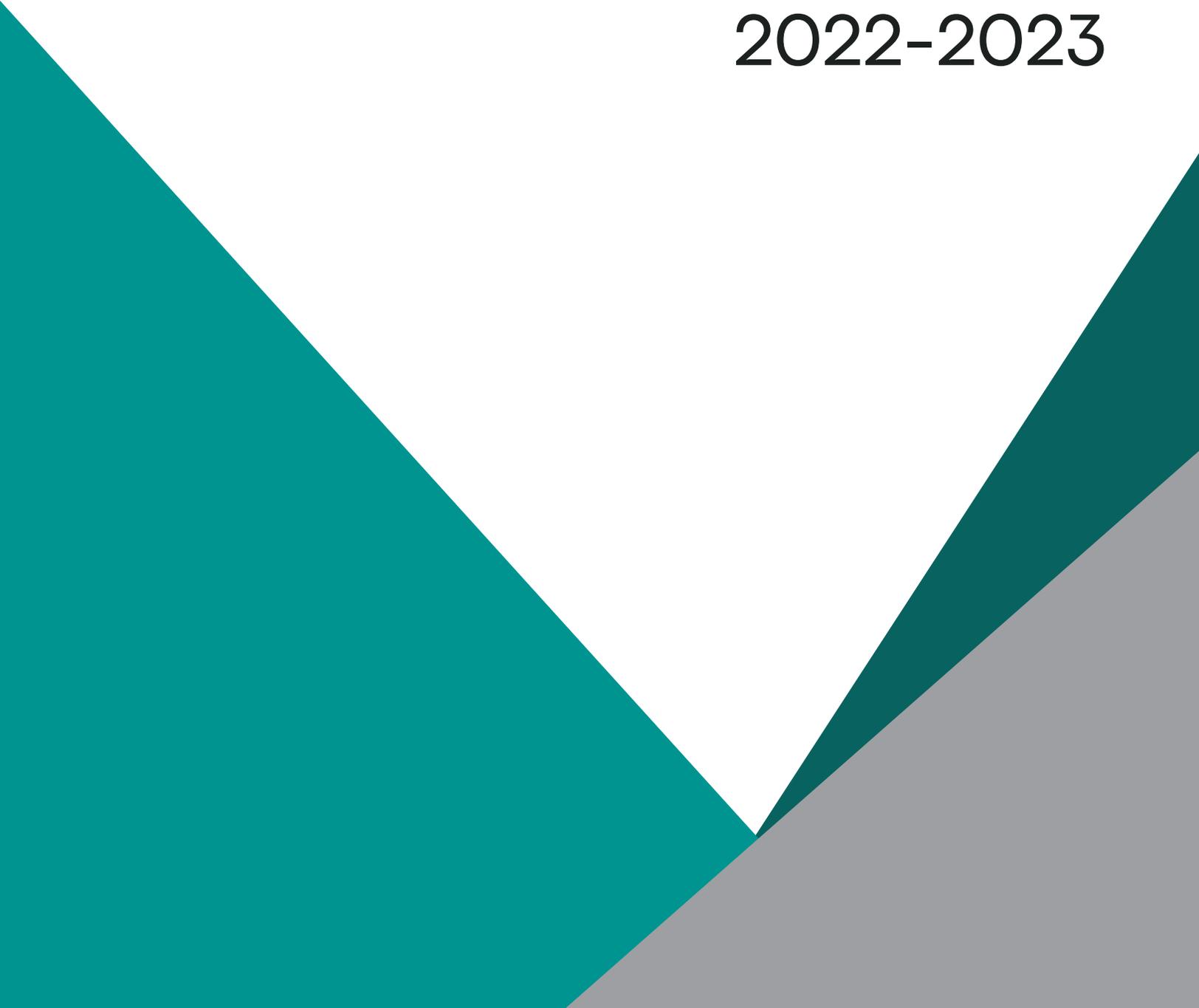


NEIGHBORHOOD DEFENDER SERVICE

2022-2023



OVERVIEW OF ACHIEVEMENTS

Over the last fiscal year, NDS provided civil legal services in 2,148 matters and benefitted 3,556 people. These services were provided across our multifaceted civil legal services program in matters including eviction defense, employment, public benefits, family, immigration, reentry, and individual rights. The core mission uniting the provision of these diverse services is to provide the highest quality legal representation to members of the Northern Manhattan community and beyond who cannot afford an attorney. These services aim to stabilize individuals and their families following contact with the criminal legal and child welfare systems, or to help prevent system contact altogether.

