

**NEW YORK
LAWYERS
FOR THE
PUBLIC
INTEREST**

2022-2023

OVERVIEW OF ACHIEVEMENTS

In the 12-month reporting period, NYLPI provided direct legal services, education, and training that benefited approximately 88,000 people in New York and accomplished significant impact achievements improving the lives of more than 3.5 million New Yorkers.[1] Where direct benefits and cost savings were measured, the value to clients was over \$1.4 million.

- **NYLPI filed federal litigation to stop New York City’s new and unconstitutional Mental Health Involuntary Removal Policy.** With a broad coalition of public interest groups and people with mental disabilities, NYLPI filed an emergency request in response to Mayor Adams’ unconstitutional mental health involuntary removal policy, which was announced on November 29, 2022. New York City’s new policy will greatly expand coerced transport to psychiatric hospitals of people perceived to have “an inability to meet their basic needs.” This supports our ongoing federal class action litigation (*Baerga v. NYC*) that challenges the City’s use of police officers as the front-line response to people with actual or perceived mental disabilities.
- **NYLPI filed a class action lawsuit on behalf of New Yorkers with disabilities** to compel the MTA to address inaccessible and dangerous gaps between subway cars and platforms. These pervasive gaps render the subway system inaccessible to those who are blind and those with mobility impairments.
- NRG-owned Astoria Gas Turbine Power announced plans to sell the land under the existing gas-powered peaker plant to Beacon Wind, creating electrical interconnection to their 1,230 MW wind project. **After NYLPI and partners won the denial of NRG’s Air Permit necessary for its polluting power plant’s operation,** the existing peaker units are responsible for harmful air pollution and contribute to Astoria’s nickname, “Asthma Alley.”



Population Served: Various vulnerable populations

Total Funding: \$5,934,722

Total IOLA Grant: \$295,000

Staffing Full Time Equivalent:

- Total Staff: 30
- Paralegals: 9
- Lawyers: 13.4
- Other: 7.6

- **NYLPI and environmental justice advocates and Southeast Queens waste transfer operators reached settlement in a Clean Water Act and Nuisance lawsuit.** The settlement commits to structural and operative changes at the transfer stations to contain odor, noise, and dust, and manage stormwater more effectively. This will improve the health and quality of life for all residents of Southeast Queens and help protect the waters of Jamaica Bay from potential contributions of stormwater to a municipal storm sewer.
- **NYLPI sports equity win expands sports team access for Black and Latinx NYC public high school students.** Every high school student will now have access to all 25 sports — a first for NYC Public Schools and expanding beyond the requirements of the landmark class action settlement NYLPI and partners finalized in March 2022. The Public-School Athletic League (PSAL) expanded its “individual access” initiative so that students will be able to try out for teams at nearby schools, ensuring that even if they don’t have a particular sport at their school, students can play their chosen sport. Before the case, 17,000 New York City Black and Latinx public high school students had no sports teams at their public high schools.
- **NYLPI published several key resources about immigrant justice and access to health coverage, addressing deep barriers to care based on immigration status.** A resource for immigrant New Yorkers, “Health Insurance and Immigration Status in New York,” answers frequently asked questions around insurance eligibility and the right to access care. We also released a [Medical and Healthcare Rights Calendar](#) for people detained in immigration detention centers and jails in New York. The calendar is a useful guide for resources and the rights of individuals and encourages them to document their medical needs and experiences. For immigrant New Yorkers who are transgender, gender non-confirming, or non-binary, NYLPI released “Healthcare is for you!” NYLPI’s Medical Provider Network released “Harmful by Design: A Study of Immigration Detention Harms” in the Journal of Internal Medicine.
- **We provided ongoing support and weekly resource lists, training opportunities, and webinars for Special Education learning accessed by over 67,000 individuals during the grant period.** Factsheets and materials are available in English, Spanish, Korean, Chinese, Russian, and Haitian Creole.
- **We partnered with 833 attorneys, staff, and volunteers who donated nearly 29,500 pro bono hours and represented 402 nonprofits serving 1.5 million low-income clients in need.** We provide legal representation, capacity-building, extensive training, and resources to nonprofits across the City.
- **We trained and provided resources to over 88,000 community members and stakeholders on empowerment strategies to access healthcare, education, transportation, and housing.** We partner with communities to build collective power and achieve their own vision of justice and equality.

