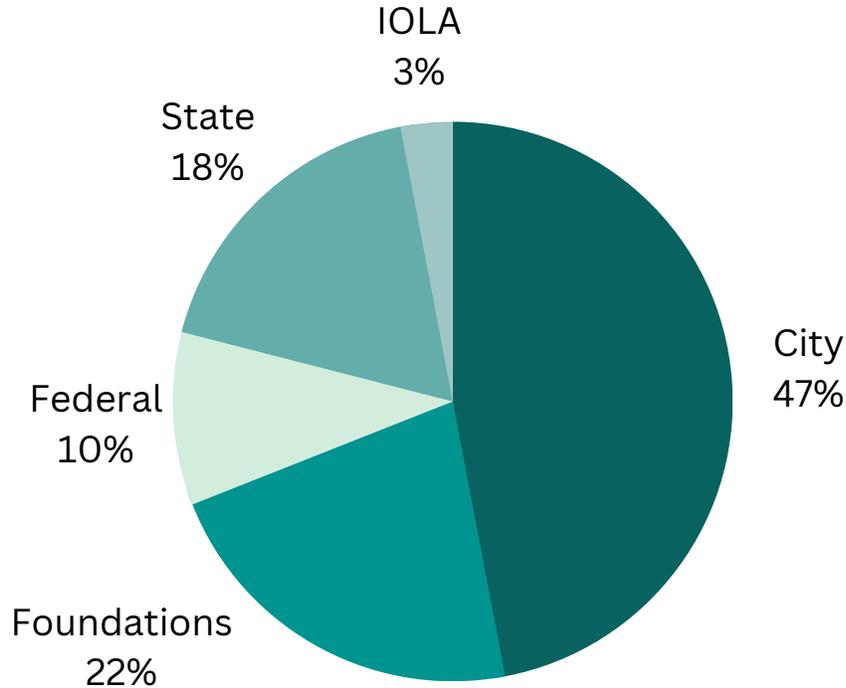
MRNY works collaboratively with partners across geographies and practice areas, and frequently takes a leadership role in those collaborations. The list below highlights our key involvement:

- MRNY is an active member of the Care for Immigrant Families Campaign, a New York-based coalition of organizations focused on advocating for universal representation for immigrants in removal proceedings.
- MRNY is a member of the New York Legal Services Coalition (NYLSC), and joined the board this year, advocating for critical resources from the state government to the legal services provider community.
- MRNY continues to partner with Justicia Lab (formerly the Immigration Advocates Network) on the development of Reclamo, an online tool and app to screen for wage theft and submit a claim for unpaid wages to NYS Department of Labor.
- MRNY participates in and helps coordinate the Low-Wage Workers Task Force, a group of civil attorneys from non-profit legal services organizations and private firms who work on issues affecting low-wage workers throughout the New York City area.
- MRNY leads the Fund Excluded Workers (FEW) coalition in a campaign for a permanent Unemployment Bridge Program to cover excluded workers.

- MRNY is a member of the LEAP collaborative, a group of eighteen legal service providers working collaboratively to increase the availability and quality of civil legal services for low-income persons in NYC. Together with a majority of LEAP organizations, MRNY is also a part of the LEAP Anti-Harassment Tenant Displacement Project, working in concert to prevent tenant harassment and subsequent evictions.
 - MRNY is a member of the Citywide Immigrant Legal Empowerment Collaborative (CILEC), which provides both immigration and employment legal services for NYC immigrant communities. Other legal providers include: Urban Justice Center, TakeRoot Justice, Catholic Migration Services, Catholic Charities of New York, and African Communities Together.
 - MRNY co-leads the Hudson Valley Nonprofit Immigration Providers Network, which meets quarterly to discuss developments in immigration law, best practices, and regional developments.
 - MRNY is a founding member of the Rapid Response Legal Collaborative (RRLC) along with NYLAG and Unlocal, providing critical legal support to immigrant New Yorkers at risk of detention and deportation.
 - MRNY is a coordinating member of the Housing Justice for All campaign led by the Upstate Downstate Housing Alliance, a diverse coalition of tenants, homeless people, manufactured housing residents, and advocates fighting for stronger tenant protections, and an end to evictions.
 - MRNY co-leads the Coverage for All campaign to expand health insurance coverage to everyone in NYS regardless of immigration status.
 - MRNY participates on the steering committee for the Health Care for All New York.
 - MRNY participates in numerous coalitions in Westchester county including the Westchester Women's Agenda, Westchester Families Task Force, and the Westchester County Access to Justice Initiative - Immigrant Rights & Services Subcommittee.
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SOURCES OF FUNDING

Make the Road New York received
\$9,139,300
in total funding this past year



IOLA Grant	\$312,500
City and County Funding	\$4,273,207
Foundations	\$2,022,926
Federal	\$898,570
State Funding	\$1,632,097
Total	\$9,139,300