

Communication from Public

Name: Cindy Liou

Date Submitted: 03/25/2020 07:01 PM

Council File No: 17-0046-S2

Comments for Public Posting: Please see the attached comment from Kids in Need of Defense (KIND) and Bet Tzedek Legal Services.

March 25, 2020

City of Los Angeles
Budget and Finance Committee
Immigrant Affairs, Civil Rights, and Equity Committee

Council File: 17-0046-S2

Title: Los Angeles Justice Fund / Status / Evaluation / Immigration / Legal Representation / California Community Foundation (CCF)

Re: Public Comment Regarding Renewal of Legal Representation of Unaccompanied Children with the Los Angeles Justice Fund (LAJF)

Dear Honorable Committee Members:

Bet Tzedek Legal Services and Kids in Need of Defense (KIND) submit this public comment to the City of Los Angeles regarding the importance of renewing the Los Angeles Justice Fund (LAJF) to include the provision of legal representation for immigrant and unaccompanied children (UC) with the LAJF. Our agencies were the two main LAJF grantees originally designated to provide legal representation for immigrant and unaccompanied children (UC); the majority of our combined cases have been on behalf of UC. As reflected in the Report of the Chief Legislative Analyst, providing legal assistance to those most vulnerable—children—has been a priority for the Council, and should remain so in any iteration of renewal of LAJF. In summary:

- **Our agencies believe in keeping communities and families together.** UC released to their sponsors are especially vulnerable and lack guaranteed counsel. They are reliant on their adult caregivers. Immigrants and UC needing immigration legal services and removal defense are also community members and part of the City of Los Angeles. UC caregivers and parents may also require removal defense representation by other LAJF grantees who provide legal representation for the adult population.
- **Although Los Angeles County is one of the nation's top two counties in the U.S. where UC are released, current forms of other federal and state funding are extremely insufficient to support legal representation of released UC.** Since 2018, KIND and other legal service providers (LSPs) have been prohibited from using federal funds from the Office of Refugee Resettlement (ORR) for the direct legal representation of released UC. This despite the significant need for UC representation in Los Angeles County.
- **Current calculations of average LAJF case costs are inaccurate; children's cases actually cost the City of LA on average \$4,096.15 per case and are twice as cost efficient as adult cases.** The actual average case cost allocation for total LAJF direct representation funding for children's cases is \$5,645.16. Children's cases in both City-funded LAJF case and for total LAJF direct representation cost about half of the average cost of adult LAJF cases.

- **LAJF has and will continue to improve efficient, quality, coordinated legal services:** Our agencies firmly believe that LAJF has improved and can continue to improve coordination between grantees and major LA City and County agencies to: 1) provide education and cross-training about the available government and non-profit services; 2) coordinate to provide smooth referrals for UC seeking government and non-profit services, and 3) collaborate on trends, practices, and barriers that UC face in accessing comprehensive social and legal services in Los Angeles.

1. About Bet Tzedek and Kids in Need of Defense (KIND)

- **Bet Tzedek Legal Services:** Founded in 1974, Bet Tzedek is a nonprofit law firm providing free, expert legal advice and representation to low-income residents of Los Angeles County. Each year Bet Tzedek's attorneys, advocates, and staff work with more than one thousand pro bono attorneys and other volunteers to provide free, comprehensive legal assistance and representation, volunteer and court-based self-help services, and legal education to more than 50,000 people each year, regardless of race, religion, ethnicity, immigrant status, or gender identity. Bet Tzedek's practice area expertise include Elder/Caregiver Law, Employment Rights, Guardianships, Human Trafficking, Health, Holocaust Reparations, Housing, Public Benefits and more.
- **Kids in Need of Defense (KIND):** Established in 2008, Kids in Need of Defense (KIND) is a nonprofit organization dedicated solely to the protection of unaccompanied immigrant and refugee children, who arrive as children to the U.S. alone without a parent or legal guardian. KIND protects UC by providing legal representation in immigration court, social services coordination, and strategic public outreach and education designed to build support for access to justice. KIND also works to preserve existing safeguards under U.S. law and promotes assistance to address the root causes of child migration. KIND's Los Angeles office has been serving UC since 2008, as one of the original KIND offices. KIND's Los Angeles office works with UC released to the Southern California area; most KIND clients served by the Los Angeles field office reside in the County of Los Angeles.

2. Unaccompanied children are not guaranteed counsel and are extremely vulnerable

- **Definition of UC:** A child is considered an "unaccompanied immigrant child" (UC) if they enter the U.S. before the age of 18 without a parent or a legal guardian and without any lawful status. Most have left their home countries fleeing violence, persecution, neglect or abandonment. While some UC remain detained by the federal government, most are released to adult sponsors.
- **Vulnerability of UC:** UC suffer high levels of trauma and violence. As we have seen, especially now during the COVID-19 pandemic, vulnerable UC greatly rely on adults for almost all of their economic and emotional support, including food, housing, legal services, and transportation to court and their attorney's offices. Because of their vulnerability to abuse, neglect, exploitation, and trafficking, our agencies work with other partners and the City and County of Los Angeles to coordinate services.
- **No guarantee of counsel in immigration court:** UC are also not guaranteed counsel in immigration court. Nationally, more than 60% of children are unable to access pro bono legal representation. Without representation, they are *five times* more likely to lose their case for immigration relief and to be deported back to the dangerous situations they fled.