Over the last fiscal year, NDS made numerous, significant program changes that allowed us to serve a greater number of clients across a more diverse set of needs. In particular, NDS’s Family Defense Practice expanded across boroughs and began serving clients in the Bronx. For many years, Bronx Defenders has been the primary provider of public defense in Family Court on Article 10 cases, with 18B panel attorneys providing conflict representation. The dwindling number of attorneys on the 18B panel in the Bronx resulted in days where there was no conflict counsel and representation of parents on Article 10 cases was being massively delayed, parents could not exercise their right to challenge the separation of their families and many parents had to navigate the highly consequential early stages of an Article 10 case alone. The Mayor’s Office of Criminal Justice approached NDS to provide conflict representation in addition to the 18B panel and in August 2022, NDS launched our ground-breaking conflict representation office in the Bronx, with a fully functioning satellite office across the street from Bronx Family Court. For the first time in the Bronx, parents in Article 10 proceedings who cannot be represented by Bronx Defenders have access to the interdisciplinary representation that has proven to reduce family separation and the length of foster system stays.



Population Served: General Low Income Population

Total Funding: \$9,988,698

Total IOLA Grant: \$100,000

Staffing Full Time Equivalents:

- Total Staff: 98
- Paralegals: 22
- Lawyers: 62.5
- Other: 13.5

The Civil Defense Practice also added two new fellowship positions, both of which expand capacity to serve clients in new, unique ways. The Immigration Defense Team added a Skadden Fellow who is expanding NDS's capacity to represent noncitizens who have previously been ordered deported due to criminal history, but are eligible for relief due to changed circumstances. Few other legal services providers have dedicated support to handle these particularly complex cases, and the addition of our Skadden Fellow has expanded our ability to serve this client population – resulting in the return home of one individual 10 years after he was deported and several more clients with return on the horizon. Additionally, the Collateral Consequences Team added a fellowship position through the Paralegal Pathways Initiative – a paralegal certification program through Columbia Law School for formerly incarcerated individuals. NDS's PPI fellow is working with clients who have experienced police misconduct, preserving their individual rights and exploring options for accountability. This has expanded NDS's ability to serve clients whose rights are infringed upon through police interactions.

