

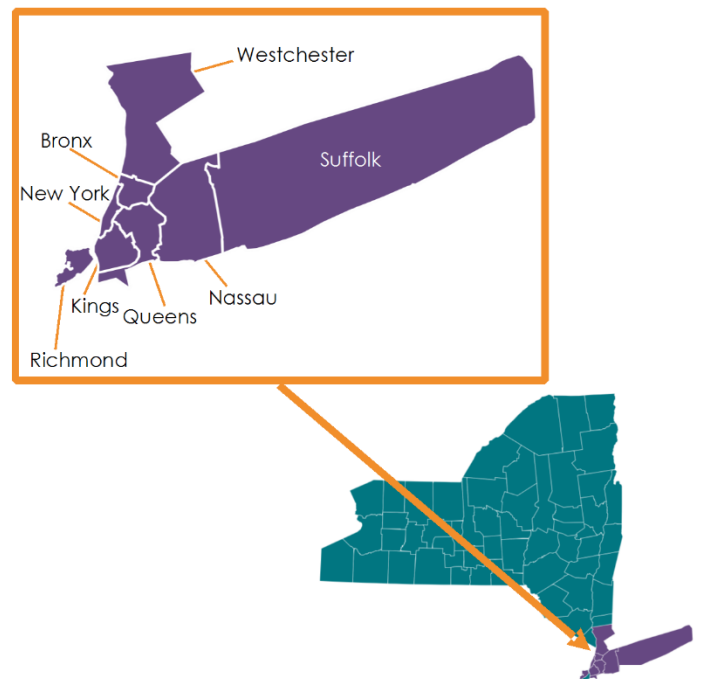
MAKE THE ROAD NEW YORK

**2023 – 2024
Report**

OVERVIEW OF ACHIEVEMENTS

Make the Road New York (MRNY) successfully delivered high-quality legal services to meet diverse challenges affecting the communities we serve from our offices in Brooklyn, Queens, Staten Island, Westchester County, and Long Island. Over the past year, our team closed 13,846 cases, benefitting 24,298 New Yorkers during the fiscal year 2024 (FY24) grant period, and exceeding our goals for cases closed and people benefitted. As New York continues the post-pandemic recovery, our legal services and advocacy have increasingly transitioned back to in-person delivery and we are currently operating with a hybrid model. We saw a high demand for legal services across issue areas as low-income, immigrant communities continue to struggle to meet basic needs and enforce their rights. We made significant improvements in our case management system and processes, which is helping to streamline reporting and better capture all of the work our legal team engages in on behalf of clients across New York.

Workplace Justice Legal Services: Our workplace justice legal team played a key role in expanding access to justice for immigrant workers involved in labor investigations who fear retaliation for reporting exploitative conditions. New federal guidance from the Department of Homeland Security (DHS) released last year established a process by which immigrant workers who are participating in labor investigations can apply for deferred action from immigration enforcement and a temporary two-year work permit. Our legal team successfully led advocacy efforts around this deferred action for labor enforcement (DALE) program with local and state labor agencies in New York to create processes for eligible workers to secure Statements of Interest (SOI) letters from the agencies in order to apply for deferred action



Service Area: New York City Metropolitan Area

Population Served: Low Income Immigrants and Families

Staffing Full Time Equivalents:
 Total Staff: 68.54 Lawyers: 22.94
 Paralegals: 26.15 Others: 19.45

with the federal government. As a result, multiple agencies including the New York State Department of Labor, the Division of Human Rights, the Office of the Attorney General, Workers Compensation Board, the New York City Department of Consumer and Worker Protection, and Commission on Human Rights all established processes to issue letters to eligible workers. Our legal team screened 147 workers for eligibility, requested 104 SOI letters, secured 47 SOI letters, and referred 24 to our immigration legal team to apply for deferred action. In addition to adding this new program to our practice, our workplace justice team continued to provide valuable legal assistance to immigrant workers to recover unpaid wages and unpaid sick leave, remedy unlawful employment discrimination, and enforce other basic workplace rights, closing 258 cases representing an increase from last year.