- Systematic, targeted attacks on UC by this Administration: U.S. immigration law has changed significantly since the inception of the LAJF. Recent polices and changes have made obtaining lawful status much more difficult, and UC are being especially targeted by the current Administration. (See attached KIND’s “A Timeline of How the Trump Administration is Rolling Back Protections for Children,” available at https://supportkind.org/wp-content/uploads/2019/06/Timeline-How-the-Trump-Administration-is-Rolling-Back-Protections-for-Children_updated-June-4-2019.pdf)

3. Los Angeles has one of the highest UC populations in the US

- LA has one of the largest UC populations both nationally and in California: Since 2014, Los Angeles (LA) County and Harris County, Texas are the two counties in the U.S. with the highest number of released UC. LA County accounts for almost 45% of the UC released in California. Under LAJF up until the end of October 2019, our agencies were able to serve 93 children, and maintain long waitlists.

Total UCs released to California and Los Angeles County (Per Federal Fiscal Year, starting October 1)*

	2020 (10/1/19-01/31/20)	2019	2018	2017	2016	2015	2014
California	1,226	8,422	4,675	6,268	7,381	3,629	5,831
LA County	479	3,511	1,810	2,906	3,517	1,598	2,949

*Source: U.S. Department of Health and Human Services, Office of Refugee Resettlement

Total UCs Released to LA County from Oct. 1, 2014-Jan. 31, 2020: 16,770

4. LAJF funding is important because there is insufficient Federal and California State funding for legal representation of UC released to their sponsors

- Released UC are not guaranteed counsel: Bet Tzedek and KIND’s Los Angeles office serve UC who are released to sponsors in the Los Angeles area. Detained UC are provided counsel when they are in federal custody. While there are some efforts to coordinate representation, released UC are not guaranteed counsel, and many continue to go unrepresented.
- Prohibition of federal ORR funds to provide direct legal representation of released UC: **Since 2018, KIND and other legal service providers (LSPs) have been prohibited from using federal funds from the Office of Refugee Resettlement (ORR) for the direct legal representation of released UC.** This federal funding can only be used to place released UC cases with pro bono attorneys. Hence, LAJF was crucial to allow agencies to provide UC direct legal representation in Los Angeles.
- Direct representation necessary to take on complex cases and provide quality pro bono mentoring: The provision of direct legal representation for UC allows LSPs to take on difficult, complex UC cases, cases where the child’s legal remedies may take multiple filings, and cases where the child may age out of their legal options soon. These cases are difficult to place with pro bono attorneys, who require extensive mentoring and training.
- California state provides limited funding for adult and child removal defense: In Los Angeles, KIND relies primarily on LAJF and limited California state funding to fund new work in this area. Bet Tzedek also relies almost entirely on LAJF and California state funding to support this work. Currently, there is extremely limited California-state funding from the California Department of

Social Services (CDSS) to assist some UC in California. CDSS provides funding in two streams: Immigration Services Funding (ISF) and Unaccompanied Undocumented Minors (UUM).

- CDSS ISF funding: CDSS ISF funding includes funding for various activities, such as removal defense of adults and children, naturalization, affirmative applications, and technical assistance. For FY 2019-2020, CDSS awarded \$42,760,890 for 103 agencies. \$10,190,300 of CDSS ISF funding is dedicated to removal defense funding. (See attached CDSS ISF grantee list)
- CDSS UUM funding: CDSS UUM funding is specific for immigration legal services for UC. For FY 2019-2020 (July 1, 2019-June 30, 2020), CDSS awarded \$2,900,000 in funding for 21 agencies for 580 UC across the entire state of California. Yet between October 1, 2019-January 31, 2020 alone, 1,226 UC were already released in California. (See attached CDSS UUM grantee list)
- CDSS UUM funding model: CDSS's funding model for its UUM work provides lump sum payments, paying per case a percentage up front and requires the organization to float the remainder until case termination, regardless of the duration or complexity of the case.

5. Bet Tzedek and KIND's Work Under LAJF

- Direct legal representation: The LAJF grant was awarded to 19 organizations in total, with approximately 10 organizations providing direct legal representation. Both Bet Tzedek and KIND were awarded money to provide direct legal representation for children's cases and provided direct legal representation for a total of 93 children's cases (52 funded by the City).
- Technical assistance, expert trainings, community outreach, and pro bono mentoring: Our agencies provide UC-specific legal and social services case consultation and technical assistance to other providers and law school clinics. This value is not captured in the cost allocations above, and neither of our agencies were provided specific funding to do this work; however, we feel it is appropriate as part of developing collaboration, coordination, and sharing of expert knowledge with other grantees. Our agencies provide a wide scope of trainings, ranging from an education in the underlying state and federal laws, instruction on how to advocate for undocumented minors facing removal, to how to provide trauma-informed legal services for UC. Both of our agencies also have existing, robust pro bono mentoring and training models.
 - KIND: For example, the LAJF-funded KIND attorney single-handedly provided more than 60 hours of technical assistance to other LAJF grantees and LSPs handling UC cases, 40 trainings to law firms like Gibson, Dunn & Crutcher LLP and NBCUniversal, provided class lectures at Southwestern Law School and UCLA Law School, and conducted outreach at local churches and Know-Your-Rights trainings at the LA Law Library.
 - Bet Tzedek: Similarly, over the course of the LAJF grant, Bet Tzedek provided nine extensive trainings for pro bono attorneys from major law firms including Manatt, Phelps & Phillips, LLP; Sheppard Mullin; Latham & Watkins; and Snell & Wilmer. Additionally, for the over five years Bet Tzedek's directing attorney supervising the representation of undocumented youth has hosted a weekly call-in hour to provide substantive, technical, and strategic advice and support for California attorneys, including staff attorneys at other LAJF-funded organizations, handling Special Immigrant Juvenile matters.

