

Pass the Access to Representation Act (S999/[A170](#)) to guarantee immigrants facing deportation a right to counsel—and invest in immigration legal services in FY24

Immigrants targeted by federal enforcement for deportation do not have the right to a lawyer if they cannot afford one. New York State has been the national leader in supporting legal services for immigrants, yet even with strong existing programs, as of December 2022, [more than sixty thousand people](#) in New York were fighting for their lives in immigration court on their own. Increased funding for existing and new immigration legal services in the FY24 budget is a critical step, but the imperative is clear: passage of the Access to Representation Act is needed to support strong communities, economic stability, and fairness and dignity. Establishing a right to a government-funded lawyer for people at risk of deportation is essential.

The stakes could not be higher for people facing deportation: permanent separation from families and communities and a return to dangerous conditions in another country. Having a lawyer makes a huge difference: detained immigrants with lawyers win their cases [at 10.5 times the rate](#) of those who don't have legal help. For non-detained people, [60 percent with lawyers](#) win their cases compared to 17 percent of those without a lawyer. Our immigration system is nearly impossible to navigate without counsel, and legal assistance should not depend upon the ability to afford it.

Advance safety, stability, and family unity in FY24 with \$100 million in immigration legal services, including \$55 million to begin implementation of the Access to Representation Act, establishing a right to counsel for people facing deportation.

New York must continue to support its nationally celebrated and replicated deportation defense programs, like the pioneering New York Immigrant Family Unity Project (NYIFUP). Now is the time for New York's next step in demonstrating the benefits of supporting freedom, fairness, and family unity. Strong immigrant communities are essential to the state's livelihood. We should stand firmly against federal enforcement that deports people who are part of the fabric of our state. We can ensure that here, no one faces immigration court without an attorney.

Why should New York advance universal representation?

- **Dignity and fairness:** Everyone facing deportation 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:** [43 percent of detained clients](#) given representation through one nationwide program achieved release on bond or parole from [dangerous detention](#).
- **Safe families, stable communities, and strong economy:** Tearing immigrants—predominantly people of color—from their homes causes harm that radiates through communities. [An evaluation](#) revealed that the people represented through the original NYIFUP pilot had lived an average of 16 years in the United States and were projected to contribute \$2.7 million in tax revenue each year. Nearly half were parents to more than one thousand children. Investing in universal representation is an investment in strong and stable communities.

How should New York advance universal representation?

Invest a total of \$100 million in holistic immigration legal services in FY24, through:

- the passage of the Access to Representation Act, with an initial investment of \$55 million to represent people in immigration court, an increase in funding over six years to recruit and train legal teams, and responsible expansion of coverage to ensure effective growth that meets the need across the state;
- an increase in funding for existing immigration legal services to \$35 million to ensure ongoing support for existing clients and expanded coverage for immigration benefits like citizenship, DACA, temporary protected status, family reunification, and holistic social services to ensure stability and success;
- and funding urgently-needed rapid response services at \$10 million to help meet immediate needs of communities in crisis, including legal screenings, triage and referrals, know your rights, and volunteer trainings.