Housing Legal Services: Our housing team increased access to justice for tenants across New York City as we saw unprecedented rent increases and the pressure of continued gentrification in the communities we serve, putting our clients at high risk for eviction. Our team closed 351 cases over the contract year, a notable increase from last year. As one of the few legal service providers in Queens with offices in the community we serve we are uniquely positioned to provide legal services at a grass roots level where the need is the greatest. By working closely with our organizers in the field, we are often able to quickly provide representation when a legal issue first arises for a client, rather than step into the case at the tail end of the process when the client is facing imminent eviction. This relationship with our organizers in the community enables us to issue spot and provide multi-level services to clients including not only eviction defense, but also affirmative litigation, group organizing, and DHCR filings that often result in stronger positions and more favorable outcomes in court and in administrative proceedings. Moreover, we were able to assist with accepting Right to Counsel referrals due to our increased capacity during the summer months with legal interns which enabled us to process a high number of intakes in a short period of time.

Immigration Legal Services: Our immigration team continued to provide tailored services for clients facing an array of issues. Our legal assistance ranged from offering emergency representation to individuals with removal orders on the verge of being deported from the U.S. to helping long-term residents secure citizenship. Among hundreds of cases, our team successfully represented a couple in their long-term journey to obtain a form of relief called cancellation of removal, a difficult avenue towards permanent residence that requires litigation before an immigration court and satisfying a notoriously difficult eligibility criteria. Similarly, our attorneys worked with an asylum seeker who had engaged in public dissent against the governing party of their home country but had been ordered removed during her proceedings here.

DIRECT LEGAL SERVICES

Case Example #1, Housing: AMN is a rent stabilized tenant, living alone with her four children, who was facing eviction after falling behind in rent as a result of the COVID-19 Pandemic. AMN lost her job in March 2020 and could not apply for another job due to delays with her work-authorization renewal, again, due to the COVID-19 pandemic. In 2022, her landlord started a nonpayment proceeding against her in housing court. MRNY's attorneys represented AMN in her housing court proceeding and the Housing and Benefits Advocate screened her for a variety of programs including FHEPS and a one-shot deal.

After many months of trying to get assistance and several court appearances, AMN was on the verge of eviction when the Judge denied her request for an extension of time while the New York City Human Resources Administration (HRA) processed her one-shot deal application. After extensive advocacy with HRA and an appeal with the courts, AMN was approved and her landlord was paid \$29,000 towards her rental arrears, saving AMN and her children from becoming homeless.

