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MAYOR BLOOMBERG, DEPUTY MAYOR ROBLES-ROMAN AND CHIEF POLICY ADVISER JOHN FEINBLATT ANNOUNCE EXPANSION OF LEGAL SERVICES FOR IMMIGRANTS

Mayor Michael R. Bloomberg, Deputy Mayor for Legal Affairs Carol Robles-Roman, Chief Policy Adviser John Feinblatt, Commissioner of the Mayor's Office to Combat Domestic Violence Yolanda Jimenez and Commissioner of the Mayor's Office of Immigrant Affairs Fatima Shama today announced new programs to expand the legal services for immigrants in need of defense counsel and immigrants who are domestic violence victims. The City's Family Justice Centers will each add an additional full-time attorney to counsel immigrant domestic violence victims and each of the City's 10 indigent criminal defense providers will add a new full-time immigration attorney. Together, these attorneys will help ensure that immigrants – in the courts and at the City's Family Justice Centers – have access to the counsel they need and do not suffer unnecessary immigration consequences as they navigate the legal system. The Robin Hood Foundation is providing a grant to the Mayor's Fund to Advance New York City to support the new domestic violence attorneys and the New York State Office of Indigent Legal Services has provided a grant for the new immigration attorneys.

"Part of our city's strength comes from opening our arms to people from around the globe," said Mayor Bloomberg. "Now, we are stepping up our efforts to ensure immigrants in our courts and immigrants who are victims of domestic violence have the right legal counsel on their side. I'd like to thank the State and its Office of Indigent Legal Services and the Robin Hood Foundation making these exciting new programs a reality."

Increased Legal Services for Immigrants Who are Victims of Domestic Violence

The City's three Family Justice Centers located in Brooklyn, Queens and the Bronx enable victims of domestic violence to meet with a prosecutor, speak with a trained counselor, and apply for housing and financial assistance in just one visit – with services directly available in 20 languages. Immigrant domestic violence victims often face additional challenges because they depend on the abuser for language interpretation, finances, or even a green card. At each Family Justice Center, the City currently funds attorneys to assist immigrant victims of domestic violence in obtaining available Federal immigration remedies, including Violence Against Women Act Self-Petitions; Battered Spouse Waivers; and U-Visas which are for victims certified as cooperating with prosecution. These remedies provide a way for victims to work independent of the batterer to obtain lawful-permanent residency, employment authorization or even naturalization. Increasing the number of attorneys at the centers – who are employed by the non-profit Sanctuary for Families – will significantly increase access to legal counsel for immigrants

visiting the centers.

"Poor, immigrant families and children need access to competent counsel, particularly when they are dealing with violence in the home," said Deputy Mayor for Legal Affairs Robles-Roman. "The City's new partnership with the State and non-profit partners expands immigration civil legal services for survivors of domestic violence and creates a model for other cities to follow."

"All too often, undocumented victims of domestic violence suffer in silence and fear reporting abuse," said Domestic Violence Commissioner Jimenez. "This generous grant from the Robin Hood Foundation will enhance our capacity to enable victims to obtain the myriad Federal remedies for which they may be eligible. Funding additional immigration attorneys at our Family Justice Centers will significantly reduce wait lists for these critical legal services. Language and immigration status should never be a barrier to services; any victim of domestic violence can seek legal services and other help at our three Family Justice Centers regardless of language and immigration status."

"Access to justice is a cornerstone of our democracy and New York City continues to ensure access and protection for immigrant New Yorkers," said Fatima Shama, Commissioner of the Mayor's Office of Immigrant Affairs. "Having attorneys with expertise in immigration law will help address the special needs faced by immigrants and will ensure their right to adequate counsel."

Increased Immigration Counsel

A new full-time immigration attorney at all 10 of the City's indigent defense providers throughout the five boroughs will immediately enhance the City's existing efforts to meet the unique needs of immigrants in criminal court.

For instance, immigrants facing charges for minor offenses are often unaware of the sometimes severe immigration consequences that can follow from certain dispositions, including removal from the country or future bars to re-entering the United States or obtaining citizenship. Guilty pleas to even minor, non-violent offenses can even have major ramifications for immigrants who are lawful permanent residents, have lived and worked in the city for years, and are responsible for supporting families that may include U.S. citizens.

Even before the U.S. Supreme Court's 2010 case *Padilla v. Kentucky*, which required that attorneys advise criminal defendants on the immigration-consequences of a guilty plea, the Mayor's Office of the Criminal Justice Coordinator had already begun requiring that the City's indigent defenders plan for services to address "collateral consequences" on immigration matters. The additional attorneys will expand the advice available on how to resolve court cases without jeopardizing immigration status.

