

---

# Los Angeles Justice Fund: Year 2 Evaluation

Impact Evaluation Report of the Los Angeles Justice Fund through March 2020

---

*Compiled by the Vera Institute of Justice for the California Community Foundation  
Submitted April 28, 2020 and updated July 7, 2020*

© 2020 Vera Institute of Justice. All rights reserved.

The Vera Institute of Justice is a justice reform change agent. Vera produces ideas, analysis, and research that inspire change in the systems people rely upon for safety and justice and works in close partnership with government and civic leaders to implement it. Vera is currently pursuing core priorities of ending the misuse of jails, transforming conditions of confinement, and ensuring that justice systems more effectively serve America's increasingly diverse communities. For more information, visit [www.vera.org](http://www.vera.org).

Requests for additional information about the research described in this report should be directed to Nina Siulc, Research Director, Center on Immigration and Justice, at [nsiulc@vera.org](mailto:nsiulc@vera.org).

## Table of Contents

Executive Summary.....	3
LAJF and COVID-19.....	9
Why Fund Deportation Defense? .....	10
Protecting Immigrants Protects Los Angeles .....	10
Funding from LAJF Has Allowed Area Organizations to Strengthen Safety Net Services for Immigrants .....	15
LAJF is Expanding Due Process.....	19
Understanding Financial and Time Investment in LAJF .....	28
Recommendations for a Sustainable LAJF Beyond the Pilot Period .....	38
Appendices.....	43
Appendix I: LAJF Compared to Other Legal Representation Programs .....	43
Appendix II: Jurisdictions with Public Funding for Removal Defense.....	44
Appendix III: Los Angeles County Zip codes with LAJF clients .....	45
Appendix IV: LAJF Database Fields, Pilot Phase.....	49
Appendix V: Recommendations for Future LAJF Data Reporting.....	58

## Executive Summary

While people accused of crimes are entitled to government-funded counsel to assist in their defense, immigrants facing deportation are not. Despite the high stakes involved when individuals face deportation—permanent separation from their families and their communities, and sometimes life-threatening risks in their countries of origin—immigrants are only entitled to representation paid for by the government in extremely limited circumstances. As a result, many immigrants go unrepresented, facing deportation proceedings alone from detention. While many people in proceedings have viable claims to protections such as asylum that would allow them to remain legally in the United States, it is nearly impossible to prevail in immigration court without the assistance of counsel.<sup>1</sup> Representation for everyone facing deportation is, therefore, a last line of defense to keep families and communities together.

With broad public support for government-funded attorneys for immigrants, local appropriation of funds for deportation defense programs is growing.<sup>2</sup> This support is helping build momentum nationwide toward legislative proposals that establish the right to counsel for immigrants in deportation proceedings. As of this writing, more than 35 jurisdictions in 18 states have funded deportation defense programs, including Los Angeles. Since late 2017, an innovative public-private partnership between the County of Los Angeles, City of Los Angeles, California Community Foundation (CCF), and Weingart Foundation has provided a critical safety net for local immigrant residents and their families through the Los Angeles Justice Fund (LAJF). During the pilot period of LAJF, these partners contributed \$7.9 million to LAJF, including \$3 million from the County, \$2 million from the City, \$1,125,000 from Weingart, and \$1,775,000 from CCF for direct representation, capacity building, data collection, program evaluation, and program administration. This report evaluates the impact of the pilot period (the period spanning the program's launch in November 2017 through March 2020). It also looks ahead to the future with recommendations for further expanding the reach and strengthening the impact of this critical local initiative.

During the LAJF pilot, 114 funded and non-funded staff and volunteers at 16 area organizations have collaborated to build the foundation of a robust removal defense infrastructure that has transformed the ability of local organizations to respond to a constantly evolving federal immigration policy landscape. LAJF has already begun to level the playing field for people facing deportation by providing more than 1,730 area residents with free legal screenings and initiating direct representation for 546 adults and children.

---

<sup>1</sup> Ingrid V. Eagly and Steven Shafer, "A National Study of Access to Counsel in Immigration Court," *University of Pennsylvania Law Review* 164, no. 1 (2015), 1 – 91, 22 – 24, and figure 4, <https://perma.cc/82F5-WE2D>.

<sup>2</sup> For results from public support polling in Los Angeles (as well as national results and those from other jurisdictions throughout the United States) see Vera Institute of Justice, "Public Support in Los Angeles for Government-Funded Attorneys in Immigration Court," *Taking the Pulse: Public Support for Government-Funded Attorneys in Immigration Court* (2020), at <https://www.vera.org/publications/taking-the-pulse> and <https://www.vera.org/downloads/publications/taking-the-pulse-los-angeles.pdf>.

In the short time the program has existed, LAJF attorneys have helped secure release from custody for 49 percent of initially detained clients and achieved outcomes that have enabled clients to remain in the United States in 62 percent of cases that have completed thus far. This initial success speaks to the tremendous impact lawyers have in helping clients access rights and protections available to them under existing law, and the stark reality of the alternative: the LAJF clients who had legal representation and won the right to remain in the United States would have likely ended up deported without representation, as nationwide, fewer than five percent of unrepresented immigrants facing court proceedings are able to win the right to remain in the United States.<sup>3</sup>

## Measuring Progress Against Core LAJF Goals

As a pilot project, LAJF has demonstrated the power of public-private partnership to expand the safety net available to the one-third of Angelenos who identify as immigrants by creating a collaborative and expansive removal defense infrastructure that did not exist prior to LAJF.<sup>4</sup> As the findings below highlight, LAJF has far exceeded its pilot period goals of bolstering existing removal defense efforts, increasing removal defense capacity, and enhancing and expanding free and low-fee legal services.

### Improving and expanding access to due process

- Despite tremendous challenges accessing justice as a result of constantly shifting federal immigration policy, **LAJF has improved access to due process for more than 1,000 area immigrants**, including 546 clients who have received direct representation (181 children and 365 adults), and their immediate family members. In so doing, LAJF has set a new bar for federal immigration proceedings in Los Angeles, reinforcing human dignity, family unity, access to justice, and due process, thus elevating the values local leaders believe should be afforded to all people.
- LAJF clients and their families are part of the fabric of their communities in the United States. **Adult clients have resided in the United States for an average of 14 years**, and many are parents to children who are U.S. citizens. These clients are contributors to the local economy and members of local social networks. Representation through LAJF has radiating impacts that extend to these same families and communities, substantially magnifying the program's impact beyond just those immigrants most at risk.

---

<sup>3</sup> Eagly and Shafer, 22 – 24, and figure 4.

<sup>4</sup> U.S Census Bureau, "QuickFacts: Los Angeles County, California," <https://www.census.gov/quickfacts/fact/table/losangelescountycalifornia/PST045219>.

## Securing liberty and protections for Los Angeles's most vulnerable

- In the face of increasingly narrow federal immigration protections, LAJF attorneys have prevailed on behalf of their clients in a high number of cases, demonstrating the crucial importance of representation in immigration proceedings and the critical value of LAJF in particular. **LAJF attorneys have helped secure release from custody for 49 percent of initially detained clients, either on bond or following successful case outcomes.**
- **Among completed cases, 62 percent have resulted in outcomes that have enabled clients to remain in the United States with family and in their communities.** Eighty-two percent of cases remain pending in immigration court or other venues, making it too soon to predict the overall case outcomes for clients represented during the pilot. However, in contrast to LAJF's initial successes, unrepresented immigrants at the Adelanto Immigration Court over the past few years have achieved outcomes allowing them to remain in the United States in only 3 percent of cases.<sup>5</sup>
- LAJF has reached immigrants who confront additional vulnerabilities beyond their precarious immigration statuses, risk of removal, and low income. Thirty-three percent of LAJF clients were children or young adults who entered the United States as children. All of these child clients, in addition to 88 percent of adults represented by LAJF, have experienced at least one vulnerability, if not multiple. Many came to the United States seeking asylum and other fear-based protections while others experienced domestic violence, human trafficking, homelessness, and confronted serious health and other issues.

## Solidifying a deportation defense infrastructure

- **LAJF has built a critical deportation defense infrastructure in organizations serving diverse immigrant populations across Los Angeles City and County.** As a result of LAJF funding, access to free attorneys experienced in deportation defense has grown exponentially from what was previously just a handful of attorneys available to Los Angeles residents. The LAJF investment has allowed area organizations to support 114 funded and non-funded staff working on LAJF cases, including 41 funded staff (29 attorneys and 12 additional staff positions with full or partial funding); 48 non-funded staff (an additional 22 attorneys and 26 staff positions) who have been leveraged through in-kind support or other funding sources, and 25 pro bono (volunteer) attorneys at external organizations. This funding has strengthened

---

<sup>5</sup> Data is from the Transactional Records Access Clearinghouse (TRAC), Syracuse University's records of the Executive Office for Immigration Review (EOIR) court data obtained through the Freedom of Information Act (FOIA). The data, which often lags behind the current month because of the time it takes to process the FOIA request, is regularly updated and may vary slightly from month to month. For more, see "State and County Details on Details on Deportation Proceedings in Immigration Court" at <https://trac.syr.edu/phptools/immigration/nta/>.

the safety net these critical organizations provide to immigrants in the local community in ways that extend beyond a single program.

- **LAJF grantees have developed procedures, collaboration structures, and resources that have changed the landscape of legal services available to immigrants in Los Angeles.** Grantees have developed efficiencies to maximize limited resources. Organizations are sharing resources, legal knowledge and best practices with each other in unprecedented ways, including through regular convenings, working groups, and trainings. In addition, LAJF organizations are sharing workspace near the Adelanto detention facility, sharing work through dedicated “brief banks,” and providing referrals to other Los Angeles legal service providers. The collaborative infrastructure developed through LAJF will have a lasting and substantial impact on the immigrant community in Los Angeles.
- **LAJF has improved coordination and collaboration between local nonprofit organizations and County and City agencies serving immigrants.** Through LAJF, County and City agencies and local nonprofits have been able to coordinate referrals and information sharing, as well as provide cross-trainings. For example, the Los Angeles County Public Defender’s Office identifies and refers potential clients to LAJF grantees, enabling local community organizations and government to streamline and strengthen the services they provide.

#### Exceeding case benchmarks with limited funding

- **LAJF grantees have served 546 clients to date, exceeding the goal of 500 cases in the pilot period.** LAJF-funded staff have screened more than 1,730 people, providing legal consultations and referrals to a far greater number of people than were able to receive representation. When the benchmark of 500 cases was set, a total investment of \$10 million was expected (with additional anticipated philanthropic funding), meaning the \$7.9 million invested to date has yielded greater returns than projected with less funding than projected.
- As the pilot period has come to an end, grantees have continued screening clients in need and have honored their ethical responsibility to continue representation despite lack of assurance that additional public funding will be committed. Eighty-two percent of LAJF cases remain open beyond the initial pilot period end date.

#### Transforming the culture of advocacy in the Los Angeles immigration courts

- Prior to LAJF, immigration judges often only heard cases with strong claims for relief from removal from both the private bar or pro bono attorneys. Important due process arguments—such as violations by the government of people’s constitutional rights, violations of procedural

protections designed to ensure fairness in the proceedings, or the inability of government prosecutors to meet their burden of proof —were, for years, often summarily ignored which helped establish the standard of practice in most jurisdictions. The onset of legal defense programs that take on a wide range of cases with varying degrees of complexity has significantly shifted this standard in vital ways: LAJF attorneys are making complex and unique, legally sound arguments that are positively affecting the outcomes of LAJF clients, their families, and communities. It is also revitalizing how immigration attorneys approach their practice and helping create a more just immigration court. Their creative advocacy has resulted in case law and precedent that will influence how subsequent cases are decided in the future as well as affecting the other cases being heard in those courts.

## Looking to the Future

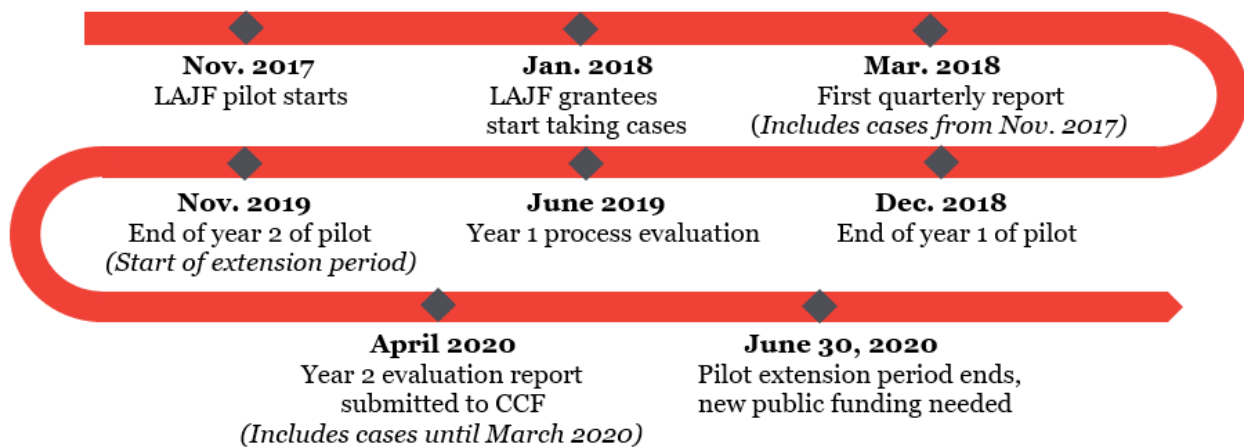
The initial success of this program—and the way it has positively impacted immigrants, local infrastructure, communities, and the region—makes clear that this is an initiative that should be continued, strengthened, and expanded as part of Los Angeles government’s plan for ensuring the safety and wellbeing of its most vulnerable residents. As the program pivots from the pilot period to a more sustainable funding model, this evaluation concludes with recommendations for how LAJF could be structured to maximize the benefits it can deliver. These recommendations are briefly summarized below.

### Recommendations for LAJF beyond the pilot period

- **All people facing imminent threat of deportation should be represented by an attorney throughout their immigration proceedings.** While the long-term goal should be representation for all in need, stakeholders should agree on clearly articulated priorities when funding is limited, considering factors such as where there is the greatest unmet need and risk of removal without legal intervention, and aligning funding with these priorities.
- **LAJF should adopt a merits-blind model, with no eligibility requirements beyond income.** While access to counsel cannot eradicate the racial bias, inequity, and structural racism that permeates justice systems in the United States, it is a crucial first step in ensuring all immigrants are equally able to have their cases heard on a more level playing field. Residency restrictions in place during the LAJF pilot should be abandoned in order to allow legal service providers the flexibility to be most responsive to changing urgent needs. Criminal convictions should not render someone ineligible for representation. LAJF should cease eligibility restrictions based on criminal convictions. Such a model avoids treating some persons as more deserving than others, recognizes every person’s human dignity, and ensures due process for all by providing attorneys to everyone with need throughout their immigration proceedings.

- **Representation should be continuous and begin at the onset of the case.**
- **Funding should be secure over a multi-year period with room to grow incrementally.** This approach allows organizations to determine how to best allocate resources and create efficiencies across their entire caseload, and over multiple years. A multi-year funding structure ensures stability and planning over a longer term, allowing organizations to hire staff and build caseloads over time, growing incrementally and ensuring that there are no gaps in critical legal services from year to year related to annual budget processes.
- **Public tax dollars should pay for removal defense.** While public-private partnerships are valuable in launching deportation defense programs, protecting the basic right of due process is a public duty that should be funded by public tax dollars. Investing public money is critical to sustaining and institutionalizing legal representation locally while building toward a national system of deportation defense.
- **Local nonprofit organizations with expertise in removal defense should continue to deliver LAJF services.**

Figure 1: LAJF Pilot Period Timeline<sup>6</sup>



<sup>6</sup> The Year 2 evaluation report was initially submitted to CCF in April 2020, as indicated in Figure 1. After the initial submission, the report was further edited and was finalized in July 2020.