6. Cost Allocations for Children's Cases

LAJF Costs for City of Los Angeles*

	Allocation	Allocation %	Direct Rep. Allocation	Direct Rep. Cost %	# Cases through Oct. 2019	Average Allocation/Case
KIND	\$75,000	3.75%	\$75,000	4.36%	15	\$1,829.27
Bet Tzedek	\$138,000	6.90%	\$138,000	8.03%	37	\$3,729.73
Total Children Cases	\$213,000	10.65%	\$213,000	12.40%	52	\$4,096.15
Total Adults Cases	-	-	\$1,505,400	87.60%	196	\$7,680.61
Total LA City Allocation	\$2,000,000		\$1,718,400		248	\$ 6,929.03

Total LAJF Costs*

	Allocation	Allocation %	Direct Rep. Allocation	Direct Rep. Cost %	# Cases through Oct. 2019	Average DR Allocation/Case
KIND	\$200,000	2.53%	\$200,000	3.63%	41	\$4,878.05
Bet Tzedek	\$325,000	4.11%	\$325,000	5.90%	52	\$6,250
Total Children Cases	\$525,000	6.65%	\$525,000	9.54%	93	\$5,645.16
Total Adult Cases	-	-	\$4,980,000	90.46%	424	\$11,745.28
Total LAJF Allocation	\$7,900,000		\$5,505,000		517	\$10,647.97

*Data is based on the information provided in the March 6, 2020 Report of the Chief Legislative Analyst and the information provided in the Vera – LAJF Year 2 Quarter 3 Quarterly Report. Our calculations focus also on direct representation allocation because it is more representative of the actual costs related to a single case. Infrastructure costs should not be included.

- **As of October 2019, almost 18% of total LAJF cases and 21% of City-funded LAJF cases are children's cases:** To date, there are approximately 93 children's cases out of 517 total LAJF cases (17.98%). 52 out of 248 LA City funded cases were children's cases (21%).
- **Approximately 9.5% of the total direct representation money and 12.40% of City-funded direct representation money was allocated to our agencies focused on children's cases.**
- **Children's cases in both City-funded LAJF case and for total LAJF direct representation cost about half of the average cost of adult LAJF cases.**
- **Current calculations of average LAJF case costs are inaccurate; children's cases actually cost the City of LA on average \$4,096.15 per case:** The current calculation of each LAJF case costing \$15,280 per case is inaccurate because it assumes an average cost across all cost allocations, rather than distinguishing: 1) the costs between infrastructure (technical assistance, capacity building, etc.) and direct representation, and 2) between children's cases and adult detained cases in calculating the same average cost.
 - **1) Infrastructure costs should not be built into average case cost:** Infrastructure costs are intangible and are designed to increase collaboration and efficiencies between the LAJF

grantees. These costs should not use to calculate an average cost per case. Rather than dividing 517 cases by the total \$7,900,000 LAJF cost to state that approximately \$15,280 per case, even rough calculations should estimate that 517 cases should be calculated across \$5,505,000 of total awarded for direct representation, which is closer to \$10,647 per case. Similarly, rather than stating that City-funded cases should cost around \$8,064 per case, it should be closer to \$6,929 on average for City-funded direct representation costs per case.

- **2) Children’s cases are more cost-efficient than adult cases and should not be calculated with the same average case cost, costing the City on average \$4,096.15 per case:** Because children’s cases are distinct from adult detained cases, we can calculate that the actual average case cost allocation for total LAJF direct representation funding for children’s cases is \$5,645.16, and for City-funded LAJF direct representation funding it is \$4,096.15. These estimates are much closer to the CDSS ISF and UUM funding of allocating \$5,000 per UC removal defense case.

Our agencies have accomplished the grant objectives with great cost efficiency. Bet Tzedek and KIND respectfully ask the City of Los Angeles to approve an extension of the LAJF and continue to support legal representation of UC living in the community of Los Angeles. In many ways, the legal services community in Los Angeles most recently came together to address the influx of UC that started just a few years ago. Since then, we have worked as a community to try to meet the needs of UC and many other, diverse immigrant groups, including detained adults. In light of the current pandemic with COVID-19 where access to legal services, courthouses, social services, schooling, food, housing, and transportation have been even more restricted for children, the UC population is in dire need of support now and into the future. We have all benefited from funders’ increased support of this work.

We believe strongly in moving forward as a community to serve the community. Bet Tzedek and KIND will continue to support LAJF and is optimistic about LAJF’s ability to improve the lives of immigrants in the City and County of Los Angeles. Thank you.

Sincerely,

Diego Cartagena, President & CEO, Bet Tzedek, dcartagena@bettzedek.org
Erikson Albrecht, Directing Attorney, Bet Tzedek, ealbrecht@bettzedek.org
Jossiel Moreira, Staff Attorney funded by the Los Angeles Justice Fund, jmoreira@supportkind.org
Veronica Jeffers, Managing Attorney, vjeffers@supportkind.org
Cindy Liou, State Policy Director, cliou@supportkind.org

Communication from Public

Name: Cindy Liou
Date Submitted: 03/25/2020 07:04 PM
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Comments for Public Posting: Attached, please find the public comment (complete with attachments) from Kids in Need of Defense (KIND) and Bet Tzedek Legal Services.