DIRECT LEGAL SERVICES: CASES

Health Justice

E, a long-time client of NYLPI, was diagnosed with end stage renal failure, meaning his kidneys had stopped working and he was using dialysis three times a week to treat the condition. Dialysis is costly and taxing on the body, and the situation was becoming unsustainable for E, so he reached out to NYLPI with the hope of getting health insurance so he could receive a kidney transplant. An organ transplant is the preferred treatment for end stage renal failure, but they are very inaccessible for the undocumented and uninsured. Through immigration and holistic services, we were able to connect E to state health insurance and he is now at the top of the transplant waitlist at SUNY Downstate Medical Center. He will soon be receiving a new kidney. NYLPI has partnered with SUNY Downstate to establish a pipeline that can refer folks in situations similar to E's to NYLPI for legal representation and advocacy, so they can eventually access insurance and lifesaving treatments.

Asylum

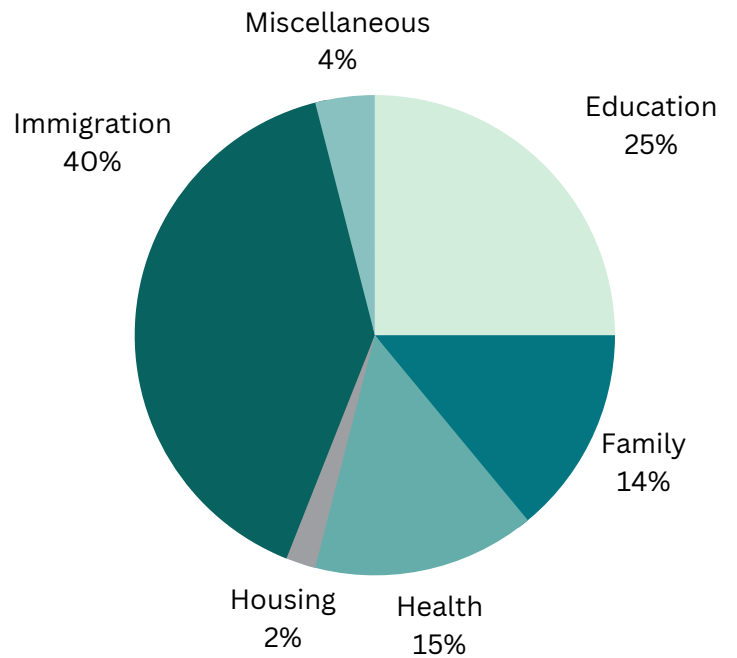
Clients R and Z, partners fleeing persecution in Honduras that they experienced on account of their gender identity and HIV-positive status, arrived in New York eligible for NYS Medicaid and housing services through the HIV/AIDS Services Administration (HASA), yet their applications were wrongfully denied numerous times. This denial left them without access to stable housing and healthcare. R and Z got in contact with NYLPI, and we appealed their wrongful denials and got their applications approved by advocating to HASA. R and Z now have stable housing and access to gender-affirming healthcare, and NYLPI continues to represent them in their asylum applications.

Special Education

S, a recent immigrant and elementary school student, was receiving special education services before she and her family moved to New York City. S's Individual Education Plan indicated she was to be placed in a 12:1 classroom, but her school never honored

1,382
people
benefitted
from
580
legal cases
closed

this placement. During the pandemic, S’s struggles continued, and when in-person classes started, she was placed in an Integrated Co-Teaching (ICT) class. S’s mother was frustrated with the ICT placement and frequently reached out to the school support team, but they were unhelpful. S fell behind academically, and her mother contacted NYLPI for assistance. We secured new evaluations for S, and the Academics, Career, and Essential Skills Program (ACES) program accepted her starting in school year 2023/2024. NYLPI works with a pro bono firm to represent her in a pending impartial hearing to seek hours of compensatory education.