## LAJF and COVID-19

As the Vera Institute of Justice was finishing this evaluation, the COVID-19 pandemic hit the United States. Although this evaluation does not explicitly focus on how COVID-19 is affecting the immigration system and those held in immigration detention, as the evaluation covers the time period before COVID-19 was widely present in the United States, as of July 1, 2020, ICE has confirmed 10 cases of COVID-19 among detained people at Adelanto.<sup>7</sup> This means there are nearly 1,000 people who are currently detained at Adelanto at risk of infection.<sup>8</sup> At Otay Mesa in San Diego, which at one point had the most coronavirus cases among all detention centers in the country, ICE has reported 167 people in custody and 11 ICE employees with confirmed COVID-19 cases as of July 1, and one person who was detained has died from the virus.<sup>9</sup> New estimates from an epidemiological model from the Vera Institute of Justice suggest that ICE is drastically underreporting the prevalence of COVID-19 in detention. By mid-May, Vera's estimates showed that the true number of COVID-19 cases among detained people cumulatively may be 15 times higher than what ICE had reported.<sup>10</sup>

These recent events mean that now, more than ever, legal representation programs like LAJF are necessary to protect human rights and public health. People are released from detention at higher rates when they are represented by legal counsel compared to unrepresented people. In our current era, when the federal government continues to detain people in dangerous conditions in the midst of a public health crisis, lawyers may serve as the last point of defense in protecting immigrants' health by helping them secure release from detention.

---

<sup>7</sup> U.S. Immigration and Customs Enforcement, "ICE Guidance on COVID-19," <https://www.ice.gov/coronavirus>.

<sup>8</sup> Rebecca Plevin, *Desert Sun*, "At Adelanto Detention Center, 6 of 10 People with COVID-19 Transferred there from Prisons," <https://www.desertsun.com/story/news/politics/immigration/2020/07/03/adelanto-detention-center-6-10-covid-19-transferred-there-prisons/5367404002/>.

<sup>9</sup> U.S. Immigration and Customs Enforcement, "ICE Guidance on COVID-19," <https://www.ice.gov/coronavirus>.

<sup>10</sup> Dennis Kuo et al., Vera Institute of Justice, "The Hidden Curve: Estimating the Spread of COVID-19 among People in ICE Detention," <https://www.vera.org/the-hidden-curve-covid-19-in-ice-detention>.

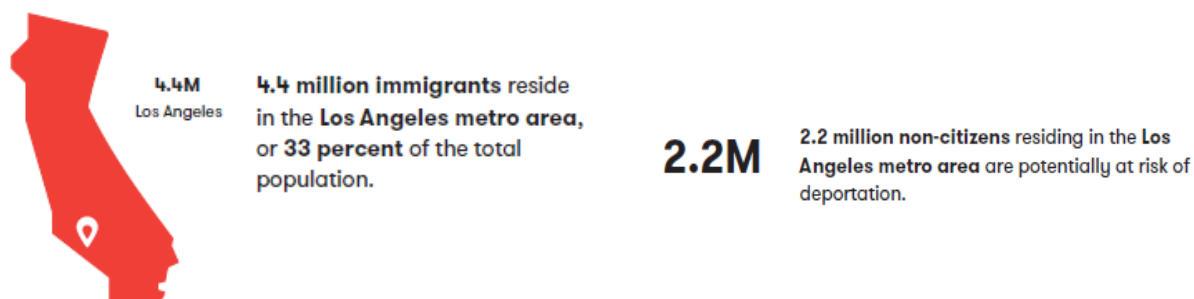
## Why Fund Deportation Defense?

The Los Angeles Justice Fund is part of a growing national movement for deportation defense. Local, regional, and state programs in more than 35 jurisdictions across 18 states are working together to protect local residents and move toward a more equitable vision of justice and the ultimate goal of a federal right to government-funded counsel for immigrants. This section of the report reviews the critical need for deportation defense in the Los Angeles area and the ways in which initial public-private investment in this work has strengthened the ability of community organizations across the region to support local immigrants.<sup>11</sup>

### Protecting Immigrants Protects Los Angeles

**One-third of Angelenos are immigrants, many at risk of deportation.**

Los Angeles is home to the largest immigrant population of any county in the nation.<sup>12</sup> Of the 4.4 million immigrants residing in the Los Angeles metropolitan area, about half are naturalized citizens, while another 2.2 million are potentially at risk of deportation because they lack citizenship status.<sup>13</sup>



#### Local immigrants have strong community ties

Consistent with broader trends in Los Angeles, where more than 90 percent of immigrants have lived in the United States for more than 10 years, LAJF is serving residents with deep community ties.<sup>14</sup>

**4 million immigrants in the Los Angeles metro area have lived in the United States more than 10 years.**

**Adult LAJF clients have lived in the United States for an average of 14 years.**

<sup>11</sup> For a map showing this national momentum and a brief comparison between LAJF and other Legal Representation Programs please see Appendices I and II.

<sup>12</sup> Migration Policy Institute, "U.S. Immigrant Population by State and County," <https://www.migrationpolicy.org/programs/data-hub/charts/us-immigrant-population-state-and-county>.

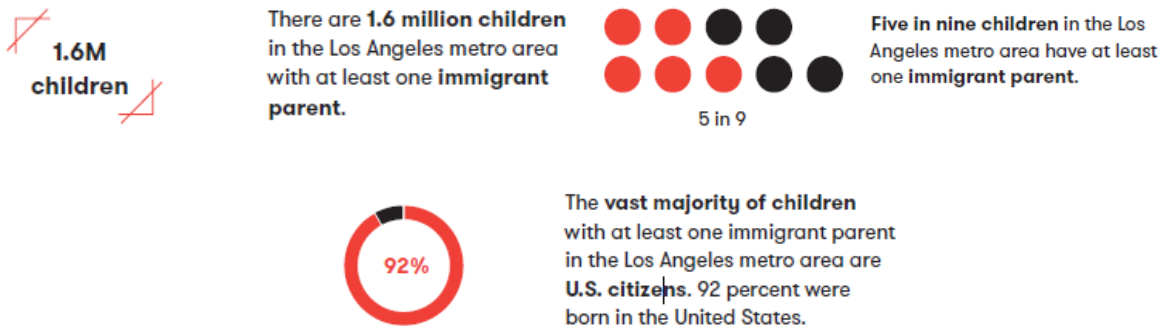
<sup>13</sup> U.S. Census Bureau, "Selected Characteristics of the Native and Foreign-Born Populations," American Community Survey (2017), <https://data.census.gov/cedsci/table?q=S0501&g=310M300US31080&tid=ACST5Y2017.S0501&hidePreview=true&vintage=2017>.

<sup>14</sup> U.S. Census Bureau, "Selected Characteristics of the Foreign Born Population by Period of Entry Into the United States," American Community Survey (2017), <https://data.census.gov/cedsci/table?q=S0502&g=310M300US31080&tid=ACST5Y2017.S0502&hidePreview=true>.

Adult LAJF clients have lived in the United States for an average of 14 years, and 26 percent of clients have lived here for more than 20 years.<sup>15</sup>

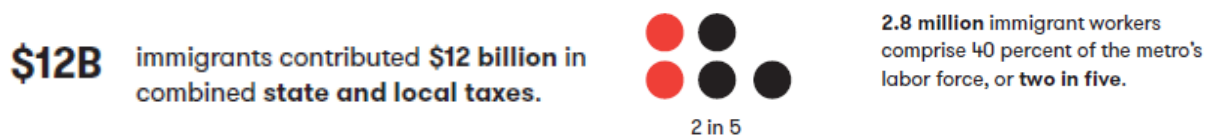
**More than half of LA's children—1.6 million—have at least one immigrant parent.**

In the Los Angeles region, 1.6 million children—or five of every nine children—have at least one immigrant parent. Ninety-two percent of these children were born in the United States.<sup>16</sup> Interventions that strengthen protections for immigrant adults thus have important ripple effects for the area's children.



**Los Angeles depends on the economic contributions of immigrants**

Statistics from Census Bureau data show how critical immigrants' contributions are to the local economy and community, with immigrants comprising 2 of every 5 workers in the metro area labor force and contributing \$12 billion a year in combined state and local taxes.<sup>17</sup>



**Public health and safety require that immigrants trust local government**

In order for immigrants to feel safe reporting crime or accessing public health services—two crucial ways in which communities can work together for the protection and safety of all—they need to trust in local government and institutions.<sup>18</sup> Multiple initiatives in Los Angeles and California may enhance trust in government by extending support to immigrant communities, such as Mayor Eric Garcetti's 2017 executive directive prohibiting police and other public servants from enforcing federal

<sup>15</sup> Additional details on LAJF client demographics can be found in the following section of this report.

<sup>16</sup> U.S. Census Bureau, "Age and Nativity of Own Children Under 18 Years in Families and Subfamilies by Nativity of Parents," American Community Survey (2017),

[https://data.census.gov/cedsci/table?q=C05009&g=0400000US06\\_310M300US31080&tid=ACSDT1Y2017.C05009&hidePreview=true](https://data.census.gov/cedsci/table?q=C05009&g=0400000US06_310M300US31080&tid=ACSDT1Y2017.C05009&hidePreview=true).

<sup>17</sup> New American Economy, "Immigrants and the Economy in: Los Angeles Metro Area," <https://www.newamericaneconomy.org/city/los-angeles/> and U.S. Census Bureau, "Selected Characteristics of the Foreign Born Population by Period of Entry Into the United States," (2017).

<sup>18</sup> "Freezing Out Justice: How Immigrant Arrest at Courthouses are Undermining the Justice System," (2018) at

<https://www.aclu.org/report/freezing-out-justice>; See also Karen Hacker et al., "Barriers to Health Care for Undocumented Immigrants: a Literature Review," *Risk Management and Healthcare Policy* 8, (2015), 175 – 183 at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4634824/>; Nick Theodore, "Insecure Communities: Latino Perceptions of Police Involvement in Immigration Enforcement," (2013) at [https://www.policylink.org/sites/default/files/INSECURE\\_COMMUNITIES\\_REPORT\\_FINAL.PDF](https://www.policylink.org/sites/default/files/INSECURE_COMMUNITIES_REPORT_FINAL.PDF).

immigration laws; the Office of Immigrant Affairs “Know Your Rights” initiatives, which include workshops informing immigrants about their constitutional rights; and Governor Gavin Newsom’s recent announcement that \$125 million will be devoted to supporting undocumented immigrant workers affected by COVID-19 who are ineligible for federal benefits due to their immigration status.<sup>19</sup> LAJF works alongside these and other initiatives to demonstrate to local residents—beyond just those receiving representation—that local leaders recognize that protecting immigrants protects all Angelenos.

### The urgent need for access to counsel to protect area immigrants

Since 1996, the average daily population of detained immigrants has ballooned from around 9,000 to nearly 50,000 by 2019, with more than half a million people booked into detention in 2019.<sup>20</sup> This dramatic increase in the use of detention is the result of a decades-long push to criminalize immigration, fueled in recent years by stepped-up interior enforcement and a series of federal initiatives aimed at disenfranchising immigrants. As part of this broader trend, hundreds of thousands of immigrants have passed through public and private detention facilities in the state of California over the past two decades.<sup>21</sup>

In recent years, more cases than ever before are on the immigration court docket, in part due to changes in case processing rules that require more cases to be open longer, and in part because of the sheer number of new cases filed over the past few years. Los Angeles County has more residents with pending immigration court hearings than any other county in the United States, with more than 60,000 Los Angeles residents currently with ongoing immigration court cases.<sup>22</sup> These residents comprise the majority of the more than 73,000 immigration court cases pending on Los Angeles area dockets at the time this report was drafted (the other cases pertain to people who report residency outside of Los Angeles County).

While “non-detained” cases, in which people are fighting their cases from outside immigration custody, can take years to complete as a result of the immigration court backlog, “detained” cases typically move quickly through the courts, with a nationwide median case completion time in 2018 of only 40 days.<sup>23</sup> On the Los Angeles non-detained docket, cases take an average of 825 days to complete.

40

days is the nationwide median case completion time for *detained* court proceedings in 2018.

825

days is average time to case completion at the Los Angeles immigration courts (all cases) in 2020.

<sup>20</sup> U.S. Immigration and Customs Enforcement, “U.S Immigration and Customs Enforcement Fiscal Year 2019 Enforcement and Removal Operations Report,” (2019), <https://www.ice.gov/sites/default/files/documents/Document/2019/eroReportFY2019.pdf>.

<sup>21</sup> California Department of Justice, “Immigration Detention in California,” (2019) <https://oag.ca.gov/sites/all/files/agweb/pdfs/publications/immigration-detention-2019.pdf>.

<sup>22</sup> Transactional Records Access Clearinghouse (TRAC), “Mapping Where Immigrants Reside While Waiting for their Immigration Court Hearing,” Syracuse University, <https://trac.syr.edu/immigration/reports/600/>.

<sup>23</sup> See Executive Office for Immigration Review Adjudication Statistics, “Median Completion Times for Detained Cases” at <https://www.justice.gov/eoir/page/file/1163621/download>; Transactional Records Access Clearinghouse (TRAC), “Immigration Court Processing Time by Outcome,” Syracuse University (2020), [https://trac.syr.edu/phptools/immigration/court\\_backlog/court\\_proctime\\_outcome.php](https://trac.syr.edu/phptools/immigration/court_backlog/court_proctime_outcome.php).

These disparities in case time—increasingly short times for detained cases and increasingly long times for non-detained cases—reflect differences in case processing priorities set by the federal government and the court’s inability to manage a burgeoning caseload efficiently. As a result of the pace of detained proceedings, vulnerable immigrants in detention have little time to secure access to counsel and launch a defense before their cases are over. Immigration and Customs Enforcement (ICE) reports that in FY2019, the average length of stay in detention nationwide was down to 34.3 days, a record low in recent years.<sup>24</sup>

Deportation proceedings are considered civil—not criminal—and thus the constitutional guarantee to counsel under the Sixth Amendment does not

**73%**

**of detained people with cases between FY2015 - FY2019 in Adelanto were without the assistance of counsel.**

apply to immigrants facing deportation. As a result, removal proceedings are the only legal proceedings in the United States where people are detained by the federal government and not afforded a right to counsel at government expense, meaning immigrants are required to litigate for their liberty against trained government attorneys regardless of whether they are able to secure the assistance of counsel. Most still proceed alone, and even when they may have viable claims to protections such as asylum that would allow them to remain in the United States, it is nearly impossible to prevail in immigration court without the assistance of counsel.<sup>25</sup>

In recent years, several research studies have demonstrated the positive impact of counsel for individuals, their families and communities, and the government systems involved. Not surprisingly, compared to those who are unrepresented, represented individuals are released from detention at higher rates and are more likely to have successful case outcomes, among other benefits.<sup>26</sup> As these studies show, people in deportation proceedings often have valid legal claims to remain in the United States, but absent legal expertise, they are unable to successfully argue their cases. Representation enables immigrants facing deportation to make informed decisions about their cases, including how to exercise and access the rights afforded to them under existing U.S. law.

At the Los Angeles immigration courts, nearly 20 percent of people with pending cases currently lack representation, while at the Adelanto detention center’s immigration court—a remote location that is a ninety-minute drive from downtown Los Angeles by car—more than 6,500 of 9,100 people in proceedings went to court without the assistance of counsel in recent years (73 percent were unrepresented).<sup>27</sup>

<sup>24</sup> U.S. Immigration and Customs Enforcement, “U.S Immigration and Customs Enforcement Fiscal Year 2019 Enforcement and Removal Operations Report,” (2019).

<sup>25</sup> For a summary of this research, see Karen Berberich and Nina Siulc, *Why Does Representation Matter?* (New York: Vera Institute of Justice, 2018), <https://www.vera.org/publications/why-does-representation-matter>.

<sup>26</sup> *Ibid.*

<sup>27</sup> These numbers come from data from the Transactional Records Access Clearinghouse (TRAC), Syracuse University’s records of the Executive Office for Immigration Review (EOIR) court data obtained through the Freedom of Information Act (FOIA). The data is regularly updated and may vary slightly from month to month. See, “State and County Details on Details on Deportation Proceedings in Immigration Court” at <https://trac.syr.edu/phptools/immigration/nta/>.

