

Assembly Standing Committee on the Judiciary

Hearing on the Budget and Staffing Reductions in the Judiciary Branch

Testimony of Kristin Brown

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Chairman Dinowitz and members of the Assembly Judiciary Committee, thank you for inviting me to testify at the hearing today. My name is Kristin Brown and I am the President and CEO of Empire Justice Center. I am also a member of the New York Legal Services Coalition's Executive Committee and the Chief Judge's Permanent Commission on Access to Justice.

Empire Justice is a legal services and advocacy organization that addresses a wide range of poverty law issues affecting low-income people across the state of New York, primarily outside of New York City. I would like to discuss with you what the OCA funding reduction means for civil legal service providers such as Empire Justice.

In a progressive state such as New York where we are national leaders in our efforts to improve access to justice, we know that in the best of times our civil justice system is able to meet less than half of the civil legal needs of low-income people who are coping with crisis in life's essential needs - such as the right to shelter, food, and safety. We also know that the pandemic has made every pre-existing challenge more dire, while exposing the deep inequities already embedded in our society.

A recent national study from Pew Charitable Trust found that legal needs during the pandemic shifted overwhelmingly to unemployment benefits, food stamps, and housing. Here at Empire Justice Center, we saw those trends too, especially in the area of unemployment insurance. In the early days of the pandemic with

funding from OCA, we developed an employment hotline and in a matter of weeks that helped hundreds of New Yorkers obtain benefits and navigate a complex system when the government backlog had been overwhelming. Our project included our entire Civil Rights team at Empire Justice Center, retired volunteer attorneys, and multi-lingual organizations who made it their mission to work with us to increase access to critical legal information in a variety of languages. We also were able to shift gears in our immigration practice to meet as much need as possible, creating a hotline and providing online bi-lingual DACA trainings to maximize information provided to immigrant communities on Long Island even as we could no longer take on any new cases.

These examples of our work bring me to my main point, which is that the Judiciary Civil Legal Services funding is a lifeline for civil legal services providers like Empire Justice. Without it, this kind of response and representation would not be possible. Even with the 10 percent cut in our grant, the steady flow of the Judiciary Civil Legal Services funds via OCA has helped us weather cash flow challenges that could have disrupted our ability to deliver the vitally important services we provide.

In this extraordinarily difficult budgetary year, the impact on nonprofits who deliver essential services to New Yorker's low income people can't be understated. Currently over 75 percent of our organizational funding comes through contracts with New York State and we have contractual obligations with a dozen state agencies. We are proud of the work we do for our clients every day on behalf of the State of New York and we wouldn't have it any other way.

However the financial challenges in New York create serious implications for nonprofit providers like Empire Justice. Like many other providers, we are struggling with a 20 percent hold back from agencies on contracts already completed, in addition to long payment delays. In addition, we are coping with enormous uncertainties in re-upping longstanding contracts. I want to note that the Governor and the state agencies we work with have done a remarkable job balancing the varying needs during a very difficult year. This situation has not been easy for any of us.

This pandemic has truly highlighted for us the two Americas we live in today, one where those that have the most see the pandemic as a safe investment opportunity to scoop up lucrative deals, while those that have the least risk daily exposure to a deadly virus while they work and still can't make enough money to put food on the table or stay in their homes. The pandemic has also clearly shown that legal

services organizations perform an essential function by mitigating and helping people cope with unemployment, eviction, and illness, among other things.

I will close my remarks by reiterating that the Judiciary Civil Legal Services from OCA funding has been one of our most reliable and flexible sources of funding during the pandemic. It has allowed us to be responsive to community needs, and retain knowledgeable staff who deliver legal services in complex areas. Ultimately, New York can only fully come back from the pandemic when people in low-income communities have the opportunity to recover and rebuild. We stand ready to work with all of you and make that happen in any way we can.

Thank you and I am happy to answer any questions you may have.