

Evaluation of the New York Immigrant Family Unity Project: Assessing the Impact of Legal Representation on Family and Community Unity

November 2017
Report Summary

Deportation cases are the only legal proceedings in the United States in which people are routinely detained by the federal government and are required to litigate for their liberty against trained government attorneys without the assistance of counsel. Yet without an attorney, individuals are rarely able to effectively navigate the immigration legal system. The New York Immigrant Family Unity Project (NYIFUP), a program funded by the New York City Council, is the nation's first public defender system for immigrants facing deportation. Since November 2013, NYIFUP has pioneered universal representation for detained indigent immigrants in deportation proceedings at the Varick Street Immigration Court in New York City who were unrepresented at their initial hearing.

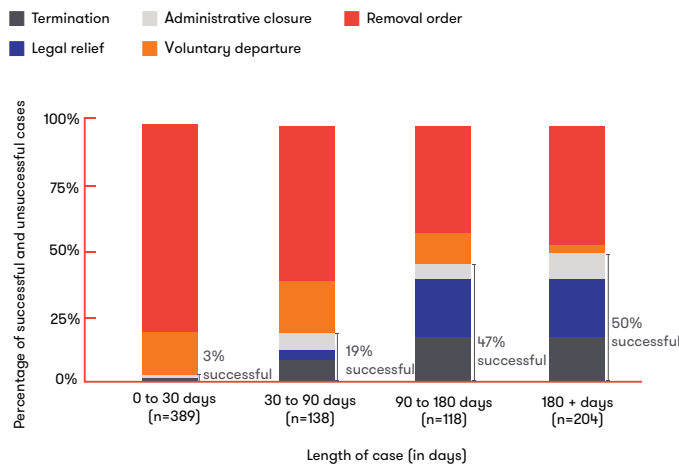
Employing quantitative analyses of administrative and program data, the Vera Institute of Justice (Vera) studied the impact of NYIFUP on case outcomes by comparing NYIFUP cases to similarly situated cases. Drawing also on extensive stakeholder and client interviews, this report outlines Vera's key evaluation findings, which include the following:

- › **NYIFUP clients have strong ties to New York and the United States.** On average, NYIFUP clients had been living in the United States for 16 years at the start of deportation proceedings. NYIFUP clients were the parents to 1,859 children living in the United States, 86 percent with legal status, mainly citizenship. Forty-one percent of NYIFUP clients entered or resided in the United States legally; 30 percent as lawful permanent residents. These strong ties demonstrate the community's stake in these proceedings and impact immigration court outcomes.
- › **NYIFUP has dramatically improved the chances that non-citizens unable to afford private counsel will receive successful immigration court outcomes permitting them to remain in the United States legally.** Analyzing the cases already completed and using advanced statistical modeling that indicates the likely outcomes of pending cases, Vera has projected that 48 percent of cases will end successfully for NYIFUP clients. This is a 1,100 percent increase from the 4 percent success rate for unrepresented cases at Varick Street before NYIFUP.
- › **NYIFUP has met its goal of preserving family unity.** In addition to helping more immigrants win favorable outcomes that allow them to remain in the United States, NYIFUP clients obtain bond and are released from detention at close to double the rate of similarly situated unrepresented individuals at comparable courts (49 percent for NYIFUP versus 25 percent for unrepresented individuals at similar courts). NYIFUP has reunified more than 750 individuals with their families.
- › **Universal representation through the NYIFUP model improves fairness and the administration of justice.** The high rates of successful outcomes and releases into the community resulted, at least in part, from high levels of activity by the NYIFUP legal teams in immigration court, on appeal, and in collateral proceedings. While it took, on average, longer for NYIFUP cases to achieve successful outcomes than was true for unrepresented cases, the Varick Street court ran more smoothly and efficiently with lawyers present for virtually all non-citizens facing deportation.
- › **The success rate of NYIFUP cases has helped hundreds of New Yorkers gain or maintain legal work authorization, thus contributing to federal, state, and local tax revenue.** NYIFUP is estimated to have helped more than 400 New Yorkers gain or maintain work authorization by winning

their immigration cases. Overall, these successful outcomes are projected to produce tax revenue from this cohort of NYIFUP clients of \$2.7 million each and every year, for years to come. The annual increase in tax revenue will be compounded significantly with

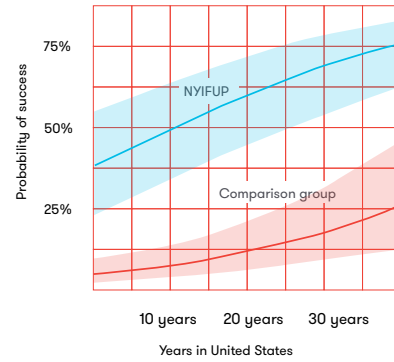
the addition of each new cohort of NYIFUP clients.

Figure 3
Legal case outcomes for NYIFUP cases, by length of case



Source: EOIR data. The numbers include only completed cases, including those with pending appeal as of June 30, 2016. They do not include re-opened cases.

Figure 4
Predicted probability of successful outcome, by length of time in United States



Source: EOIR data. The numbers include only completed cases and do not include re-opened cases or cases that had an appeal pending as of June 30, 2016.

For more information

To read the full report, visit www.vera.org/nyifup-evaluation and, to review the quantitative and qualitative methodological appendices, visit www.vera.org/nyifup-evaluation-methodology. For more information about this report, contact Oren Root, director of Vera's Center on Immigration and Justice.

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