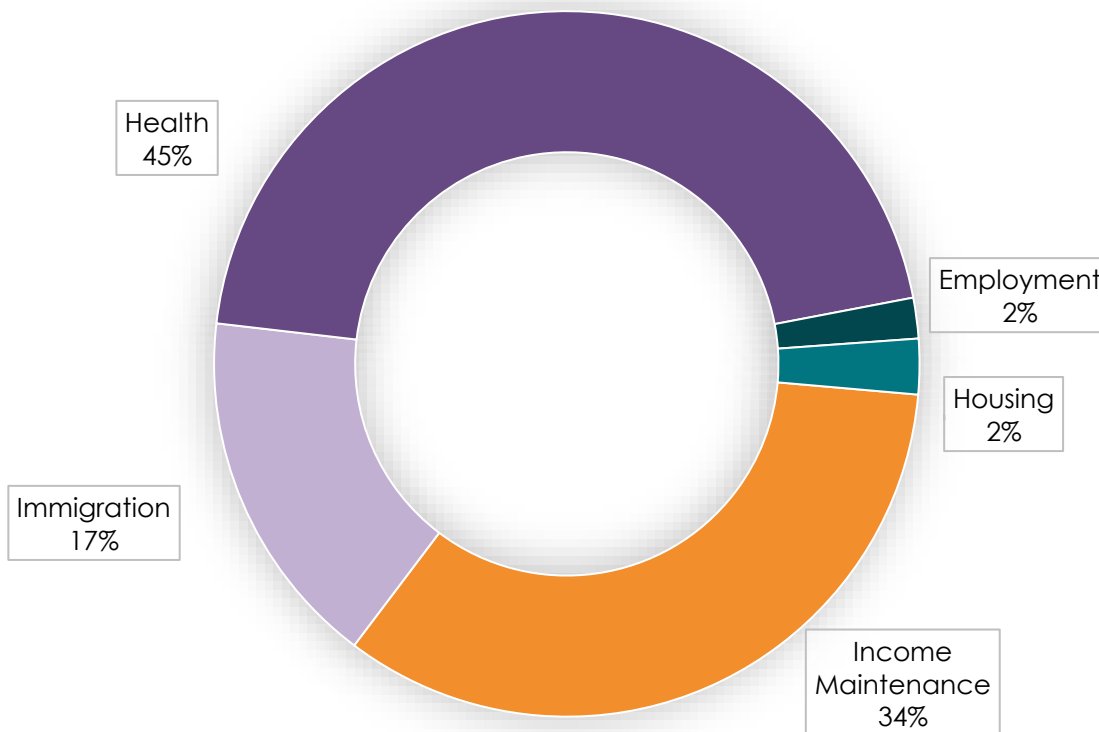
Case Example #2, Workplace Justice: MRNY client HC worked at an in-house bakery for a grocery store in Staten Island for twenty years. HC worked 60-70 hours a week, mostly at the minimum wage or slightly above it.

During the entirety of his employment, the employer failed to pay overtime. We calculated that the employer owed our client almost \$100,000 in unpaid wages. In 2020, HC notified his employer that he was leaving to work elsewhere and raised the overtime issue.

In response, the employer unlawfully retaliated and threatened our client, telling him that he would have problems with immigration authorities and the police if he complained. In the final days of his employment, the employer accused our client of stealing equipment and called the police on him (the charges against our client were dropped because



CASES BY LEGAL PROBLEM AREA



it was clear the "equipment" was our client's personal property). Shortly thereafter, HC found our office and retained our team. Despite a mandatory arbitration agreement, we were able to successfully negotiate a settlement for \$45,000, even while the employer sold the business and moved out of state.

OTHER LEGAL-RELATED SERVICES

MRNY is committed to empowering our community with the tools they need to have agency as they navigate often confusing and challenging systems. A central piece of the other legal services we provide is Know Your Rights (KYR) trainings (or “talleres” in Spanish) on current laws and important changes that might affect our communities. Our talleres also serve as opportunities for individuals to learn how the legal landscape affects both their immediate and long-term needs. Over the course of the past year, we provided these KYR sessions in-person and remotely, covering critical topics, such as updates to sick leave policies; housing law updates; and timely immigration updates around DACA and asylum.

We successfully engaged more people this year than last year—with our efforts 2,349 people engaged in real-time (remote and in-person) and 19,265 watched our online content after the live webinar. The numbers this year reflected our shift back to in-person organizing, with an increase of in-person (1,849) and decrease in remote attendees (500 this year). The return to more in-person community education opportunities and away from as many virtual workshops on Facebook Live as we did during the pandemic when our operations were fully remote also contributed to being somewhat under our target goals overall.

Our commitment to this legal and extra-legal support helped us meet the influx of migrants arriving from out of state. We continued offering orientation sessions to the newly arrived migrants, which include legal KYR workshops, translation services, emergency information, and distribution of phones. Because of our holistic model, we could coordinate orientation services across our legal immigration, legal workplace justice, organizing and health teams.

This year, we provided pro se assistance to 195 individuals. The immigration legal team assisted 70 individuals in pro se clinics that included preparing DACA renewal and asylum applications. Additionally, 125 received individual assistance on a pro se application or court document, which we have categorized in “other.” For example, our Rapid Response Legal Collaborative team provided significant pro se assistance to individuals in or at risk of detention. We also included helping clients with notary services, drafting documents, and other services outside of casework as pro se “other”.

