



THURSDAY FEBRUARY 12, 2026

TESTIMONY OF THE LEGAL PROJECT

PRESENTED TO THE NEW YORK STATE SENATE FINANCE COMMITTEE AND THE  
ASSEMBLY WAYS & MEANS COMMITTEE

JOINT LEGISLATIVE BUDGET HEARING ON PUBLIC PROTECTION

My name is Monice Barbero, and I am the Chief Executive Officer of The Legal Project, which represents 11 counties across New York State, including the Capital Region. Thank you for the opportunity to present this testimony to the committees in regard to the Joint Legislative Budget Hearing on Public Protection.

**Who We Serve and Why This Matters**

The Legal Project serves low-income New Yorkers who would otherwise have no access to legal representation. These are individuals and families, elder citizens, immigrants, and domestic violence survivors. The Legal Project began in 1995 by helping low-income, unrepresented survivors of domestic violence. Over the last 30 years, our practice areas have expanded to include homeownership/foreclosure, immigration, human trafficking, veterans, elder law (including wills, living wills, powers of attorney and health care proxies) and eviction defense. In addition, we offer community-based, no cost consultations and workshops to the general public, including Legally Speaking workshops, the Small Business Legal Network, Uncontested Divorce Clinics and the Veterans Law Project.

We respectfully submit this written testimony highlighting The Legal Project's essential SFY 2027 budget priorities.

**1. Core Funding for Civil Legal Services**

We are deeply concerned that the Governor's Executive Budget did not include full appropriation authority for the Interest on Lawyer Account (IOLA) Fund. The Executive budget included \$77.5 million, far short of the \$102.5 million IOLA requested, and was approved by IOLA's Board of Trustees.



IOLA is a critical, non-taxpayer funding source for civil legal services for low-income New Yorkers. This funding is not taxpayer money; it is generated through interest on attorney escrow accounts for the sole purpose of supporting civil legal services statewide as prescribed in statute. The full amount of money needed is currently in IOLA's accounts.

IOLA is now entering the second year of a five-year, competitively bid contract process that was designed specifically to provide stability and predictability for civil legal services providers. This multi-year approach allows nonprofit organizations to plan responsibly, retain staff, and meet growing demand for services at a time of unprecedented need. This approach is already supporting more effective, coordinated service delivery across the state.

Without the additional \$25 million needed to fully fund IOLA's request, there will be significant cuts in funding starting April 1, 2026 when the second year of the IOLA five-year contracts begin. Those reductions will mean the loss of jobs, fewer services for vulnerable communities, and the potential unraveling of carefully planned investments that were intended to strengthen the civil legal services system for the long term. This action directly undermines the policy goals this budget seeks to advance.

We are hoping and advocating that the Executive realizes their mistake and corrects this critical shortfall in the 30-day amendments; however, if they do not, our ask to the legislature is that the final budget include \$102.5 million spending authority for IOLA in their one house bills.

#### *Judiciary Civil Legal Services Funding*

We also urge adoption of the Office of Court Administration's proposed SFY 2027 Judiciary budget, which includes a \$25 million increase and a 3 percent cost-of-living adjustment, for a total of \$179 million in Judiciary civil legal services funding. This funding must remain flexible, allowing providers to respond to rapidly changing community needs, including housing instability, domestic violence, and the continued strain on low-income households.

#### *Legal Services Assistance Fund and Upstate Legal Services*

We ask the Legislature to:

- Restore and maintain \$2.83 million for the Legal Services Assistance Fund (LSAF), honoring last year's legislative commitment; and
- Allocate \$4 million for Upstate Legal Services Funding, an increase of \$500,000, to support civil legal aid capacity across upstate regions. We respectfully request that the SFY 2027 Budget restore and increase funding for not-for-profit legal aid service providers in Upstate New York from \$3.5 million to \$4 million. This initiative has been championed by the Senate for the past five years and has benefited thousands of low-income New Yorkers and communities facing marginalization in Western NY, Central NY, Southern Tier, and the Capital Region. Focusing on individual and family stability, a



\$4 million appropriation will allow important programs to continue and enhance support in the areas of family law, housing, public benefits, and more.

