

Invest \$150M in immigration legal services in FY25 and pass the Access to Representation Act (S999/A170) to guarantee a right to counsel for immigrants facing deportation

Whether newly arriving in hopes of finding safety or long-time New Yorkers, immigrants at risk of deportation do not have the right to a lawyer if they cannot afford one. New York State has long been the national leader in supporting legal services for immigrants. Yet, even with strong existing programs, as of September 2023, nearly 145,000 people in New York were fighting for their lives in immigration court without a lawyer.

Over the past year, New York has gained a sizeable number of new residents who urgently need legal services to navigate our complex immigration system, obtain work authorization, and build stable lives. In the short-term, New York must increase funding in the FY25 budget for existing and new immigration legal services—including investments in infrastructure to sustainably recruit and train immigration legal teams. Investing in humane immigration policies that enable more community members to remain at home, on the job, and with their families makes our state safer for everyone and benefits our economy.

Additionally, the imperative is clear: New York must pass the Access to Representation Act (ARA) to build long-term stability in New York's immigration legal services, support strong communities, and foster economic stability. The ARA establishes a right to **universal representation**, meaning anyone at risk of deportation who cannot afford a lawyer will be provided one. Our immigration system is nearly impossible to navigate without counsel, and legal assistance should not depend upon one's ability to afford it. The stakes could not be higher: detention in dangerous facilities, permanent family separation, and deportation to unsafe conditions. By passing the ARA, New York can be prepared to respond to any future changes in migration like the one we have experienced this year.

Why should New York invest in immigration legal services and advance universal representation?

- **Long-term stability:** Increased immigration has highlighted New York's critical shortage of not only housing, but also immigration legal services. Fully funded universal representation will ensure that the state is prepared to welcome newly arriving immigrants for years to come.
- **Dignity and fairness:** Everyone deserves a fair day in court even if they cannot afford a lawyer.
- **Racial equity:** Access to legal representation disrupts the pipeline that unfairly subjects Black immigrants and other immigrants of color to detention and deportation.
- **Representation works:** Detained immigrants with lawyers win their cases at up to 10.5 times the rate of those who without legal help. For non-detained people, 60 percent with lawyers win their cases compared to 17 percent of those without a lawyer.
- **Strong economy, safe families, and stable communities:** There are currently more job openings in New York than workers to fill them. Immigrants comprise over one quarter of the state's workforce—including 280,000 of its entrepreneurs—and more than one in three New York children has an immigrant parent. Immigrants have helped revitalize New York communities suffering from depopulation and economic stagnation. Countless studies demonstrate the economic benefits of immigration, including increasing per capita income overall and of U.S.-born workers specifically.

How should New York invest in immigration legal services and advance universal representation?

Pass the ARA and invest a total of \$150 million in holistic immigration services in FY25, comprising:

- \$62 million to provide deportation defense services for immigrants;
- \$65 million to fund recruitment and training of legal teams, build needed infrastructure, and responsibly expand rapid-response services like support with applications for Temporary Protected Status (TPS), work authorization, and asylum; and
- \$23 million to fund and connect immigrants with programs that help them preserve their rights, gain citizenship and other immigration benefits, participate in the workforce, and learn English.