These statistics, and outcomes from proceedings at the Los Angeles immigration court over the past 15 years, illustrate just how essential access to counsel is: 63 percent of immigrants with representation have received outcomes allowing them to remain in the United States—either with grants

63%	of people with legal representation at the LA immigration court had successful outcomes allowing them to stay in the United States.
16%	of people without legal representation at the LA immigration court had successful outcomes allowing them to stay in the United States.
3%	of people without legal representation at the Adelanto immigration court had successful outcomes allowing them to stay in the United States.

of relief, case termination, case closures, or closure by prosecutorial discretion. In contrast, among those *without* legal representation, only 16 percent of people had a successful outcome. At Adelanto, the success rates were even lower, with only 3 percent of unrepresented clients securing outcomes that allowed them to remain in the United States. LAJF aims to—and, as the next section of the report shows, has begun to—reverse these disparities in access to counsel.

### Clients view LAJF services as critical to protecting their families and stability

Beyond the impact that can be quantified through available statistics, local residents who received free representation spoke to us about the value of that representation for them, noting how attorneys treated them with respect and dignity and alleviated their anxiety about immigration court processes by explaining what would happen and how they could fight their cases. They also highlighted how access to counsel allowed them to preserve their limited resources for other critical expenses as their families struggled with finances during a loved one’s detention.

As one family member of an LAJF client, Paula, recounted, “[*the attorney*] gives you a sense of, I don’t know, relief.” She noted that “it’s nice to know that there’s somebody there that can help, especially in our community that’s you know, low income. We don’t have all these riches...every penny that we have, you know, it goes to a specific thing.”

*“[The attorney] gives you a sense of, I don’t know, relief (...) it’s nice to know that there’s somebody there that can help, especially in our community that’s you know, low income. We don’t have all these riches...every penny that we have, you know, it goes to a specific thing.” - Paula, LAJF client*

Valentina, whose two sons were detained at the time we spoke with her, explained that she had not been working at the time her sons were apprehended and that their income had been supporting her. She noted that “*the rent is very unforgiving*” and that she would not be able to cover basic expenses while her sons were gone. The stress of what would happen to their cases was reduced for her, she explained, by knowing attorneys were helping them.

Gabriela, the daughter of an LAJF client, saw her college education derailed as a result of her dad's detention and possible deportation. She explained, *"So right now I'm trying to figure out how I'm going to pay my tuition. But it's hard because we like, like we, we paid a lot for my dad. Since he was in a month, we had to pay his rent. We had to pay the swap meet that he pays monthly and then we had to save up for the bail. So it was like a lot, you know? And then just the gas going [to] Adelanto."* After her father obtained representation through LAJF and secured release from custody, Gabriela was able to re-focus her attention on her school work knowing someone qualified was now taking care of the legal process she had been trying to manage while her father was detained.

*"So right now I'm trying to figure out how I'm going to pay my tuition. But it's hard because we like, like we, we paid a lot for my dad. Since he was in a month, we had to pay his rent. We had to pay the Swap Meet that he pays monthly and then we had to save up for the bail. So it was like a lot, you know? And then just the gas going [to] Adelanto."*

– Gabriela, LAJF client's daughter

Jennifer, who received representation from an attorney at an LAJF-funded organization, spoke of her confusion about the asylum application process before she was represented, *"I didn't know anything. I didn't know how long they would have me, or if they were going to accept me, or if instead they were going to send me back to my country. So, I didn't know anything until now, that I am, now they are giving me this information, told me they can help me."* She reflected on the challenges her detention caused for her four children: *"It's difficult for me because, for my four children, and to have to, to have to provide for them, and buy them clothes or give them food, it's hard,"* noting she had hope that with the lawyer's help she would be able to gain a more stable immigration status. Fighting her case from out of custody now, she reflected that one of her daughters was experiencing fewer health and behavioral issues, *"I see how now she plays more, she's feeling better, she's happier."*

*"I didn't know anything. I didn't know how long they would have me, or if they were going to accept me, or if instead they were going to send me back to my country. So, I didn't know anything until now, that I am, now they are giving me this information, told me they can help me."* – Jennifer, LAJF client

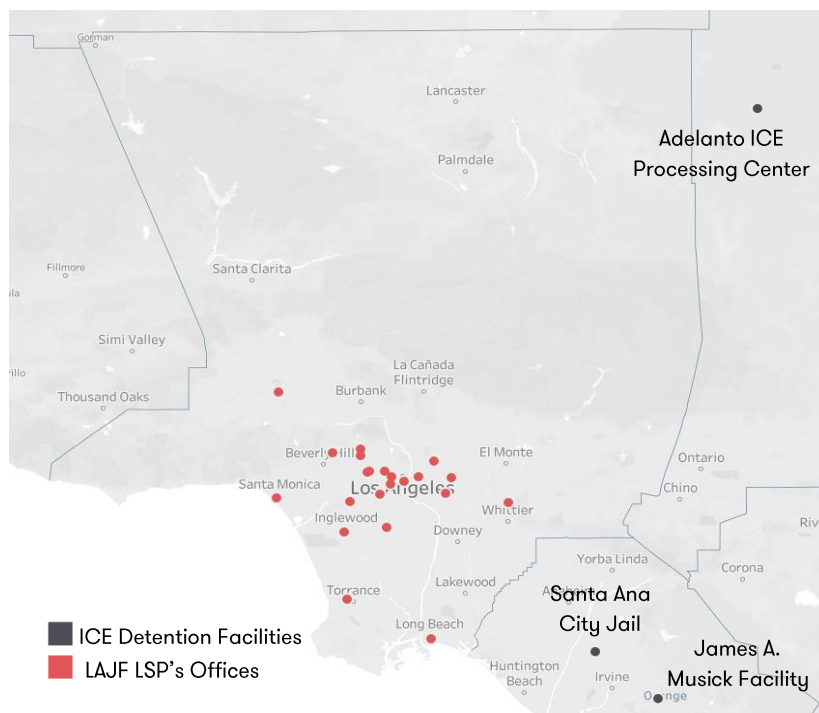
## **Funding from LAJF Has Allowed Area Organizations to Strengthen Safety Net Services for Immigrants**

As Figure 2, below, shows, LAJF funding has provided support to 16 area organizations serving immigrants throughout Los Angeles County. Public funding covered certain direct representation activities, while philanthropic investments supplemented the public support for direct representation and expanded the reach of the program by also supporting organizations focused on expanding area deportation-defense capacity with innovative approaches to supporting core representation work. With 35 offices across Los Angeles (see Figure 3), grantees are providing crucial legal services to residents from across the County and City.

Figure 2: LAJF-funded organizations

<b>Direct Representation Grantees</b>
Asian Americans Advancing Justice Los Angeles (AAAJ-LA)
Bet Tzedek Legal Services
Central American Resource Center (CARECEN)
Coalition for Humane Immigrant Rights (CHIRLA)
Esperanza Immigrant Rights Project
Immigrant Defenders Law Center (ImmDef)
Kids in Need of Defense (KIND)
Legal Aid Foundation of Los Angeles (LAFLA)
Los Angeles LGBT Center
Public Counsel
USC Gould School of Law Immigration Clinic
<b>Capacity Building Grantees</b>
Catholic Legal Immigration Network, Inc. (CLINIC)
Loyola Immigrant Justice Clinic (LIJC)
OneJustice
Program for Torture Victims (PTV)
Southwestern Law School

Figure 3: LAJF grantee offices relative to detention centers operating during the LAJF pilot<sup>28</sup>



<sup>28</sup> The red dots in Figure 3 represent the zipcodes of the 35 offices, not the exact location of each individual office. Therefore, there are fewer red dots in Figure 3 than 35, as some offices share a zip code.

LAJF organizations have hired more than 29 attorneys and 12 support staff with deportation defense funds. They have also used these funds to leverage additional support from 22 attorneys and 26 additional staff at their organizations who are funded by other sources and from 25 *pro bono* attorneys. They have screened more than 1,730 people, which includes legal consultations and referrals. This coordinated network of grantees has developed a legal defense infrastructure prepared to expand safeguards to many more area residents. Beyond legal services, most grantee organizations now provide a wide range of valuable services to Angelenos, from school enrollment and job placements to HIV treatment and transgender health programs, along with broad advocacy for the immigrant community. The three boxes on the following page highlight specific examples of ways LAJF organizations are strengthening the safety net in Los Angeles.

### Offering exceptional legal support

LAJF grantees have created a robust legal support system in Los Angeles, which goes beyond access to and advice from an attorney. For instance, the **Immigrant Defenders Law Center (ImmDef)**, in partnership with the USC Gould School of Law and Georgetown University, created the Post-Conviction Relief program, which grants an attorney a fellowship dedicated to researching and analyzing client cases in order to determine whether an unlawful conviction can be erased in order to defend against deportation. In the same way, the **Esperanza Immigrant Rights Project** offers services that include community education programs for released youth, detained adults at Adelanto, and released adults and families. Students of **The University of Southern California, School of Law Immigration Clinic (USC Gould School of Law)** appeal and draft appellate briefs when immigration court cases are appealed to the Board of Immigration Appeals and the U.S. Court of Appeals for the Ninth Circuit, covering all steps of the immigration process.

## Serving vulnerable populations

LAJF organizations provide indispensable services to historically vulnerable populations that otherwise would not have access to many needed services. For instance, **Asian American Advancing Justice** is the largest legal and civil rights organization for Asian American, Native Hawaiians and Pacific Islanders in the United States. They offer legal representation and education in multiple areas, including housing, domestic violence and family law. Similarly, the **Central American Resource Center (CARECEN)**, the largest Central American immigrant rights organization in the nation, offers humanitarian aid, support services, and accompaniment to many Central American refugees coming to the United States. The **Los Angeles LGBT Center** provides free or low-cost services for more LGBTQ people than any other organization in Los Angeles. From HIV testing, to supporting homeless youth, to legal support, the LGBT Center has served more than half a million visits each year since its inception in 1969. Lastly, **Kids in Need of Defense (KIND)** is a leading national organization advocating for the rights of unaccompanied migrant and refugee children in the United States and providing no-cost legal representation.

## Providing additional vital services

Beyond vital immigration legal services, LAJF organizations have built expertise in different areas that protect and advance the rights of Los Angeles residents. The **Coalition for Humane Immigrant Rights (CHIRLA)**, with an infrastructure of 10 offices around the Los Angeles area, has developed outreach programs that aim to encourage new Americans to participate in democratic processes in the United States. The **Legal Aid Foundation of Los Angeles (LAFLA)** has five community offices, four self-help access centers, and three domestic violence clinics throughout the greater Los Angeles area. LAFLA was also one of the first legal aid programs to provide legal services to Asian Pacific Islander communities, through the Asian Pacific Islander Community Outreach Project, which serves populations who do not speak English as their dominant language. **Bet Tzedek** offers legal representation to children through LAJF, though the organization is nationally recognized as a leader in providing legal services to low-income seniors, from elder abuse prevention to housing protection, to advancing public benefits assistance, as well as a program supporting workers' rights. **Public Counsel** assists immigrants who are victims of trafficking and other crimes or have been abused by a U.S. citizen or permanent resident.

## LAJF is Expanding Due Process

From the launch of the pilot project in November 2017 through March 31, 2020, LAJF has accepted a total of 546 clients for representation and 548 cases.<sup>29</sup> This section of the evaluation reviews the ways in which LAJF has expanded due process for immigrants represented by the program.

**548**

**Number of cases taken as of March 31, 2020.**

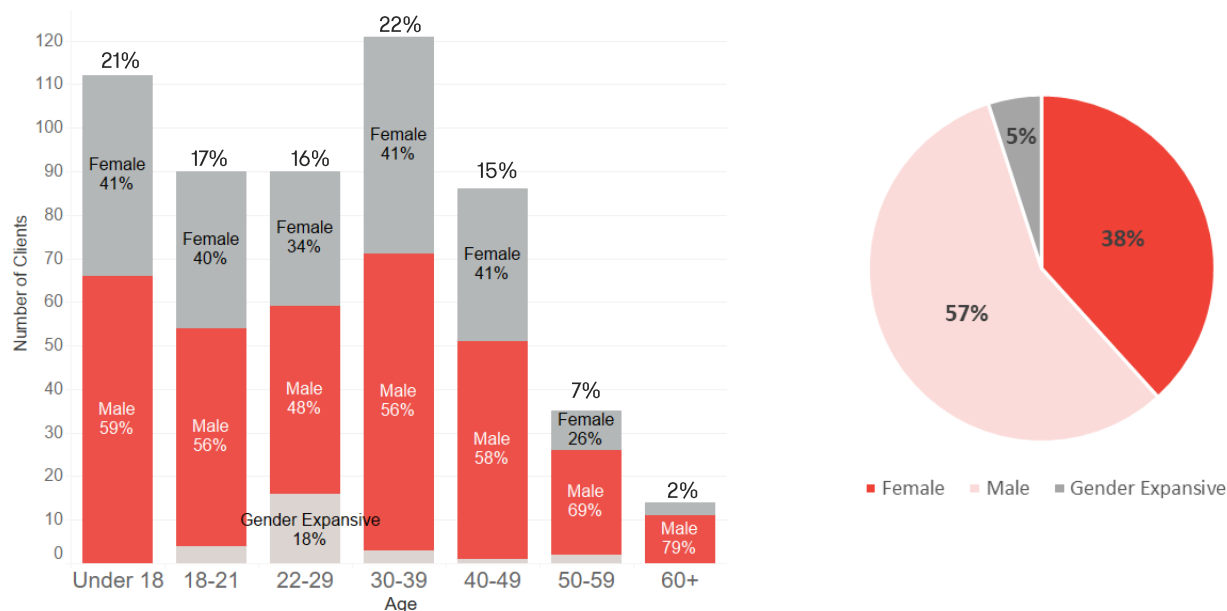
**546**

**Number of clients LAJF grantees have served as of March 31, 2020.**

**LAJF clients are generally young, with the vast majority (76 percent) being under the age of 40 at the time representation began.**

LAJF clients are generally young, with the vast majority (76 percent) being under the age of 40 at the time representation began. Twenty-one percent of clients (112 people) were under the age of 18 at the time the case began.

Figure 4: Age and gender<sup>30</sup>



**Five percent of clients identify as gender expansive rather than male or female, including 18 percent of all clients aged 22 to 29.**

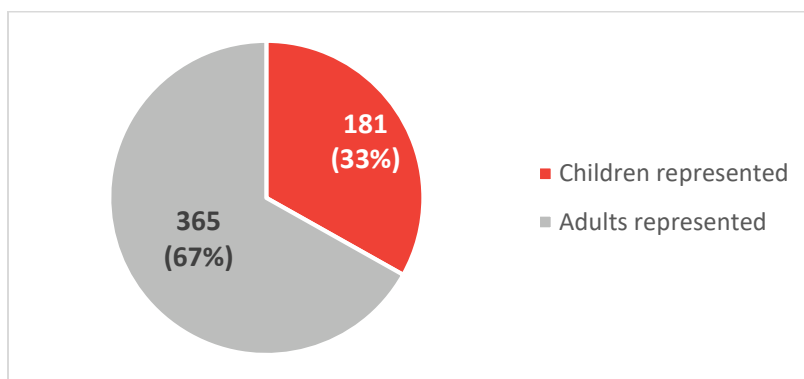
<sup>29</sup> There are fewer clients than distinct cases because two clients are represented by two different organizations in two different cases each. For example, for one of the clients, one legal service provider represented the client throughout the entire case, while a second provider represented the same client for a parole redetermination request only, thus, creating two different cases for one person.

<sup>30</sup> Gender expansive refers to people who have “a wider, more flexible range of gender identity and/or expression than typically associated with the binary gender system,” including but not limited to those who identify as transgender. See Human Rights Campaign, “Supporting and Caring for our Gender Expansive Youth,” at [https://assets2.hrc.org/files/assets/resources/Gender-expansive-youth-report-final.pdf?\\_ga=2.205997523.1744661183.1589525699-190860795.1589525699](https://assets2.hrc.org/files/assets/resources/Gender-expansive-youth-report-final.pdf?_ga=2.205997523.1744661183.1589525699-190860795.1589525699).

