March 26, 2026

Hon. Carl Heastie
Speaker
New York State Assembly
Legislative Office Building 932
Albany, NY 12248

Hon. Andrea Stewart-Cousins
Majority Leader
New York State Senate
Legislative Office Building 907
Albany, NY 12247

Re: New York State Fiscal Year 2027 Budget: Sustaining and Strengthening Access to Justice

Dear Speaker Heastie and Majority Leader Stewart-Cousins:

On behalf of the New York City Bar Association ("City Bar") and its Pro Bono and Legal Services Committee, Domestic Violence Committee, and Immigration and Nationality Committee, we write to urge the Legislature to prioritize funding for civil legal services, access to justice programs, and related initiatives in the State Fiscal Year (SFY) 2027 Budget. The need has never been more acute: low-income New Yorkers face mounting legal crises in housing, immigration, family stability, and income security at a time when federal funding is under threat and demand for civil legal assistance continues to rise. New York must act decisively to protect its most vulnerable residents and uphold its commitment to equal justice.

I. SUSTAIN AND EXPAND CIVIL LEGAL SERVICES FUNDING

The City Bar's Pro Bono and Legal Services Committee consists of attorneys who work at public interest and pro bono legal services organizations, civil rights organizations, law schools, or direct pro bono efforts at law firms and corporate legal departments, making us uniquely situated to opine on the importance of civil legal services.

The Domestic Violence Committee consists of attorneys who practice at a variety of non-profit organizations and private firms across the five boroughs. They represent women, men, teens, and children who have been abused or have witnessed abuse and represent survivors in civil courts and family courts.

The Immigration and Nationality Law Committee addresses a wide range of issues related to immigration law and policy. Our members include legal services providers, private practitioners, academics, advocates, and government attorneys.

New York State's investment in civil legal services is vital to ensuring access to justice for low-income New Yorkers. Access to free legal services promotes the health and stability of communities across the state. Without legal representation, low-income individuals cannot assert their rights, often with devastating consequences including homelessness, hunger, loss of employment and educational opportunity, and increased risk of abuse and exploitation. Moreover, civil legal services are a sound economic investment. Studies, including the Permanent Commission on Access to Justice's 2019 report, have found that every dollar invested in civil legal services yields a significant – even *tenfold* – return to the State's economy. Maintaining and, where possible, increasing this funding is both imperative to preserving access to justice and an economically sensible support for New York's broader economic stability.

A. Ensure The Interest On Lawyer Account (IOLA) Fund Receives Full Appropriation Authority

We are deeply concerned that the Governor's Executive Budget did not include full appropriation authority for the Interest on Lawyer Account (IOLA) Fund. The Executive Budget included $77.5 million — far short of the $102.5 million requested by IOLA and approved by its Board of Trustees. Additionally, the State Senate has proposed an additional $50M – beyond IOLA's $102.5M request – to enhance civil legal services for low-income New Yorkers, moving the state closer to meeting an estimated $1 billion civil justice gap. IOLA is a critical, *non-taxpayer funded* source for civil legal services for low-income New Yorkers, generated through interest on attorney escrow accounts as prescribed by statute. This is not taxpayer money; it is already in IOLA's accounts.

IOLA is now entering the second year of a five-year, competitively bid contract process that was designed specifically to provide stability and predictability for civil legal services providers. This multi-year approach allows nonprofit organizations to plan responsibly, retain staff, and meet growing demand for services at a time of unprecedented need. This approach is already supporting more effective, coordinated service delivery across the state.

Over the past year, providers have also worked closely with IOLA to plan and implement critical infrastructure investments through the Justice Infrastructure Project. These efforts are intended to create long-term efficiencies and improve service quality, including the recently announced statewide civil legal services training center and a planned online intake portal that will expand access and streamline assistance for New Yorkers seeking help. Civil legal services providers are essential partners in implementing the Governor's own budget priorities, including protecting immigrants' rights and helping New Yorkers navigate economic hardship.

Without the additional $25 million needed to fully fund IOLA's request, there will be significant cuts to services starting April 1, 2026, when year two contracts begin. Those reductions will mean the loss of jobs, fewer services for vulnerable communities, and the potential unraveling of carefully planned investments that were intended to strengthen the civil legal services system for the long term, undermining the policy goals this budget seeks to advance.

