Overview of Achievements

From April 2021 through March 2022, the IOLA Fund of the State of New York provided critical support to Sanctuary for Families’ Center for Battered Women’s Legal Services (“the Legal Center”) in its delivery of holistic, integrated civil legal services benefiting 3,053 low-income and indigent victims of domestic violence, sex and labor trafficking, and other forms of gender-based violence, with a total of 4,175 cases closed. The Legal Center provides assistance to abuse victims in all five counties of NYC (Bronx, Kings, New York, Queens, and Richmond) as well as surrounding counties in New York State. Clients are among the metro region’s poorest residents—last year, over 90% reported household incomes of $30,000 or less, with over 80% reporting income of $20,000 or less. Over 90% are women and families of color (13% Asian, 27% Black, 50% Hispanic, 27% Black, 10% Asian, 2% Middle Eastern, 2% Multiracial) and 75% of adult clients are immigrants, hailing from over 150 countries, many of them monolingual or with limited English skills. The majority are single parents with dependent children.

The Legal Center maintained its strong relationship with major law firms engaged in public interest pro bono work, with 46 major firms working with Legal Center staff. Of the aforementioned closed cases, 29 pro bono firms handled 129 family law cases; 23 firms handled 129 trafficking cases; 17 firms handled 77 immigration cases; and 12 firms handled 40 matrimonial, public benefits, and housing cases. In addition, the Courtroom Advocates Project (CAP) trained 432 advocates—including law students and non-admitted law firm associates—who assisted 194 litigants in Family Court.

As an agency, Sanctuary provided services to over 7,200 adults and children last year, primarily via secure remote platforms—including secure individual and group counseling via telehealth platform; a fully remote version of the intensive 4-month career training program; case management services and educational advocacy to help clients with school-aged children; and $828,000 in emergency financial support to 770 individuals and families to address food insecurity, prevent eviction, and respond to other crisis needs.
Direct Legal Services: Cases

Family Law:
Laurie was desperate when she reached out to the Legal Center for help. Petitioning her for custody of their three young daughters, Laurie’s abuser made allegations that she had a history of mental illness and abused the girls. His attorney was very aggressive, and despite a lack of proof in support of his allegations, the Court treated Laurie as if the allegations were true. Sanctuary’s legal team sought to put an end to the allegations of mental health issues, and argued against a subpoena for her entire medical records. Ultimately, the team proved to the Court that the ACS allegations against Laurie were false, and that the abuser was lying to the Court and had been evicted from his home. At that point, he stopped appearing in Court, and a staff attorney successful advocated to have the custody petition filed by Laurie’s abuser dismissed when he failed to appear at the conference date. Laurie was awarded sole legal and physical custody of her 3 girls with no visitation ordered.

Cases by Legal Problem Area

- Immigration: 27%
- Income: 6%
- Housing: 2%
- Miscellaneous: 5%
- Family: 60%
- Housing: 2%

4,451 people benefitted from 4,175 legal cases closed
Family Law/Immigration:
Alejandra, a Colombian woman in her late 30s, first came to the Brooklyn Family Justice Center in 2018 seeking legal assistance with immigration, divorce, and order of protection needs. A Sanctuary family law attorney started representing Alejandra in summer 2019, assisting her with filing a Family Offense Petition which resulted in a Temporary Order of Protection, and commencing a matrimonial action against her husband of two years. The order of protection matter was ultimately consolidated with the matrimonial matter, and the attorney successfully advocated for Alejandra to obtain her portion of the financial stimulus monies that had been withheld by the husband, as well as ultimately settled the matter for a lump sum equitable distribution and spousal support award, as well as a stay-away provision in the parties’ ultimately settlement agreement. The support amount obtained was likely higher than Alejandra would have obtained through the judicial process, and she will now be able to expedite a divorce judgment which will leave her with the peace of mind she so desperately needs. The attorney was also in close communication with Alejandra’s Sanctuary immigration attorneys in order to ensure that any ultimate settlement would not compromise her ability to become a U.S. citizen.

Immigration:
In January 2022, a senior immigration staff attorney, with the help of an immigration project assistant, filed an affirmative asylum application on form I-589 for Sanctuary client Kioni. An asylum seeker from Kenya, Kioni entered the U.S. last March with her two young sons, and is petitioning for asylum based on severe abuse and persecution by her husband, who repeatedly stalked, beat, sexually assaulted, and threatened to kill her over a period of four years. Despite reporting his violence to the police on numerous occasions, as well as moving to different locations all over Kenya to escape her abuser, Kioni continued to be terrorized by him with impunity. Additionally, he forced Kioni to return to his home by threatening to withhold paying for life-saving medical treatment for their son, who had been diagnosed with aggressive leukemia in 2020. Kioni is currently living in stable shelter housing in NYC and her son is receiving the treatment he needs at a metro area hospital. Now that an asylum application has been filed, we await a receipt notice from USCIS, as well as an eventual interview notice from the Asylum Office. Kioni looks forward to working with us to continue preparing and finalizing all of the necessary evidence and case documents in advance of her eventual interview.
The Legal Center provides a range of other legal-related services including family law and immigration screenings, legal advice and referrals, translation/interpretation, pro se assistance, and legal and non-legal case management. The goal is to ensure the most holistic, integrated services for abuse victims who often have multiple pressing legal needs. In addition, the Legal Center delivers extensive community legal education and “know your rights” sessions for abuse victims and potential victims, with the goal of increasing access to services for marginalized, often isolated communities.

