

The Domestic Violence Project

FY 2019 Annual Report

**URBAN
JUSTICE
CENTER**

Domestic
Violence
Project

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Our annual tradition, the DVP Family Photo-shoot, is possible thanks to our dear friend and photographer Rob Loud, who came up with the beautiful idea of taking free professional family photos for survivors and their families.



A LOOK AHEAD

Madeline Garcia Bigelow, Managing Director

“Do your little bit of good where you are; it’s those little bits of good put together that overwhelm the world.”

-Desmond Tutu

For 16 years, the Domestic Violence Project has been fiercely focused on representing indigent and working poor survivors of intimate partner violence. Our team tirelessly supports and braces our clients while litigating and advocating for the basic safety to which they are entitled. We are out in the communities, educating while simultaneously protesting the injustices and inhumanity experienced by our clients seeking redress from our broken systems. During the past year, DVP has assisted 1,196 new clients with filing for orders of protection, child custody and immigration relief, housing and safety planning and much more. In addition to those direct services, our team provides empowerment groups and outreaches, this year hosting 302 legal clinics and outreach events throughout the five boroughs of New York City. The road to safety and empowerment is not one created through the sheer will and force of each member of DVP. We consider each of you a member of our team and we urge you to help us bring justice to survivors. October marks Domestic Violence Awareness Month, what better time than now to make a positive impact? Our combined efforts will continue to make the change needed in the lives of those who have been forced to live in the shadows of the most vibrant and resourceful city in our country. On behalf of DVP and our clients, we thank you for taking this journey with us.



OUR APPROACH

"Be heard, be free" is our project's mantra, reminding ourselves to always give voice to our survivors and allow them the freedom to drive their future.

At the Domestic Violence Project, we constantly reassess our approach to our work based on what we observe on the ground. While the domestic violence movement has made tremendous strides throughout the years, today we find ourselves in fighting stance—whether it be defending ourselves against ever evolving and sophisticated abuse tactics by abusive partners, overcoming governmental obstacles in accessing justice or arguing against adversaries in court. Once a survivor has mustered the strength to leave an abusive relationship, their path is filled with new challenges. They are forced to navigate systems that seem intentionally ambiguous and inaccessible, even to the most seasoned advocates and practitioners.

This is where our legal and advocacy teams join forces. While the attorneys pursue some form of legal justice, our advocates steer clients through bureaucratic red tape to meet immediate needs such as benefits, housing, health care, and almost every other life need. Without that holistic support system, survivors often feel the journey is untenable and may reunite with their abusive partners or worse, fall prey to the next abusive relationship.

By empowering clients with knowledge about their rights, we hope to also prevent future intimate partner and systematic abuse.

“My attorney was knowledgeable, tough, and extremely sensitive. She helped me find the words to tell this story, she helped me believe that the system would work.”

Currently, our services include:

- Civil Legal Assistance in Family and Immigration Courts
- General Civil and Legal Advocacy
- Financial Empowerment & Housing Advocacy
- Crisis Counseling and Support Groups
- Outreach, Training, and Technical Assistance to Community Groups

Our energetic team is comprised of 10 attorneys, 10 advocates and 1 senior clinician, all bringing diverse backgrounds, experiences and expertise. We speak Spanish, Farsi, Russian, and French, and the majority of our management team is comprised of women of color and diverse ethnic backgrounds.

ADVOCACY SERVICES

Almost everything related to survival falls under the auspices of “advocacy” at DVP.

1 *Safety First*

Every single client who walks through our doors receives a safety assessment. The safety plan is a living plan adapting to the clients ever-changing life. Information is provided but the decisions are made by the client, allowing a judgment free zone so that they can choose their own path.

2 *Basic Shelter*

When considering the most essential life needs, the first thing that comes to mind is shelter. Through workshops and individual sessions, our housing advocates work closely with clients, helping them navigate the complicated housing systems of NYC, whether it be the daunting public housing options or dealing with landlords. This year, empowerment groups focused on educating clients on their rights and responsibilities as tenants in NYC and how to interact with their landlords.

3 *Food on the Table*

Figuring out public benefits for domestic violence survivors is no easy feat. Even worse, immigrant survivors may not even be entitled to any benefits at all. Recognizing this crisis, DVP created an internal food voucher system for immigrant survivors with children, allowing them to meet their fundamental needs. DVP also provides metro cards to get them to and from appointments; toiletries; American Express and Target gift cards; and clothing donations. Empowerment groups allow for opportunities to discuss techniques to stretch every dollar and hear from clients about what has worked, as they are the real experts in survival.

