Overview of Achievements

This past year, Make the Road New York’s (MRNY) legal department demonstrated its unique ability to adapt to and meet the persistent and emerging needs of the communities we serve. Across our offices in Brooklyn, Queens, Staten Island, Westchester County and Suffolk County, we continued to deliver high quality, impactful services to low-income, immigrant communities despite changing COVID conditions that kept our team working mostly remote. In the past year, our department closed an incredible 10,529 cases, which benefited 19,170 people. This increase in cases closed from last year reflects the targeted, intentional advocacy for COVID-related relief that our organization as a whole was focused on. MRNY advocated for desperately needed programs that would benefit our clients devastated by COVID, such as the New York Excluded Workers Fund (EWF) and the Emergency Rental Assistance Program (ERAP). After we won these historic benefits, our team quickly adjusted our intake priorities to ensure community members would have access to the application support and subsequent legal advocacy required to take advantage of those programs during the limited time frames they were available.

Our ability to adjust in order to maximize the ability of our clients to take advantage of these short-term programs is evident in our case numbers. Our Workplace Justice team delivered an incredible range of employment services, including assistance related to EWF, that reflected the real-time challenges that workers faced in an uncertain employment landscape. We shifted some of our work from traditional cases, such as wage theft, in order to focus on the overwhelming need presented by the EWF program -- it is reflected in our income maintenance data. We closed 166 traditional employment cases benefiting 457 people, a significant decrease from years past, in order to focus on EWF. And the shift of focus paid off: because of our work, we put an incredible $2,000,060 into the hands of vulnerable workers through this program alone. Our Workplace Justice team has continued significant litigation, including cases we started in 2020 on behalf of essential workers fighting for safe working conditions at an Amazon warehouse on Staten Island, as well as on behalf of individual Amazon workers unlawfully terminated for exercising their right to organize.

**Population Served:** Low Income Immigrant and Families

**Area Served:** New York City Metropolitan Area

**Total IOLA Grant:** $311,792.11

**Staffing Full Time Equivalents:**
- Total Staff: 67.11
- Lawyers: 25.60
- Paralegals: 25.64
- Other: 15.87
Direct Legal Services: Cases

Employment:

Our workplace justice legal team represented a line cook, Ms. M, at a restaurant in Queens who was laid off at the start of the pandemic and has been struggling to find work since. Our client had been living at a shelter from 2020 through the end of 2021 with her young son, who has severe developmental disabilities and was unable to attend school for most of the pandemic. Ms. M applied online for the Excluded Workers Fund (EWF) on her own in September 2021, shortly after the fund began accepting applications. The New York State Department of Labor (DOL) initially denied Ms. M's application, allegedly because while she had obtained a letter from her shelter as current proof of residency, she had not provided proof of past residency. Ms. M attempted to appeal the denial, but technical issues with the EWF application system resulted in a denial of her appeal.

Confused and overwhelmed by the application process, Ms. M sought MRNY's assistance. MRNY met with Ms. M to determine what was included in her initial application and why it had been denied. MRNY spent many hours on the phone and exchanging emails with DOL staff, during which Ms. M and MRNY received conflicting information about what exactly the agency needed from Ms. M to approve her application.

After an incredible amount of advocacy and pressure on the DOL to reopen Ms. M's appeal and accept the documents submitted, Ms. M was finally awarded Tier 1 benefits amounting to $15,600. This money has meant so much to Ms. M in helping her get back on her feet, provide for her son, and even move out of the shelter to a room of her own. Ms. M is now a regular member of MRNY's workplace justice committee in its Queens office and is active in pushing for a permanent fund for workers historically excluded from Unemployment Insurance Benefits.

19,170 people benefitted from 10,529 legal cases closed

Cases by Legal Problem Area:

- Health: 42%
- Income: 26%
- Immigration: 28%
- Housing: 2%
- Employment: 1%
- Other: 1%
Direct Legal Services: Cases

Immigration:

Mrs. A has been an active member of MRNY’s Staten Island office since at least 2013, and in 2017, she sought the assistance of MRNY’s legal team. She had previously hired a private immigration attorney who promised her a green card and took her money, but did not disclose that his strategy was to have her placed into deportation proceedings. MRNY discovered that her previous attorney had actually filed an asylum application on her behalf, which she was unaware of. Since she was not eligible for asylum, once her pending application was reviewed, she would be referred to deportation proceedings. However, our attorney learned that one of Mrs. A’s U.S. citizen children was about to turn 21. That, combined with the fact that her husband's employer had filed a labor petition for him back in early 2001, meant that Mrs. A was actually imminently eligible to obtain a green card through a family petition and grandfathering under 245(i) -- an old law that allows some people to overcome bars such as having entered the country without inspection.

MRNY worked with Mrs. A to convince the asylum office to take the extraordinary measure of not referring her case to the Immigration Court. Meanwhile she prepared and moved forward with an application for adjustment of status before USCIS. On July 30, 2021, after an interview and response to a subsequent request for evidence dealing with proving her husband's whereabouts on December 21, 2000, Mrs. A became a lawful permanent resident of the United States. She had been living over 20 years as an undocumented person in NYC.