During the report year, Sanctuary Family Justice Center (FJC)-based legal staff provided civil and immigration legal screenings for thousands of victims, providing clients with risk assessment, safety planning, and helping them to make informed legal choices that often resulted in decisions not to pursue litigation, reducing the number of pro se litigants and matters in the courts. These FJC family law attorneys handled unprecedented screening volume, while simultaneously working through their long-term caseloads. Additionally, the Director of the Legal Center’s Brooklyn FJC covers intake in the Kings County Integrated Domestic Violence Court. The family law attorneys in our main office also help with FJC screenings, spending 2-3 days every month doing legal consultations.

<table>
<thead>
<tr>
<th>Number of People who Benefitted from Services Other Than Direct Legal Representation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Legal Education</td>
</tr>
<tr>
<td>Pro Se Assistance</td>
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4,140 People Benefitted by Services Other Than Direct Legal Representation
Other Services: Technology and Other Innovations

During this reporting period, Sanctuary’s IT team strengthened the organization’s online security by implementing 2-factor authentication in most access points including remote desktop, Salesforce database, and email. They also replaced the remote desktop server with one that has dramatically more capacity and the ability to videoconference from inside the remote desktop session. An additional wave of technological advances implemented in the previous year as a result of the pandemic continue to operate effectively, and are changes that will remain in place permanently due to the increased efficiency. These include digitization of the emergency client grants system, moving away from hard-copy paperwork, which has allowed for faster, more efficient process to get financial aid to clients in need for expenses including rent, utility bills, moving costs, and medical expenses.

Other Services: Trainings

The Legal Center conducts in-house trainings during its monthly department-wide meetings. Each month, staff members present an area of law that they practice, highlight case successes, and occasionally outside speakers are recruited to present to the entire Legal staff. Significant trainings last year have included:

- Training by senior family law/child protection attorney to all Sanctuary staff at a Town Hall (over 150 in attendance) on Danger Assessments, at a Town Hall Meeting in February 2022.
- A two-part, intensive Order of Protection training by a senior family law attorney that went through the ins and outs of drafting Family Offense petitions and litigating Family Offense cases in Family Court, reaching approximately 25 Sanctuary legal staff (March 2022).
- A training to clinical, legal, and anti-trafficking staff by the Senior Manager of Public Benefits on immigration eligibility for public benefits (November 2021).

Legal staff also have the opportunity to participate in a wide range of external trainings, for example, the *Family Offense Petition Program Advocate Training*, organized by the Office of Court Administration and Pro Bono Net (September 2021); *Balancing Technology Innovation and Safety within the Context of Gender-Based Violence*, a webinar organized by the NYS Office for the Prevention of Domestic Violence (October 2021), and *Using Jurisdictional Statutes to Assist Domestic Violence Survivors: Beyond the Basics*, a webinar by the Legal Resource Center on Violence Against Women and hosted by the ABA Commission on Domestic & Sexual Violence (October 2021).
Impact Cases

Supreme Court Case:
On March 22, 2022, the U.S. Supreme Court heard oral argument in a case involving a domestic violence survivor, Sanctuary client, Hannah, who fled Italy in 2018 and came to the U.S. with her young son to escape her abusive husband. She and her son are living in Brooklyn, New York, where she was born and lived most of her life. Her husband filed a petition for return under the Hague Convention on the Civil Aspects of International Child Abduction in the Eastern District of New York. Although the District Court Judge made findings of serious domestic violence and determined that Hannah’s son would be at grave risk of physical and/or psychological harm if returned to Italy, she nonetheless granted the return petition after finding that certain ameliorative measures would mitigate the risk.

After multiple Second Circuit appeals, Hannah and her phenomenal pro bono team filed a petition for cert at the Supreme Court last spring. Sanctuary, represented pro bono by the law firm of Covington & Burling, filed a supporting amicus brief. The Solicitor General’s office filed an amicus brief strongly supporting Hannah’s position and encouraging the Court to hear her case. SCOTUS ultimately granted cert on the question of whether, upon finding that return to the child’s country of habitual residence places a child at grave risk, district courts are required to consider ameliorative measures that would facilitate the return of the child notwithstanding the grave risk finding. Sanctuary again filed a supporting amicus brief at the merits stage, represented pro bono by Covington & Burling. Karen King of Morvillo Abramowitz argued the case before the Supreme Court on Hannah’s behalf. Karen has been working on the case since we referred the client to Paul Weiss, and continued on the case when she moved to Morvillo Abramowitz. A recording of the oral argument can be heard here. Throughout the proceeding, Legal Center staff provided extensive support and assistance to the plaintiff and her legal team.

