Overview of Achievements

Over the last fiscal year, NDS provided civil legal services in 1,818 matters and served 2,864 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 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.

Despite the ongoing challenges posed by the pandemic, NDS has made numerous improvements in the last fiscal year to enhance the services we deliver. First, NDS has added additional physical office space by expanding from the 10th Floor of 317 Lenox Avenue to occupy half of the 4th Floor in the same building. This expansion has added additional staff cubicles and offices as well as additional conference rooms and client meeting spaces – including a client meeting space dedicated specifically to clients with children and particular wellness needs.

Second, NDS has also added crucial staffing positions to further our mission. In particular, through the IOLA grant, NDS was able to add a social work position dedicated to serving the clients of our Housing Defense, Collateral Consequences, and Immigration Defense teams. The social worker has provided essential support to clients by identifying needs and connecting them with resources to obtain benefits, housing, and mental health services while additionally providing emotional support as our clients navigate the stress of systems involvement, enhancing outcomes in clients’ legal matters.

Population Served: General Low Income Population

Area Served: New York County

Total IOLA Grant: $100,000

Staffing Full Time Equivalents:
- Total Staff: 75.3
- Lawyers: 47.3
- Paralegals: 13
- Other: 15
Direct Legal Services: Cases

Immigration
In an immigration matter, Harlem resident Mr. S was detained by ICE and fast-tracked for deportation based on criminal charges that were still pending. Mr. S had fled from India after being tortured, restrained with wooden shackles, put in stress positions, and deprived of food in persecution for his father’s participation in a Sikh political party. Another legal services office originally took his case but then withdrew representation, and, in December 2021 the court told Mr. S he had less than a month to proceed with his merits hearing alone. With a difficult case ahead of him and no time to find representation, Mr. S was almost certain to be deported, based on criminal charges which had not even been litigated.

At this point, NDS stepped in and took on representation of Mr. S. Despite the fact that NDS’s attorney had less than a week to prepare between retaining Mr. S and the merits hearing, the Immigration Judge refused to grant a continuance to give us a meaningful opportunity to actually prepare evidence or testimony for the case. Mr. S had no viable remedy to this travesty of court process, as challenging the denial of continuance on appeal would have required subjecting himself to months or even years of continued detention. NDS’s attorney, who had been able to meet Mr. S in detention only once before and was given a half hour to review the court file, nonetheless expertly presented a comprehensive defense for Mr. S that included expert reports on the political violence Mr. S experienced in his home country. Due to NDS’s advocacy, Mr. Singh was granted Withholding of Removal, protecting him against deportation to the religious and political persecution he would surely face in India. ICE declined to appeal the decision and, as a result, Mr. S was freed from immigration detention and at liberty once again.
In a housing matter, Mr. D's case was heading to imminent hearing on whether he violated a pro se Housing Court stipulation that prohibited general nuisance conduct for one year after a nuisance petition was filed in 2019 that alleged various low-level arrests and other allegations clearly attributable to Mr. D's then-untreated mental health conditions. After a new arrest in 2020, also attributable to Mr. D’s mental health conditions, NDS first became aware of the case, and appeared on Mr. D's behalf when his landlord moved to restore for a hearing on whether the new arrest and other low-level allegations constituted a breach of the stipulation he previously entered without an attorney.

With NDS on the case, a referral to Adult Protective Services was made and Mr. Demarco was found to be in need of a guardian ad litem. Meanwhile, with NDS’s support, Mr. Demarco also connected with other social services and began engaging in mental health treatment. All the while, Mr. D’s landlord refused to entertain any further settlement or extension of probation now that Mr. D had the benefit of an attorney. Once a GAL was assigned, NDS’s attorneys were able to craft unique defenses to the alleged violations as well as the underlying petition. Specifically NDS made a pre-trial motion arguing first that the pro se stipulation should be vacated because it was highly prejudicial and entered into without assistance of counsel or a GAL, which our client was unquestionably in need of at the time and to date; second, we argued that even if the stipulation stands and Mr. D is found after hearing to have violated it, he should be given an extension of time to comply, or permanently stay eviction, as a reasonable accommodation under the Fair Housing Act. For both of these arguments, an NDS social worker collaborated closely with Mr. D’s legal team, reviewing thousands of pages of medical records to demonstrate to the court that Mr. D had longstanding, untreated mental illness for which he was now receiving services.