We ask the Legislature to include and the Governor to support IOLA's requested $102.5 million spending authority and the Senate's proposed $50 million in additional funding in the final SFY27 budget, and further ensure that the IOLA Board retains discretion to spend funds in accordance with IOLA's governing statute, as proposed in the Senate's budget bill.[1]

B. Adopt The Office Of Court Administration's Proposed SFY 2027 Judiciary Budget

The City Bar strongly supports adoption of the Office of Court Administration's proposed SFY 2027 Judiciary budget, which includes a $25 million increase and a 3 percent cost-of-living adjustment, for a total of $179 million in Judiciary Civil Legal Services (JCLS) funding. Deliverables subject to the JCLS grants also must remain flexible, allowing providers to respond to rapidly changing community needs, including housing instability, domestic violence, immigration status, and the continued strain on low-income households.

Especially within immigrant communities, widespread fear of Immigration and Customs Enforcement has led to more individuals missing mandatory court hearings[2] and appointments with government agencies, where they often must obtain documentation necessary to support their cases. This, in turn, undermines the government's ability to effectively and fully serve immigrant populations.

C. Strengthen Right To Counsel And Assigned Counsel Systems

Beyond general civil legal services funding, New York must invest in systems that guarantee representation in specific high-stakes proceedings and ensure that attorneys who staff those systems are compensated fairly and sustainably.

New York City's Housing Court Right to Counsel law has demonstrated that legal representation can reverse disturbing eviction trends. The City Bar supports continued investment in the City's program and urges enactment of statewide right to counsel legislation so that tenants across New York receive representation when facing eviction.[3]

Establishing a right to counsel in immigration proceedings[4] — where family unity, economic stability, and fundamental due process are at stake — has never been more urgent.

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[1] NYC Bar Ass'n, *City Bar Urges Full IOLA Funding in Final FY27 New York State Budget* (Mar. 24, 2026), https://www.nycbar.org/press-releases/city-bar-urges-full-iola-funding-in-final-budget/. (All websites last accessed March 26, 2026)

[2] See Ximena Bustillo & Rahul Mukherjee, *NPR Analysis Shows Skyrocketing Number of "No-Shows" in Immigration Court*, NPR (Dec. 22, 2025), https://www.npr.org/2025/12/22/nx-s1-5583971/trump-ice-immigration-arrests-deportation-no-shows.

[3] N.Y.C. Bar Ass'n, *Report in Support of Creating a Statewide Right to Counsel in Eviction Proceedings*(May 25, 2022), https://www.nycbar.org/reports/report-in-support-of-creating-a-statewide-right-to-counsel-in-eviction-proceedings/.

[4] NYC Bar Ass'n, *Letter in Support of Increased Funding for Immigration Legal Services in Fiscal Year 2024 and in Support of the Access to Representation Act* (Mar. 23, 2023), https://www.nycbar.org/reports/letter-in-support-of-increased-funding-for-immigration-legal-services-in-fiscal-year-2024-and-in-support-of-the-access-to-representation-act/.

Unrepresented immigrants face one of the most complex areas of U.S. law, with outcomes that differ dramatically based on whether they have legal counsel. Detained immigrants with legal representation are up to 10.5 times more likely to win their cases compared to those who are unrepresented; for non-detained individuals, 60 percent of those with counsel succeed, compared to only 17 percent without. We support $175 million for the CARE for Immigrant Families initiative, including passage and implementation of the Access to Representation Act, and urge the Legislature to significantly increase funding for the Office for New Americans to ensure no New Yorker is forced to navigate detention or deportation proceedings alone.

II. PROTECT IMMIGRANT NEW YORKERS

New York's immigrant communities are facing unprecedented threats, including federal attacks on legal services providers, cuts to funding, and intensified enforcement. With more than one in five New Yorkers being immigrants and more than a quarter of the State's workforce being foreign-born, immigrants are integral to New York's economy and communities. The State must lead.

In addition to robust immigration legal services funding and the CARE for Immigrant Families initiative as described above, we urge the Legislature to support:

- Passage of the New York for All Act[5] (S.2235-B Sen. Gounardes / A.3506-B AM Reyes), which preserves state and local resources for community safety and ensures New York funds are not used for federal immigration enforcement; and

- Passage of SNAP for All (A.6632 AM Gonzalez-Rojas / S.9033 Sen. Rivera), establishing a state-funded nutrition assistance program for income-eligible New Yorkers excluded from SNAP solely due to immigration status.

III. PROMOTE HOUSING STABILITY AND EVICTION PREVENTION

Housing remains one of the most urgent legal crises facing low-income New Yorkers. Civil legal services are a proven, cost-effective eviction-prevention tool, generating significant savings for state and local governments by reducing downstream costs for emergency shelters, foster care, healthcare, and local courts.