Throughout her case, Mrs. A was active in educating fellow community members about her experience. As recently as March 2022, she, together with a member of MRNY’s legal team, presented at a community meeting regarding 245i eligibility.

Other Services: Overview

MRNY’s legal services encompass more than just direct casework. In fact, we are committed to empowering our client community with the necessary 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 the laws as they exist and important changes that might be taking place. 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, covering critical topics such as unemployment eligibility, including as it relates to New York State’s landmark Excluded Workers Fund and how to access and apply for those benefits; breaking updates regarding the state’s eviction moratorium; and timely immigration information around legislative and administrative policy changes, such as Congress’s consideration of legalization programs in its recent budget reconciliation process.
We set out to reach 12,500 in real-time engagement this year with our efforts, and while we count 5,720 who connected with our community education in real-time, we have already overwhelmingly exceeded that goal in total views (which includes those who have watched the content after the live webinar).

Given the ongoing challenges posed by the COVID-19 pandemic, we have continued to deliver these trainings and talleres on virtual platforms, such as Facebook Live and Zoom, which allow us to reach many more individuals than we otherwise would. One of the lessons learned during this pandemic has been our ability to leverage these platforms to broaden the reach of our service delivery model. Clients and other interested members of the community can go back and watch offerings that are recorded, allowing us to reach even deeper into our client communities, and providing an opportunity to track the number of total views.

This past year we provided a significantly increased amount of pro se assistance to clients seeking guidance on matters that were best managed with limited support from our legal staff, including on FEW applications and immigration clinics dedicated to DACA. And as we have reported in years past, 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 represents our desire to respond 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 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. We value our ability to serve the entire client, even in the face of the challenges posed by the pandemic. These efforts exemplify that commitment.

### Other Services: Overview

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### Number of People who Benefitted from Services Other Than Direct Legal Representation

<table>
<thead>
<tr>
<th>Service</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Legal Education</td>
<td>89,373</td>
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<tr>
<td>Pro Se Assistance</td>
<td>985</td>
</tr>
<tr>
<td>Online Assistance</td>
<td>16,503</td>
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</table>
Other Services: Technology and Other Innovations

Over the past year, MRNY endeavored to build upon our digital infrastructure as our work remained largely remote due to variant waves of the COVID-19 pandemic. Specifically, we focused our resources on improving our existing case management, communication, and organizational systems, as well as on utilizing these systems to bridge the gaps in digital and language accessibility to facilitate remote work for our legal staff and improve service delivery for our clients.

We developed our cloud-based Salesforce case management system to better capture data through the use of unique objects and dashboards—helping staff keep track of their case dockets and administration to present pertinent information to external stakeholders. Coinciding with legislative victories and services related to the Emergency Rental Assistance Program and Excluded Workers Fund, MRNY developed unique database records to capture the financial magnitude of these successes and reflect the relief brought by these legislative campaigns to low-income immigrant community members and their families. Along a same vein, MRNY rolled out dashboards periodically to help visualize the impact of our legal services more broadly, as well as to help staff efficiently coordinate capacity between and within legal teams reporting to different funding opportunities. Through our work on these dashboards and accompanying reports, we have been able to automate much of our reporting processes and maintain close review over the scope of our work.

MRNY continued to enhance our website with additional information for clients and community members, regularly updating our website with our campaigns, services, and media coverage. We continued to host committee meetings regularly online, offering interpretation services in Spanish and English, whenever possible and upon request. In addition to these online community meetings, we expanded our audience by streaming live legal KYR trainings on Facebook Live, reaching thousands of viewers in the moment, and tens of thousands more who watch subsequently on our pages on Facebook and YouTube. Also included on our website, are legal resources and Know-Your-Rights materials that we have developed to keep our members informed of ongoing federal developments related to immigration and how to access benefits created by our state legislative campaign victories. Links to these resources are included in our list of Materials Developed, part D of the GAR.
Other Services: Trainings

Professional development is a critical part of our approach to delivering exceptional legal services and investing in our staff. 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. 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 expected to attend quarterly supervision training. This year, we offered supervision-focused training to new supervisors and time management training to staff attorneys on our legal team through the Management Center.

We’ve also continued to build out the infrastructure of our org-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 org-wide trainings on related topics. And of course within our practice areas, we’ve recognized the need to keep our staff up to date on shifting practice trends, especially in the immigration space. For example, our staff received tailored training on issues related to asylum, border policies and the implications for clients in the interior of the United States, and training on complex waivers in the immigration context.

Lastly, we again engaged with the Movement Law Lab to offer our legal staff a multi-month training series on movement lawyering.

The list below reflects some significant trainings our legal team joined during the grant period.