After the motion was filed, Mr. D's landlord offered for the first time to enter an agreement that would permit him to remain in the only stable home he has ever called his own. And this time, Mr. D had the benefit of the NDS legal and social work team, supportive services and a GAL to ensure the new agreement is favorable and allows him to keep his home.
Other Services: Overview

Despite the challenges of meeting with large groups in person, NDS has been able to conduct both virtual and in-person community legal education during the fiscal year. NDS’s contract goal is to serve 200 community members through community legal education. 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.

To date, 75 community members have received these services. Although this number reflects slightly under one half of the overall contract goal, we anticipate more opportunities to conduct these programs in the coming fiscal year. In particular, we have been in communication with a tenant’s associations interested in learning more about obtaining repairs; are anticipating the hiring of a paralegal fellow in Fall 2022 to engage with the community on individual rights in policing matters; are anticipating hiring a Community Outreach Coordinator in the Family Defense practice to deepen relationships with community organizations where community legal education session can be held; have a program scheduled in May 2022 with Harlem’s Beyond the Book to share information about our immigration services; and are in the process of scheduling a know-your-rights event at Fountain House to share information with individuals engaged in mental health services about obtaining housing and employment with a criminal record.

<table>
<thead>
<tr>
<th>Number of People who Benefitted from Services Other Than Direct Legal Representation</th>
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<tbody>
<tr>
<td>Community Legal Education</td>
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75 People Benefitted by Services Other Than Direct Legal Representation
Other Services: Technology and Other Innovations

As described above, NDS has continued to adjust to providing remote service delivery, particularly as court intake streams remain remote. We have implemented the use of Microsoft Forms and excel sheets to streamline information gathering and continue to utilize phone services to initially connect with clients. In addition, NDS continues to develop its case management system, Defender Data. We began initially using Defender Data in October 2021 and have continued to refine the data we capture and its usability functions to streamline intakes and referrals. For instance, all criminal court arraignment files are stored directly in Defender Data so when a referral is made to our Civil Defense Practice, civil attorneys and advocates can immediately access all relevant criminal case information; additionally, referrals are made to social work staff directly through Defender Data, and we are working on developing a similar automated referral process for legal cases. Finally, as many of NDS’s case files have begun to be maintained digitally through our shared drive, Egnyte, we have engaged a contractor to digitize all closed physical files.

Other Services: Trainings

NDS provides staff with substantial training opportunities both in-house and externally. In September 2021, approximately 10 new staff joined NDS across practices and benefitted from a robust, multidisciplinary training period. This included substantive trainings on each of NDS’s practice areas including criminal, family, immigration, housing and collateral consequences as well as training on working with clients with mental health needs and other vulnerabilities. A modified version of this extended program is provided to each new staff person who begins at NDS. Additionally, several external training opportunities were made available. Also in September 2021, NDS’s Immigrant Justice Corps Fellow also benefitted from a two-week training period presented by IJC on a breadth of topics related to immigration representation. The Leap coalition additionally provided weekly training for new housing attorneys throughout the fall that included practical skills and trainings on working with high needs client populations; this training series was attended by approximately 8 NDS staff.

Additionally approximately 10 staff attended a two-day Housing Court trial skills program provided by retired Housing Court practitioners and an additional two-day training on litigating HP Actions in Housing Court by the same practitioners. Supervisors and managers were also provided training opportunities; one supervisor was enrolled in the Housing Justice Leadership Institute training series throughout the fall of 2021, four managers attended Management Center’s Equitable Hiring program.
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

<table>
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<tr>
<th>Source</th>
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<tr>
<td>IOLA Grant</td>
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<tr>
<td>City and County Funding</td>
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<td>State Funding</td>
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<td><strong>Total</strong></td>
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Pro Bono Volunteer Involvement

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, Gibson Dunn Crutcher (GDC) LLC regularly retains clients pursuing individual rights matters due to civil rights violations and police misconduct. In the last fiscal year, GDC, in collaboration with NDS, represented 10 clients in these matters. Additionally, NDS collaborated with Wilmer Hale on an application before the Second Circuit to reopen removal proceedings in an immigration matter and secured remand to apply for eligible forms of immigration relief.

Additionally, NDS continues to provide internship opportunities for law students and social worker students. In Summer 2021, NDS hosted 31 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. During the course of the academic year, NDS is also a placement site for social work student interns who participate actively in clients’ legal cases.

13 Attorneys volunteered 300 hours

31 Law Students volunteered 10,850 hours