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 - **1) Infrastructure costs should not be built into average case cost:** Infrastructure costs are intangible and are designed to increase collaboration and efficiencies between the LAJF

grantees. These costs should not use to calculate an average cost per case. Rather than dividing 517 cases by the total \$7,900,000 LAJF cost to state that approximately \$15,280 per case, even rough calculations should estimate that 517 cases should be calculated across \$5,505,000 of total awarded for direct representation, which is closer to \$10,647 per case. Similarly, rather than stating that City-funded cases should cost around \$8,064 per case, it should be closer to \$6,929 on average for City-funded direct representation costs per case.

- **2) Children’s cases are more cost-efficient than adult cases and should not be calculated with the same average case cost, costing the City on average \$4,096.15 per case:** Because children’s cases are distinct from adult detained cases, we can calculate that the actual average case cost allocation for total LAJF direct representation funding for children’s cases is \$5,645.16, and for City-funded LAJF direct representation funding it is \$4,096.15. These estimates are much closer to the CDSS ISF and UUM funding of allocating \$5,000 per UC removal defense case.

Our agencies have accomplished the grant objectives with great cost efficiency. Bet Tzedek and KIND respectfully ask the City of Los Angeles to approve an extension of the LAJF and continue to support legal representation of UC living in the community of Los Angeles. In many ways, the legal services community in Los Angeles most recently came together to address the influx of UC that started just a few years ago. Since then, we have worked as a community to try to meet the needs of UC and many other, diverse immigrant groups, including detained adults. In light of the current pandemic with COVID-19 where access to legal services, courthouses, social services, schooling, food, housing, and transportation have been even more restricted for children, the UC population is in dire need of support now and into the future. We have all benefited from funders’ increased support of this work.

We believe strongly in moving forward as a community to serve the community. Bet Tzedek and KIND will continue to support LAJF and is optimistic about LAJF’s ability to improve the lives of immigrants in the City and County of Los Angeles. Thank you.

Sincerely,

Diego Cartagena, President & CEO, Bet Tzedek, dcartagena@bettzedek.org
Erikson Albrecht, Directing Attorney, Bet Tzedek, ealbrecht@bettzedek.org
Jossiel Moreira, Staff Attorney funded by the Los Angeles Justice Fund, jmoreira@supportkind.org
Veronica Jeffers, Managing Attorney, vjeffers@supportkind.org
Cindy Liou, State Policy Director, cliou@supportkind.org



Targeting of Children Starts

January 2017

President Trump takes office on January 20th and issues Executive Order 13767 which categorizes unaccompanied children in need of protection as opportunistic and laws designed to give the children a fair chance to have their stories heard by our legal system as loopholes.



Representation Project Ends

June 2017

The Department of Justice (DOJ) terminates the justice AmeriCorps (jAC) program that provided counsel for unaccompanied children. The program aimed to improve court efficiency in a cost-effective manner and to identify children who had been victims of human trafficking or abuse and, as appropriate, refer them to others to assist in the investigation and prosecution of those who perpetrate such crimes.



Targeting Sponsors

June 2017

U.S. Immigration and Customs Enforcement (ICE) begins targeting the parents and relatives of unaccompanied immigrant children for deportation and, in some cases, criminal prosecution. Described as an effort to disrupt smuggling networks and protect children, this targeted enforcement instead only endangers and re-traumatizes children by separating them from loved ones who stepped forward to care for them as they go through the court process.



Courts Re-defining "UAC"

September 2017

The Executive Office for Immigration Review (EOIR) issues a memo stating it is no longer legally bound by DHS's determinations regarding whether a child meets the definition of an "unaccompanied alien child (UAC)". This memo invites immigration judges to re-evaluate a child's unaccompanied status and significantly changes the way a child's case is processed mid-way through the child's legal case, which would strip the child of more child-appropriate procedures and protections.



Less Child-Friendly Courts

December 2017

EOIR issues memo to its immigration judges with changes in how to proceed with cases in court involving children. The revised guidance weakens the use of child-friendly practices for unaccompanied children and makes courts that are naturally adversarial even more so. It also instructs judges to be more skeptical of these particularly vulnerable children as they try to explain the harrowing experiences at the core of their claims for U.S. protection.

Color Key

President EO	DOJ
DHS	HHS

Family Separation Begins at Border

March 2017



The Department of Homeland Security (DHS) first publicly contemplates the separation of parents and children as a means of deterring future asylum-seeking children and families from asking for protection.

Child Releases Slowed

June 2017



The Office of Refugee Resettlement (ORR)'s Director of Children's Services is now required to personally approve the release of children who are placed in, or who have ever been placed in, a staff secure or secure facility for safety concerns for themselves or others – even though ORR bases its release decisions on the expert opinions of its staff and thorough background checks. Children likely will be held longer in detention as a result of this policy change, including children who pose no risk to themselves or to the communities in which they would be released.