195

people
benefited
from

**Pro Se
Assistance**

23,040

people
benefited
from

**Community
Legal
Education**

2,318

people
benefited
from

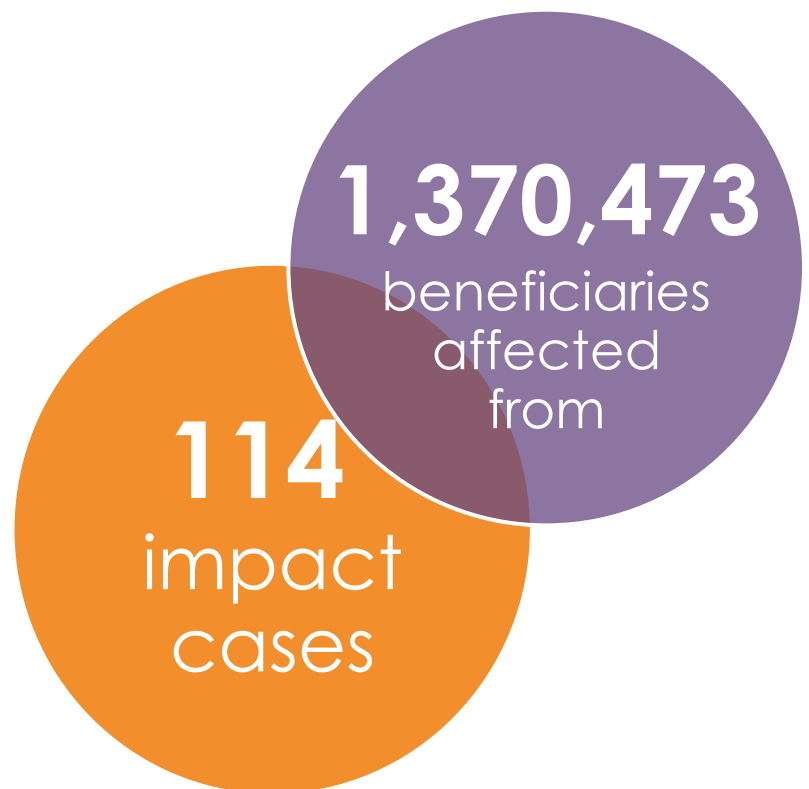
**Web-Based
Assistance**

IMPACT CASES

Impact Case Example #1, Class Action Employment Litigation: We represent 30 workers who were misclassified as independent contractors, underpaid for their work delivering pharmaceuticals to pharmacies across New York and New Jersey, and subject to mandatory arbitration agreements prohibiting them from fighting their case together in front of a judge and staying the case. We were successfully able to get the federal court to lift the stay on the litigation and allow the case to move forward in federal court. The court has conditionally certified the FLSA class and 751 low-wage workers have opted-in and joined and we are currently proceeding with discovery.

Impact Case Example #2, Title VI Language Access: In May 2023, together with the National Center for Law and Economic Justice and the New York Legal Assistance Group, we filed a complaint against the New York State Department of Labor (NYSDOL) for language access issues and their failure to provide meaningful access to critical Unemployment Insurance benefits to individuals with Limited English Proficiency, in violation of Title VI of the Civil Rights Act and other federal and state laws. The NYSDOL's harmful violations caused and continue to cause deep, and unequal, economic harm to LEP claimants, locking many out of access to the UI system and imposing onerous penalties for language-related issues.

Impact Case Example #3, Make the Road, et al. v. Dep't of Homeland Security, et al., Civil Action No. 18-cv-2445-NGG-JO (E.D.N.Y.): Make the Road NY filed a FOIA lawsuit against the Department of Homeland Security to obtain documents with information related to the administration of the Deferred Action for Childhood Arrivals program and successfully settled the matter in December 2023.



