

Bronx public defenders walk out

Tim Avery, Elliott Murtagh, Steve Light
27 July 2026

Attorneys, social workers and support staff at the Bronx Defenders walked off the job Monday, launching a strike over wages and working conditions. The workers are members of the Association of Legal Aid Attorneys (ALAA)-UAW Local 2325. The non-profit provides free legal representation to residents of the Bronx facing criminal, family, immigration and housing cases.

The strike is part of an expanding wave of walkouts across the public defender sector. Workers at Brooklyn Defender Services struck earlier this month before UAW officials pushed through a tentative agreement. Neighborhood Defender Service workers in Harlem, Detroit and Texas walked out on July 24. Bronx Defenders themselves struck last year, as did workers at several other legal non-profits.

Theo, an eviction attorney who has worked at the Bronx Defenders for three years, spoke to WSWs reporters about the strike.

“We’re on strike because management’s offers have frankly been insulting,” Theo said. “We want to destroy the systems of oppression. We believe that even if you’ve done a crime, even if you’ve done something wrong, you came here illegally, you deserve to have a good life. You deserve not to be evicted from your house.”

He described management’s posture in negotiations as a betrayal of those principles. “It’s been really dispiriting to see management cite those same systems of oppression and capitalist ideas of value right back at us in our negotiations. One of the things management’s been harping on is making sure social workers are paid less than attorneys, which we should all be paid the maximum amount possible. Of course, the work we do is difficult. And to cite things like market value to us is nonsensical in the organization we work for.”

“This is a difficult job. I think there’s no sugar-coating that,” he added. “The only thing that keeps me sustained is having all of these people with me behind me. It’s a difficult job, and we can only do it when we’re together, when we’re united, when we’re supported. And when management cites these same systems of oppression that

we fight every day right in our faces, it’s demoralizing. It makes it a lot harder to do this job without that support, and it hurts clients at the end of the day.”

Theo explained that the fragmented structure of the city’s public defender system is itself the product of a decades-old strikebreaking operation. “Originally, the Legal Aid Society was the only shop in town. If you wanted a public defender, you got the Legal Aid Society. It’s in all five boroughs. It still is to this day,” he said. “In the 90s, [Rudy] Giuliani, in order to break the strike of the Legal Aid Society, created scab shops that are focused on different boroughs. The Bronx Defenders is one of those.”

Theo described the conditions facing the clients he represents in housing court. “Almost all my clients are in court for eviction for non-payment. It’s sheer poverty. There’s no misconduct being alleged. It’s just people are broke. It’s hard times.” The presence of an attorney is often decisive: “Without an attorney, eviction rates are way, way higher. With an attorney, a very, very small proportion of people end up getting evicted. Just the access to resources, the access to a counselor to assist you makes all the difference, and it’s the honor of a lifetime to work with these folks.”

He added, “In the Bronx, we do have a lot of rent-stabilized housing. That’s not true in other boroughs. And there’s plenty of people who, even if their rent is frozen, it’s still being frozen at an unaffordable amount.”

Tori, a family court attorney in her second year at the Bronx Defenders, described the conditions driving the strike: “We have incredibly high caseloads. And we work really hard, oftentimes more than our contract hours. The conditions of our clients are even worse, frankly. I work in family court. A lot of my clients are really entrenched in the family regulation system and have trouble even having visits with their kids sometimes. And so the work is really important and also really hard, which is why we’re asking for better working conditions.”

The unsustainable workload, she said, drives a constant churn of young attorneys who burn out and leave. “I’ve only been here for two years. You see a lot of young

attorneys doing public defense work and then not staying long-term. Not that new attorneys are not capable and competent, but I do think that you lose some institutional knowledge and that's at the client's detriment."

Tori represents parents in the Bronx Family Court. "The majority of my clients have been accused of child neglect or abuse. And so the majority of my clients have had their children removed from them and they're fighting to get them back. And once you've been accused of something like that, it can be a really uphill battle." She added: "We see a lot of family separation and immigration getting a lot of outreach, as it should. But it is also happening very much to citizens in the US all the time, especially in the Bronx."

Shirelle, a Bronx resident and former client of the Bronx Defenders, came to the picket line to support the strike. "I've been in trouble a few times. When I have to go and have a public defender, they do what they need to do. They come in. And the fact that they have to go on strike to freaking have wages or because they're underpaid is nuts."

Dominique, who works for the Department of Social Services at the Administration for Children's Services and has worked alongside the Bronx Defenders for 12 years, also voiced her support. "Bronx Defenders care about the community. They care about getting these kids a better chance. We all live in unfortunate situations. They understand that. Sometimes you got to do what you got to do, and it's not your fault, and they try to get you the minimal circumstances."

"They should be getting paid more than the corporate lawyers," Dominique said. She drew a direct connection between underfunding public defense and mass incarceration: "You're trying to close Rikers [prison], but you're just trying to give them more reasons to fill Rikers up at this point."

Asked about soaring inequality alongside the billions spent on war abroad and immigration enforcement at home, Theo responded: "These are the things that we fight against every single day. Our immigration attorneys and representatives fight against ICE every single day in the courthouse, fight against illegal deportations every single day. I'm an eviction attorney, so I fight poverty every single day. We see in the court rising inequalities, and this is why we fought to freeze the rents. And we have won that, and there's a lot more work to be done."

Tori addressed the impact of the Trump administration on her undocumented clients. "The level of anxiety under the Trump administration really cannot be understated.

It's severe, especially once you're entrenched in the family court system or the criminal system. It just oftentimes can have you be flagged for ICE. So it's like the stress of their family court case compounding with the immigration court case can be really, really a max for my clients."

"I think that we need to get our priorities straight, and I think that taking care of the working class and workers is really important," she continued. "And even me as an attorney, I feel like although our working conditions are rough, I even feel like I'm coming at this with a point of privilege of having a law degree. I think about other workers, a lot of my clients who are making minimum wage jobs and barely making it and having to work with a benefit system that is incredibly bureaucratic and difficult to get food on the table for them and their families. I mean, it's not right."

Asked whether the working class should conduct a general strike, Tori responded: "If all working-class people walked out, good luck running the country, right? So I think it could be effective if you had enough buy-in. And I think in the US, in New York City, you might have a lot."

The majority of her clients have backed the strike, Tori said. "I think it's because they understand that our interests are very much aligned and that me getting a fair wage and fair working conditions means that they get better representation."

Theo, asked about the death threat publicly issued by a UAW International official against Will Lehman, the rank-and-file autoworker running for UAW president on a socialist program, called it "obviously unacceptable." He added: "There's so much mistrust in union rank and file. And I think we see that in our union, too, of people who feel unheard. And it's important to do that work of reaching out to people, bring them in. That's what union democracy is all about, is including as many people as possible and building power through solidarity. Not top-down death threats, things like that. That's obviously unacceptable."



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