New Hurdles to Asylum

August 2017



U.S. Citizenship and Immigration Services (USCIS) modifies its review of affirmative asylum applications by requesting that adjudicators refer certain proposed grants of relief to the agency's asylum headquarters for review. This practice, which is typically used in novel or high-profile cases or those with national security concerns, is now required for cases in which an adjudicator proposes to grant asylum to an adult or child with alleged past or current gang affiliation, or to someone previously detained in secure or staff secure facilities. These allegations are often based on unreliable evidence such as a child's clothing or the neighborhood in which the child lives.

Child Refugee Program Terminated

November 2017



The Administration terminates a lifesaving refugee program designed to protect children in danger living in Central America. The Central American Minors (CAM) Program had been in existence since 2014 and allowed children to apply for refugee status from their countries of origin. This enabled children to make their claims for protection without having to undergo the dangerous journey to the U.S. border. The abrupt termination of the program left more than 4,000 children who applied without even the chance to have an interview.

New Barriers for Abused Children

Winter 2018



DHS starts narrowing longstanding legal protections for children. These changes include a more limited interpretation of who can qualify for Special Immigrant Juvenile Status (SIJS) by denying recent applications for relief for children between the ages of 18-21 and rescinding previous approvals for children in that age group. Rescinding previously granted protection is devastating to these children and young people who are child survivors of abuse, abandonment, neglect, and for whom it was not in their best interest to return to their country.



Critical Decisions Reconsidered

March 2018

Attorney General Jeff Sessions certifies a number of cases to himself for review. These referrals effectively allow him to reconsider old decisions and make binding authority in cases previously decided by the Board of Immigration Appeals (BIA). These cases address issues of critical importance to the adjudication of children's claims, including the ability of immigration judges to grant continuances or administrative closure, the availability of asylum to those seeking protection based on membership in a "particular social group," and the ability of asylum applicants to provide oral testimony in support of their applications.



Family Separations Mount

April 2018

More than 700 children are reported to have been taken away from their parents from October 2017 – April 2018, according to the [New York Times](#), including 100 children under the age of 4.



Family Separation as U.S. Policy

May 2018

Attorney General Sessions announces "zero tolerance" policy requiring DHS to refer all immigrants apprehended crossing the U.S. border for criminal charges, which means that if an adult crosses with a child, the child will be taken from the adult, even if the adult is the child's parent, and placed in detention, rendering the child unaccompanied. The adult will be placed in adult detention to await criminal proceedings. This will result in children being detained alone, which is not only traumatic, but places an enormous strain on the ORR care and custody system, which otherwise would not have to house children arriving to the U.S. with their parents.



Asylum Definition Narrows

June 2018

Attorney General Sessions rules on Matter A-B and narrows the ability of victims of severe violence, including domestic and gang violence and human trafficking, to access asylum in the U.S. The decision casts aside years of settled case law on what constitutes a "particular social group" – the category that forms the basis of many children's asylum claims, and when persecution by non-governmental actors gives rise to eligibility for asylum. In **July 2018**, USCIS issues guidance to asylum officers on implementation of this decision, which limits protections for the most vulnerable.

Color Key

President EO	DOJ
DHS	HHS

ICE Detention after 18th Birthday

March 2018



ICE begins to transfer children to ICE custody shortly after they turn 18, and in some cases, on their 18th birthday. This despite the Trafficking Victims Protection Reauthorization Act of 2013 which states that when children in ORR custody turn 18, ICE shall consider placement in the least restrictive setting available after taking into account the child's danger to self, the community, and risk of flight. Congress mandated that ORR and ICE consider alternatives to detention for these teens, instead of automatically locking them up in adult prisons.

ORR Collaborates with ICE

April 2018 (updated December 2018)



ORR finalizes a written memorandum of agreement with ICE outlining policies and procedures for conducting background checks on potential sponsors for children that will result in many undocumented sponsors, including parents, either not being eligible for sponsorship or discouraged from applying out of fear of deportation. ORR has traditionally considered the safety of the home paramount in considering the release of a child. As in many other examples, immigration enforcement prevails over child protection. In the face of unprecedented numbers of unaccompanied children in ORR custody, ORR issues a new operational directive in **December 2018** modifying fingerprinting procedures for vetting potential sponsors of unaccompanied children.

New Restrictions for Judges

May 2018



Attorney General Sessions ends the ability of immigration judges to temporarily close cases. Judges now cannot administratively close a case, and are required to meet case completion guidelines that tie their hands in allowing fair adjudications of applications for humanitarian protection. Judges will not be able to allow their government colleagues an opportunity to review a child's case to determine if that child would be in danger if returned to their home country. Children may now be ordered deported even though they may have a valid claim for protection that is still in process.

"Ending" Family Separation & Increasing Detention

June 2018



President Trump's Executive Order on the family separation policy does not end separations. Instead, it leaves the "zero tolerance" policy intact, resulting in parents seeking asylum still being criminally prosecuted at the border, and provides for the expanded use of family detention. The Order also announces the government's intent to eliminate standards governing DHS's holding of immigrant children in custody. DHS's own internal watchdog has since [released a report](#) that identifies the systematic failures that exacerbated the harm to children from this separation policy.



Expanding Authority to Initiate Removal Proceedings July 2018

USCIS issues [guidance](#) substantially expanding its authority to place applicants for a visa, green card, or citizenship in removal proceedings. USCIS will be more likely to issue a Notice to Appear (NTA) when the agency denies a person's claim to obtain lawful status. The NTA is the first step in immigration removal proceedings. As a result, immigrants without permanent status will be less likely to apply to regularize their status, and deportations could increase significantly.