TECHNOLOGY

Over the past year, we have focused on enhancing our reporting systems to better reflect the full breadth of our work and assess our capacity to better serve our communities, as well as increasing data literacy among staff.

We continue to regularly train new staff and interns on our case management system, Salesforce. This year, we developed separate training materials for our summer intern cohort to reduce the number of data entry errors being logged. This allowed us to better track cases being worked on by interns and ensure their smooth transition to legal staff upon the end of their internship. We continue to regularly hold weekly support hours for data and grant-related questions, and regularly train and retrain staff on best data entry practices for IOLA and other grants.

In the third quarter of the fiscal year, we developed a new reporting system to capture legal community education and pro se work that had previously gone unrecorded, including notary services. We further developed this system to create an organizational notary log, allowing staff to fully integrate these services into their case management workflow.

In the fourth quarter of this year, we rolled out a new calendaring system for immigration-related client intakes. We also restructured our case management system to allow our new intake team to collect important client data and complete intake forms prior to scheduling new clients for consults. This has allowed our immigration team more time to focus on providing legal services by reducing the amount of time needed for them to engage with intake forms and other administrative tasks.

Throughout the year, the legal grants team consulted with attorneys and other case handlers to find gaps between the available infrastructure on Salesforce and the realities of case work. We worked with the data team to create new service level outcomes that better reflect and capture the intricacies of different court and agency filings, as well as to reduce duplicative data entry and require data collection for fields relevant to reporting. Integrating these changes into the regular case flow process reduced the amount of follow up needed on data entry tasks, allowing attorneys and advocates to focus on client needs and service provision. The legal grants team continues working closely with data representatives from other MRNY departments, collaborating on Salesforce database projects and problem-solving at monthly meetings convened by the data and evaluation team.

IOLA TECHNOLOGY GRANT

The MRNY legal department spent the supplemental 2023 IOLA Technology Grant to configure workflows integrated with Salesforce that automate the completion of required intake forms. Due to internal capacity limitations, we contracted our database consultants, Idlewild Partners, to design the automations. The funds were paid to Idlewild for their time on the configuration and developing the automated forms.

These workflow automations required significant time upfront for technical customization. This entailed replicating each form in Salesforce and configuring a third-party document generation tool (Conga) to publish completed intake forms, based on custom automations pulling client data. With this critical funding, we successfully automated 16 workflows derived from 6 intake forms. Each form was configured twice, once in the primary languages we use in our client work, English and Spanish.

PRO BONO VOLUNTEERS

MRNY fosters strong relationships and partnerships to leverage additional resources and expand our reach and impact. We partner with private law firms who provide invaluable pro bono legal assistance and draw on their expertise and guidance. We engage law students and other volunteers to increase our capacity to serve the community and mentor the next generation of public interest lawyers. In total, our partnerships with 89 pro bono attorneys, law students and other volunteers resulted in 7,505 hours on case services that we worked on during this grant period, many of which remain open. On cases closed during this period, we secured pro bono attorney assistance on 13 cases with strategic advice in workplace justice matters, expertise with bankruptcy law and immigration law assistance, among others. Several pro bono volunteers returned to help on multiple matters but were only counted as one unique individual in the report which contributes to us being somewhat under our target this year. Moreover, 13 of our law student interns worked on an additional 67 cases closed in the grant year.

We also engaged critical pro bono support on ongoing matters and legal clinics. For example, Sherman and Sterling provided critical pro bono research for a case where MRNY represents a former Access-A-Ride driver who was not paid for any of the work he performed while working for a taxi company. Shearman and Sterling helped research potential avenues of relief including the possibility of city or state liability for contractors of Access-A-Ride services and

administrative options for reporting wage theft with the Taxi and Limousine Commission. Perkins Coie and Wilmer Hale pro bono attorneys provided valuable assistance with several complex immigration matters.

