



NOTE ON THE FISCAL 2022 EXECUTIVE BUDGET FOR  
HRA'S OFFICE OF CIVIL JUSTICE

Regina Poreda Ryan, Deputy Director  
Nathan Toth, Deputy Director  
Paul Scimone, Deputy Director

Eisha Wright, Unit Head  
Jack Storey, Financial Analyst

On April 16, 2021, the Administration released the Executive Financial Plan for Fiscal 2021-2025 with a proposed budget for Fiscal 2022 of \$98.6 billion. This Note provides a summary of the Fiscal 2022 Executive Budget for the Human Resource Administration's (HRA) Office of Civil Justice (OCJ). Topics covered include changes to the budget, headcount adjustments, and other relevant agency issues.

**OCJ Budget Overview**

The Fiscal 2022 Executive Budget for the Office of Civil Justice total's approximately \$200 million. OCJ is not a City agency and its budget can be found in HRA's Legal Services program area, one of 22 program areas in the Agency's \$11 billion Fiscal 2022 Executive Budget. The Executive Budget for the Legal Services program area totals \$197.2 million in Fiscal 2022 and includes most of the funding for OCJ. The table below shows the Office's actual spending in Fiscal 2019 and Fiscal 2020, the Fiscal 2021 Adopted Budget and the projected budgets for Fiscal 2021 and 2022 as of the Executive Plan as well as the difference between the Fiscal 2022 Executive Budget and the Fiscal 2021 Adoption budget. The Fiscal 2022 Executive Budget does not include the Council's discretionary funding for legal services initiatives in Fiscal 2022.

Legal Services Financial Plan Summary						
<i>Dollars in Thousands</i>						
	FY19	FY20	FY21	Executive Plan		*Difference
	Actual	Actual	Adopted	FY21	FY22	FY21-FY22
<b>Spending</b>						
Personal Services	\$0	\$0	\$3,222	\$3,222	\$3,222	\$0
Other Than Personal Services	161,555	184,730	199,033	195,701	197,191	(1,842)
<b>TOTAL</b>	<b>\$161,555</b>	<b>\$184,730</b>	<b>\$202,255</b>	<b>\$198,923</b>	<b>\$200,413</b>	<b>(\$1,842)</b>
<b>Funding Source</b>						
City Funds			\$154,856	\$151,174	\$129,471	(\$25,385)
Federal			44,274	44,625	67,817	20,658
Intra City			3,125	3,125	3,125	\$0
<b>TOTAL</b>	<b>\$161,555</b>	<b>\$184,730</b>	<b>\$202,255</b>	<b>\$198,923</b>	<b>\$200,413</b>	<b>(\$1,842)</b>
<b>Headcount</b>						
Full Time Positions			56	56	56	0
<b>TOTAL</b>			<b>56</b>	<b>56</b>	<b>56</b>	<b>0</b>

*\*The difference of Fiscal 2021 Adopted Budget compared to Fiscal 2022 Executive Budget.*

OCJ's budget also includes \$3.2 million for 56 positions to support the Office's work, although this personal services (PS) funding is not in the Legal Services program area. The Legal Services program area is comprised entirely of other than personal spending (OTPS) and supports

contracts for civil legal services for tenants, workers, low-income New Yorkers, homeowners, and immigrant New Yorkers. The table below shows the Office’s actual spending in Fiscal 2019 and Fiscal 2020, the Fiscal 2021 Adopted Budget and the projected budgets for Fiscal 2021 and 2022 as of the Executive Plan as well as the difference between the Fiscal 2022 Executive Budget and the Fiscal 2021 Adoption budget. Notably, the Fiscal 2022 Executive Budget does not include the Council’s discretionary funding for legal services initiatives in Fiscal 2022.

### Executive Plan Changes

The Executive Plan includes a baseline increase of \$23.2 million for OCJ beginning in Fiscal 2022. This addition will support the Citywide implementation of Universal Access (UA) to counsel. The baseline increase in the Executive Plan includes \$7.6 million in federal funding through the Emergency Assistance to Families with Children (EAF) program. The Executive Budget also includes \$15.6 million in federal funding through the American Rescue Plan (ARP).