Forcing Judges into Rushed Decisions August 2018

For the second time this year, Attorney General Sessions removes discretion for judges to manage their own case dockets by curtailing judges' ability to grant continuances. In [Matter of L-A-B-R](#), Sessions ruled that immigration judges may only grant continuances in very limited situations. As a result, children now may be deported before they are able to fully pursue other forms of immigration relief. The hasty trials further erode due process protections for families in immigration courts.



Restrictions to Fee Waivers October 2018

USCIS proposes revisions to the form for requesting waivers of filing fees associated with many applications for immigration benefits and relief. The proposed revisions would impose new documentation requirements that would make it more difficult for vulnerable populations, including unaccompanied children, to obtain fee waivers. These changes would exacerbate the vulnerability of survivors of violence, trafficking, and abuse, and deter children from applying for measures that can provide critical stability and safety, such as adjustments to their immigration status and authorization to work.



Removing Protections for Turning 18 October 2018

In [Matter of M-A-C-O](#), the Board of Immigration Appeals (BIA) rules that an unaccompanied child who turns 18 before filing her asylum application may have to face an adversarial hearing in immigration court instead of being allowed to make her claim in a non-adversarial interview before an asylum officer. Allowing children who come alone to the U.S. to present their case one-on-one in a private setting makes it easier for these uniquely vulnerable children to share their experiences of persecution and trauma with a stranger. Without this procedural protection, children are less likely to fully explain their reasons for flight. Their case will not then be fairly adjudicated.

Color Key

President EO	DOJ
DHS	HHS

Denials for Minor Mistakes



July 2018

USCIS issues [guidance](#) authorizing dismissal of claims if immigrants do not file all their paperwork correctly and on time. Previously, USCIS would issue Requests for Evidence or Notices of Intent to Deny that would allow immigrants to amend their case if information was insufficient or missing. Now, even a minor mistake in the complex immigration filing system can result in an outright denial. This policy is especially harmful for children, who often may not have access to all the documentation needed to support their applications.

Attacking Flores Protections



September 2018

DHS and HHS propose [new regulations](#) that would provide only minimal protections for children in federal immigration detention and would decimate the protections provided by the Flores Settlement Agreement. The proposed rules would lower the minimum standards the government must meet when detaining children with their parents and for children who arrive unaccompanied. They would also strip children of critical and long-standing protections and greatly curtail their access to both due process and humanitarian protection.

Pressuring Judges to Expedite Case Closures



October 2018

As a result of Attorney General Sessions' new performance [criteria](#) for immigration judges, judges now must clear 700 cases a year to receive a "satisfactory" performance rating – the first time performance will be measured by sheer volume of cases moved through the system.

Judges are penalized for scheduling hearing dates too far apart or taking more than a day to decide a case. The blanket case completion metrics are unprecedented. The rushed, one-size-fits-all approach to justice endangers children's opportunities for full and fair hearings. In addition, cases could be closed by DOJ before USCIS has a chance to adjudicate the claims, denying children's full access to the U.S. immigration system and the protections provided by law.

Continuing to Expand Authority to Remove



November 2018

USCIS issues new [guidance](#) extending its July 2018 Notice to Appear (NTA) removal policy to a wide range of humanitarian visas. Although previously specifically exempted, humanitarian visas used most by children and crime victims are specifically targeted. These include trafficking (T) visas, U visas (for crime victims), and Special Immigrant Juvenile Status (for abused, abandoned, or neglected children). As a result, immigrant children may be less likely to apply for these critical humanitarian protections.



Limiting Asylum Claims

November 2018

Color Key

President EO	DOJ
DHS	HHS

In tandem with a Presidential Proclamation, DHS and DOJ issue a [new rule](#) barring eligibility for asylum for anyone who enters the U.S. outside of an official port of entry. Under longstanding law that is a bedrock of our asylum system, anyone on U.S. soil has been able to apply for asylum, regardless of how they entered the U.S. By only allowing asylum seekers to request protection at already overburdened ports of entry, the new rule erects unlawful barriers to protection in violation of both U.S. and international law. The rule, which has been enjoined by a federal court, poses particular impacts for unaccompanied children, who often have little to no control over where they enter the U.S.

May 2019

Stripping Children of UAC Protections



USCIS issued a memo in May 2019 that reverses prior agency policy on asylum applications made by UACs. The memo instructs USCIS to determine whether to exercise initial jurisdiction over an asylum application by determining whether the applicant met the statutory definition of "unaccompanied alien child" at the time of first filing of the asylum application. Therefore, UACs who have subsequently turned 18 or reunified with a parent will lose important procedural protections and their asylum application will be adjudicated by an immigration judge in an adversarial hearing.

More Harmful Changes to Come

The Administration is working towards numerous other actions that would decimate protection for unaccompanied children. They include:

- 1** Rolling back the TVPRA for children from non-contiguous countries and subject all unaccompanied children to the narrower protections and cursory screening procedures currently provided to unaccompanied children from Mexico and Canada.
- 2** Eliminating the opportunity for unaccompanied children to have their asylum applications first heard in a non-adversarial setting.
- 3** Negotiating a policy that would deny asylum seekers entry to the U.S. and require them to make their requests for U.S. protection from Mexico, where they would be required to remain for the duration of their U.S. immigration proceedings. The "Remain in Mexico" proposal would place already vulnerable populations at increased risk of harm in dangerous border regions, and deprive asylum seekers of meaningful access to counsel and due process.



