Overview of Achievements

With the support of funding from the IOLA Fund of the State of New York, The Legal Aid Society (LAS) has continued to represent large numbers of individuals while working to achieve broader systemic changes for society as a whole. IOLA funding during the period of April 1, 2021 through March 31, 2022 made the following accomplishments possible:

• Direct legal assistance in a total of 22,260 closed individual client matters, which benefited 46,522 low-income New Yorkers. Overall, during the reporting period, we worked on more than 40,700 individual client matters, which benefited over 86,400 people.

• A law reform litigation docket of 37 active cases (including 7 new filings this period) and 3 closed cases on behalf of low-income New Yorkers throughout the City.

• Community legal education via printed Know Your Rights (KYR) materials, in-person KYR workshops, webinars, and YouTube videos were accessed by 22,792 individuals.

• Our self-help materials posted on our website and on the New York Health Access (NYHA) website were viewed or downloaded 316,028 times.

By leveraging our individual client representation into law reform litigation and advocacy, LAS is able to assist vast numbers of eligible clients while achieving systemic reforms that would not be possible solely through individual representation. Our work around pandemic rent relief demonstrates the successes of this comprehensive multi-pronged approach.

Since the start of the pandemic, LAS has played a leading role in strategizing, drafting, advocating for, and implementing legislation to protect low-income New Yorkers and prevent eviction. While the federal stimulus package was still under discussion, LAS helped to write and pass the Tenant Safe Harbor Act to provide interim protections at the state level.

Population Served: General Low Income Population

Area Served: New York City Metropolitan Area

Total IOLA Grant: $5,040,000

Staffing Full Time Equivalents:
• Total Staff: 567
• Lawyers: 347
• Paralegals: 158
• Other: 62
Overview of Achievements

We then worked closely with sponsoring legislators to draft the New York State Emergency Rental Assistance Program (ERAP) law, building in critical protections, such as specifying that tenants would not have to pay back any of the funds, ensuring that mixed-status and undocumented households were protected, preventing landlords from raising the rent for one year, and making sure that tenants were still protected even if the landlord declined ERAP. During the ERAP roll-out, LAS raised awareness among renters and urged eligible households to apply, providing information in multiple languages and through multiple channels. For households needing assistance, we directly supported them with applications, leveraging our relationships with law schools and training law student volunteers to scale up and meet demand. In parallel, we relayed feedback from our clients and advised the NYS Office of Temporary and Disability on how to improve the application process, successfully advocating for critical changes, including making program notices more comprehensive and accessible and providing applicant-specific appeal confirmations.

Direct Legal Services: Cases

Consumer/Finance Law:

JZ, 41, is a survivor of domestic violence who resides in Brooklyn. Her primary language is Mandarin. She arrived to the U.S. with her abusive ex-husband and is battling a lengthy immigration case. In January 2019, she began experiencing identity theft, resulting in substantial debts. Debt collectors talked her into payment plans that she could not afford, as she was already struggling to afford childcare for her two children and healthcare for her severe chronic back pain. After defaulting on a payment plan, she was sued in Supreme Court for tens of thousands of dollars. JZ was most concerned that her debt case would interfere with her immigration case. We consulted with her (non-LAS) immigration attorney to ensure that our strategy would not interfere with her immigration case. We also reviewed options with our own Immigration team. To contest the debts, we needed a police report to support the identity theft claim.

After extensive cooperation and advocacy with JZ, her social worker, and the NYPD, JZ provided a statement and we obtained the report, working with a police officer specialized in domestic violence and assisted by a LAS translator. The claim is currently pending with JZ’s bank. We successfully disputed every debt and JZ is more confident about her financial future.
Direct Legal Services: Cases

Other (Employment Law):
NK, 47, lives alone in Brooklyn and her primary language is Russian. Our Immigration Law Unit previously defended NK in a removal proceeding in 2014 and successfully applied for a T1 visa, a temporary immigration benefit for victims of human trafficking, on her behalf. The ILU then referred NK to our Employment Law Unit for further assistance. NK had been employed as a live-in nanny to a family with young children for about 15 months, working long hours (66—72 hours), six days per week. She was paid below the minimum wage and never received any overtime pay. After about one year, NK requested a salary increase to $10/hour, still well below the state minimum wage. NK’s employers abruptly fired her one month later and ordered her to leave their home immediately. NK had not been paid in weeks.

With our pro bono co-counsel, Kramer Levin Naftalis & Frankel LLP, we sued the employers for violation of the Fair Labor Standards Act. By June, the defendants agreed to settle, and we recovered $22,000 in back-owed wages and liquidated damages for NK. Our Low-Income Tax Clinic then advised her on the tax consequences of the settlement.
Other Services: Overview

Community Legal Education: Each Civil Practice unit offers trainings to low-income New Yorkers and community advocates. During the reporting period, LAS delivered 154 webinars and in-person trainings attended by 7,977 clients and advocates on topics including support for small businesses affected by the pandemic, workers’ rights, housing rights during COVID-19, immigration, consumer law, and benefits access. In partnership with Medgar Evers College Transition Academy, which supports students experiencing homelessness or issues of housing and food insecurity, we launched our CUNY virtual town hall series in December 2021, focusing on common housing issues and available LAS support. We also created five new Know Your Rights videos related to housing. Overall, the most watched video was “What Tenants Need to Know About Being Evicted.” Although not new this year, it is the most viewed Civil video of all time, with about 66,000 views (4,081 during this reporting period). We translated seven of our popular videos into Spanish, Chinese, Russian, French, Haitian, Bengali, and other languages.