DIRECT LEGAL SERVICES: CASES

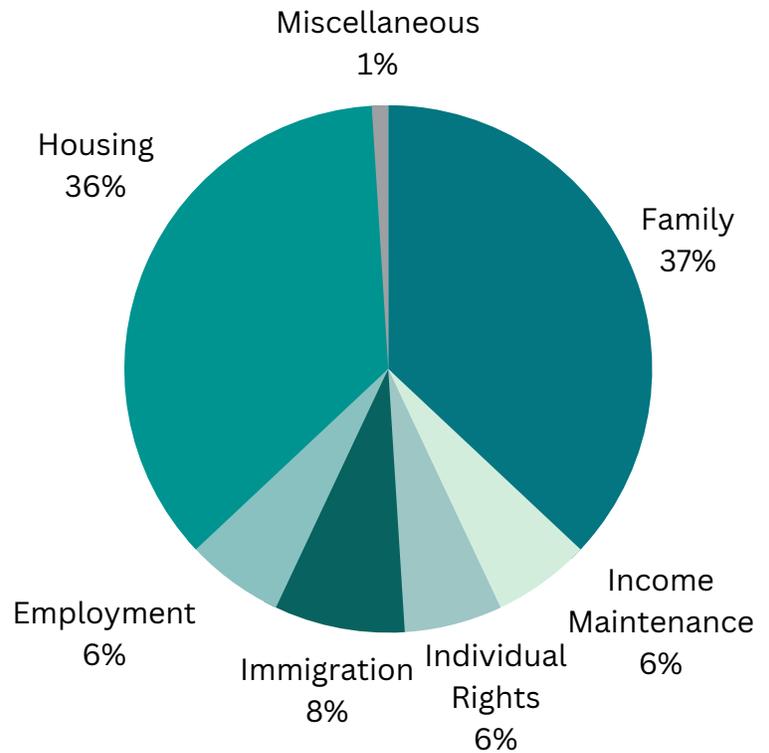
Case #1

NDS's Immigration Defense Team represented JD, who was deported to his native St. Kitts in 2012 based on two marijuana convictions from the late 1980s and early 1990s. Then, in 2021, JD was diagnosed with cancer for which he could not receive proper treatment in St. Kitts. With the help of family in the US, JD obtained appellate defense counsel to vacate his convictions and also retained NDS. Once his conviction were vacated, NDS filed a Motion to Reopen and terminate proceedings before the Board of Immigration Appeals and successfully advocated for ICE to join the motion – resulting in JD being restored immediately to Lawful Permanent Resident status. However, this did not mean JD could immediately return home, and NDS's advocacy did not end here. The immigration agencies lack defined process for returning deportees, often resulting in years of federal litigation to actually permit reentry to the US. But with JD's quickly deteriorating health, lengthy delays were not an option. NDS began advocating diligently with the nearest embassy, documenting JD's restoration to status, his health conditions, relevant case law, and statements from ICE disclaiming further involvement in the case. Ultimately, the persistent informal advocacy resulted in the rare issuance of a boarding foil immediately after JD's interview – and, 10 years after his deportation, his return home through JFK, where he was greeted by the numerous family members who worked with NDS to fight for him.

Case #2

NDS’s Collateral Consequences Team successfully advocated across multiple forums for our client BP to succeed to the lease of her NYCHA apartment after five years in foster care limbo due to lack of secure housing. BP was voluntarily placed in foster care as a teenager when her adoptive mother began experiencing significant health struggles, with the hope BP would return home. Sadly, BP’s mother passed away when BP was 17 years old and still in foster care, leaving behind the NYCHA apartment the two had shared. BP then became stuck in an impossible position – children aging out of foster care are typically qualified for NYCHA housing, but NYCHA refused to give her an apartment because she was still on her deceased mother’s lease. Yet, at the same time, NYCHA would not permit BP to access her mother’s apartment because she had not been living there for one year before her mother passed away, a requirement to succeed to a NYCHA lease. NDS took on representation of BP in both a NYCHA administrative hearing as well as a related Housing Court proceeding. Despite attempts to settle the matter, even engaging high-level officials at NYCHA, the agency ultimately subjected BP to a full, day-long hearing where she was cross-examined about her relationship with her deceased mother and her experience in foster care. But NDS and BP prevailed, demonstrating BP’s legal entitlement to succeed to her mother’s lease and opening the door to life after foster care.

3,556
people
benefitted from
2,148
legal cases
closed



**Cases by
Legal Problem Area**

OTHER SERVICES: OVERVIEW

NDS has been able to conduct both virtual and in-person community legal education during the fiscal year. Our target population for community legal education events is Northern Manhattan residents seeking know-your-rights information around the housing, employment, reentry, immigration, and family services NDS provides. 244 Community members received these services during the fiscal year.

244
people
benefitted from
*Community Legal
Education
Services*

Through the Right to Counsel coalition, NDS participated in two community conversations providing housing know-your-rights information to tenants – one in person and one via Zoom. NDS also provided an in-person training to members of Fountain House on overcoming criminal record-related barriers to housing and employment. Additionally the Family Defense Practice’s Community Outreach Coordinator has organized a 13-week Know Your Rights and community outreach series in collaboration with JMACforFamilies, called “Friday Freedom Dreams”. The creates opportunities for community members to learn about their rights when being investigated by ACS, how they can support current legislative efforts to create accountability and increase transparency in the family policing system, how to pregnant and birthing people at high risk for ACS involvement can empower themselves and find support during labor and delivery and the first year of life post-partum.