4 *Working Families*

Our clients come from a wide range of backgrounds with varying language skills, educational and vocational levels, and work experience. With that in mind, our advocates also provide individualized job readiness assistance, through resume prep and interview skills.

5 *Moving Past Abuse*

Our counseling program, while small, is where we often see dramatic transformations. This has been crucial for clients considering leaving the abusive home, clients in the midst of leaving, and clients who have left and are now moving onto the next chapter of their lives.

“During this time you were so kind to me and I was so stressed about so many things. Your gift card actually came at a time I was literally counting pennies to buy my daughter her graduation dress!”

LEGAL SERVICES:

IMMIGRATION & FAMILY LAW

Recently, more than ever, we have found it necessary to integrate our family and immigration practices. Immigration screenings have become necessary for many immigrant families seeking remedies in family court to ensure there are no dangers of deportation during the process. Likewise, immigrant clients fearing family separation receive counsel from our family law team on "family emergency preparedness" and education about their rights when it comes to guardianship or custody of their children in the event they were to be detained or deported. Overall, the demand for legal services is at an all-time high and continues to grow.

Our FAMILY LAW team provides legal clinics across the five boroughs of New York City, meeting clients in their communities. We provide everyone with a legal screening, safety analysis and information. For those who require full representation, we take them on whenever possible.

Currently, we provide free representation on the following family law matters:

- Child Custody and Visitation
- Orders of Protection
- Child and Spousal Support
- Uncontested Divorces

Additionally, our team provides advocacy and support navigating the criminal justice system.

Our IMMIGRATION LAW team is our fastest growing division of services and is inundated with inquiries from clients and organizations seeking help.

Currently, we provide representation on the following immigration matters:

- Violence Against Women Act (VAWA) Self Petitions
- Naturalization
- Battered Spouse Waivers
- Adjustment of status
- Asylum
- U non-immigrant status for crime victims
- T non-immigrant status for trafficking victims
- Special Immigrant Juvenile Status (SIJS)
- Removal Defense

“I’ve never felt
so connected to another
lawyer.”

Having a sensitive and experienced attorney can make a profound difference not only in the legal outcome but also in survivors' experiences. At the very least, we ensure that they are treated with dignity and respect and are empowered to fully participate in their case.

POLICY & LEGISLATIVE

In order to make change we must inform policy on all levels. So much of our work is done through coalitions with other organizations similarly dedicated to justice for vulnerable populations in New York City. Through sharing powerful client stories, testifying in front of City Council, meeting with Judges and other stakeholders, we are able to impact policies from the ground up.

Why We're Suing ICE

With an alarming 1700% increase in courthouse arrests and attempted arrests in New York by Immigration Customs & Enforcement (ICE), DVP joined forces with the ICE Out of Courthouses Coalition, which is a group legal services organizations in New York pushing back against these unlawful practices. Immigrant survivors of domestic violence and trafficking have grown incredibly weary of accessing the legal system for protection or acting as cooperating witnesses to crimes, fearing that ICE will apprehend them in the process. At least 60% of DVP's clients are non-US citizens facing a wide range of issues. They are complaining witnesses and victim-defendants who are in criminal court, petitioners and respondents in family court, tenants in housing court, victims of identity theft and more. The presence of ICE in our community courts in NYC impedes our ability to effectively help them navigate all these systems. As attorneys, we are unable to assuage them of their fears and are now forced to calculate risk in accessing justice.

One of our clients, an LGBTQ-identifying immigrant survivor, attended a court appearance where they had to face their abusive partner to seek protection. After leaving the courthouse, they were apprehended and detained by an ICE officer who had been in the back of the courtroom. As a result of this experience, the client has considered reuniting with their partner, believing that the abusive relationship is safer than being targeted by ICE and deported.

We have countless clients who are too fearful to even access help, attend court, or speak out against their abusive partners for fear of retaliation in the form of ICE apprehension. Read some of our client stories in this 80-page report, "Safeguarding the Integrity of Our Courts: The Impact of Ice Courthouse Operations in New York State"- by the ICE out of the Courts Coalition.

(<https://www.immigrantdefenseproject.org/wp-content/uploads/Safeguarding-the-Integrity-of-Our-Courts-Final-Report.pdf>).

