

Thank you for the opportunity to testify at the 2021-2022 Public Protection hearing.

My name is Molly Clifford and I am the Interim Executive Director of the New York Legal Services Coalition (NYLSC), a non-profit organization consisting of 49 civil legal services organizations. Our members range from large multi-service, multi-county or citywide organizations, and pro bono programs, to neighborhood-based organizations meeting the needs of specific populations.

Collectively, we serve every NYS county and provide high quality civil legal services to hundreds of thousands of low-income New Yorkers in matters relating to the essentials of life. The Coalition works to ensure fairness in the judicial system, advocates on legal issues affecting low-income and communities facing marginalization, identifies and promotes best practices in the civil legal aid profession, and provides technical assistance and capacity building resources for its members.

Civil legal services address a fundamental gap in access to justice – the gap between low- and moderate- income households in need of legal aid and the number who can be helped by our providers. For decades, that gap remained at a troubling 80%. Thanks to ongoing support from the Legislature, state agencies and the judiciary, CLS providers in New York have narrowed that chasm to approximately 60%. The number of cases CLS providers handle has increased from 385,000 in 2013 to more than 547,000 in 2020.

While this is a positive trend, there is certainly significant need that remains and in fact has been exacerbated by the pandemic, particularly among low-income New Yorkers and communities of color. At the coronavirus peak, our professionals assisted thousands of individuals in applying for unemployment benefits, including claim determinations. We connected people to food pantries, helped families obtain SNAP benefits, evaluated clients' eligibility for and facilitated application for federal stimulus funds and assisted individuals and families in accessing emergency shelter. Our network effectively pivoted their workforce to meet heightened demand to ensure New York's hard-working families, especially those hit disproportionately hard by the pandemic, have a sense of stability during this time of crisis.

Amidst these shifting demands, staff continues work within our many practice areas, including domestic violence, eviction, foreclosure, consumer, small business and immigration matters. These and other issues persist during COVID-19. Some matters, especially economic and housing stability, are being exacerbated by the crisis and will affect families throughout 2021 and beyond. There are a number of protections afforded to consumers that will expire in the near future and will require intervention by our professionals. We are particularly concerned about the eviction and foreclosure moratoria, which upon expiration will bring a tidal wave of evictions and result in sharp increases in homelessness in the communities we serve.

We stand ready to meet these new and shifting demands and appreciate the joint efforts of the legislature and Office of Court Administration (OCA) to support civil legal services funding. We respectfully ask for continued state support in two key areas:

1. **Restore and increase funding for civil legal services through the Legal Services Assistance Fund (LSAF).** This is flexible funding that supports a variety of civil legal services purposes, including assistance for veterans and survivors of domestic violence; and
2. **Restore 10% for civil legal services programs** in the Judiciary budget submitted by Chief Judge Janet DiFiore, including **\$85 million** to help bridge the gap between civil legal services needs of low-income New Yorkers, and continuing the **\$15 million supplemental appropriation for Interest On Lawyers Account (IOLA)** to fund its grantees.

Historically funded at \$100 million, the Judiciary Civil Legal Services program is by far the largest source of support for our members. On average, our member's budgets consist of over 50% of state funding. JCLS funding comprises nearly half of that amount and is especially important because it gives providers the flexibility to allocate funds where there is the greatest gap in services in the agency and most substantive needs in their communities.

Faced with extreme fiscal hardships in 2020, many state agencies made the difficult decision to make broad budget reductions, resulting in up to 20 percent in "temporary withholding" of grants, including those for civil legal services. In some instances, payments for services rendered have been delayed indefinitely. The JCLS program has been reduced by 10 percent, and we caution that resulting cuts will be borne by our most underserved and marginalized communities. We appreciate that these Local Assistance reductions are being reduced to 5 percent under the Governor's Executive Budget Proposal. Should sufficient federal funding be realized, we urge that these amounts and Judiciary funding be restored in full.

Thank you for the opportunity to submit comments. We look forward to continuing to partner with the Legislature to ensure New Yorkers have access to justice.