OTHER SERVICES: TECHNOLOGY

Over the last fiscal year, NDS migrated all its stored and archived files into a digital format. Previously all closed files were kept in physical format offsite and accessing files could take weeks. With the migration to a digital storage system, closed files are now immediately accessible by NDS staff and clients in need of information to help inform new or related litigation matters. NDS has also invested in significant changes in our internal database, defenderData. These changes allow us to retrieve accurate and timely reports, that can be customized to provide requested information as needed. Behind the scenes our Information Technology department has recently deployed software updates such as an automated service desk system. This new

system automates any technology issues from the request for help to the resolution of the problem. This system also allows uniform software deployment, driver installation, multifactor authentication and password retrieval information, and additional cybersecurity measures. Additionally, NDS's human resources department implemented an online hiring platform, iCIMS, which streamlines the advertisement of open positions, allows candidates to apply online, captures and keeps candidate data, and communication with applicants. This has enhanced the efficiency of our recruitment and hiring process. Additionally, the platform helps further NDS's goals of promoting equity through hiring and recruiting a more diverse candidate population. This department also recently enhanced their HRIS to provide employees with a more user-friendly benefit platform.

OTHER SERVICES: TRAININGS

NDS provides staff with substantial training opportunities both in-house and externally. When any new staff join NDS, they are provided with a cross-practice, multidisciplinary training period that includes substantive information on each of NDS's practice areas with an eye on building a holistic practice, as well as trainings on working with clients with mental health needs and other vulnerabilities. Staff additionally receive extensive internal trainings to build skills in their unique practice areas both upon starting at NDS and ongoing as needs arise. All staff also had the opportunity to participate in a Resiliency Training focused on sustainability of the direct services role. Additionally, several external training opportunities were made available. The Leap Coalition provided weekly training for new housing attorneys throughout the fall that included practical skills and trainings on working with high needs client populations. Staff also attended Defender's Academy, a week-long trial skills program directed toward new trial attorneys. One Supervising Attorney attended the 2022 NYSBA Partnership Conference, and new supervisors attended the Shriver Center's Supervising for Quality and Impact training.

PRO BONO VOLUNTEERS

NDS maintains strong pro bono partnerships with the private bar, and our clients have benefitted significantly from this over the last fiscal year. In particular, NDS's collaboration with Wilmer Hale on an application before the Second Circuit to reopen removal proceedings in an immigration matter resulted in ICE agreeing to terminate proceedings, guaranteeing our client can remain lawfully in the United States, which he has called home for over 50 years.

Additionally, NDS continues to provide internship opportunities for law students and social work students. In Summer 2022, NDS’s civil program hosted 16 law student interns who benefit from a structured cross-practice training program and full-time legal work under the supervision of NDS’s attorney staff. Additionally 4 law students have interned with NDS during the 2022-23. academic year, and NDS is the placement organization for a Pro Bono Scholar in the spring of 2023. NDS participates in recruitment events including the Equal Justice Works conference and NYU’s PILC fair in addition to posting opportunities.



4 Attorneys volunteered 80 hours

20 Law Students volunteered 5,000 hours

Each  icon is equal to 2.4 volunteers.
 Attorneys are represented through the Green Figure.
 Law Students and Other Volunteers are represented through the Grey Figure.

SIGNIFICANT COLLABORATIONS

NDS has robust partnerships with legal services providers across New York City and New York State. Some of the most significant formal partnerships include membership in the Leap coalition, New York State Legal Services Coalition, and the New York State Bar Association’s Committee on Legal Aid. Through these organizations, NDS joins other legal services providers to advocate for issues impacting our clients and our staff including securing and preserving adequate funding, address case capacity and court accessibility concerns, and advance substantive and other policies to ensure equal access to justice. Additionally, NDS engages with other non-profit providers to streamline referrals and respond to issues impacting our service area. As described above, NDS has partnered with the Harlem Community Justice Center to serve low-income tenants in a brief service capacity;

through this partnership, we are also able to both send and receive referrals for clients within our respective priority areas. Additionally, we maintain a strong relationship referral-based and collaborative relationship with the Immigrant Defense Project, which assists our immigration clients in obtaining Post Conviction Relief to advance their immigration cases, has provided consultations on appeals and other complex matters, and has forged pro bono connections. Finally, NDS also actively participates in the Right to Counsel coalition to align our eviction defense services with the community-driven movement to achieve representation for all tenants in Housing Court.

SOURCES OF FUNDING

Neighborhood Defender Service received
\$9,988,698
 in total funding this past year

IOLA Grant	\$100,000
City and County	\$9,164,259
Foundations	\$57,500
Fundraising	\$76,500
State Funding	\$590,439
Total	\$9,988,698