### One-third of clients are children.

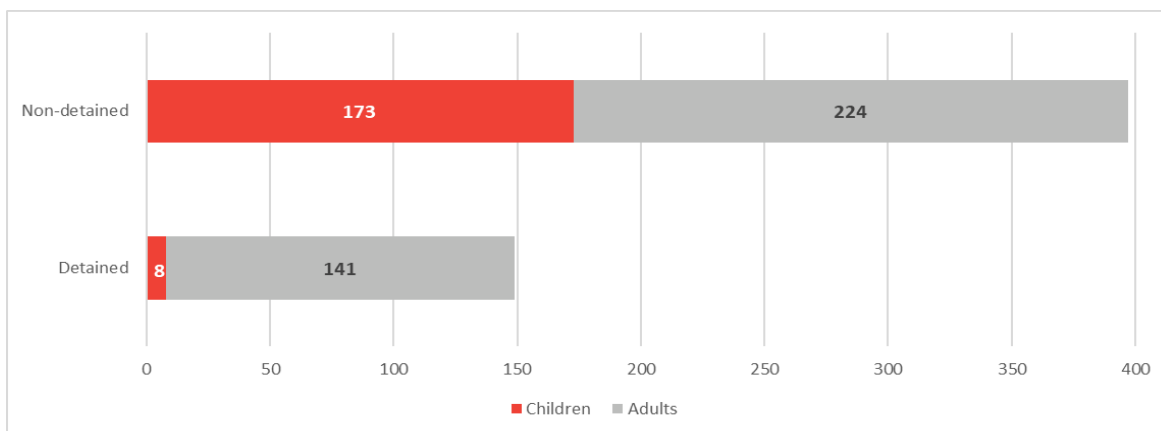
One-third of clients are children. Of the total 546 clients, Vera has classified 181, or one-third of clients, as having “children’s cases.” Children’s cases are defined as cases where clients were under the age of 18 at intake (112 clients), or where the clients were 18 to 21 years old at the time of intake but classified by legal service providers as childhood arrivals, unaccompanied children (UC), or UC mentorship (69 clients total). Many clients in this category are no longer under 18 years of age.

Figure 5: Adults and children represented by LAJF



**Seventy-nine percent of clients were in removal proceedings at the time their cases were accepted. Twenty-seven percent of clients were initially detained.**

Figure 6: Initial custody status by age group



**Adult clients have deep ties to the United States, with 55 percent here more than 10 years and an average of 14 years in the United States.**

Adult clients have deep ties to the United States, with 55 percent having lived here for more than 10 years and an average of 14 years in the United States.<sup>31</sup> Detained adults who met LAJF residency requirements had been in the United States for an average of 19 years, with more than one-third residing here for over 20 years. Twenty-six percent of all adult clients have lived here more than 20 years.

Figure 7: Years in the United States, all adult clients and adult detained clients<sup>32</sup>

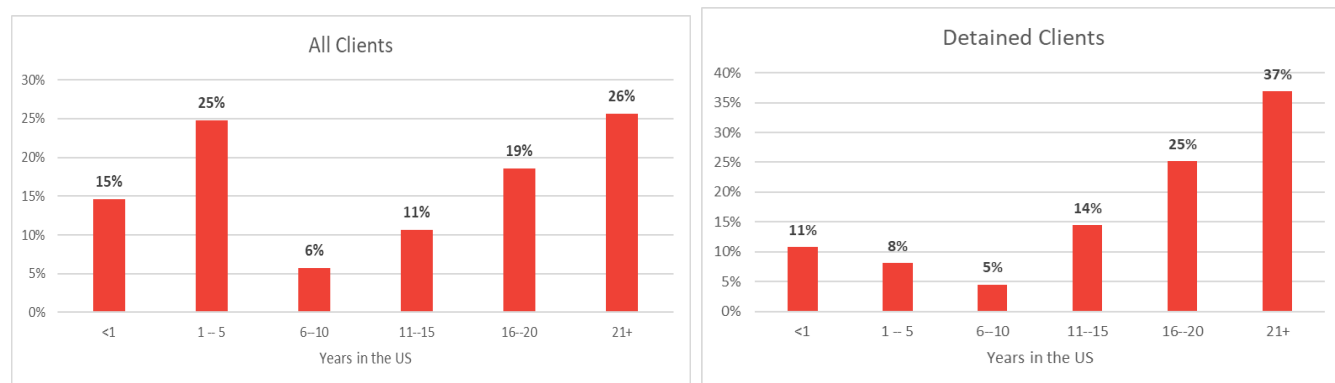
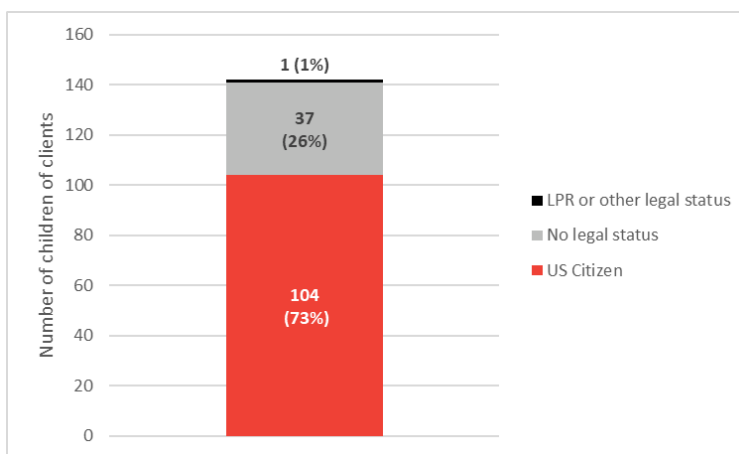


Figure 8: Legal status of children of LAJF clients

**Roughly half of adult clients who shared information about their families have minor children in the United States, the vast majority of whom are U.S. citizens.**



<sup>31</sup> Among the 365 adults represented by LAJF, information on the number of years one has lived in the United States is missing for 139 clients. Therefore, Figure 7 includes only the 226 adult clients for whom the information was provided in the database (62 percent).

<sup>32</sup> Percentages in the bar graphs may not always perfectly add up to the percentages mentioned in the text due to rounding. For example, for all adult clients who have lived in the United States for more than 10 years, the bar graph displays 11 percent, 19 percent, and 26 percent, which sum to 56 percent, rather than the 55 percent listed in the text. However, the full values of the percentages (when not rounded to a whole number) are 10.62, 18.58, and 25.66 percent, which sum to 54.89 percent (or 55% when rounded to a whole number, as mentioned in the text).

**Almost all clients confronted additional vulnerabilities beyond their precarious immigration status and risk of removal.**

Eighty-eight percent (322 out of 365) of adults identified at least one vulnerability, as did all 181 children. Figures 9 and 10 display all identified vulnerabilities among adult and child clients respectively.

Figure 9: Adult clients with vulnerabilities

Vulnerabilities Identified	Count
Asylum seeker/fear-based protections	252
Victimization: Crime, domestic/intimate partner violence, child abuse/neglect, or trafficking	146
Disability/significant medical needs + mental health needs	90
Other	78
Homeless	37
Has dependent(s) with disability/significant medical needs	27
Childhood arrival (not unaccompanied child)	21
Current/former unaccompanied children	2

Figure 10: Child clients with vulnerabilities

Vulnerabilities Identified	Count
Asylum seeker/fear-based protections	154
Victimization: Crime, domestic/intimate partner violence, child abuse/neglect, or trafficking	121
Current/former unaccompanied child	109
Disability/significant medical needs + mental health needs	62
Childhood arrival (not unaccompanied child)	46
Other	11
Homeless	6
Has dependent(s) with disability/significant medical needs	2

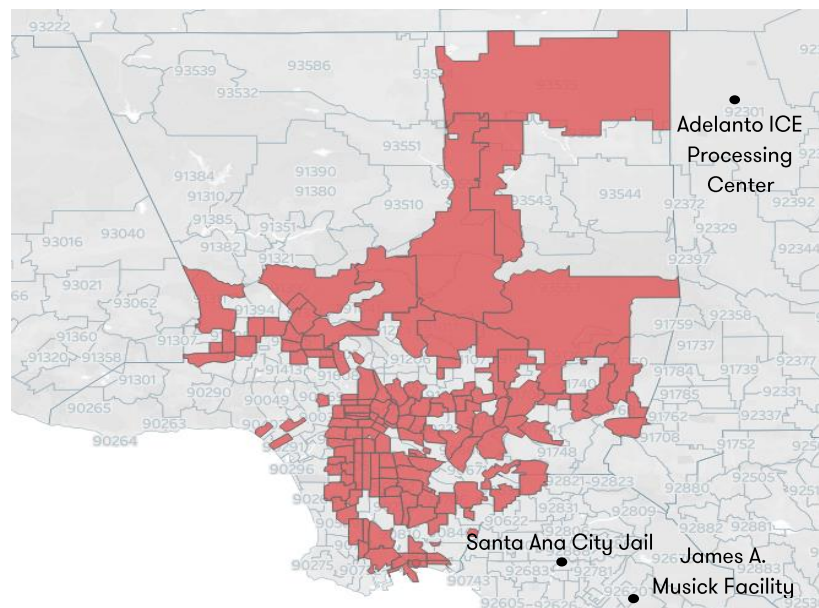
**LAJF clients are linguistically and geographically diverse.**

LAJF grantees include organizations that are experienced in serving people from a variety of national and linguistic backgrounds. Clients come from 33 different countries. Adult clients speak 16 languages (76 percent speak Spanish, 16 percent speak English, and 1 percent speak K'iche'); 93 percent of children speak Spanish, while the remaining 7 percent speak Mayan languages. Figure 11, below, is a heat map showing clients' countries of origin. The darker shades indicate the regions with the highest numbers of LAJF clients.

**Top Five Countries:**

1. Guatemala (26%)
2. El Salvador (25%)
3. Mexico (23%)
4. Honduras (16%)
5. Cambodia (1%)

Figure 12: LAJF client residency by zip code



Representation through LAJF helps people secure freedom and return to their families and communities while continuing to appear for their hearings in immigration court.

**Thus far, 49 percent of initially detained clients have been released from custody as a result of LAJF representation, either on bond or at the conclusion of their case**

LAJF attorneys were successful in winning relief on bond for 33 percent of initially detained clients before the conclusion of their cases (47 of 144 initially detained people, excluding five cases where the attorney withdrew while the client was still detained). While most of these cases remain pending, nine clients who were granted bond have subsequently received outcomes on their cases (19 percent), including 5 clients who received grants of relief and 4 who received orders of removal and are appealing. In addition to the 47 people released on bond, another 23 clients were released from custody after the defenses their attorneys advanced resulted in successful case outcomes. In other words, 16 percent of the initially detained were not released on bond but were subsequently released from custody after receiving outcomes allowing them to remain in the United States. Combined, 49 percent of initially detained clients have been released from custody thus far. LAJF clients released from custody have continued to appear for their scheduled court hearings, underscoring the senselessness of civil detention, particularly for those who have legal counsel.

Finally, three LAJF clients who were granted bond were not released, presumably because they were unable to pay the bond amounts, which were set at \$10,000 for one client and \$15,000 for the other two. Immigration court bonds must be paid in their entirety and, thus, many people who win bond nationwide are unable to avail themselves of their right to fight their cases from outside of custody. All three of these clients already received decisions on their cases. One was granted relief, one received an order of removal, and the third was granted voluntary departure.

### Creating a more balanced system

Zealous representation brings due process and fairness to clients facing a system that is often unbalanced and unjust. Representation ensures that clients have a chance to both evaluate their options with the advice of a knowledgeable advocate and advance a defense that allows an immigration judge to evaluate the merits of their cases. Although many LAJF clients are still in the early stages of their cases, 60 percent have already pursued some defense against deportation, through motions or applications for legal relief.

**60%**

**clients who have already pursued a defense against deportation through motions or applications for legal relief.**

**The majority of clients pursuing defenses (41 percent) are seeking protection-based claims such as asylum or special immigrant juvenile status.**

Overall, 486 motions and applications have been filed on behalf of 325 clients (60%), including 71 percent of detained clients (106 cases) and 55 percent of non-detained clients (219 cases). Excluding

motions and looking just at substantive relief motions shows that fifty-three percent (292 of 546) of all clients have filed applications thus far. This is likely an undercount given most non-detained cases are still at the very beginning of what may be multi-year cases.

Figure 13: Most frequent motions filed

Motions
Motion to terminate (31)
Motion to change venue (16)
Motion to reopen (9)
Motion for substitution of counsel (5) <sup>33</sup>
Voluntary departure (5) <sup>34</sup>
<b>Total motions filed: 91</b>

Figure 14: Most frequent applications filed

Applications
Asylum / withholding / Convention Against Torture (167)
State court petition / request for Special Immigrant Juvenile findings (77)
I-360, Petition for Amerasian, Widow(er), or Special Immigrant (36)
Employment authorization (34)
U Visa (29)
<b>Total applications filed: 395</b>

### Increasing due process improves case outcomes

To date, 82 percent of LAJF clients' cases remain pending (449 of 546). The remaining 18 percent of cases have been closed during the pilot program. This includes 4 percent because attorneys withdrew or the case was continued outside Los Angeles (23 of 546) and 14 percent that have already completed in immigration court (74 of 546). While only 74 LAJF clients have received final case decisions, among clients with completed cases, 62 percent (46 people) have received outcomes allowing them to remain in the United States.

<sup>33</sup> One of the motions for substitution of counsel is an instance where the attorney withdrew to allow access to *Franco Class*, which provides government-funded appointed counsel through the National Qualified Representative Program, in which attorneys with specialized mental health experience represent clients deemed to be incompetent to represent themselves in their immigration proceedings because of a serious mental disorder.

<sup>34</sup> One of the motions for voluntary departure was submitted after a client won an appeal at the Board of Immigration Appeals (BIA) and the case was remanded. However, before the case returned to a lower court for consideration, the client expressed interest in voluntarily returning to their country. This case showcases the importance of having legal support during these proceedings. While the person did not remain in the United States, the client dictated the outcome of the case with an important intervention from their lawyer.

**Among clients with completed cases, 62 percent have received outcomes allowing them to remain in the United States.**

Figure 15 and 16, below, shows that among the 74 clients with completed cases, 38 clients received grants of relief, 23 received orders of removal, six had their cases terminated (which closes the case but does not result in a change in the client's immigration status), five received grants of voluntary departure (which requires clients to leave the country but with fewer penalties than a removal order), and one was granted withholding of removal under the Convention against Torture. One additional person's case was terminated after winning an appeal to an order of removal. This means that 46 of 74 completed cases (38 grants of relief, seven case terminations, and one withholding of removal), or 62 percent, received outcomes that allow clients to remain in the United States. This is compared to less than 5 percent of unrepresented cases with successful outcomes nationwide and a similar percent of unrepresented cases at the Adelanto court.<sup>35</sup> Although it is too soon to estimate the "win" rate for all LAJF clients, these preliminary outcomes are an obvious success, far surpassing those of unrepresented people nationwide.

449 (82% of 546)	LAJF clients with Open Cases
74 (14% of 546)	LAJF clients with Completed Cases
46 (62% of 74)	LAJF clients with case outcomes allowing them to remain in the U.S.

Figure 15: Case outcome of 57 detained clients with closed cases

Outcome	Count
Relief granted, case termination, or withheld of removal under CAT	26 (46%)
Order of removal (not in absentia)	22 (39%)
Voluntary departure	5 (9%)
Case remanded and terminated after appeal	1 (1%)
Case closed, but not completed	3 (5%)
<b>Total</b>	<b>57 (100%)</b>

Figure 16: Case outcome of 22 non-detained clients with closed cases

Outcome	Count
Relief granted or case termination	19 (86%)
Order of removal (not in absentia)	1 (5%)
Case closed, but not completed	1 (5%)
Unknown	1 (5%)
<b>Total</b>	<b>22 (100%)</b>

<sup>35</sup> Ingrid V. Eagly and Steven Shafer, "A National Study of Access to Counsel in Immigration Court," University of Pennsylvania Law Review, 164, no. 1 (2015), 1-91, 22, <https://perma.cc/82F5-WE2D>. Data from TRAC shows a similar trend, that counsel was involved in 91 percent of cases that resulted in grants of relief between 2001 and 2018. See TRAC, "Details on Deportation Proceedings in Immigration Court," accessed November 4, 2018, <http://trac.syr.edu/phptools/immigration/nta/>.