KIM JOHNSON
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



GAVIN NEWSOM
GOVERNOR

February 14, 2020

**IMMIGRATION SERVICES FUNDING
AWARD ANNOUNCEMENT
FISCAL YEAR 2019-20**

The California Department of Social Services (CDSS) Immigration Services Bureau is pleased to announce it will offer \$42,760,890 in funding to 103 nonprofit organizations for Immigration Services (ISF) for Fiscal Year (FY) 2019-20 for the contract period of January 1, 2020 through December 31, 2020 and for Removal Defense (RD) from January 1, 2020 through December 31, 2021. The total requested FY 2019-20 funds for ISF and RD was \$83,753,560. The Welfare and Institutions Code Sections 13302-13306 authorizes the CDSS to award funding to qualified nonprofit organizations to provide services to immigrants who reside, or formerly resided, in the state of California.

Immigration services include the following six (6) service categories: (1) Services to Assist Applicants seeking Deferred Action for Childhood Arrivals (2) Services to Obtain Other Immigration Remedies, including for beneficiaries of Temporary Protected Status (TPS); (3) Services to Assist Applicants seeking Naturalization; (4) Removal Defense, including beneficiaries of TPS and Minors; (5) Legal Training and Technical Assistance Services; and (6) Education and Outreach Activities.

The organizations are listed below with the amounts of offered funding, which is subject to final execution of a legal agreement.

SUMMARY ISF and RD SERVICES 2019-20

	ISF	RD	Nor Cal	Bay Area	Central Valley/ Coast	Inland Empire	LA	OC	San Diego
Access California Services	\$154,500	N/A				X	X	X	
Asian Law Alliance	\$112,000	N/A		X	X				
African Communities Public Health Coalition	\$16,260	N/A				X	X	X	
Al Otro Lado	\$44,120	\$256,700		X		X	X	X	X
Alliance for African Assistance	\$74,800	N/A							X
Alliance San Diego	\$100,000	N/A							X
Asian Americans Advancing Justice LA	\$1,057,950	N/A		X	X	X	X	X	X
Asian Pacific Islander Legal Outreach	\$137,660	N/A		X	X				
Bet Tzedek	\$200,000	N/A		X	X	X	X	X	X

ISF and RD Funding

	ISF	RD	Nor Cal	Bay Area	Central Valley/ Coast	Inland Empire	LA	OC	San Diego
Building Skills Partnership	\$70,000	N/A		X	X		X	X	X
California Human Development	\$204,000	N/A	X	X	X				
California Rural Legal Assistance Foundation	\$234,650	\$94,500	X	X	X	X	X	X	X
Canal Alliance	\$160,200	N/A		X					
Casa Cornelia Law Center	\$78,000	\$487,500					X		
Catholic Charities of California Los Angeles	\$6,042,960	\$3,196,200	X	X	X	X	X	X	X
Catholic Legal Immigration Network, Inc. (CLINIC)	\$293,000	N/A	X	X	X	X	X	X	X
Center for Gender & Refugee Studies-California	\$160,250	N/A	X	X	X	X	X	X	X
Central American Resource Center - CARECEN - of California	\$2,044,000	\$476,000			X	X	X	X	
Central American Resource Center of Northern California	\$81,250	N/A		X					
Centro Community Hispanic Association, Inc.	\$171,100	N/A					X		
Centro Del Inmigrante	\$31,260	N/A				X			
Centro La Familia Advocacy Services	\$104,500	N/A			X				
Centro Legal de la Raza	\$301,300	\$467,500	X	X	X	X	X	X	X
Children's Law Center of California	\$45,000	\$100,000	X		X		X		
Chinese for Affirmative Action	\$75,000	N/A		X					
Clinica Msr. Oscar A Romero	\$120,000	N/A					X		
Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA)	\$2,843,500	\$540,000	X	X	X	X	X	X	X

	ISF	RD	Nor Cal	Bay Area	Central Valley/ Coast	Inland Empire	LA	OC	San Diego
Community Action Board of Santa Cruz County	\$734,900	N/A			X				
Community Legal Aid SoCal	\$91,250	N/A					X	X	
Community Legal Services in East Palo Alto	\$67,900	\$190,500		X					
Consejo de Federaciones Mexicanas en Norte America	\$89,750	N/A				X	X	X	X
Council of American-Islamic Relations California	\$226,200	\$86,400	X	X	X	X	X	X	X
East Bay Community Law Center	\$136,300	\$99,900		X					
East Bay Sanctuary Covenant	\$587,050	\$40,000	X	X	X	X	X		
Education & Leadership Foundation	\$727,370	N/A			X	X			
El Concilio Family Services	\$289,050	N/A			X				
El Rescate	\$257,700	N/A					X		
Gay and Lesbian Community Service Center of Orange County (dba LGBT center OC)	\$87,000	N/A						X	
Human Agenda	N/A	\$70,500		X					
Human Rights First	\$41,500	\$455,000			X	X	X	X	X
Immigrant Defender Law Center	N/A	\$250,500			X	X	X	X	X
Immigrant Legal Resource Center	\$283,500	N/A	X	X	X	X	X	X	X
Immigration Center for Women and Children	\$1,030,000	N/A	X	X	X	X	X	X	X
Immigration Institute of the Bay Area	\$1,470,000	\$355,000		X					
IMPORTA Santa Barbara	\$266,500	N/A			X				