Year:	FY21	FY22	FY23	FY24	FY25
<b>New Needs:</b>	\$0	\$7.6M	\$7.6M	\$7.6M	\$7.6M
<b>Other Adj:</b>	\$0	\$15.6M	\$15.6M	\$15.6M	\$15.6M
<b>Total:</b>	\$0	\$23.2M	\$23.2M	\$23.2M	\$23.2M

### Eviction Moratorium and COVID-19

COVID-19 has had a significant impact on OCJ’s service provision and the UA program. Prior to the pandemic, OCJ had been in the process of a phased implementation of Universal Access to Counsel whereby free legal representation or counseling was offered to eligible residents of certain zip codes. In response to the pandemic, OCJ and its contracted providers offered legal services and representation to all tenant respondents in eviction proceedings, including pre-pandemic pending evictions, Citywide. This change has resulted in the full implementation of the right to counsel program prior to the end of the original phase in period. In addition, OCJ has continued to offer legal representation to unrepresented tenants Citywide irrespective of income, zip code, or prior ineligibility. Representation is also offered regardless of household income with a waiver by OCJ.

In May 2021, the State extended the moratorium on residential eviction and foreclosure proceedings through August 31, 2021 for tenants and homeowners who have experienced hardship due to COVID-19. While OCJ has been able to support expanded and universal legal services and representation with existing resources, there are some concerns regarding the Office’s ability to maintain these services if evictions surge when the moratorium ends. As a result of Local Law 54 of 2021 adopted on May 11, 2021, the provision of legal representation Citywide is now mandated. Federal funding added to OCJ’s budget in the Executive Plan supports current

operations, and the Executive Budget does not appear to address the operational challenges that may come from the end of the eviction moratorium.

### Council Initiatives

In Fiscal 2021, the Council added \$32.2 million to HRA’s budget for eight civil legal services initiatives. This includes \$10 million for civil legal services in the Council’s Legal Services initiative.

<b>FY21 Council Initiatives at Adoption</b>	
<i>Dollars in Thousands</i>	
<b>Council Initiatives</b>	
Immigrant Opportunities Initiative	\$2,600
Legal Services for Low Income New Yorkers	4,930
Legal Services for the Working Poor	2,724
Legal Services for Veterans	570
Low Wage Worker Support	120
New York Immigrant Family Unity Project	16,600
Supportive Alternatives to Violent Encounters (SAVE)	600
Unaccompanied Minors Children and Families	3,981
<b>TOTAL</b>	<b>\$32,225</b>

City Council-funded civil legal services initiatives managed by HRA include the following:

- **Immigrant Opportunities Initiative – \$2.6 million.** The Immigrant Opportunities initiative supports services that help immigrant adults to gain access to information and resources to strengthen their participation in the democratic process. Specifically, this initiative provides legal services for recent immigrants to assist with applications for citizenship or permanent residency, and various other immigrant related legal services
- **Legal Services for Low-Income New Yorkers – \$4.9 million.** Legal Services for Low-Income New Yorkers provides full legal representation for matters that include unemployment insurance, supplemental security income, consumer/finance, education, and employment, family, juvenile, health, housing, income maintenance, individual rights and miscellaneous benefits.
- **Legal Services for the Working Poor – \$2.7 million.** Legal Services for the Working Poor initiative provides full legal representation for the working poor in matters that include assistance in preventing eviction, foreclosure, improvement of living conditions, removal of hazardous housing conditions, housing code enforcement actions, emergency grants to prevent homelessness, disability benefits, immigration assistance, workplace abuses, consumer protections from creditors, recovery of illegal rents, and improper rent changes, and domestic violence.
- **Legal Services for Veterans – \$570,000.** Legal Services for Veterans supports legal representation for New York City veterans in the areas of family law, housing, public benefits, healthcare, homecare, financial planning and consumer protection.
- **Low Wage Worker Support - \$120,000.** This funding supports outreach efforts and referral services to low-wage workers in need of employment related civil legal services.

- **New York Immigrant Family Unity Project – \$16.6 million.** The New York Immigrant Family Unity Project program provides free, high-quality legal representation for New Yorkers detained and facing deportation who cannot afford an attorney. Services included are master calendar, bond and individual merit hearings, appeals and social work services.
- **Supportive Alternatives to Violent Encounters (SAVE) - \$600,000.** SAVE funding supports legal service organizations that provide domestic violence victims appearing in court with a range of services that include prevention, direct legal representation, counseling and referrals.
- **Unaccompanied Minors and Families – \$3.9 million.** The Unaccompanied Minors and Families program funding supports legal counsel for children in removal proceedings, and social services to children appearing on the Juvenile and Surge Dockets in New York Immigration Court to assist minors in navigating the immigration system. This initiative also provides legal services to adults with children to ensure that adults and their children have access to critical educational, health and mental health services.