## Zealous representation involves fighting cases through appeals

As an additional indicator of the zealous, full-scope representation and enhanced due process LAJF is offering, 42 clients (8 percent of all) have been represented throughout their case appeals. Of the 42 appeals, 27 cases remain open, while 15 have completed. Of these 15 cases completed on appeal, a total of 46 percent have won outcomes allowing them to remain in the United States, including five who were granted relief and two whose cases were terminated due to legally deficient Notices to Appear (NTAs). As is the case with initial case outcomes, it is nearly impossible for clients to successfully win appeals on their own, and it is a remarkable testament to the work of LAJF attorneys that they have been able to achieve such a high initial rate of success on appeal. Two of the completed appeals were remanded to immigration judges after initially receiving orders of removal, a success in that the Board of Immigration Appeals (BIA) did not simply affirm the judges' initial decisions. Five additional clients received orders of removal on appeal, and one client requested that their lawyer file a motion for voluntary departure after winning an appeal at the BIA that led to the case being remanded. This final case illustrates the importance of not measuring success simply through wins or losses, but in aligning case outcomes and legal strategy with the client's desires. While the client in the last example did not remain in the United States, they were able to achieve the outcome they ultimately sought—voluntary departure—with an important intervention from their lawyer.

Figure 17: Case appeals

Clients and Appeals	Total Clients
Clients with appeals	42
Clients with bond appeal	5
Clients with BIA case appeals	31
Clients with circuit court appeals	14

Figure 18: Case outcome of appeals

Outcome	Count
Order of removal (not in absentia)	5 (33%)
Relief granted	5 (33%)
Termination due to legally deficient NTA	2 (13%)
Order of removal (not in absentia) — remanded	2 (13%)
Voluntary departure (requested by client)	1 (7%)
<b>Total</b>	<b>15</b>

## Understanding Financial and Time Investment in LAJF

### Pilot Model Investment

To date, \$7.9 million has been invested in what was initially a two-year pilot.<sup>36</sup> Some organizations spent down the allocated funds by the end of the pilot period in November 2019, while others are operating with no-cost extensions through June 30, 2020. All organizations providing direct representation continue to carry active cases from the pilot period and will report activities on those cases using pilot period reporting criteria through June 30, 2020, and as the pilot period sunsets in June 2021.

Of the initial investment, \$5,930,000 was granted to 11 legal service providers, with a portion of the funds being allocated to the Program for Torture Victims (PTV) for direct representation related activities.<sup>37</sup> An additional \$1,320,000 was granted to organizations focused on capacity building, including the remaining portion allocated to PTV. Capacity building includes tasks such as supporting program management, providing trainings, supporting mentoring of new attorneys, and working on specific ancillary services necessary for cases to proceed.<sup>38</sup> The table below illustrates the funding breakdown by category.

Figure 19: Funding breakdown

<b>Funding Source</b>	<b>Direct Representation Allocation</b>	<b>Capacity Building Allocation</b>	<b>Vera Data Collection and Evaluation Costs</b>	<b>CCF Admin Fee</b>	<b>Total</b>
City	\$1,813,400	\$0	\$166,600	\$20,000	\$2,000,000
County	\$2,720,000	\$0	\$250,000	\$30,000	\$3,000,000
Philanthropy	\$1,396,600	\$1,320,000	\$183,400	\$0	\$2,900,000
<b>Total</b>	<b>\$5,930,000</b>	<b>\$1,320,000</b>	<b>\$600,000</b>	<b>\$50,000</b>	<b>\$7,900,000</b>

Figure 20, below, displays the total spent across the different types of grantees as of December 31, 2019, and shows that direct representation grantees spent nearly \$5 million by the end of 2019, or 89 percent of the allocated funds. Two organizations providing support to grantees, CLINIC and the Nonprofit Finance Fund (NFF), were not required to report spending quarterly, so Figure 20 only includes the three remaining capacity-building grantees and a portion of PTV. These organizations spent 65 percent of capacity building funds.

<sup>36</sup> This includes a marginal \$50,000 administrative fee to CCF for managing the program.

<sup>37</sup> The City-funded component of the Program for Torture Victims grant goes toward activities related to direct representation, while the philanthropic portion of the grant is used for capacity-building activities.

<sup>38</sup> This includes grants to CLINIC, LIJC, NFF, OneJustice, a portion of PTV, and Southwestern Law School Immigration Clinic.

Figure 20: Total spent, per type of grantee (as of December 31, 2019)

Grantee Type	Total Spent Across Grantees
Direct representation (11 grantees and a portion of PTV)	\$4,917,153
<i>Primarily adult representation (9 grantees)</i>	\$4,282,021
<i>Children's cases (2 grantees)</i>	\$510,132
PTV	\$125,000
Capacity building (3 grantees and a portion of PTV)	\$853,255

These tables show that the largest amount of LAJF funding was invested in direct representation grantees, and among direct representation grantees, the majority of funding went to organizations that primarily serve adults. These amounts reflect fully loaded budgets as initially proposed by grantees, including line items such as staff time, resources necessary to support legal defense and training, and infrastructure and overhead costs. Grantees have noted that some of the work they did on this program was not billable to the publicly funded portion of their grants, and thus, in some cases they used additional resources in-kind to supplement their LAJF-funded work.

About half of the grantees working on direct representation met their representation goals and, accordingly, depleted their allocated pilot funds by the end of calendar year 2019; the other half spent nearly all their funds, although some had additional case metrics to meet. At the same time, 82 percent of pilot cases remain pending as of March 2020, and demand for new representation continues.

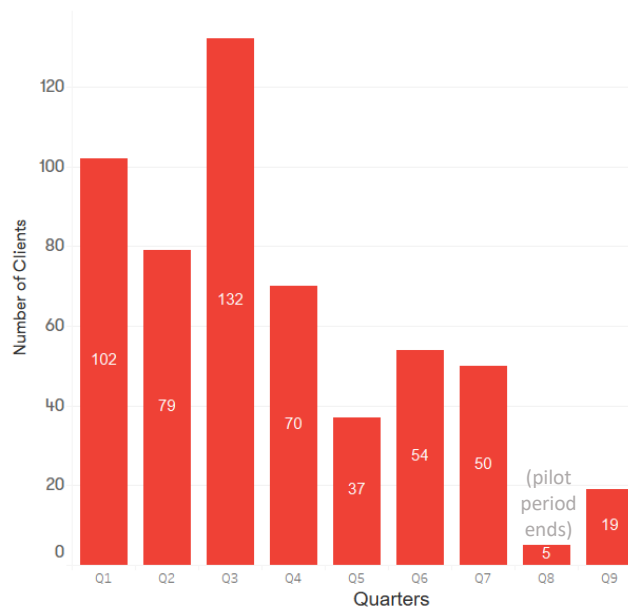
## Building a Caseload in a Two-Year Pilot

Funders set a goal of 500 cases for the pilot period. With an even smaller investment than initially envisioned, LAJF exceeded the 500-case mark. By the end of the first year of the pilot, grantees had taken on 383 of the total 548 cases (for 546 clients) to-date, or 70 percent of the total caseload during the pilot period. The remaining 165 cases were added beginning with the fifth quarter of the program, meaning only 30 percent of the overall caseload was added in the second year (see Figure 21, below).

A number of factors explain these trends. Immigration cases do not complete quickly. The majority of LAJF cases have been pending for more than 15 months, while those cases that have already completed did so in an average of 11 months. As legal service providers reach their active caseload capacity and lack the additional resources necessary to bring on new staff, attorneys can only take on new cases when other cases close out. This is especially true in a pilot period. With most LAJF grantees unable to bring on complete practice teams because of limited funding, they were restricted in how robustly they could build out their caseloads. As the end of the two-year pilot approached, public officials had not yet committed to renewed funding, and therefore, grantees became cautious about taking on more cases than they could sustain without knowing if funding would continue.<sup>39</sup>

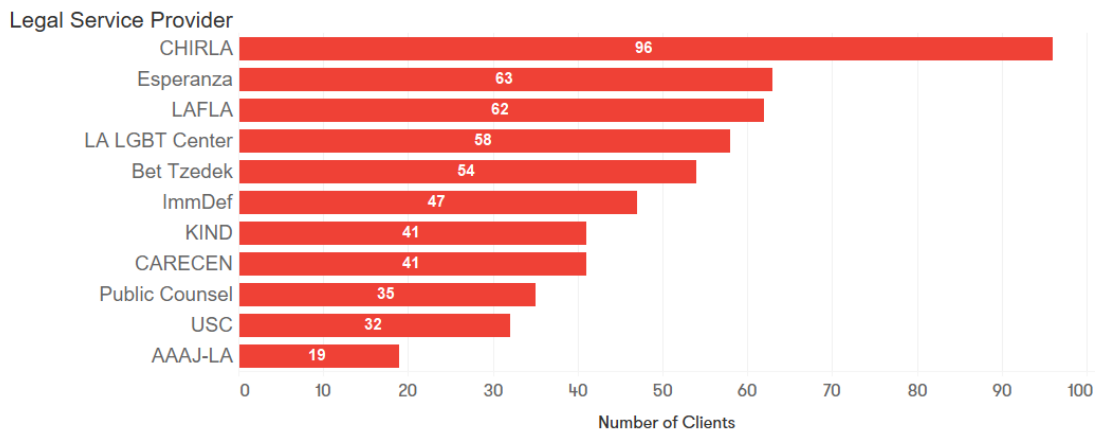
<sup>39</sup> Many organizations, including several LAJF grantees, were recently left carrying large pending caseloads of immigrant children's cases without funding when the Department of Justice terminated the Justice AmeriCorps program suddenly. Legal services organizations were left scrambling for resources to continue thousands of children's cases nationally.

Figure 21: New cases per quarter



As Figure 22, below, illustrates, cases were distributed unevenly across legal service providers.

Figure 22: Number of cases by legal service provider



This uneven distribution of cases may be attributable to a number of reasons, including:

- when each organization began case intakes and/or how many remaining intakes they had to reach their pilot goals;
- the capacity each organization initially budgeted to serve with its grant funds;
- the type of case they were representing and nature of those cases;
- the point in the case at which legal representatives attached to a case and whether they were doing full-scope representation;

- and whether they were using other sources of funding for a case, meaning LAJF funds were only supplementary, as opposed to only reporting cases that could be covered 100 percent with LAJF funding.

### Case eligibility by funding source

LAJF grantees received “fixed-price” grants to cover their work over the pilot period but were required to code clients as funded by either City or County based on different eligibility requirements. Figure 23 shows a nearly equal number of cases were assigned to City (265 or 48 percent) and County funds (267 or 49 percent). Where clients fell outside either City or County requirements, grantees had the option of coding these cases as “funded by the philanthropic portion of their grants” (16 cases or 3 percent).

Figure 23: Case eligibility by funding source

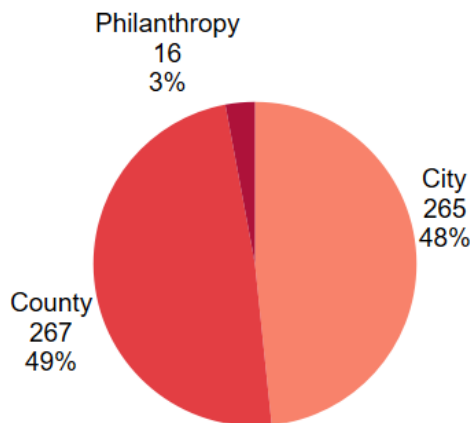


Figure 24, below, shows that grantees coded more detained cases as “County-funded” (64 percent) than “City-funded” (34 percent), though this does not reveal much about eligibility given that grantees were able to code cases to either funding source when they met eligibility for both. Appendix III includes additional details on residency-based eligibility by providing a breakdown of all client zip codes by supervisorial district. Figure 24 also shows a distribution of funding sources by custody status.

Figure 24: Funding sources, by initial custody status

Detained Cases		Non-Detained Cases	
Funding Source	Count	Funding Source	Count
City	52 (34%)	City	213 (54%)
County	97 (64%)	County	170 (43%)
Philanthropy	2 (2%)	Philanthropy	14 (3%)
<b>Total</b>	<b>151 (100%)</b>	<b>Total</b>	<b>397 (100%)</b>

The 11 grantees working solely on direct representation drew down a total of \$4,792,153 in Years 1 and 2 (\$4,282,021 + \$510,132, see Figure 20 above) to fund staff working on direct representation, including working on intakes leading to direct representation for 548 cases. CCF administers LAJF funds through a grant model that assumes each organization will carry an agreed-upon caseload, as opposed to reimbursing for each case at a set rate. The caseload-based funding model used by CCF has had success in the immigration legal services field when combined with strong program management that ensures organizations are setting appropriate objectives and meeting them. Such a model allows each organization to optimize its distribution of resources across its cases in an environment with a fair amount of variability in the amount of labor required per case and the duration of the case (often pending many years on the immigration court docket). Thus, the funding covers a set of staff managing a set number of cases, leaving each organization to determine how the labor should be allocated across the cases.

## Lessons Learned for Future Investment: Building A Program that Accounts for the Variability of Caseload: Time to Completion

At the time of this evaluation, 82 percent of LAJF clients' cases were still pending in immigration court or with U.S. Citizenship and Immigration Services or other venues (449 of 546). Only 18 percent of cases have been closed during the pilot program—4 percent because of attorney withdrawal or the case continued outside LAJF (23 of 546) and 14 percent of cases completed in immigration court (74 of 546). Figure 25, below, shows the small number of completed cases and that more than half of completed cases were initiated in the first two quarters of the program.

Figure 25: Frequency counts of cases closed during the pilot program, by quarter each completed case began, and the average months for completion.<sup>40</sup>

Quarter Period	Frequency	Average months for completion
1	28 (38%)	14
2	17 (23%)	9
3	14 (19%)	10
4	3 (4%)	11
5	2 (3%)	8
6	8 (11%)	6
7	2 (3%)	5
<b>Total</b>	<b>74 (100%)</b>	

**Detained cases move quickly. Of the 144 initially detained clients, 38 percent of clients have already received outcomes on their cases (n=54). These cases took an average of 9 months as compared to 16 months for clients whose cases began outside of detention.**

<sup>40</sup> Percentages in the table do not sum to 100 due to rounding. The number of 144 initially detained clients does not include the five cases in which the attorney withdrew while clients were in detention.

Among these initially detained clients, 26 received outcomes that allowed them to remain in the United States and have been released from custody. The other 27 clients did not receive outcomes that allowed them to remain in the United States.

Although the national immigration court case backlog has now surpassed 1 million pending cases with wait times that may be years into the future, cases involving people who are detained move very quickly, with an average of 41 days in FY 2018. Often these cases conclude before people have an opportunity to find counsel and mount an adequate defense to their cases. Data from LAJF shows the disparity in time to case completion between detained and non-detained cases. As Figure 26, below, shows, among clients who were not detained at the time representation began, only 5 percent have received decisions on their cases, whereas 36 percent of clients who were detained at the time representation began have already received decisions on their cases.

Figure 26: Case status, by initial custody status

Non-Detained		Detained	
Case Status	Count	Case Status	Count
Open	370 (93 %)	Open	79 (53%)
Attorney withdrew (other)	5 (1%)	Attorney withdrew (other)	8 (5%)
Case completed	20 (5%)	Attorney withdrew (COV)	5 (3%)
Case closed to the program	2 (1%)	Case completed	53 (36%)
<b>Total</b>	<b>397 (100%)</b>	Case closed to the Program	4 (3%)
		<b>Total</b>	<b>149 (100%)</b>

The figures below show a series of different ways to visualize case time for completed and pending cases, using average months to completion as well as the sheer number of months that each case that completed was open under the program. First, Figure 27 presents a comparison of time to completion between completed detained and non-detained cases. On average, detained cases that have completed thus far have done so in less time than non-detained cases.