Cases by Legal Problem Area

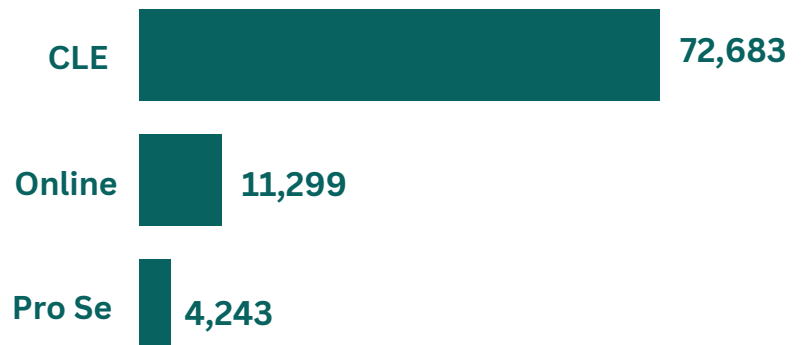
OTHER SERVICES: OVERVIEW

We have an extensive community education program, supported in part by IOLA funds. NYLPI’s attorneys, and community organizers, social workers, and other advocates regularly provide trainings to community groups and stakeholders to empower them to better advocate for themselves. In the past 12 months, we trained and provided resources to over 88,000 community members on empowerment strategies to access healthcare, education, transportation, and housing. Service delivery included 67,311 special education and pandemic resource guides distributed to people subscribed to our disability justice email list.

88,225

people benefitted from Services Other Than Direct Legal Services

Number of People Benefitted from Other Services



OTHER SERVICES: TECHNOLOGY

We continue to deepen our use of Microsoft 365, Zoom, Teams, WhatsApp, Facebook Live, and other tools that increase our reach with client communities. NYLPI continues to develop and enhance our case management database, Case Management Pro, including a recent migration to a more secure cloud installation. We have hired a dedicated Data Systems specialist, who is working to make our use of Case Management Pro more effective. NYLPI subscribes to Westlaw, making case research fast and effective, and all NYLPI staff have access to e-mail and the Internet. NYLPI has a video remote interpreting and a relay service so that we can provide intake and technical assistance services to people who are hearing impaired both in person and through the phone, as well as having TTY. NYLPI also uses a “Language Line” phone system for communicating with clients who have limited English proficiency. The Clearinghouse distributes the cases it is seeking to place with pro bono attorneys through a weekly email. NYLPI regularly updates its website and social media channels to provide information on our programs, as well as resources we have available. NYLPI also maintains the critical portions of our website in multiple languages.

OTHER SERVICES: TRAININGS

- NYLPI Lawyers continued to access unlimited Continuing Legal Education sessions through the Practising Law Institute, and NYLPI continued to pay for a bar membership for each attorney, and attorney members of the New York City Bar Association accessed CLE in-person and remotely through the Association.
 - The entire staff attended multi-segment workshops on conflict resolution, anti-Blackness, anti-Asian violence, and trans-positive policies.
 - Many of the staff attended tech trainings on SharePoint and Teams.
 - Leadership Team members regularly attended workshops offered by the Executives Undoing Racism Collective and shared notes and resources with team members.
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IMPACT CASES

Mental Health Crises Litigation

In December, NYLPI, alongside coalition partners, pro bono counsel, and a group of people with mental disabilities, filed a class action lawsuit against the City of New York, Mayor Bill de Blasio, and Police Commissioner Dermot Shea for violating New Yorkers' constitutional and civil rights by sending police officers — rather than trained health professionals and peers with lived mental health experience — to respond to thousands of mental

health crises each year. The case challenges the legality and constitutionality of the City's policies, which have resulted in unlawful detentions, excessive force, serious injuries, forced hospitalizations, and 19 deaths of people with disabilities at the hands of the police in the last six years alone. NYLPI also filed federal litigation to stop New York City's new and unconstitutional Mental Health Involuntary Removal Policy. With a broad coalition of public interest groups and people with mental disabilities, NYLPI filed an emergency request in response to Mayor Adams' unconstitutional mental health involuntary removal policy, which was announced on November 29, 2022. New York City's new policy will greatly expand coerced transport to psychiatric hospitals of people perceived to have "an inability to meet their basic needs." This supports our ongoing federal class action litigation (*Baerga v. NYC*) that challenges the City's use of police officers as the front-line response to people with actual or perceived mental disabilities.

3,510,950
beneficiaries
were affected by
22
Impact Cases

MTA Subway Gap Lawsuit

NYLPI filed a class action lawsuit against the Metropolitan Transportation Authority (MTA) in New York County Supreme Court to remedy the excessive gaps between subway platforms and trains. For many people with disabilities, including those who are blind or use wheelchairs and other mobility devices, getting to the platform is meaningless if excessive gaps make it impossible to board or exit the train. Various gap protections have been implemented by mass transit agencies around the country

and world– including in New Jersey, Boston, Chicago, Hong Kong, and Australia. People with disabilities constitute nearly 15% of the City’s residents; and a safer and more hospitable system will benefit all riders, including children who could fall into the gaps and those pushing strollers, shopping carts, and other heavy items. In addition to increasing ridership at a time when the MTA is still recovering from the pandemic, these accessibility improvements will reduce the strain on the MTA’s paratransit system and increase access to employment and healthcare for people with disabilities. Remedying the gaps by adding platform doors will also reduce the recent rash of tragic rider falls onto the tracks.