In response, DVP in coalition with other advocates, has urged the passage of the Protect Our Courts Act. While the bill failed to pass in the previous legislative session, the Office of Court Administration did implement a court rule prohibiting ICE courthouse arrests absent a judicial warrant.

Most recently, the Legal Aid Society, along with Cleary Gottlieb Steen and Hamilton filed a lawsuit in the U.S. District Court for the Southern District of New York against ICE, naming the Urban Justice Center and other partner agencies, along with one unnamed domestic violence survivor, as plaintiffs.

**EJ and other survivors,
shouldn't have to choose
between enduring blows from
their abusers or potential
deportation and separation
from their families.**

The complaint challenges the legality of the ICE policy of carrying out federal immigration arrests of non-citizens in and around New York state courthouses without judicial warrants. This ICE practice is in conflict with the long-standing history of respecting the sanctity of courthouses as a place where victims of crime, defendants, witnesses and participants in civil court proceedings can safely seek justice. Many thanks to the team at Legal Aid and Cleary for leading this litigation. We are hopeful and optimistic that our relentless efforts through legislation and advocacy will yield a positive result for our clients.

IMMIGRATION

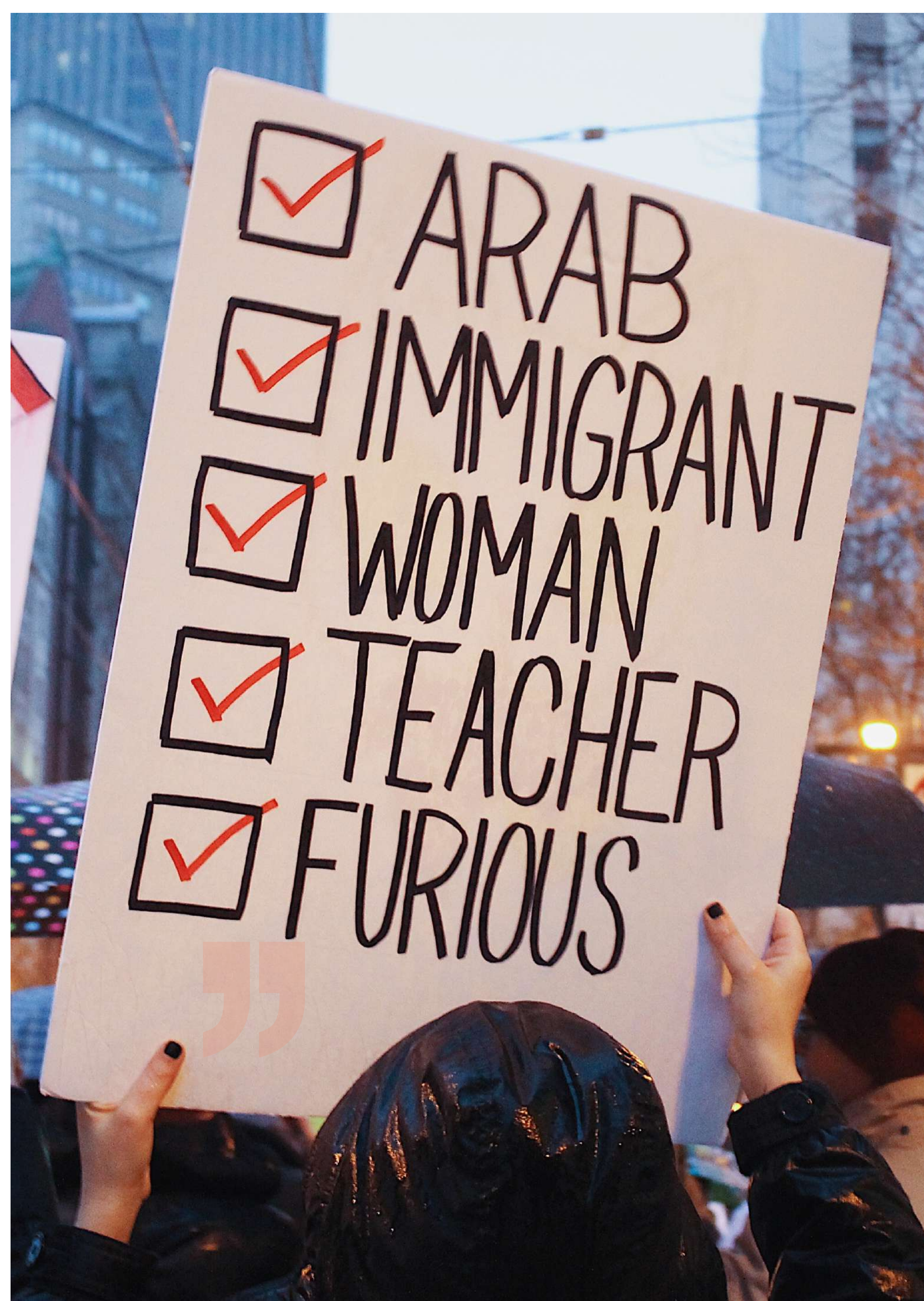
CASE HIGHLIGHT

This client, (here referred to as "BL"), has a story similar to so many others, where they found themselves in a new country, far from family and friends, pursuing the dream of starting a beautiful new life with a seemingly loving partner. However, shortly after learning that they were expecting a child, the abuse began. As a recent immigrant to the US with no support systems in place, the client's only recourse was to leave their abusive spouse and seek safety in a domestic violence shelter, all while pregnant with their first child.