Figure 27: Frequency count of completed cases, by quarter each completed case began and the average months to completion, by initial custody status<sup>41</sup>

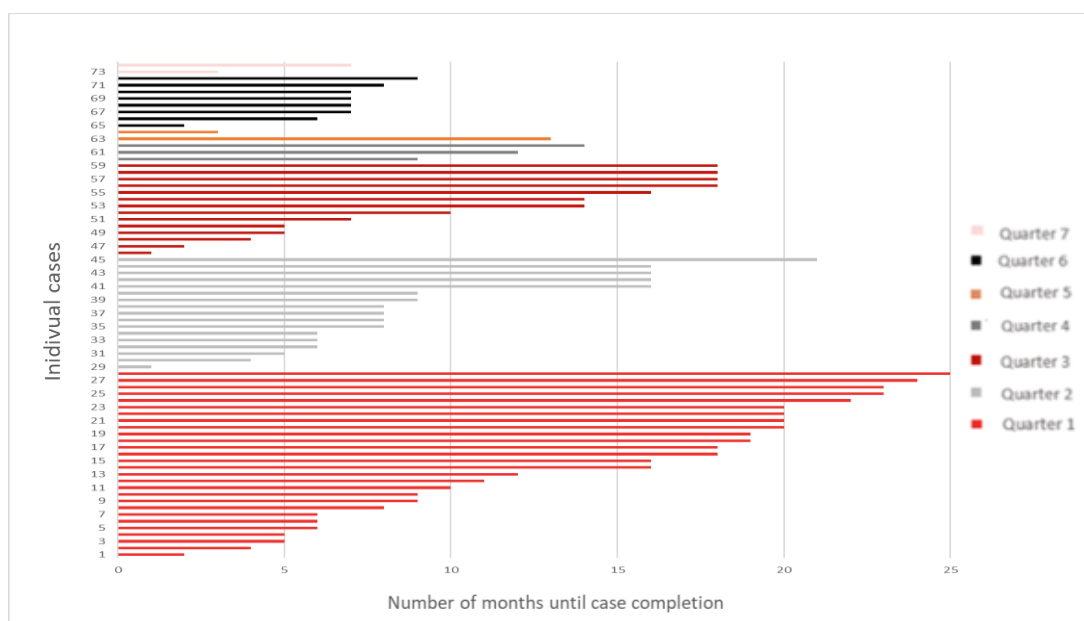
Detained Cases			Non-Detained Cases		
Quarter period	Frequency	Average months for completion	Quarter period	Frequency	Average months for completion
1	19 (36%)	11	1	9 (45%)	19
2	15 (28%)	8	2	2 (10%)	16
3	8 (15%)	7	3	6 (30%)	14
4	2 (4%)	11	4	1 (5%)	12
5	2 (4%)	8	6	2 (10%)	7
6	6 (11%)	6			
7	2 (4%)	5			
<b>Total</b>	<b>54 (100%)</b>		<b>Total</b>	<b>20 (100%)</b>	

<sup>41</sup> Percentages in the table do not sum to 100 due to rounding.

Figure 28 displays the number of months each of the 74 completed cases took to complete. Each line represents an individual case, and cases are color coded and arranged on the y-axis (the vertical axis) by the quarter each case began. For example, cases that started during the first quarter of LAJF appear in red at the bottom of the graph, cases that opened in the second quarter appear next in gray, and so on. The x-axis (the horizontal axis) shows the number of months a case was open. The graph shows that time to case completion (excluding cases in which attorneys withdrew or closed cases before a decision) ranges from less than a month to 25 months. Additionally, more than 80 percent of cases that are now closed began in the first three quarters of the program.

11 months	Average time of completion for all completed cases.
9 months	Average time of completion for detained cases.
16 months	Average time of completion for non-detained cases.

Figure 28: Length LAJF cases took to complete, by quarter each completed case began

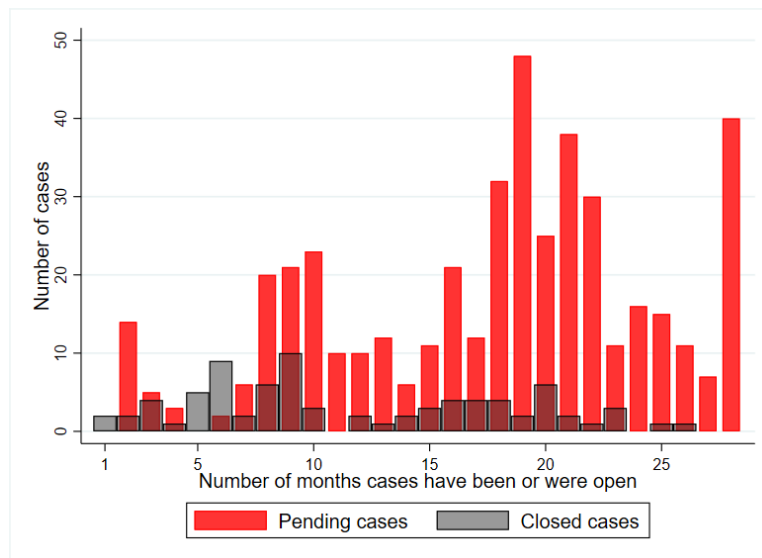


Whereas Figure 28, above, included only completed cases and plotted the number of months each individual case was open, Figure 29, below, includes open and closed cases and plots the number of cases by how long they were open before completion (among closed cases) or have been open (among pending cases). In other words, the number of months depicted on the x-axis (the horizontal axis) in Figure 29 does not correspond to calendar months (one does not equal January, two does not equal February, and so on), but corresponds to the number of months cases were open, regardless of when cases opened.

Figure 29 shows that among pending cases (the red bars), the vast majority (71 percent) have been open for 15 months or more. A plurality of pending cases (just under 50 cases) have been open for 19 months. Most of the already-completed cases (the gray bars), closed within the first 10 months of

representation, after which a handful of cases complete each month. Given the high numbers of cases that remain pending, these figures do not do much to help us understand how long cases will, on average, remain open. However, they do help illustrate the ebb and flow of cases over two years of the pilot, showing that once attorneys have full caseloads, they will have a steady, but small cycle of cases completing and many more cases that remain open for a substantial period of time. This suggests that in a more permanent program, in order to have enough capacity to manage existing cases and continue to take on a steady volume of new cases, additional staff time would be needed incrementally over a series of years.

Figure 29: Case time, pending and closed cases



The variability of case time also points to the need for flexible budgeting that allows legal service organizations to distribute resources as needed to effectively manage the ebb and flow of caseloads and how critical multi-year funding is to sustaining legal services over the life of cases given few cases complete quickly.

### Organizational caseload model

The LAJF pilot funding model aligns with best practices used in other larger-scale programs providing legal representation with public funds, including the National Qualified Representative Program (NQRP) and Unaccompanied Children’s Program (UCP) funded by the federal government and the New York City and New York State Immigrant Family Unity Project (NYIFUP) funded by local and state government. These programs include common key features that provide financial stability and predictability to both legal service providers and government funders, enabling attorneys to focus on providing high quality defense. For example, flat-rate budgets are keyed to a reasonable attorney caseload range derived from historical program data. This approach ensures sufficient capacity while providing a predictable income to the legal service provider and a predictable cost for funders. Legal service providers can proactively hire and train enough staff to cover the contracted caseload, while the administrative

burden of compiling and reviewing detailed hourly invoices is largely avoided. LAJF funding was modeled on a similar principle, and although Los Angeles organizations would need a larger investment to scale up to adequately-sized practice teams, this flat-rate caseload funding model has provided necessary flexibility to manage the variability of caseloads and the reliability needed to hire and retain staff.

That said, the LAJF funding provided by public dollars was explicitly not for core work that is necessary for legal services provision. These services should be folded into flat-rate/fixed-price budgets in the future. As part of reporting requirements for County-funded cases, grantees logged the hours they worked under one of four codes requested by the County, with a fifth optional coded added at grantee request to track activities that fell outside the scope of what the public dollars fund. These core work activities that are explicitly not funded by public dollars include items such as travel to detention centers or other offsite locations for client meetings, travel to and time waiting in court, and research and preparation that crosscuts cases. In analyses of how much time grantees reported spending on the various activity codes, Vera found that grantees spent more than 10 percent of their time on core, but unfunded, activities (see the most recent LAJF quarterly report for additional details).

Given that this fifth activity code, under which grantees can log time spent on unfunded activities, was an optional reporting item, grantees—already managing heavy workloads—did not always log hours in this fifth activity code, so there is much missing data, meaning the hours logged are likely underestimating the true amount of time grantees spend on activities not funded by LAJF. In other models Vera has studied, these items can take up to one-third of an organization’s time on its legal services work and are crucial to include in funding.<sup>42</sup> Additionally, ancillary services like interpretation services and expert witnesses should be covered through the funding, either using the same fully-loaded caseload model, or from an additional fund available for these crucial services. In sum, Vera recommends that the following principles inform a renewed LAJF funding model:

### A fixed-price budget for public/private investment

Program administrators should agree upon an annual budget under which grantees agree to provide program services for a defined caseload or caseload range at a fixed cost. The caseload consists of cases that are open at the beginning of the year and projected new cases taken on over the course of the year, and the fixed cost covers all aspects of the program: casework, related costs of representation, and program administration cost. To hedge against the unpredictability of changes at organizations or in the immigration enforcement environment, the budget can include a mechanism to increase or decrease funding if new case intakes are substantially above or below the initial projection.

---

<sup>42</sup> Vera also encourages funders to refer to a financial report prepared by the Nonprofit Finance Fund (NFF) summarizing concerns about funding for nonprofit organizations providing legal services.

### Flat-rate budgets

Under flat-rate budgets, grantee organizations agree to provide program services in a defined caseload (open cases + projected new cases) for a flat rate, ideally paid in regular installments and contingent on performance (as measured through reporting, site visits, and other routine oversight). The flat-rate budgets can include staff time and certain non-personnel expenses (e.g., rent, phones, routine travel), as well as other caseload costs.

### Reporting and performance monitoring

Key to instilling funder confidence in fixed-price, flat-rate budgeting are good oversight, strong program management, and metrics that provide simple, ongoing feedback on how well the program is doing in meeting its stated goals and objectives. Vera recommends that LAJF continue to involve a scaled-back data collection component that would combine standardized program data with narrative and qualitative reports to document the work grantees are doing, the impact it has, and how well the program is doing in meeting its stated goals. Appendix IV shows the current data collection fields and Appendix V offers additional suggestions for future data collection efforts that will preserve the ability to monitor program performance while minimizing data entry burdens that take valuable time away from legal services work.

## Recommendations for a Sustainable LAJF Beyond the Pilot Period

This evaluation ends with some tangible suggestions for advancing a new vision for a publicly funded, sustainable Los Angeles Justice Fund. These recommendations are based upon Vera's decades-long experience building, piloting, and running deportation defense and legal services programs for both children and adults facing removal proceedings, as well as observations from LAJF's early challenges and successes. These recommendations are consistent with best practices around the nation and form the foundation of successful deportation defense programs. Vera recommends that a planning period for future LAJF work consider incorporating some or all of these principles.

### Who should be eligible?

Immigration law is extremely complex and constantly changing, and a person without legal training and experience is unlikely to be able to access the legal protections available to them without the guidance of an attorney on their side. Therefore, the only eligibility requirement that an individual should have to meet is to be low income and in need of private counsel. Akin to the criminal context, representation should be available to everyone regardless of prior criminal system involvement, previous history or circumstances, residency, or potential likelihood of prevailing in one's defense. In such a merits-blind approach, clients are represented because they deserve a day in court, a level playing field and due process, not because a "successful" outcome is likely or easy. Though not all publicly funded programs can implement these principles from the onset, Vera recommends that programs embrace and begin with this model as a goal to work towards over time.

**Every person facing imminent threat of deportation should be represented by an attorney throughout their immigration proceedings.**

This commitment to universal representation stems from principles of respect and human dignity for all and reinforces the principle that no person is undeserving of basic justice. While access to counsel cannot eradicate the racial bias, inequity, and structural racism that permeates justice systems in the United States, it is a crucial first step in ensuring all immigrants are equally able to have their cases heard on a more level playing field. Not surprisingly, impacted people interviewed for this research expressed a desire to be treated with respect and dignity and given a fair opportunity to defend their case. Vera's research on past programs has also shown that once attorneys are able to fully examine a case, they often discover protections under the law for their clients that may not have been readily apparent at an initial screen or the outset of the attorney-client relationship. LAJF providers reported similarly discovering opportunities for relief or possibilities for creative defenses only once they were actively engaged in some clients' cases.

**Residency restrictions in place during the LAJF pilot should be abandoned in order to allow legal service providers the flexibility to be most responsive to changing urgent needs.**

The LAJF pilot was restricted to people who could prove, through documentary evidence, their residency in Los Angeles. Residency restrictions in place during the LAJF pilot should be abandoned in order to allow legal service providers the flexibility to be most responsive to changing urgent needs. The immigration system is fluid, resulting in unpredictability about where Angelenos may be detained or how shifts in the population of those with the most urgent needs in the Los Angeles area may unfold over time. Should LAJF retain a residency requirement, it should expand eligibility criteria to people with “ties” to Los Angeles; it should eliminate the existing requirement to prove residency through documentary evidence and instead accept a verbal attestation, an alternative that is common among other programs.

**Criminal convictions should not render someone ineligible for representation. LAJF should cease eligibility restrictions based on criminal convictions.**

Criminal convictions should not render someone ineligible for representation. LAJF should cease eligibility restrictions based on criminal convictions. This ensures that Los Angeles is committing to a race-equitable approach to representation—as people of color are disproportionately targeted in the criminal justice system and, therefore, more likely to be excluded from LAJF representation if eligibility restrictions do not change.<sup>43</sup> Such an approach advances the fundamental value of due process for all. The private-public partnership between local government and philanthropy may provide an opportunity to halt this restriction by utilizing some of the funding streams to provide representation for certain categories of cases.

**How should a due process for all approach be modified when resources are limited?**

In many jurisdictions around the country, the only eligibility requirement for legal representation programs is that clients are unable to afford representation. When there are limited resources, clients can be taken on a first-come, first-served basis or through a process of randomization that ensures everyone has an equal opportunity to be selected for representation irrespective of background or personal circumstances. These approaches protect against certain people being deemed more deserving of representation.

Vera and its national partners, Center for Popular Democracy and National Immigration Law Center, recommend that when a legal service program like LAJF has limited capacity, representation for those in detention should be prioritized. This does not mean all publicly funded programs should only represent detained clients. However, people in detention face nearly insurmountable challenges: cases move at an accelerated pace, access to counsel is especially limited, and funding for legal services non-

---

<sup>43</sup> See Ruth Delaney et al., *Reimagining Prison*, (New York: Vera Institute of Justice, 2018), [https://www.vera.org/downloads/publications/Reimagining-Prison\\_FINAL3\\_digital.pdf](https://www.vera.org/downloads/publications/Reimagining-Prison_FINAL3_digital.pdf).

governmental organizations that serve this population are almost non-existent. The recommendation to focus on detained representation extends to both adults and children where other resources are not available. Building a priority for detained cases into representation programs also ensures future programs do not leave this especially vulnerable population behind.

**Representation should be continuous and begin at the onset of the case.**

Representation should be continuous and begin at the onset of the case. Attorneys should represent clients from the onset of the case until there is a final decision, which can include the appeals process. Representation should continue even if the person is transferred by immigration authorities away from the jurisdiction or when the person voluntarily moves out of the area upon release from custody. Until there is a national deportation defense system, continuity of representation when clients leave the area may be unlikely. However, clients who are released from custody and remain in the area should receive full-scope representation throughout the duration of their cases. As more local leaders continue to invest in deportation defense programs, coordination across jurisdictions to expand continuity of representation may become possible.

**Who should carry out the work?**

**Local nonprofit organizations with expertise in removal defense should continue to deliver LAJF services.**

Similar to the pilot phase, Vera recommends that local nonprofit organizations with expertise in removal defense continue to deliver LAJF services, ideally with initial support from a central coordinating entity to ensure alignment with the program's vision, consistency in service delivery, adequate training and support, and integrated data reporting and program management. The initial LAJF investment was especially successful in building out a network of legal service providers ("the detained collaborative") working primarily with clients detained in local facilities. Vera recommends that the new LAJF work build on the foundation of the detained collaborative, which includes organizations with deep expertise in this work and the ability to bring on and support additional staff.

Efforts to continue supporting this ongoing collaboration have already been developed through the LAJF pilot period, and LAJF should continue to draw on this existing work. Typically, organizations should be immigration generalists who can handle a wide variety of case types; however, the LAJF pilot phase benefited from the specialized expertise of organizations serving demographic, linguistic, or identity groups, and there is value to these expert organizations being engaged on the cases they are best suited to represent.

