



Testimony in Support of Increased Immigration Legal Services Funding

Submitted by Kids in Need of Defense (KIND)

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My name is Gilda Holguin, and I am a Managing Attorney at our New York office here at Kids in Need of Defense (KIND). KIND is the leading national organization dedicated to protecting unaccompanied and immigrant children as they navigate a complex and often frightening immigration system. Our organization is a proud member of the Campaign for Access, Representation, and Equity for Immigrant Families (CARE4IF), a coalition of community-based organizations, legal services providers, faith partners, unions, and advocates across New York State.

In all of KIND's work, KIND envisions a world in which every unaccompanied child on the move has access to legal counsel and has their rights and well-being protected as they migrate alone in search of safety. Through 16 offices across the United States, KIND provides direct legal representation, pro bono mentoring, and social services coordination for unaccompanied children at no cost to our clients. Since 2009, KIND's New York City office has served unaccompanied children in all five boroughs.

For nearly two decades, KIND has witnessed firsthand how lack of legal representation places children—some of the most vulnerable members of our society—at acute risk of exploitation, family separation, and return to dangerous conditions. The children we serve have fled violence, trafficking, abuse, and persecution, often with no caregiver to guide them through the immigration process. Access to legal representation is not simply a matter of fairness for these children—it is a matter of safety, stability, and survival.

Since 2025, the stakes for unaccompanied children have only grown. Although many qualify for Special Immigrant Juvenile Status (SIJS)—a vital protection for children who have been abused, abandoned, or neglected—they face mounting barriers to completing the process. Caretakers, fearful of potential ICE action, are increasingly reluctant to access New York family courts for the custody or guardianship orders children need to pursue SIJS. Legal representation is often the only factor that gives caretakers the confidence to seek these protections.

Even when children obtain the required orders, they confront accelerating immigration court deadlines, despite years-long visa backlogs that prevent them from obtaining permanent residence. Without an attorney, a child cannot advocate for more time, seek closure of their case, or pursue essential relief such as SIJS or asylum. Without legal support, unaccompanied children and their caretakers are left to navigate an unforgiving immigration system alone, with no meaningful path to the stability and safety they need.

That's why KIND is profoundly grateful to the New York State Assembly and Senate for convening this important hearing, and for New York's longstanding leadership in protecting immigrant communities. We have been consistent and vocal champions of expanding access to counsel because legal representation is the single most determinative factor in whether a child or family can meaningfully exercise their rights in immigration court.

As a cruel federal deportation agenda continues to destabilize New York's communities and place children and families at grave risk, the state's response must meet the scale and urgency of this moment. Investing in immigration legal services is not only a moral obligation—it is a commitment to child protection, family unity, and community stability. Without representation, children—some as young as toddlers—are forced to stand alone in court and advocate for their own safety against a trained government attorney. As of December 2025, more than 91,000 New Yorkers are navigating immigration court without counsel. For children, the consequences of facing the system alone can be lifelong.

Data shows that representation saves lives: detained immigrants with legal counsel are up to 10.5 times more likely to prevail in their cases than those without it. Behind every number is a child or family with a story, a future, and a right to fair process. New York has the opportunity—and the responsibility—to ensure that no child or family is left to fight for protection on their own.

To meet the urgent and long-term legal and social service needs of immigrant children and families, the FY 2027 State Enacted Budget must include a \$175 million investment:

- **\$85 million** to sustain existing legal and social service programs, support recruitment and retention, and ensure equitable compensation.
- **\$50 million** to expand emergency deportation defense and wraparound services for families and children.
- **\$40 million** to build statewide capacity, grow the pipeline of immigration legal professionals, and strengthen provider infrastructure.

New York must ensure that immigrant children and families have the tools and support needed to protect their rights and stay together.

We also urge passage of the **Access to Representation Act (ARA, A.270/S.141)** and the **BUILD Act (A.2689/S.4538)**.

The ARA would establish a statutory right to counsel in deportation proceedings and create stable funding so no child is denied representation due to inability to pay. The BUILD Act would provide multi-year investments to strengthen provider infrastructure, training, and coordination—critical for the specialized, trauma-informed legal services children require.

New York once led the nation with the pioneering New York Immigrant Family Unity Project (NYIFUP). Seventy jurisdictions have since followed. It is time for New York to lead again—this time ensuring that children are fully included in universal representation.

KIND strongly supports continued funding for immigration legal services, increasing that funding to **\$175 million**, and the immediate passage of the **ARA** and **BUILD Act**.

Thank you for your commitment to immigrant communities, for convening this hearing, and for the opportunity to submit testimony on behalf of the children we serve.

/s/

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