BL's spouse was both verbally and physically abusive, preventing BL from seeking essential prenatal care, communicating with loved ones, or having any independence. Finally, after confiding in a doctor about the abuse, BL asked for help. BL was able to meet with a social worker who provided information about domestic violence so that when the abuse escalated shortly after, BL knew to call a domestic violence agency and be placed in a DV shelter right before their child was born.

As an immigrant survivor of domestic violence married to a U.S. citizen, DVP attorneys informed BL that they were eligible to file a VAWA self-petition, which is a pathway to citizenship. DVP attorneys assisted BL prepare a VAWA self-petition, along with applications for permanent residence and work authorization.

At the same time, DVP's advocacy team provided BL with an array of non-legal essential services, from enrolling the client and child in Medicaid and providing them access to health insurance, to empowering them with employment skills, housing advocacy and safety planning.



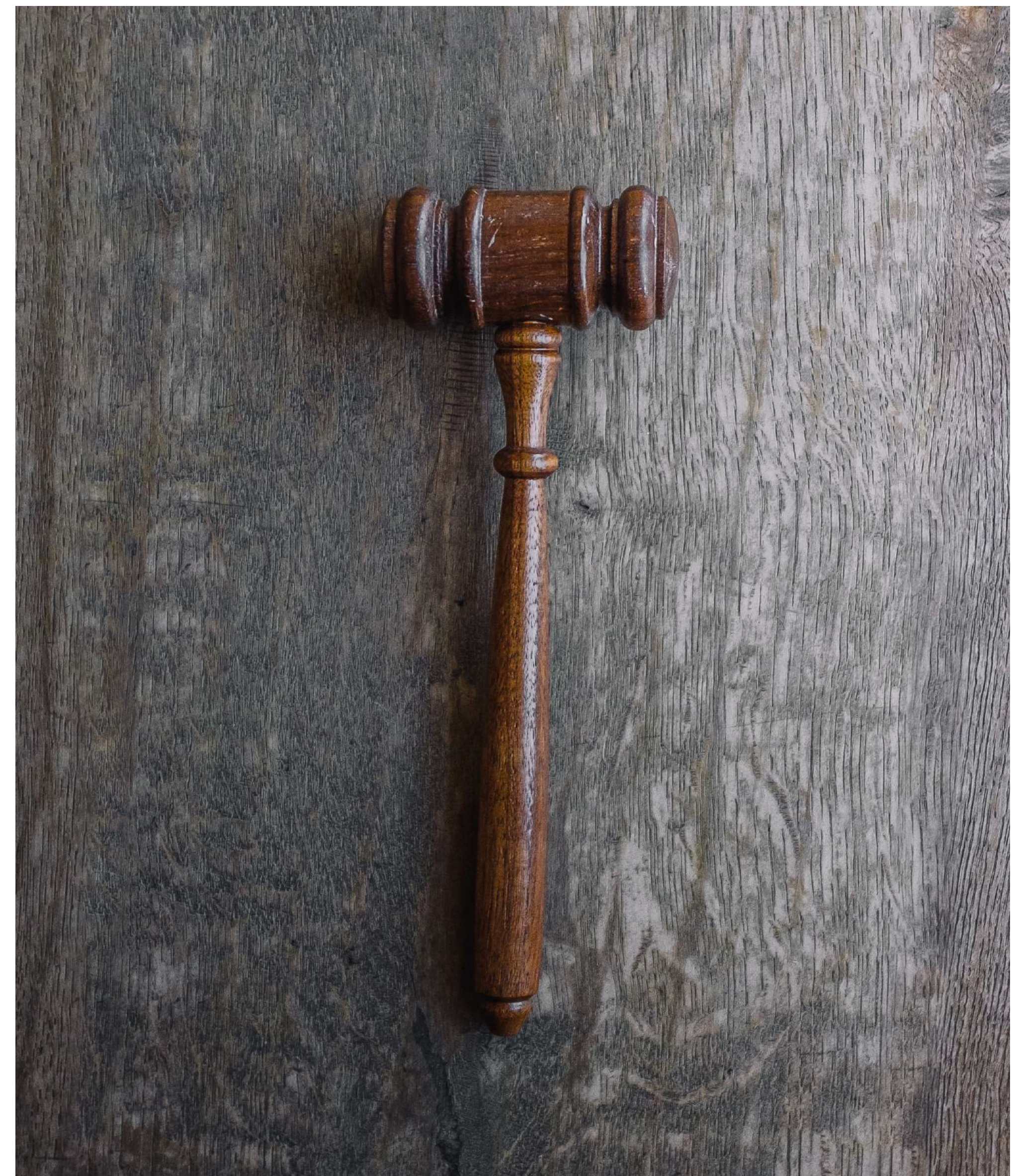
Thanks to these wrap-around services, BL was able to leave the shelter system, get back on their feet, and even land a position as Accounting System Assistant in the Accounting Systems team at a renowned top international law firm. While BL is eagerly awaiting scheduling of their green card interview, they are able to provide for their child a loving, stable home, free of any abuse or violence.