MRNY also benefited from significant support from law school interns during the summer and throughout the academic year. During the summer of 2023, we hosted a class of 13 legal interns who each worked in one of our core practice areas. Last spring, we hosted an immigration legal intern. Last fall, we hosted a Northeastern Law student as a full-time extern and two additional students as legal interns. We currently have two NYU Law students participating as Pro Bono Scholars and interning with Make the Road NY this semester. We also have a Columbia Law student as a spring semester legal intern who is assisting our workplace justice legal team with substantial legal research to support our DALE program.

30attorneys volunteered **804** hours**48**law students volunteered **6,242** hours**11**other volunteers volunteered **459** hours

SIGNIFICANT COLLABORATIONS

MRNY works collaboratively with partners across geographies and practice areas, and frequently takes a leadership role in those collaborations. The list below highlights our key involvement:

- MRNY is one of two co-chairs and a member of the steering committee for the **Home is Here campaign**, a national coalition of immigrant rights organizations dedicated to defending the Deferred Action for Childhood Arrivals (DACA) program.

- MRNY is a member of a task force created by the New York City Council Speaker called the **New Arrivals Strategy Team**, which was formed to help develop short and long-term policies to better assist new migrants in the city.
- MRNY is a member of the **Care for Immigrant Families Campaign**, a New York-based coalition of organizations focused on advocating for universal representation for immigrants in removal proceedings.
- MRNY is a member of the **New York Legal Services Coalition** (NYLSC), and joined the board this year, advocating for critical resources from the state government to the legal services provider community.
- MRNY continues to partner with **Justicia Lab** (formerly the Immigration Advocates Network) on the development of Reclamo, an online tool and app to screen for wage theft and submit a claim for unpaid wages to NYS Department of Labor.
- MRNY participates in and helps coordinate **the Low-Wage Workers Task Force**, a group of civil attorneys from non-profit legal services organizations and private firms who work on issues affecting low-wage workers throughout the New York City area.
- MRNY leads the **Fund Excluded Workers** (FEW) coalition in a campaign for a permanent Unemployment Bridge Program to cover excluded workers.
- MRNY is a member of the **LEAP** collaborative, a group of eighteen legal service providers working collaboratively to increase the availability and quality of civil legal services for low-income persons in NYC. Together with a majority of LEAP organizations, MRNY is also a part of the LEAP Anti-Harassment Tenant Displacement Project, working in concert to prevent tenant harassment and subsequent evictions.
- MRNY is a member of the **Citywide Immigrant Legal Empowerment Collaborative** (CILEC), which provides both immigration and employment legal services for NYC immigrant communities. Other legal providers include: Urban Justice Center, TakeRoot Justice, Catholic Migration Services, Catholic Charities of New York, and African Communities Together.
- MRNY co-leads the **Hudson Valley Nonprofit Immigration Providers Network**, which meets quarterly to discuss developments in immigration law, best practices, and regional developments.
- MRNY is a founding member of the **Rapid Response Legal Collaborative** (RRLC) along with NYLAG and Unlocal, providing critical legal support to immigrant New Yorkers at risk of detention and deportation.

- MRNY is a coordinating member of the **Housing Justice for All** campaign led by the Upstate Downstate Housing Alliance, a diverse coalition of tenants, homeless people, manufactured housing residents, and advocates fighting for stronger tenant protections, and an end to evictions.
- MRNY co-leads the **Coverage for All campaign** to expand health insurance coverage to everyone in NYS regardless of immigration status.
- MRNY participates on the steering committee for the **Health Care for All New York**.
- MRNY participates in numerous coalitions in Westchester county including the **Westchester Women's Agenda**, **Westchester Families Task Force**, and the **Westchester County Access to Justice Initiative** - Immigrant Rights & Services Subcommittee.

CIVIL LEGAL SERVICES FUNDING

\$ 8,872,096.73

City and County	\$4,455,802.15
IOLA Funding	\$351,465.68
Federal Funding	\$915,170.92
Foundations	\$1,268,956.61
State Funding	\$1,880,701.37