Additionally, the new program will extend beyond criminal court, offering indigent immigrants the immigration advice they need in immigration court and in seeking citizenship or other immigration applications to the Federal government. In immigration court, there is no guarantee of representation, and many defendants – even after their criminal case has been resolved – face pressing immigration issues with little guidance or legal assistance.

Studies show that more than half of individuals in immigration proceedings have no representation, with significant consequences: immigrants who have a lawyer are three to six times as likely to achieve a positive outcome, depending on the nature of the case. The new attorneys in the program announced today will help

address this service gap, by offering free immigration advice or representation to their indigent clients. For example, after a criminal court case is resolved, the attorneys may represent a client seeking a waiver from removal or help a client navigate the complexities of renewing green cards, applying for asylum, or beginning the naturalization process.

The scope of the program will reach beyond the 10 institutional criminal defense providers, as the new attorneys will be available to all individuals represented by the City's indigent defense providers, including those represented by attorneys from the City Assigned Counsel Panels or the City's family court defender organizations.

The program, which will be up and running by the beginning of 2012, will provide for attorney staff at all 10 institutional providers, which are already working to fill positions. It also includes free trainings for the new lawyers by the Legal Aid Society both at the beginning of the program and throughout. To monitor case intake and performance, the program has provided funding for the Mayor's Office to hire an Immigration Attorney Coordinator to coordinate training and referrals, monitor program performance and prepare reports on the program's progress.

"New York City was already leading the way in ensuring indigent defendants were well-informed about how their immigration status might be affected by their decisions in court," said Chief Policy Advisor John Feinblatt. "This new program will expand on that success by providing experienced attorneys who can offer immigration advice and representation. We are eager to partner with our defense providers to expand the City's services for immigrant New Yorkers as this essential program gets up and running."

"We are thrilled that New York City is utilizing Indigent Legal Services funding to enhance compliance with the *Padilla v. Kentucky* decision," said William Leahy, Director of the State Office of Indigent Legal Services. "The City's initiative leads the way in improving achieve the immigration representation available to residents of the State of New York who cannot afford to retain counsel."

"With criminal defense, civil legal services, and juvenile rights offices in the Bronx, Brooklyn, Manhattan, Queens and Staten Island, the Legal Aid Society greatly appreciates the support of the City and the State for this important initiative to ensure that indigent immigrant New Yorkers receive expert advice that helps them avoid tragic separation from their families and their communities," said Steven Banks, the Attorney-in-Chief of The Legal Aid Society. "As the oldest and largest legal services organization in the United States, we are very pleased to partner with the City and State to provide immigration training and back up support for other borough-based criminal defense organizations that have contracts with the City."

"This new immigration position being brought to our organization by the City is an extremely important component in our mission to give every person the most complete representation possible," said Michael Coleman, Executive Director of New York County Defender Services. "Having a fully trained expert on staff who is able to carry our representation to next level will enhance our ability to ensure that each client will be represented by a capable attorney who is familiar with the case."

"Queens Law Associates welcomes the partnership with the Mayor's Office on this new immigration effort," said Joseph Vaccarino, Executive Director of the Queens Legal Associates. "It will make available to our office, as well as to other organizations City-wide,

much needed resources to deal with the complexities of the federal immigration laws that bear on our clients. We look forward to participating in this innovative program.”

“The Bronx Defenders applauds the City and the Office of Indigent Legal Services for this groundbreaking initiative that will ensure that all New Yorkers, no matter where they were born, have access to justice and high quality representation in immigration proceedings,” said Robin Steinberg, Executive Director of the Bronx Defenders.




“We are pleased that the City is going to provide Brooklyn Defender Services with funding for immigration legal services,” said Lisa Schreibersdorf of Brooklyn Defender Services. “Many people are arrested for minor infractions that jeopardize their immigration status. With these funds we will be able to protect these clients from wrongful deportation and keep them with their families. This funding is a real asset to our office, our clients and the Brooklyn community.”

“The Neighborhood Defender Service is thrilled that the New York State and New York City governments are expanding defenders’ capacity to serve non-citizen clients,” said Roxanna Gutierrez of Neighborhood Defender Service of Harlem. “The immigration consequences of even minor contacts with law enforcement can be devastating to the lives of non-citizens and their families. As a holistic defender, the Neighborhood Defender Service has grappled with these issues on behalf of clients and their families for years. Enhancing defenders’ ability to provide more robust immigration advocacy will benefit clients, their families and New York City.”

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