



**COMMITTEE ON
IMMIGRATION & NATIONALITY LAW**

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The Honorable Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Re: Letter in Support of Restoring and Increasing Funding for Immigration Legal Services in Fiscal Year 2020-21 Budget

Dear Governor Cuomo,

We write this letter on behalf of the Immigration and Nationality Law Committee of the New York City Bar Association (City Bar), a 24,000-member organization founded in 1870. The City Bar's mission is to equip and mobilize the legal profession to practice with excellence, promote the reform of the law, and uphold access to justice. The Immigration and Nationality Law Committee addresses diverse issues pertaining to immigration law and policy. Our members include staff members of legal services organizations providing immigration assistance, private immigration attorneys, staff members of local prosecutor's offices, staff members of immigrant advocacy organizations, academics, and law students. It is in furtherance of this mission that we write to urge you to restore funding for critical immigration legal services in the Fiscal Year 2021 State budget.

For immigrant New Yorkers facing deportation, having an attorney can be the difference between staying in the state they know as home, or being separated from their family, community, and the life they have built here. The stark differences in outcomes based on representation in these cases compels us to ensure that low-income immigrants are not facing deportation on their own.

We now face a grave uncertainty about the imminent loss of funding in the State budget for immigration legal services. We are dismayed to learn that funding for the upstate New York Immigrant Family Unity Project (NYIFUP) and all of the deportation defense services funded under the Liberty Defense Project (LDP) are at risk. When LDP was launched, your office's press release justifiably celebrated New York's unwavering support of immigrants.

Upstate NYIFUP in particular is the largest and most comprehensive LDP legal service program. The program provides legal representation to every eligible, otherwise unrepresented immigrant facing deportation at the Batavia, Ulster, Downstate and Bedford Hills immigration

courts. Since 2017, funding for upstate NYIFUP—which complements the City-funded NYIFUP program for those in proceedings at the Varick Street court—has made New York the first and only state in the nation to guarantee legal representation for every detained person facing deportation in a New York immigration court who is unable to afford an attorney. Thanks to New York’s leadership in establishing this program, people in detention in New York can count on an attorney standing with them through the complexities of a proceeding that can mean the difference between life and death. Furthermore, those who are represented are 3.5 times more likely to be released and up to 10 times more likely to be able to remain in the U.S. This program is critical to bringing fairness and dignity to our clients, neighbors, friends and family facing deportation.

Last year, upstate NYIFUP provided representation to over 1,000 people. However, the providers now face increased volume, exceptional challenges in court, and cases that last longer than they have before. This year, more than 1,400 people are expected to need representation through this program. To sustain the upstate NYIFUP program, the Vera Institute of Justice is seeking \$6.5 million (an increase from the current \$4.25 million) of a larger Liberty Defense Project that should total \$15.3 million in legal services funding from the State. This increase in allotted funds would ensure that all detained immigrants facing deportation upstate will have their rights to due process safeguarded.

During this moment of uncertainty for immigrant New Yorkers and their families, it is more critical than ever for New York State to step up and show the promised unwavering support of immigrants. We celebrate the State’s track record in ensuring that immigrants have access to counsel and respectfully urge you to maintain and increase this much-needed support.

Respectfully,



Victoria Neilson
Chair, Immigration & Nationality Law Committee

Cc: Hon. Carl Heastie
Hon. Liz Krueger
Hon. Andrea Stewart-Cousins
Hon. Helene Weinstein