- Movement Law Lab training
- Border Update
- Inadmissibility Waivers & Satisfying the Hardship Standard
- Immigration Law 102 (Life of a Removal Defense Case)
- Sources of Law
- Asylum Law 101
- SIJS
- Post-Order Representation
- VAWA/U/T Visas
- Federal Litigation Strategies
- 40-hour immigration training for paralegals
- Wage and hour Class and Collective Actions
- Paid Sick Days and Paid Family Leave
- Introduction to NYC Unions
- Management center training for new staff attorneys and supervisors
Impact Cases

**Batalla Vidal v. Wolf:**
MRNY’s long-running case to protect DACA continues as challenges to our Supreme Court victory in June 2020 have played out in other jurisdictions. In July 2021, a judge in Texas ordered a halt to the DACA program. That ruling meant that no new applications for DACA (for people who have never had DACA before) -- even applications that are already pending -- could be granted. For people with DACA, the judge allowed them to keep their DACA status and to continue renewing it while the case is appealed. As many as 82,000 people who applied for DACA since December 2020 but who had not yet gotten a decision were left in limbo, denied the opportunity for approval of their DACA and for the stability and opportunities that would bring. An additional 250,000 more who qualify but have not yet applied were prevented from applying due to the decision. Our team has been strategizing over this past year, weighing options for intervention. Just recently, we filed a letter in the EDNY, detailing our argument that the government has misinterpreted the impact of the Texas court order on our judge’s earlier decision as stopping the program for all first-time applicants, asking the EDNY to order the adjudication of applications pending prior to the Texas court’s order.

**DHCR Advocacy:**
MRNY currently represents 12 rent-stabilized tenants in a building in Brooklyn. The landlord submitted a request to the Division of Housing and Community Renewal (DHCR) to increase the tenants' rents based on alleged major capital improvements (MCI's). MRNY organized 12 units in the building, gathering information and evidence to challenge the request. In doing so, MRNY was able to use the stricter standards for MCI's that were passed in 2019 as part of the Housing Stability and Tenant Protection Act. DHCR approved a small rent increase based on the landlord's submission, however, due to MRNY's advocacy, the rent increases for each apartment were lower than they would have been otherwise. MRNY has also filed a petition for administrative review to appeal DHCR's decision and hopefully keep these rent-stabilized apartments affordable for the tenants.
Pro Bono Volunteer Involvement

MRNY has leveraged additional resources from partnerships with private firms who provide pro bono legal assistance, law students and other volunteers to expand our capacity to serve the community. In total, our partnerships with pro bono attorneys, law students and other volunteers resulted in 6,343.6 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 from 16 volunteer attorneys Paul Weiss Rifkind, Wharton & Garrison LLP, who assisted 12 clients to submit their applications for Excluded Worker Fund benefits.

We also engaged critical pro bono support on ongoing matters. For example, 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. We are partnering with Quinn Emmanuel to represent 2 Amazon workers who are witnesses in the ongoing case the New York State Office of Attorney General brought against Amazon for health and safety violations during the COVID-19 pandemic at the JFK8 facility in Staten Island as well as an unfair labor practice charge MRNY brought against Amazon before the National Labor Relations Board.

MRNY benefited from significant support from law school interns and new attorney volunteers during the summer and throughout the academic year. During the summer of 2021, we hosted a class of 11 legal interns remotely who each worked in one of our practice areas. MRNY is a placement site for the state’s Pro Bono Scholars program, and we are currently hosting a Brooklyn Law student on our workplace justice team. We also have an NYU Law student as a spring semester legal intern. MRNY is a placement site for Northeastern Law School’s legal co-op program, and we hosted an extern last summer on our immigration team.

50 Attorneys volunteered 1,549 hours

14 Law Students volunteered 5,272 hours

7 Other Volunteers volunteered 43 hours
Significant Collaborations

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

- MRNY is on the steering committee of the We Are Home campaign, a national coalition of organizations focused on advocating for key reforms to our immigration laws.

- MRNY is on the steering committee of Moving Towards Justice (MTJ), a national coalition of organizations working to develop a new legal framework for our immigration system.

- 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 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 led the Fund Excluded Workers coalition of dozens of organizations across the state including the Worker Justice Center of New York, New York Immigration Coalition, Desis Rising Up and Moving, Street Vendor Project, among others, to pass a bill establishing a $2.1 billion Excluded Workers Fund to provide income relief to workers who lost income during the COVID-19 pandemic and were excluded from other government relief.

- 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, or 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.
Significant Collaborations

- 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.

Sources of Funding

<table>
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<tr>
<th>Funding Source</th>
<th>Amount</th>
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<tr>
<td>IOLA Grant</td>
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<tr>
<td>Federal Funding</td>
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<tr>
<td>Foundations</td>
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<td>State Funding</td>
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<td>City and County Funding</td>
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<td><strong>Total</strong></td>
<td><strong>$7,279,944.60</strong></td>
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- City: 56%
- State: 20%
- Foundations: 15%
- Federal: 5%
- IOLA: 4%