Online Outreach: Our online self-help materials have been vital sources of advice and assistance to clients during the pandemic. During the reporting period, we updated and expanded client-facing content for our website, including KYR materials on a range of topics and our dedicated COVID-19 information hub. The most viewed articles during the reporting period were “What You Need to Know About Cash Assistance From HRA” (16,475 pageviews), “What You Need to Know About the NYS ERAP” (11,786), “COVID-19 Information for Clients” (9,123), “What You Need to Know About NYS Rent Relief for Immigrant Families” (8,341), and “What You Need to Know About Applying for Shelter at PATH” (6,410). Our online outreach also includes downloads from the “Get Help” section of our website (8,070 during the reporting period) and from the NYHA website (109,216), our collaboration with NYLAG and Empire Justice Center to educate clients and advocates on healthcare access. We also expanded our online outreach by partnering with CUNY student leadership to initiate a “Legal Aid Academy,” an online library of relevant rights-related resources for students.

| Number of People who Benefitted from Services Other Than Direct Legal Representation |
|---------------------------------|------------------|
| Community Legal Education       | 221,534          |
| Online Assistance               | 117,286          |
Other Services: Technology and Other Innovations

Enhancements for a safer and more affirming case management system: In March 2022, we began the roll-out of the new Client Demographic Information (CDI) tab in LawManager. This new feature offers options to accurately and affirmingly reflect our clients’ race/ethnicity and sexual orientation, gender identity, and expression (SOGIE). The CDI will help us to honor our obligations under the NYS/NYC Human Rights Law to respect the language our clients use to refer to themselves and to avoid problematic assumptions about a person’s identity based on information received by third parties, such as OCA or ACS. The new CDI tab will also enable the collection of more accurate data on systemic issues affecting our clients that may be associated with their SOGIE, race, or ethnicity. We developed an organization-wide training and rollout plan for staff of all levels.

Streamlining OCA data pathways for Housing Court cases: We worked with OCA to streamline the data flow of Housing Court cases from OCA to LawManager. We receive data from OCA once per week and developed a reconciliation process using the index number to match OCA’s case data with our records in LawManager. With the creation of OCA Housing Court data fields in LawManager, our case handlers now have access to up-to-date court information in one place.

Other Services: Trainings

During the reporting period, LAS held a total of 68 Continuing Legal Education (CLE) events, attended by a total of 4,484 Civil Practice advocates and attorneys. LAS operates a robust training and professional development program aimed at developing the advocacy skills of our paralegals, attorneys, and supervisors. Staff learn best practice tips from seasoned advocates in the areas of client interviewing, legal research, motion writing, negotiations, trial advocacy, vicarious/secondary trauma, and self-care. Our Immigration and Housing practice areas have additional targeted content-specific training programs that run for several weeks and build on introductory material as the programs progress. Supervisors are offered opportunities to convene and share ideas with other leaders with training modules focusing on the importance of effective delegation, constructive feedback, teambuilding, leadership, and professional development plans.

The Civil Practice of The Legal Aid Society has a Director of Learning and Development who sends staff opportunities for training in various areas on a weekly basis. LAS offers a range of trainings to encourage diversity and focus on issues such as Anti-Bias and Anti-Racism training together with Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ+) cultural humility. Moreover, staff and supervisors attend anti-bias and Equal Employment Opportunity (EEO) trainings. Preparing staff to interrupt bias in both the workplace and in the courts is central to our mission, and our staff are provided with the skills needed to challenge issues effectively while also providing culturally competent services for clients.
Impact Cases

**LAS successfully sues to reopen the ERAP Portal:** In November 2021, the NYS OTDA closed the ERAP application portal to new applicants. Although all of the initially allocated funds had been spent or committed, NYS was preparing to apply for additional federal funding the following spring. Closing the portal was thus premature. In December 2021, LAS sued in Hidalgo v. NYS OTDA on behalf of four tenants, with broader implications for all eligible tenants. LAS argued that OTDA had violated its duties under the ERAP statute, exceeded its lawful authority, and violated the law’s intent of protecting eligible families from eviction so long as there remain federal funds to be distributed. The court agreed and ordered OTDA to begin accepting new ERAP applications, allowing New Yorkers to seek assistance and benefit from the additional protections conferred to applicants.