FAMILY LAW

CASE HIGHLIGHT

In 2019, with the help of the Children's Law Center, DVP successfully assisted a sex trafficking survivor appeal a poor decision entered by the Family Court which failed to find that her current partner and only father her child has known, be named the legal father. Casey was a sex trafficking survivor who was married to her trafficker, a horrific partner who forced Casey into sex trafficking and subjected her to torment and abuse. Since Casey was married to her trafficker at the time she became pregnant, under NY law, the trafficker was the presumed legal father.

In reality, Casey's trafficker had no interest in exercising any parental rights. His only goal in alleging parentage was to have a continued means of controlling and threatening Casey. While her trafficker was serving a 7-year prison sentence, Casey filed a paternity petition in Family Court to have her current partner adjudicated the legal father of her child. Her current partner is a wonderful person who has held himself out to be the only father figure the child has ever known. Despite not knowing whether he was in fact the biological father or not, it never mattered to him and rather, he raised the child as his own blood.



In protecting the child's best interests, the child's attorney, the Children's Law Center (CLC), filed an appeal and DVP joined in support, requesting that the Appellate Division overturn the Family Court's decision and declare Casey's partner and now husband, the father. After submitting written briefs and oral testimony, the Appellate Division not only overturned the Family Court's decision but granted the relief Casey originally sought in Court- declaring her now partner/husband the child's legal father. Not only does the Appellate Division's reversal and decision create sound legal authority for similar families, it also supports the ever-changing definition of parentage and family, recognizing that outdated definitions should not always automatically apply and do not necessarily serve the child's or family's best interests.

Our Impact

1,200

Clients screened

1,516

People reached through outreach

266

Free Legal Clinics

302

Outreach Events

\$389,775

In-Kind Pro Bono contributions

65%

Are immigrant-survivors

3,000

Legal and Advocacy Cases

476

New advocacy cases opened

32

Received therapy

155

Applications for immigration relief filed

376

Received immigration screenings

576

Received family law help

688

Pro Bono Hours received

Thank You to Our Generous Supporters

New York City Human Resources Administration (HRA)
New York City Department of Youth & Community Development (DYCD)
IOLA Interest on Lawyers Account
New York City Council (DOVE Initiative & Council Member Discretionary Funds)
New York State Office for Children and Family Services (OCFS)
New York State Office of Court Administration

In-Kind Support Received from:

Milbank, LLP
Cleary Gottlieb, Steen and Hamilton LLP
Lowenstein Sandler LLP
Mayor's Office to End Gender Based Violence
Klynveld Peat Marwick Goerdeler (KPMG)
Rob Loud Photography



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Take action in FY20 to bring justice to survivors of intimate partner abuse and their families.



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