Sports Equity Class Settlement Final Approval

NYLPI sports equity win expands sports team access for Black and Latinx NYC public high school students. Every high school student will now have access to all 25 sports — a first for NYC Public Schools and expanding beyond the requirements of the landmark class action settlement NYLPI and partners finalized in March 2022. The Public-School Athletic League (PSAL) expanded its “individual access” initiative so that students will be able to try out for teams at nearby schools, ensuring that even if they don’t have a particular sport at their school, students can play their chosen sport. Before the case, 17,000 New York City Black and Latinx public high school students had no sports teams at their public high schools.

All Impact Cases

- Body-Worn Camera Footage Access for Individuals Killed by the NYPD When Experiencing Mental Health Crises
- Brad H. Mental Health Discharge Planning from Jails*
- Cleanup North Brooklyn Campaign litigation
- Disability Advocates, Inc. (DAI) v. Paterson (O’Toole v. Cuomo)*
- Fair Play Coalition for High School Sports Equity – *Moises Jimenez v. DOE litigation*
- Housing Access Project for Individuals with Disabilities
- Civil Rights Complaint with DHS against local immigration detention facility
- Sosa v. Hudson County, healthcare for New Yorkers in immigration detention*
- Bonilla v. Hudson County, healthcare for New Yorkers in immigration detention*
- New York City Courthouse Accessibility (structured negotiation)
- Transparency in the Department of Education litigation (D75 staff abuse litigation)
- Treatment of Children in Foster Care Who Have Developmental Disabilities (*L.J. v. ACS & OPWDD*)
- Willowbrook*
- South Ozone Park Sewage Legal Assistance Project
- Britt v. MTA, challenging discrimination against people with disabilities excluded from fare discounts*
- Raritan Baykeeper v. American Recycling Management, Clean Water Act and nuisance litigation against two polluting waste facilities causing environmental and health injuries in Jamaica, Queens*
- Baerga v. City of New York, mental health crisis response*
- Goldenberger v. MTA, subway gaps*
- Concerned Citizens of Dover, environmental health*
- Hospital accessibility, structured negotiation
- Concert venue accessibility, structured negotiation

PRO BONO VOLUNTEERS

NYLPI promotes a legal culture where pro bono involvement is valued and prioritized. NYLPI's staff regularly meet with key partners at law firms and corporate legal departments to encourage and facilitate pro bono opportunities, and when possible, tailor pro bono projects.

We work to foster a lifetime commitment to pro bono through our annual summer program. In addition, NYLPI hosts summer interns from law schools, providing an organized twelve-week program that introduces them to community lawyering and affords the opportunity to work on a range of issues.

During the grant period, our Clearinghouse engaged 833 pro bono attorneys and staff from nearly 80 law firms, who donated over 16,500 pro bono hours and represented 402 nonprofits and community groups by providing counsel on matters such as corporate structure, contract negotiations, litigations, and more. These nonprofits are then able to focus on serving their communities by utilizing their resources for their missions rather than on costly legal services. In total, volunteer attorneys, staff, and interns donated nearly 29,500 pro bono hours.

The Clearinghouse has expanded its client services by organizing workshops for nonprofit leaders, using pro bono attorneys as teachers on topics including starting a nonprofit, diversity, equity and inclusion, and digital privacy and cybersecurity. Over 158 nonprofit representatives have attended these courses during the grant period.



833 Attorneys volunteered 16,500 hours

18 Law Students volunteered 5,920 hours

26 Other Volunteers volunteered 7,040 hours

Each  icon is equal to 87.7 volunteers.

Attorneys are represented through the Green Figure.

Law Students and Other Volunteers are represented through the Grey Figure.

SIGNIFICANT COLLABORATIONS

Nonprofit New York is a capacity-building organization that works to build a thriving community of extraordinary nonprofits through training and educational programs, policy, and legislative advocacy on behalf of the nonprofit sector and offering expert resources and guidance to its members. NYLPI collaborates with Nonprofit New York to produce innovative and impactful webinars to address important legal issues for nonprofits. The webinars covered topics around diversity, equity and inclusion, advocacy and lobbying, ongoing Covid-19 compliance questions for employers, and more. During the reporting period, the webinars were attended by over 100 representatives from nonprofit organizations.