**Fighting for in-person defense in removal proceedings:** In June 2018, the ICE NYS field office abruptly announced that NYC removal proceedings would be conducted exclusively by video teleconferencing (VTC). LAS argued that VTC prevents detained immigrants from fully participating in their defense and impedes effective representation. When ICE refused to reinstate in-person hearings, LAS filed suit with our New York Immigrant Family Unity Project partners (the Bronx Defenders and the Brooklyn Defenders) in P.L. et al v. ICE in June 2019. Although we were ultimately unsuccessful in court, our litigation nonetheless improved access to justice for our clients: in response to our advocacy, ICE produced dozens of individuals in person up until March 2020, when in-person ceased due to the pandemic.

**Eliminating discriminatory criminal background checks:** In May 2021, LAS filed Smith v. 94th Ave Jamaica LLC et al on behalf of a client who was unjustly denied an apartment in a City-funded housing development because of a ten-year-old felony conviction, despite her overwhelming record of rehabilitation. After LAS filed the complaint, the City overhauled its criminal background check policies. Applicants to housing funded by the Housing Development Corporation and the Dept. of Housing Preservation and Development can no longer be turned down because of an old felony record (5+ years) or misdemeanor conviction (1+ years). For applicants with a more recent felony or misdemeanor, evidence of rehabilitation must be considered. These changes will open housing opportunities to low-income people, people of color, and others who are disproportionately impacted by the criminal justice system.
Pro Bono Volunteer Involvement

In contrast to the traditional “referral panel” model, LAS integrates volunteers into our delivery of civil legal services. Volunteers serve “of counsel” to LAS, which remains the attorney of record. LAS screens matters, conducts CLE trainings, and mentors each case. Many firms also act as co-counsel on affirmative litigation matters. For example, in December 2021, LAS and Kasowitz Benson Torres LLP secured a $600,000 settlement from Scharome Cares, Inc., a home health care aide services agency, on behalf of six aides who alleged that the agency had violated their rights under state and federal labor laws. NYS guidelines and federal regulations mandate that home health aides get eight hours for sleep and three hours of meal breaks per 24 hours worked, all unpaid; however, patients often require around-the-clock monitoring and care, and as a result, these rules result in routine underpayment for actual hours worked. The settlement covered damages, penalties, and all unpaid wages and overtime for the plaintiffs, with broader implications for workers in home health care, one of the fastest-growing industries in the U.S.

Through internships, clinics, and partnerships with law schools, LAS cultivates opportunities to provide valuable professional development and mentorship to law students and leverage those relationships to meet additional civil legal needs. During the reporting period, LAS trained law students to provide support on ERAP applications in Queens as well as DACA referrals in response to the high volume of need. Other collaborations include: the Spring Break Caravan, where volunteer law students screened unaccompanied children and adults with children family units for immigration relief under LAS supervision; the Economic Justice and Empowerment Externship to assist low-income residents of Harlem and Manhattan with consumer debt, personal tax, and small business matters; and the Consumer Credit Court Observer Project, a joint collaboration with the Fordham Law School Feerick Center for Social Justice, St. John’s Law School, and Take Root Justice on virtual court proceedings.

1,011 Attorneys volunteered 48,470 hours

123 Law Students volunteered 26,572 hours

363 Other Volunteers volunteered 4,770 hours
Significant Collaborations

Through partnerships with CBOs, coalitions, and other organizations, LAS is able to provide comprehensive support to individual clients as well as advocate for change at a societal level. Some examples of our collaborations during the reporting period include:

- **Fighting for pandemic relief for excluded workers:** As part of the Fund Excluded Workers (FEW) Coalition, LAS advocated for pandemic relief for workers who lost their employment due to COVID-19, but who were ineligible for traditional unemployment insurance benefits or the expanded pandemic unemployment benefits—primarily noncitizen New Yorkers. This advocacy resulted in creation of the $2.1 billion Excluded Worker Fund (EWF), a first-in-the-nation wage replacement benefits program for these essential workers who had been left out of other pandemic relief programs.

- **Joint awareness-raising and advocacy for permanent protection of vulnerable immigration children:** LAS is on the steering committee of the End Special Immigration Juvenile Status (SIJS) Backlog Coalition, a national group of directly-impacted youth and over 70 allied advocate organizations across the country, working to educate Congress, relevant administrative agencies and the public about the harmful impacts of visa caps on vulnerable immigrant children, and to advocate for an end to the SIJS backlog. In December 2021, the Coalition released its report, *Any Day They Could Deport Me*, which illustrates the costs of the SIJS backlog to directly-impacted children, as well as to child welfare agencies, immigration legal providers, immigration agencies, and the courts. The report recommends specific federal legislative amendments to provide permanent protection, as Congress intended, for the tens of thousands of vulnerable immigrant children.

- **Supporting survivors of domestic violence to overcome financial abuse:** The Consumer Law Project worked with Safe Horizon and Sanctuary for Families to provide survivors of domestic violence and gender-based violence with legal advice on debt, credit, and identity theft, in recognition of the prevalence of financial abuse in domestic violence cases.
Sources of Funding

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<th>Source</th>
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<td>City and County Funding</td>
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