## **2. Safeguarding New York’s Nonprofits**

We urge the Legislature to address systemic challenges facing nonprofit service providers.

Nonprofits are a critical part of New York’s safety net and economic sector. However, New York state’s nonprofit contracting process is broken. Challenges in New York’s not-for-profit contracting and payment processes result in financial crisis, staffing instability and fewer services for clients, undermining the goals of the contracts. We support comprehensive reforms to State Finance Law § 179, led by Senator Mayer and Assemblymember Paulin, to address chronic contracting and payment delays. Nonprofits cannot deliver services effectively when they are forced to front costs for months without reimbursement.

NY Protect Act (S.7880A Krueger / A.8583-A Glick), which protects New York nonprofits from federal attacks by creating a state-protected not-for-profit status. This ensures that organizations can continue to operate, contract, and serve communities even if the IRS wrongfully revokes federal tax-exempt status

## **3. Ensuring privacy in court-ordered name changes**

While all other types of name changes – such as for marriage, divorce, or adoption – have categorical privacy, court-ordered name changes do not. This poses a safety and privacy concern for all petitioners, and particularly for transgender, and nonbinary people, and those who are victims of domestic violence. The Office of Court Administration implemented a new rule last year, which is a positive step, however, OCA can only go as far as the law allows. We must change the law to treat name changes in court the same way as all other name changes, and we must provide a path to privacy for people who had name changes before the new rule took effect. There is no reason for New York state to allow confidential information – including home addresses, birth certificates, birth dates and medical records – available to the public. Especially considering that online filings are scraped and data is re-published online, and changes at the federal level, this is of utmost urgency.

ASK: Include the Privacy in Name Changes (S.XXXX Krueger /A.3925 Lavine) in the one-house and final budgets.

## **4. Protecting Immigrant New Yorkers**



New York's immigrant communities are facing unprecedented threats, including federal attacks on legal services providers, cuts to funding, and increased enforcement actions. In this moment, New York must lead.

We support:

- \$175 million for the CARE for Immigrant Families initiative, including passage and implementation of the Access to Representation Act, ensuring legal representation in removal proceedings; and the BUILD Act, which strengthens provider capacity and infrastructure. In the past year, immigration law has become more complex, and the number of New Yorkers threatened with deportation has skyrocketed. A substantial increase in funding for Immigration Legal Services is critical to protect the 1 in 5 New Yorkers who are immigrants from unlawful detention and deportation.
- Passage of the New York for All Act (S.2235 Gounardes / A.3506 Reyes), which preserves state and local resources for community safety and ensures New York funds are not used for federal immigration enforcement.
- Passage of SNAP for All (A.6632 Gonzalez-Rojas), establishing a state-funded nutrition assistance program for income-eligible New Yorkers excluded from SNAP solely due to immigration status. While New York cannot fill all the gaps created by the austere cuts included in last year's HR1 budget bill, ensuring that no New Yorker goes hungry should be a central commitment to all.

Access to counsel and basic supports are essential to keeping families together and communities stable.

## **5. Housing Stability and Eviction Prevention**

Housing remains one of the most urgent legal crisis facing low-income New Yorkers.

We support:

- \$40 million for the Homeowner Protection Program to prevent foreclosures;
- Establishment of a Statewide Right to Counsel in Eviction, with initial funding to begin a five-year implementation; and
- Increasing the Housing Access Voucher Program from \$50 million to \$250 million and making the program permanent, ensuring long-term housing stability for low-income households. Last year, New York State created the Housing Access Voucher Program (HAVP). HAVP is a statewide rental subsidy for low-income families and individuals facing eviction, currently homeless, or facing loss of housing due to lack of affordability, domestic violence, or hazardous living conditions. The program will begin to distribute vouchers in March 2026. New York must do more. The program is only a four-year pilot with funding of \$50 million a year. With its current allocation, the program will help about 1900 households. Yet the need is far greater. HAVP will help reduce costs to the state and taxpayers by preventing evictions, reducing emergency shelter utilization, and reducing the costs of other homeless services. Rental assistance



vouchers have a proven history in increasing stability for tenants. When tenants have stable housing, it leads to better outcomes in health, education, and employment. Low-income New Yorkers are struggling to afford to stay in New York. The State must increase the funding for the program to \$250 million a year and make it a permanent program.