**How many organizations should be funded?**

In the pilot phase of LAJF, 11 organizations received funding to do direct representation work. However, funding a smaller number of organizations to staff a program enables each organization to hire and support a full practice team and maximize the benefits of doing so. Pilot funding for LAJF achieved a

great deal, but the limited funds at each organization prevented each funded organization from building out the kinds of full practice teams that would allow robust and efficient case management while maintaining high-quality representation. One solution is to expand funding substantially so all pilot stage organizations can adequately increase staffing. However, should funding resources continue to be limited, another option is to consolidate funding to a smaller number of organizations or move toward a collaborative or coalition model, in which organizations work together to staff case intake and assignment, share resources, and mentor and manage cases.

Consolidation among a small number of generalist organizations ensures a continuity of representation, allowing the same organization to both perform the initial legal screening and to ultimately represent the client. This model also allows a more trauma-informed approach in that it avoids the need for victims to continuously retell their stories at various stages of representation and helps foster the trust between attorney and client, which is vital to high-quality representation. Core organizations should have the ability, when necessary, to refer cases out to other non-governmental organizations when specialized expertise is needed.

### Who should fund representation?

**Protecting the basic right of due process is a public duty that should be funded by public tax dollars.**

While many jurisdictions initially develop public-private partnerships to launch deportation defense programs, protecting the basic right of due process is a public duty that should be funded by public tax dollars. Investing public money is also critical to sustaining and institutionalizing universal representation locally while building toward a national system of deportation defense. Local jurisdictions are the first line of defense in protecting their residents and citizens (many who are youth with parents at risk of removal) from unjust and inhumane federal policies.

The public supports the idea that people in immigration court should receive government-funded attorneys. Vera recently partnered with the survey firm Lucid to conduct a public opinion poll exploring attitudes toward government-funded attorneys for people in immigration court in Los Angeles County. Vera's polling work contributes to scientific knowledge about immigration attitudes by being the first of its kind to explore this subject matter.<sup>44</sup> The results demonstrate that the public overwhelmingly supports government investment in programs like the Los Angeles Justice Fund, both nationwide and in Los Angeles. Vera's polling found that 92 percent of respondents in Los Angeles support government-funded attorneys for people in immigration court, and 89 percent support government-funded attorneys for people in immigration court with criminal convictions. Even among respondents who oppose immigration

---

<sup>44</sup> The survey was administered online in January 2020 and included 1,000 adults (18 years and older) living in the County. The results are statistically weighted to be representative of Los Angeles County with regard to age, education, gender, household income, and race and ethnicity. For results from public support polling in Los Angeles (as well as national results and those from other jurisdictions throughout the United States) see Vera Institute of Justice, "Public Support in Los Angeles for Government-Funded Attorneys in Immigration Court," *Taking the Pulse: Public Support for Government-Funded Attorneys in Immigration Court* (2020), at <https://www.vera.org/publications/taking-the-pulse> and <https://www.vera.org/downloads/publications/taking-the-pulse-los-angeles.pdf>.

to the United States, more than three out of four support the government funding attorneys for people in immigration court, including for people with criminal convictions.

### How should the funding be structured?

**An ideal model of funding is secure over a multi-year period with room to grow incrementally.**

In an ideal model, funding is secure over a multi-year period with room to grow incrementally. A multi-year funding structure allows organizations to hire staff and build caseloads over time and ensures that there are no gaps in critical legal services from year-to-year due to budget processes. In addition, multi-year funding allows organizations to recruit more competitive staff they might not be able to attract with a funding stream that is not secure from year to year. Vera recommends that local officials commit to a five-year funding plan for LAJF that would gradually scale up capacity and resources over time. This would involve incremental investments, increasing the numbers of staff over time, and an incrementally increasing number of clients served. As discussed earlier, Los Angeles should continue the current model of funding legal teams to carry caseloads rather than moving to an unsustainable model of reimbursing providers on a per-case basis.

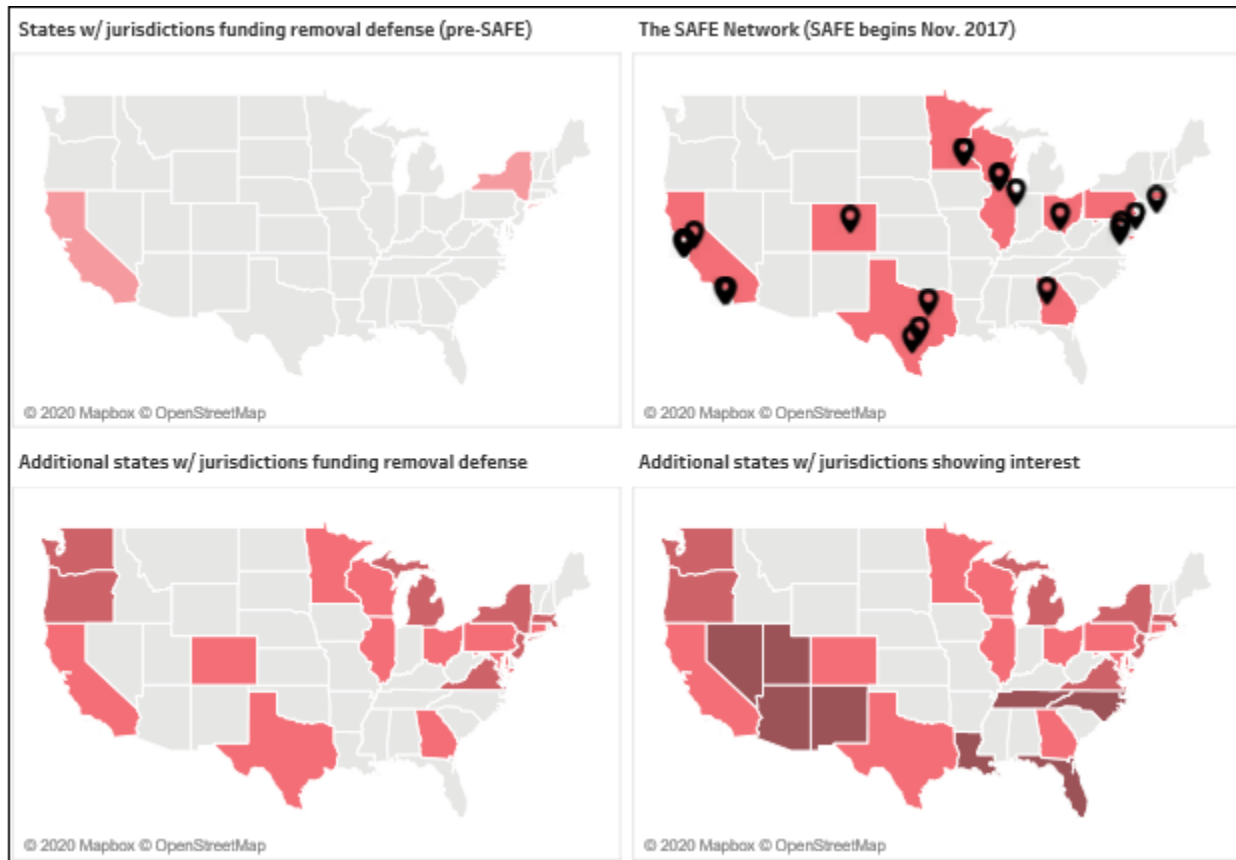
Finally, as noted in the beginning of this evaluation, now more than ever, the rights of immigrants are under assault. With the global COVID-19 pandemic, there is a more urgent need than before to ensure the most vulnerable immigrants are not exposed to life-threatening detention as they attempt to exercise their rights under existing immigration and federal law.

## Appendices

### Appendix I: LAJF Compared to Other Legal Representation Programs

Program Component	LAJF	NYIFUP	SAFE Network				
			Long Beach	Oakland/Alameda	Sacramento	Santa Ana	San Francisco
Merits-blind representation	No	Yes	Yes	Yes	Yes	Yes	Yes
Exclude people with certain criminal convictions	Yes	No	No	No	-	No	No
Residency requirement	Yes, City or County of Los Angeles residents	No	Yes, City of Long Beach resident or employed in the City	No, but must have regional ties	Yes, County of Sacramento residents or employed in the County	Yes, City of Santa Ana residents	No
Require documentation to prove residency	Yes	No	No	No	No	No	No
Income eligibility	Below 200% of the federal poverty level	Below 200% of the federal poverty level	Below 200% of the federal poverty level	Below 125% of the area median income	Below 125% of the federal poverty level	Below 200% of the federal poverty level	None
Collects hourly activity data	Yes	No	No	No	No	No	No
Public funding	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Private funding	Yes	Yes	Yes	Yes	Yes	Yes	No

## Appendix II: Jurisdictions with Public Funding for Removal Defense



## Appendix III: Los Angeles County Zip codes with LAJF clients

### Number of LAJF clients served by supervisorial district.

Because many zip codes span more than one supervisorial district, the table below shows how the zip codes are distributed across the districts.

- Of the 546 clients, 517 clients have valid Los Angeles County zip codes, and 29 have inaccurate or incomplete zip code information listed. Of these 517 clients, 283 have zip codes unique to only one district: 69 clients for District 1; 92 for District 2; 67 for District 3; 32 for District 4; 23 for District 5. All other zip codes span districts. See below for a breakdown of zip codes.

Zip Code	Number of Clients	Supervisorial District				
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>	5 <sup>th</sup>
90001	13	X	x			
90002	5		x			
90003	20		x			
90004	6	X	x	x		
90005	6	X	x	x		
90006	18	X	x			
90007	7	X	x			
90008	2		x			
90011	19	X	x			
90012	2	x				
90013	2	x	x			
90014	1	x	x			
90015	6	x	x			
90016	3		x			
90017	7	x				
90018	7		x			
90019	4		x			
90020	3		x	x		
90022	13	x				
90023	9	x				
90025	1		x	x		
90026	14	x				
90027	2	x		x		
90028	5			x		
90029	7	x	x	x		
90031	1	x				
90032	3	x				x
90033	9	x				
90036	1		x	x		

90037	7	x		
90038	10		x	
90039	1	x	x	
90042	2	x		x
90043	1	x		
90044	7	x		
90047	3	x		
90057	27	x	x	
90059	4	x		
90061	1	x		
90062	4	x		
90063	5	x		
90065	2	x		x
90069	1		x	
90201	4	x		x
90220	1	x		
90221	2	x		
90222	3	x		
90249	2	x		
90250	5	x		
90255	12	x	x	
90260	2	x		
90262	7	x	x	
90270	1	x		
90280	3	x	x	x
90301	2	x		
90302	4	x		
90303	3	x		
90305	1	x		
90402	1		x	
90405	1	x	x	
90501	1			x
90502	1	x		x
90504	1			x
90601	1	x		x
90605	2	x		x
90631	1			x
90638	2			x
90640	1	x		
90650	1			x
90660	2	x		
90701	1			x
90706	2			x

90710	6		x		x
90712	2				x
90716	2				x
90723	3	x	x		x
90744	1		x		x
90745	2		x		x
90801	1				x
90802	1				x
90804	2				x
90805	8		x		x
90806	9				x
90813	6				x
90814	1				x
91001	1				x
91006	1				x
91011	1				x
91016	1	x			x
91042	3				x
91101	2				x
91104	2				x
91303	4			x	
91306	5			x	
91311	2			x	x
91325	1			x	x
91331	4			x	
91335	13			x	
91340	3			x	
91342	2			x	x
91343	11			x	x
91352	2			x	x
91367	2			x	
91401	1			x	
91402	5			x	
91405	7			x	
91502	2				x
91505	1			x	x
91601	2			x	x
91605	5			x	x
91606	11			x	
91702	4	x			x
91706	2	x			
91722	1	x			x
91724	2	x			x

91732	1	x	x
91733	1	x	
91744	1	x	
91746	2	x	x
91750	1	x	x
91766	2	x	x
91767	2	x	
91770	2	x	x
91773	1	x	x
91775	1		x
91776	1	x	x
91780	2	x	x
91801	2		x
91803	2		x
93535	1		x
93550	2		x
93552	5		x
<b>Total Clients with Zip codes in LA</b>	<b>517</b>		
<b>No or inaccurate information</b>	<b>29</b>		
<b>Total Clients</b>	<b>546</b>		

## Appendix IV: LAJF Database Fields, Pilot Phase

### LAJF Data Collection

This document contains the following information relating to data reporting for the LA Justice Fund.

<i>Data Fields – Masters List .....</i>	<i>50</i>
<i>Intake Data Collection Form .....</i>	<i>52</i>
<i>Bond Data Collection Form .....</i>	<i>54</i>
<i>Interim Activities Data Collection Form .....</i>	<i>55</i>
<i>Disposition Data Collection Form.....</i>	<i>56</i>
<i>Appeals Data Collection Form.....</i>	<i>57</i>

### DATA FIELDS – MASTER LIST

The following is a list of all fields within the database. It is highly unlikely that every field will apply to any one individual client.

#	Field Name	Field Type	Comments
1	Initial Case Custody	Dropdown	
2	Initial Case Type	Dropdown	
3	Jurisdiction	Dropdown	This field will be automatically filled in, except for LSPs serving multiple jurisdictions.
4	First Name	Text	
5	Last Name	Text	
6	Second Last Name	Text	
7	A Number	Text	
8	Country of Origin	Dropdown	
9	Primary Language	Dropdown	
10	Date of Birth	Dropdown	
11	Gender	Dropdown	
12	Last Known U.S. Residence Zip Code	Text	Select the 'N/A' checkbox for any client whose zip code is unknown.
13	Representation Acceptance Date	Date	
14	Screened by another organization	Yes/No	
15	Legal Status at Intake	Dropdown	
16	Aggravated Felony	Yes/No	
17	Vulnerabilities Identified	Check List	
18	Funding Source	Dropdown	City, County, Not Yet Determined
19	Waiver Used	Yes/No	
20	Employed in the U.S. Within the Past 12 Months?	Yes/No/Unknown	
21	Industry(s) Where Employed Within 12 Months	Checklist	
22	Business Owner	Yes/No/Unknown	
23	Work Authorization at Intake	Yes/No/Unknown	
24	Has Client Ever Filed Taxes in U.S.?	Yes/No/Unknown	
25	Household Income Bracket	Dropdown	
26	Of total household income, how much was contributed by client?	Dropdown	
27	Spouse / Domestic Partner in U.S.?	Yes/No/Unknown	
28	Legal Status of Spouse/Partner in U.S.	Dropdown	
29	Total Number of Children in U.S. Household under Age 18	Number	
30	U.S. Citizen Children in U.S. Household under Age 18	Number	
31	LPR or Other Status Children in U.S. Household under Age 18	Number	
32	Children Without Status in U.S. Household under Age 18	Number	
33	Only Caretaker of Children	Yes/No/Unknown	
34	Number of Years Living in U.S.	Number	
35	Social Service Needs Identified	Check List	
36	Social Service Referrals Made	Check List	
37	ICE Bond Set?	Yes/No	
38	ICE Bond Amount	Currency	
39	Had Bond Hearing?	Yes/No	
40	Date of Bond Hearing	Date	
41	Re-determined Bond Set?	Yes/No	
42	Re-determined Bond Amount	Currency	
43	Parole Granted?	Yes/No/Not Applicable	
44	Date of Release on Bond/ROR/Parole	Date	

45	Who Filed Bond Appeal?	Dropdown	
46	Was Bond Appeal Favorable to Client?	Yes/No	
47	Name of Attorney	Text	
48	Other Proceedings Pursued in Defense of Removal	Check List	
49	Type of Substantive Application/Motion	Dropdown	
50	Date of Application/Motion	Date	
51	Disposition of Application/Motion	Dropdown	
52	Application/Motion Disposition Date	Date	
53	Date of IJ Disposition	Date	
54	Outcome of IJ Disposition	Dropdown	
55	Judge at IJ Disposition	Text	
56	Eligible for Work Authorization at IJ Disposition	Yes/No	
57	Case Appeal Forum	Dropdown	Appeal information is tracked for bond and case appeals.
58	Who Filed Case Appeal?	Dropdown	Appeal information is tracked for bond and case appeals.
59	Was Case Appeal Favorable to Client?	Yes/No	Appeal information is tracked for bond and case appeals.
60	Date of Final Disposition (Upon Appeal)	Date	
61	Outcome of Final Disposition (Upon Appeal)	Dropdown	
62	Eligible for Work Authorization at Final Disposition (Upon Appeal)	Yes/No	
63	Why is this case being closed?	Dropdown	Only applicable when changing Case Status to closed.
64	Case Referred to Pro Bono	Yes/No	Only applicable when changing Case Status to closed.