Resolution of Lawsuit Against ICE:
In Summer 2021, the Immigration Intervention Project Director, working with co-plaintiff ASISTA, and represented by counsel at Protect Democracy and the Constitutional Accountability Center, engaged in settlement negotiations with ICE in connection with the lawsuit filed against ICE in February 2020, challenging a policy put in place by then-“acting” ICE director Matthew Albence. The new policy had eliminated protections from deportation for individuals who had applied for a U visa, which made it easier for ICE to deport these individuals before their visa applications were processed. In August 2021, ICE issued a new directive on deportation standards for U visa applicants, replacing the illegal Albence policy. Under the new directive, ICE agreed to refrain from deporting, denying stays of removal, or opposing continuances to immigrants with pending, properly filed U visa applications absent exceptional circumstances in which an individual poses a national security threat or an articulable risk of causing physical harm.
Impact Cases

This is a win for our clients and immigrant survivors. Because this new directive restores protections analogous to those eliminated by the Albence policy, on August 27, 2021, ASISTA and Sanctuary agreed to dismiss the suit.

Although the suit was intended to protect U visa petitioners from ICE enforcement, the legal basis was procedural: the nature of Albence’s appointment as Acting Director was such that he could only serve lawfully in that capacity until August 1, 2019. By the time he signed Directive 11005.2 on August 2, 2019, his lawful term had already expired. Therefore, Directive 11005.2 was unlawfully issued and was both (1) void ab initio under the Federal Vacancy Reform Act; and (2) voidable under the Administrative Procedure Act (APA). For more information on Acting Director Johnson’s Directive 11005.3, please refer to ASISTA’s policy alert.

Significant Collaborations

The Legal Center actively participates in and co-chairs the Lawyers Committee against Domestic Violence (LCADV), a coalition of lawyers from public and private bars who work with abuse victims and join forces to sensitize the legal system to their needs. Staff attorneys participate in the LCADV’s Judges Working Groups in Manhattan, the Bronx, Brooklyn, and Queens, and take the lead on organizing its annual Fordham Law School Conference to improve the court system’s response to domestic violence.

The Legal Center also continued to convene and chair monthly meetings of the NYS Anti-Trafficking (NYSATC) – more than 140 organizations who work together to improve the State’s response to human trafficking. Legal Center attorneys continue to be active members of many Bar Committees, including the City Bar, the Matrimonial Committee, the Women’s Bar Association’s Domestic Violence Committee, the Judiciary Committee, and the Family and Matrimonial Law Committee, the Association of the Bar of the City of New York’s Domestic Violence Committee, the NYC Bar Association’s Pro Bono & Legal Services Committee, Association of the Bar of New York’s Animal Law Committee; and the Bronx Bar Association’s Family and Matrimonial Law Committee.

Members of our Legal Center co-chair the citywide Cyber Sexual Abuse Task Force, created in mid-2016 by Sanctuary staff in collaboration with civil attorney Carrie Goldberg and others. The Task Force is focused on supporting strong legislation to prohibit the nonconsensual dissemination of intimate images, effectively represent and advocate for victims of this abuse, and educate and rally community members to support victims and fight cyber sexual abuse. The Task Force includes representatives from government and nonprofit agencies, citywide organizations, and independent civil attorneys, including the Mayor’s Office to End Domestic & Gender Based Violence, DayOne, Legal Momentum, Legal Services NYC and others.
Significant Collaborations

The Task Force continues to grow and meets at least quarterly. Legal Center family law attorneys helped plan and organize the 2020 Cyber Sexual Abuse Conference, including creating the Conference website and participating on the Survivor Advocacy through Law and Other Resources panel subcommittees. The Conference was a huge success, with over 100 advocates attending. Significant and growing CBO relationships include WARM (We All Really Matter), a Harlem-based CBO; Mentari and Lifeway Network, which both provide shelter for single trafficking victims; and Covenant House.

Pro Bono Volunteer Involvement

The Legal Center recruits, trains and supervises over 1,200 pro bono attorneys, law students and other legal volunteers in our major practice areas of family and matrimonial law, housing, public benefits, and immigration. Highlights during this time period include:

Pro Bono Portal: In March 2021, the Legal Center launched a new resource for attorneys working on Sanctuary pro bono matters as well as our own attorneys. The Pro Bono Portal is a password-protected part of the Sanctuary website that houses resources pro bono and staff attorneys can use to help them with their Sanctuary matters. Attorneys can easily access the Pro Bono Portal from the homepage of our website by scrolling all the way to the bottom and clicking the “Pro Bono Portal Access” link and then creating an account. Once an attorney has an account, they can access hundreds of resources at their convenience, including but not limited to training manuals and training videos; sample legal documents; trial materials; research memoranda; Sanctuary amicus brief and other advocacy-related documents; and resources on gender-based violence and trauma-informed lawyering. In the past year, we have continued to expand the Portal’s resources, and have heard very positive response from many pro bono attorneys accessing it.

963 Attorneys volunteered 64,687 hours

296 Law Students volunteered 3,415 hours

17 Other Volunteers volunteered 1,646 hours
## Sources of Funding

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<th>Source</th>
<th>Amount</th>
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<tr>
<td><strong>IOLA Grant</strong></td>
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<tr>
<td>City and County Funding</td>
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