The City Bar supports:

- $40 million for the Homeowner Protection Program (HOPP) to prevent foreclosures. HOPP has a proven track record of helping New York homeowners remain in their homes — every $1 million invested in HOPP yields over $5 million in tax and property cost savings to localities alone[6];

[5] NYC Bar Ass'n, *Support for the Enactment of the New York for All Act, the Local Cops, Local Crimes Act, and the Sensitive Locations Protection Act* (Mar. 27, 2026), https://www.nycbar.org/reports/support-for-the-enactment-of-the-new-york-for-all-act-the-local-cops-local-crimes-act-and-the-sensitive-locations-protection-act/.
[6] NYC Bar Ass'n, *Support for Proposed Funding for Civil Legal Services in FY26 Budget* (Mar. 3, 2025), https://www.nycbar.org/reports/support-for-proposed-funding-for-civil-legal-services-in-fy26-budget/.

- Continued investment in Victims of Crime Act (VOCA) contracts, with an increase to $125 million, to meet growing demand and offset the likely continued decline in federal VOCA funding. VOCA is the largest funding source supporting New York's crime victim service providers, enabling thousands of New Yorkers to access shelter, housing, legal assistance, counseling and more[7];

- $75 million for eviction prevention through the Office of Temporary and Disability Assistance, including $30 million for New York City providers;

- Increasing the Housing Access Voucher Program (HAVP) from $50 million to $250 million annually and making the program permanent — ensuring long-term housing stability for low-income households facing eviction, homelessness, or domestic violence; and

- Passing the SAFE (Securing Access to Fair & Equal) Shelter Act (A.3264-B AM Hevesi / S.7738-A Sen. Gounardes), which expands access to life-saving domestic violence shelters to significantly more single survivors without children, including trafficked survivors, LGBTQIA+ survivors and older adults.

IV. SUPPORT LEGAL SERVICES ATTORNEYS BY EXPANDING THE DALF PROGRAM

The City Bar thanks the Legislature for including $4 million in additional funding to support the expansion of the Higher Education Services Corporation (HESC) District Attorney and Indigent Legal Services Attorney Loan Forgiveness (DALF) program[8], and asks the Legislature to adopt these inclusions in the one-house bill as well as to adopt the legislative framework found in S.161-A (Sen. Ramos) / A.1602-A (AM Simon).

Attorneys enter public service with a commitment to assist New Yorkers in need, but many are unable to sustain careers in this work due to low pay and significant law school debt. S.161-A / A.1602-A would right-size the award program by expanding the total eligible award up to $64,000 and extending the period of eligibility from an attorney's second through tenth year — the critical window before federal loan cancellation may apply. HESC DALF funding is one of the few sources of student debt relief available to those with private student loans, which disproportionately burden attorneys of color and first-generation borrowers. Making public service careers financially sustainable is both sound policy and a matter of equity. Doing so within the current unpredictable climate of regular federal administration changes makes this intervention additionally critical.

V. SUPPORT INCREASED FUNDING FOR DOMESTIC VIOLENCE SURVIVORS AND THEIR FAMILIES

[7] *Id*.

[8] NYC Bar Ass'n, *Legal Services Attorney Loan Forgiveness Program* (Apr. 4, 2024), https://www.nycbar.org/reports/legal-services-attorney-loan-forgiveness-program/.

The City Bar also supports increased funding for domestic violence survivors and their families. Domestic violence survivors rely on legal representation to secure orders of protection, safe custody and visitation arrangements, as well as enforcement of their rights in equitable distribution matters and protection from coerced debt.

With recent federal cuts targeting domestic violence programs, the state's role becomes even more essential as without sustained and reliable state funding, domestic violence survivors are left to navigate complex court systems alone, increasing the likelihood of unsafe outcomes for both adults and children.

VI. CONCLUSION

Civil legal services are a cornerstone of New York's safety net. They prevent crises before they escalate, protect vulnerable communities, and promote fairness and efficiency across our legal and social systems. The priorities outlined in this letter represent both urgent needs and sound investments — in people, in communities, and in New York's long-term stability.

The City Bar urges the Legislature to fully fund these critical priorities and reaffirm New York's commitment to equal justice under law. We stand ready to provide any additional information and welcome the opportunity to discuss these priorities further. Please do not hesitate to contact us.

Respectfully submitted,

Pro Bono & Legal Services Committee
Hamra Ahmad, Co-Chair
Dara Sheinfeld, Co-Chair

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