# INTAKE

<b>INITIAL CASE CUSTODY:</b> <input type="checkbox"/> Detained <input type="checkbox"/> Non-Detained		<b>INITIAL CASE TYPE:</b> <input type="checkbox"/> 240 Proceedings <input type="checkbox"/> Post-Order <input type="checkbox"/> Withholding-Only <input type="checkbox"/> CFR/RFR <input type="checkbox"/> Other _____		<b>JURISDICTION:</b>	
<b>CLIENT INFORMATION</b>					
<b>RESPONDENT'S NAME</b> (LAST – ALL CAPS, First, Middle)			<b>SECOND LAST NAME</b>		<b>A#</b> _____-_____-_____-
<b>COUNTRY OF ORIGIN</b>		<b>PRIMARY LANGUAGE</b>		<b>DOB</b> _____ / _____ / _____ (MM)        (DD)        (YYYY)	
<b>GENDER</b> <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE <input type="checkbox"/> OTHER		<b>LAST KNOWN U.S. RESIDENCE ZIP CODE</b> (N/A if unknown)		<b>REPRESENTATION ACCEPTANCE DATE</b> _____ / _____ / _____ (MM)        (DD)        (YYYY)	
<b>SCREENED BY ANOTHER ORGANIZATION</b> <input type="checkbox"/> YES <input type="checkbox"/> NO		<b>SCREENING ORGANIZATION</b>		<b>LEGAL STATUS AT INTAKE</b> <input type="checkbox"/> EWI <input type="checkbox"/> LPR <input type="checkbox"/> VISA OVERSTAY <input type="checkbox"/> OTHER LAWFUL <input type="checkbox"/> OTHER UNLAWFUL	
<b>VULNERABILITIES IDENTIFIED</b> <input type="checkbox"/> ASYLUM SEEKER/FEAR BASED PROTECTIONS <input type="checkbox"/> CHILDHOOD ARRIVAL (NOT UC) <input type="checkbox"/> CURRENT/FORMER UC <input type="checkbox"/> DISABILITY/SIGNIFICANT MEDICAL NEEDS <input type="checkbox"/> MENTAL HEALTH NEEDS <input type="checkbox"/> HAS DEPENDENT(S) WITH DISABILITY/SIGNIFICANT MEDICAL NEEDS <input type="checkbox"/> HOMELESS <input type="checkbox"/> LGBTQ+ <input type="checkbox"/> VETERAN OR ACTIVE DUTY IN U.S. MILITARY, RESERVES, OR NATIONAL GUARD <input type="checkbox"/> VICTIMIZATION—CHILD ABUSE/NEGLECT <input type="checkbox"/> VICTIMIZATION—CRIME <input type="checkbox"/> VICTIMIZATION—DOMESTIC/INTIMATE PARTNER VIOLENCE <input type="checkbox"/> VICTIMIZATION—TRAFFICKING <input type="checkbox"/> WITNESS (CRIME IN U.S.) <input type="checkbox"/> OTHER _____				<b>FUNDING SOURCE</b> <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> NOT YET DETERMINED	
				<b>WAIVER USED</b> <input type="checkbox"/> YES <input type="checkbox"/> NO	
<b>WORK &amp; FAMILY</b>					
<b>EMPLOYED IN U.S. WITHIN PAST 12 MONTHS?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN			<b>INDUSTRY(S) WHERE EMPLOYED WITHIN 12 MONTHS:</b> <input type="checkbox"/> AGRICULTURE <input type="checkbox"/> ARTS, ENTERTAINMENT, OR RECREATION <input type="checkbox"/> BEAUTY, NAIL SALON, LAUNDRY, AND PERSONAL CARE <input type="checkbox"/> BUILDING MAINTENANCE, LANDSCAPING, AND GROUNDS KEEPING <input type="checkbox"/> CHILDCARE OR NANNY <input type="checkbox"/> CONSTRUCTION <input type="checkbox"/> DRIVERS AND TRANSPORTATION <input type="checkbox"/> FOOD PREP AND FOOD SERVICES		
<b>BUSINESS OWNER?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN		<b>HAS CLIENT EVER FILED TAXES IN U.S.?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN			

<b>WORK AUTHORIZATION AT INTAKE</b> <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN	<b>HOUSEHOLD INCOME BRACKET</b> <input type="checkbox"/> <\$15,000 <input type="checkbox"/> \$15,000 to \$29,999 <input type="checkbox"/> \$30,000 to \$49,999 <input type="checkbox"/> \$50,000 to \$74,999 <input type="checkbox"/> \$75,000 to \$99,000 <input type="checkbox"/> \$100,000+	<input type="checkbox"/> HEALTHCARE SUPPORT <input type="checkbox"/> JANITORIAL AND HOUSEKEEPING <input type="checkbox"/> MAINTENANCE AND REPAIR <input type="checkbox"/> MANUFACTURING AND FACTORY <input type="checkbox"/> OFFICE AND ADMINISTRATIVE SUPPORT <input type="checkbox"/> RETAIL STORES AND SUPERMARKETS <input type="checkbox"/> OTHER _____	
<b>OF TOTAL HOUSEHOLD INCOME, HOW MUCH WAS CONTRIBUTED BY CLIENT?</b> <input type="checkbox"/> None <input type="checkbox"/> Less than half <input type="checkbox"/> Approximately half <input type="checkbox"/> More than half <input type="checkbox"/> All			
<b>SPOUSE/DOMESTIC PARTNER IN U.S.?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN		<b>LEGAL STATUS OF SPOUSE/PARTNER IN U.S.</b> <input type="checkbox"/> EWI <input type="checkbox"/> LPR <input type="checkbox"/> VISA OVERSTAY <input type="checkbox"/> USC <input type="checkbox"/> OTHER LAWFUL <input type="checkbox"/> OTHER UNLAWFUL	
<b># OF CHILDREN IN U.S. HOUSEHOLD (Under Age 18)</b>			
<b># TOTAL CHILDREN</b>	<b># USC</b>	<b># LPR/Other Status</b>	<b># No Status</b>
<b>ONLY CARETAKER OF CHILDREN?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN			
<b>NUMBER OF YEARS LIVING IN U.S.:</b>			
<b>SOCIAL SERVICES</b>			
	<b>Need Identified</b>	<b>Referral Made</b>	
Mental Health	<input type="checkbox"/> YES	<input type="checkbox"/> YES	
Medical	<input type="checkbox"/> YES	<input type="checkbox"/> YES	
Employment/Vocational	<input type="checkbox"/> YES	<input type="checkbox"/> YES	
Housing	<input type="checkbox"/> YES	<input type="checkbox"/> YES	
Substance Abuse	<input type="checkbox"/> YES	<input type="checkbox"/> YES	
Other: _____	<input type="checkbox"/> YES	<input type="checkbox"/> YES	

## BOND

BOND INFORMATION		
<b>RESPONDENT'S NAME</b> (LAST – ALL CAPS, First, Middle)		<b>A#</b>  <div style="border-bottom: 1px solid black; width: 100%;"></div>
<b>ICE BOND SET?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO	<b>HAD BOND HEARING</b> <input type="checkbox"/> YES <input type="checkbox"/> NO	<b>RE-DETERMINED BOND SET?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO
<b>ICE BOND AMOUNT</b> \$ _____ <i>(enter \$0 for ROR)</i>	<b>DATE OF BOND HEARING</b> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="border-bottom: 1px solid black; width: 30%;"></div> <div style="border-bottom: 1px solid black; width: 30%;"></div> <div style="border-bottom: 1px solid black; width: 30%;"></div> </div> <div style="display: flex; justify-content: space-between; align-items: center;"> <span>(MM)</span> <span>(DD)</span> <span>(YYYY)</span> </div>	<b>RE-DETERMINED BOND AMOUNT</b> \$ _____ <i>(enter \$0 for ROR)</i>
<b>PAROLE GRANTED?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO/NOT APPLICABLE		<b>DATE OF RESEAL ON BOND/ROR/PAROLE</b> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="border-bottom: 1px solid black; width: 30%;"></div> <div style="border-bottom: 1px solid black; width: 30%;"></div> <div style="border-bottom: 1px solid black; width: 30%;"></div> </div> <div style="display: flex; justify-content: space-between; align-items: center;"> <span>(MM)</span> <span>(DD)</span> <span>(YYYY)</span> </div>
<b>WHO FILED BOND APPEAL?</b> <input type="checkbox"/> CLIENT <input type="checkbox"/> GOVERNMENT <input type="checkbox"/> BOTH		<b>WAS BOND APPEAL FAVORABLE TO CLIENT?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO

### INTERIM ACTIVITIES

<b>RESPONDENT'S NAME</b> (LAST – ALL CAPS, First, Middle)	<b>A#</b>  _____
---	------------------------

<b>REPRESENTATION</b>
<b>ATTORNEY NAME:</b>
<b>OTHER PROCEEDINGS PURSUED IN DEFENSE OF REMOVAL</b>
<b>PROCEEDING TYPE</b> <input type="checkbox"/> Federal Court - Habeas <input type="checkbox"/> Post-Conviction Relief <input type="checkbox"/> SIJS Predicate Order <input type="checkbox"/> Other: _____

SUBSTANTIVE APPLICATIONS & MOTIONS	
TYPE	DISPOSITION
<input type="checkbox"/> 212c	<input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn
<input type="checkbox"/> I-130	<input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn
<input type="checkbox"/> Adjustment of Status	<input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn
<input type="checkbox"/> Asylum/Withholding/CAT	<input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn
<input type="checkbox"/> Deferred Action	<input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn
<input type="checkbox"/> LPR Cancellation	<input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn
<input type="checkbox"/> 10 Year Cancellation	<input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn
<input type="checkbox"/> Prosecutorial Discretion	<input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn
<input type="checkbox"/> SIJS	<input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn
<input type="checkbox"/> T-Visa	<input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn
<input type="checkbox"/> U-Visa	<input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn
<input type="checkbox"/> VAWA Cancellation	<input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn
<input type="checkbox"/> Voluntary Departure	<input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn
<input type="checkbox"/> Citizenship	<input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn
<input type="checkbox"/> Motion to Administratively Close	<input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn
<input type="checkbox"/> Motion to Terminate	<input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn
<input type="checkbox"/> Motion to Reopen	<input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn
<input type="checkbox"/> Stay of Removal	<input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn
<b>DATE OF APPLICATION/MOTION</b> ____/____/____ (MM)      (DD)      (YYYY)	<b>APPLICATION/MOTION DISPOSITION DATE</b> ____/____/____ (MM)      (DD)      (YYYY)

## DISPOSITION

### DATE OF IJ DISPOSITION

\_\_\_\_ / \_\_\_\_ / \_\_\_\_

(MM) (DD) (YYYY)

### DISPOSITION

RESPONDENT'S NAME (LAST – ALL CAPS, First, Middle)

A#

\_\_\_\_ - \_\_\_\_ - \_\_\_\_

### OUTCOME OF IJ DISPOSITION

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Relief Granted | <input type="checkbox"/> Termination         | <input type="checkbox"/> Order of Removal (in absentia)     |
| <input type="checkbox"/> Admin. Closure | <input type="checkbox"/> Voluntary Departure | <input type="checkbox"/> Order of Removal (not in absentia) |
| <input type="checkbox"/> Other: _____   |  |   |

### JUDGE AT IJ DISPOSITION

### ELIGIBLE TO APPLY FOR WORK AUTHORIZATION AT IJ DISPOSITION?

☐ YES ☐ NO

### CASE CLOSEOUT

#### WHY IS THIS CASE BEING CLOSED?

- ☐ Attorney Withdrew (COV)
- ☐ Attorney Withdrew (Other)
- ☐ Ineligible for Representation (Criminal Convictions)
- ☐ Ineligible for Representation (Residency)
- ☐ Ineligible for Representation (Income)
- ☐ Ineligible for Representation (Other)

#### CASE REFERRED TO PRO BONO?

☐ YES ☐ NO

## APPEALS

<b>APPEAL TYPE:</b> <input type="checkbox"/> BOND <input type="checkbox"/> CASE	
<b>Forum</b> (circle one): BIA / Circuit	
<b>APPEALS</b>	
<b>RESPONDENT'S NAME</b> (LAST – ALL CAPS, First, Middle)	<b>A#</b>  _____-_____-____
<b>WHO FILED CASE APPEAL?</b> <input type="checkbox"/> Client <input type="checkbox"/> Government <input type="checkbox"/> Both	<b>WAS CASE APPEAL FAVORABLE TO CLIENT?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO
<b>DETENTION RELEASE DATE</b> <i>(Bond Appeals Only, if applicable)</i>  _____ / _____ / _____ (MM)                      (DD)                      (YYYY)	
<b>FINAL DISPOSITION (UPON APPEAL)</b>	
<b>DATE OF FINAL DISPOSITION</b>  _____ / _____ / _____ (MM)                      (DD)                      (YYYY)	<b>OUTCOME OF FINAL DISPOSITION</b> <input type="checkbox"/> Relief Granted <input type="checkbox"/> Admin. Closure <input type="checkbox"/> Termination <input type="checkbox"/> Voluntary Departure <input type="checkbox"/> Order of Removal (in absentia) <input type="checkbox"/> Order of Removal (not in absentia) <input type="checkbox"/> Other: _____
<b>ELIGIBLE TO APPLY FOR WORK AUTHORIZATION AT FINAL DISPOSITION?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO	

## Appendix V: Recommendations for Future LAJF Data Reporting

This document provides recommendations for which data fields LAJF grantees should be required to report moving forward and is organized in the following manner:

- First, there is a list of data fields that currently exist in the database that Vera recommends *not* including when the extended pilot period ends June 30, 2020.
- Next, there is a list of the data fields that currently exist and that should be retained during a transitional phase, applying to LAJF cases that are presently open and any new cases that existing grantees might open before a new phase of LAJF sometime in 2021. After this transitional phase sunseting the pilot, these fields should be removed, no longer being required in the next phase of LAJF.
- Then, there is a list of data fields that currently exist and that Vera recommends be retained indefinitely as grantee reporting requirements.

### Existing data fields Vera recommends no longer requiring grantees to report

In the interest of improving efficiencies and focusing data reporting on the aspects of representation most relevant to report and collect, Vera recommends eliminating the following fields. Many of these fields are currently optional and are not regularly populated by grantees.

- Screened by another organization: yes/no
  - Screening organization
- Aggravated felony (replace with more nuance about client histories)
- Funding source
- Employed in past 12 months
- Employment industry
- Business owner
- Ever filed taxes in US
- Work authorization at intake
- Household income
  - Portion of total household income contributed by client
- Legal status of spouse
- Only caretaker of children: yes/no/unknown
- Social services: Mental health, medical, employment/vocational, housing, substance use, other [text box]
  - Need identified
  - Referral made
- Ice bond amount
- Re-determined bond amount
- Judge at disposition

- Eligible to apply for work authorization at ID disposition
- Eligible to apply for work authorization at final disposition upon appeal

Existing data fields Vera recommends keeping in a transitional phase, but removing from the revamped LAJF online database

- Zip code – last known U.S. residence (suggest replacing later with “zip code at time of representation” if tracking residency is important)
- Waiver used – Vera suggests eliminating criminal-carveouts, thereby eliminating the need for a waiver
- Number of years living in the United States (replace later with “year entered the United States”)
- Bond information: Recommend restructuring the way this data is collected, and eliminating some fields before the next phase
  - Ice bond set: yes/no
  - Had bond hearing: yes/no
  - Re-determining bond set: yes/no
  - Date of bond hearing
  - Who filed bond appeal
  - Was bond appeal favorable to client
- Hourly activity codes

Vera recommends retaining all other data fields beyond the pilot phase.