- \$75 million for eviction prevention through Office of Temporary and Disability Assistance, including support for New York City providers of \$30 million and rest-of-state providers of \$45 million;

With regard to this last item, we respectfully request \$45 million in Eviction Defense funding for the rest of the state to preserve the eviction defense capacity built across upstate New York. This total includes the \$35 million proposed in the Executive Budget and an additional \$10 million to be added by the Legislature. These funds support a network of 31 collaborating organizations serving all 57 counties outside New York City and, as of September 30, 2025, have reached more than 137,000 individuals. Continued investment in eviction defense keeps families housed, prevents displacement, and strengthens communities by promoting long-term housing stability. Eviction defense is also a proven, cost-effective investment that generates significant savings for state and local governments by reducing downstream costs for emergency shelters, foster care systems, healthcare providers, and local courts. By preventing unnecessary evictions, this funding improves health outcomes, supports educational continuity for children, helps residents remain connected to jobs and local economies, and ensures public resources are used efficiently to prevent crises rather than respond to them after the fact.

Civil legal services are a proven eviction prevention tool, saving the state money while keeping families housed.

## **6. Disability Advocacy Program**

The Disability Advocacy Program (DAP) provides statewide legal representation to low-income disabled New Yorkers whose federal Supplemental Security Income (SSI) or Social Security Disability (SSDI) benefits are wrongly denied or terminated. DAP notably saves the state millions of dollars every year in avoided public assistance costs. When clients win their SSI benefits, state and local governments are retroactively reimbursed for public assistance benefits paid to these clients. Every \$1 invested in DAP has returned over \$2 to the state and counties. The program has generated almost \$1.5 billion to the state and local counties since its inception in 1983.

The statewide network of DAP providers request \$7.5 million in funding to support the program in the SFY 2027 Enacted Budget, inclusive of both the executive and legislative additions before county match. We also request DAP to be included in the Office of Temporary and Disability Assistance's Human Services cost of living adjustment to ensure the program can keep up with



inflation linked operational costs.kept up with program costs. Increased funding would allow us to better respond to clients who are facing delays in applications and appeals and general lack of access to the Social Security Administration staff due to federal destabilization.

### **7. SNAP Benefits Cards and Fraud**

Millions of New Yorkers rely on SNAP benefits to keep themselves fed. The State must take steps to secure access to these benefits by implementing SNAP reforms. First, New York must act to prevent the loss of SNAP benefits through skimming. Skimming is a type of fraud which causes millions of SNAP benefits to be stolen from recipients. Theft of these benefits also deprives the local economy of the investment those dollars represent. New York must replace existing EBT cards with more secure chip cards to ensure that New Yorkers can access and use their SNAP benefits in New York. Chip cards have been proven to greatly reduce skimming and protect benefits for the intended recipient. We are pleased to see the Governor include this in her budget. New York must also help victims of skimming by providing replacement benefits since the chip cards will not be implemented immediately.

Second, New York must guarantee that all New Yorkers, regardless of their immigration status, have access to food benefits. Most non-citizens have been excluded from SNAP participation since 1996. H.R. 1, signed into law in July 2025, narrowed eligibility further to exclude many others, including asylees, refugees, and victims of human trafficking and domestic violence. New York should create a state-funded food benefit for all households who are ineligible for Federal SNAP benefits solely due to their immigration status. Investing in improvements to SNAP infrastructure through chip cards and expanding access to SNAP benefits through a state-funded program will enhance food security and improve health outcomes for recipients. These changes will also generate economic activity across the State as New Yorkers use their benefits in local markets and grocery stores. New Yorkers are more food insecure now than they were before the COVID-19 pandemic, and New York must make these essential improvements to guarantee that no New Yorker goes hungry. S9033 (Rivera). A6632 (Gonzalez-Rojas)

### **Closing**

In closing, Civil legal services are a cornerstone of New York's safety net. They prevent crises before they escalate, protect vulnerable communities, and promote fairness and efficiency across our legal system.

We urge the Legislature to fully fund these critical priorities and reaffirm New York's commitment to equal justice for all.

Thank you for the opportunity to testify.