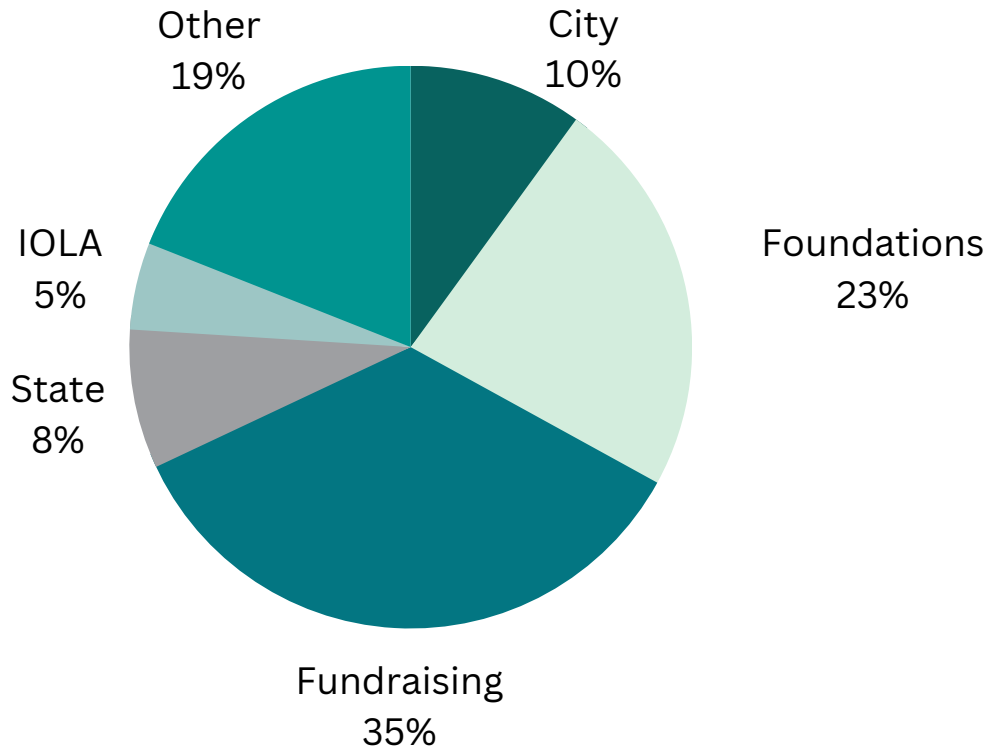
In a partnership with multiple pro bono law firms, we published a series of resource guides for nonprofits and small businesses as they navigated the pandemic and economic crisis, available online through the [NYLPI Nonprofit Toolkit](#).

Catholic Migration Services (CMS), a not-for-profit legal services provider affiliated with Catholic Charities of Brooklyn and Queens and the Roman Catholic Diocese of Brooklyn, provides free legal services and Know Your Rights education to low-income individuals regardless of race, religion, ethnicity, national origin, or immigration status. NYLPI has successfully partnered with CMS for many years to run a series of naturalization clinics, which offer legal permanent residents the opportunity to meet with a volunteer attorney to help them complete their application for US citizenship. Volunteer attorneys also help clients apply for fee waivers where appropriate. In the reporting period, two naturalization clinics were held, serving 39 clients, 31 of whom also received assistance with applying for fee waivers, saving clients over \$22,000.

NYLPI is a founding member of LEAP, a legal advocacy network of 17 New York City civil legal services providers with offices in every NYC borough, 10 of which came together in 2004 to expand the availability of quality legal services, coordinate efforts, and avoid duplication of services. Collectively, these groups employ over 600 lawyers, advocates, organizers, and other staff members, who provide critical assistance to over 130,000 low-income individuals every year via innovative legal services delivery models. On a weekly basis, there are teams of LEAP attorneys holding legal clinics and community workshops across the city. In recent years, LEAP's clients obtained over \$30 million in dollar benefits because of our work. NYLPI has also collaborated to provide representation to immigrants and people with disabilities facing harassment or discrimination in their housing. We are also members of and work closely with the New York Legal Services Coalition.

SOURCES OF FUNDING

New York Lawyers for the Public Interest received **\$5,934,722** in total funding this past year



IOLA Grant	\$295,000
City and County Funding	\$565,755
Foundations	\$1,381,214
Fundraising	\$2,062,426
State Funding	\$480,664
Other	\$1,149,663
Total	\$5,934,722