	ISF	RD	Nor Cal	Bay Area	Central Valley/ Coast	Inland Empire	LA	OC	San Diego
Inland Counties Legal Services	\$160,000	N/A				X			
Interfaith Refugee & Immigration Service (Episcopal Diocese) (IRIS)	\$218,000	N/A			X	X	X		
International Institute of Los Angeles	\$336,250	\$386,000					X		
International Rescue Committee (Glendale)	\$46,000	N/A			X	X	X	X	
International Rescue Committee (Oakland)	\$197,200	N/A		X	X				
International Rescue Committee (San Diego)	\$167,500	N/A							X
Jewish Family & Community Services of the East Bay	\$195,250	N/A		X					
Jewish Family and Children's Services	\$43,650	N/A		X					
Jewish Family Service of San Diego	\$148,100	548,000							X
Kids In Need of Defense (KIND)	N/A	\$110,000		X	X	X	X	X	
Korean Immigrants Workers Advocates	\$120,000	N/A					X		
Korean Resource Center on behalf of Asian American Coalition	\$388,500	N/A					X	X	
La Maestra Community Health Centers	\$116,000	N/A							X
Lawyers' Committee for Civil Rights of the San Francisco Bay Area	\$25,000	N/A		X					
Legal Aid Foundation of Los Angeles	\$133,800	N/A					X		
Legal Aid Society of San Diego	\$181,110	N/A							X
Libreria Del Pueblo, Inc.	\$94,000	N/A				X			

	ISF	RD	Nor Cal	Bay Area	Central Valley/ Coast	Inland Empire	LA	OC	San Diego
Los Angeles Center for Law and Justice	\$139,000	\$50,000					X		
Los Angeles County Bar Association (LACBA)	\$115,000	N/A					X		
Los Angeles LGBT Center	\$126,000	N/A					X		
Loyola Immigrant Justice Clinic	\$250,000	\$74,000				X	X		
Mexican American Opportunity Foundation	\$70,000	N/A					X		
Mixteco/Indigena Community Organizing Project (MICOP)	\$140,000	N/A			X				
Mountainside Communion A Church of Nazarene	\$97,050	N/A				X	X		
Multicultural Institute	\$15,000	N/A		X					
NALEO Educational Fund	\$117,500	N/A	X	X	X	X	X	X	X
Opening Doors, Inc.	\$223,200	\$249,000	X	X	X				
Orange County Communities Organized for Responsible Development	\$100,000	N/A						X	
Orange County Labor Federation	\$125,000	N/A						X	
Pangea Legal Services	N/A	\$173,500	X	X	X				
Pars Equality Center	\$631,000	N/A		X			X	X	
Peace Over Violence	\$117,500	N/A					X		
Pomona Economic Opportunity Center, Inc.	\$44,350	N/A				X	X		
Prevent Child Abuse California	\$125,000	N/A			X	X	X		X
Public Counsel	N/A	\$86,500			X	X	X	X	

	ISF	RD	Nor Cal	Bay Area	Central Valley/ Coast	Inland Empire	LA	OC	San Diego
Public Law Center	\$284,800	\$155,000						X	
Safe Passages	\$28,000	N/A		X	X				
San Bernardino Community Service Center, Inc.	\$542,700	78,000				X			
San Joaquin College of Law - New American Legal Clinic	\$213,000	N/A			X				
Services, Immigrant Rights, and Education Network (SIREN)	\$300,000	\$279,000		X	X				
SF Labor Council	\$70,000	N/A		X					
Social Justice Collaborative	\$161,000	\$342,500	X	X	X				
Solidarity - Camino Immigration Services	\$88,200	N/A			X	X	X	X	X
Southern California Immigration Project	N/A	\$88,000							X
The Catholic Council for the Spanish Speaking of the Diocese of Stockton dba El Concilio	\$125,100	N/A			X				
The Fresno Center	\$103,500	N/A	X		X				
TODEC Legal Center Perris, Inc.	\$573,750	N/A				X			X
UC Davis Immigrant Legal Services Center	\$169,550	N/A	X	X	X	X	X	X	X
UC Irvine School of Law Immigrant Rights Clinic	N/A	\$48,500				X	X	X	
UFW Foundation	\$2,516,250	\$150,000	X		X				
UNITE HERE	\$132,000	N/A	X	X	X	X	X	X	X
UpValley Family Centers of Napa County	\$96,000	N/A		X					
USC Gould School of Law, Immigration Clinic	\$38,400	\$52,000				X	X		

	ISF	RD	Nor Cal	Bay Area	Central Valley/ Coast	Inland Empire	LA	OC	San Diego
Vietnamese American Community Center of the East Bay	\$26,000	N/A		X					
Vital Immigrant Defense Advocacy and Services (VIDAS)	\$63,650	\$154,600	X	X	X				
World Relief Corp.	\$562,000	N/A	X	X	X	X	X	X	X
YMCA of Metropolitan Los Angeles	\$87,000	N/A					X		
Youth 2 Leaders Education Foundation	\$40,000	N/A			X				



KIM JOHNSON
 DIRECTOR

GAVIN NEWSOM
 GOVERNOR

November 14, 2019

**UNACCOMPANIED UNDOCUMENTED MINORS
 LEGAL SERVICES FUNDING
 AWARD ANNOUNCEMENT
 FISCAL YEAR 2019-20**

The California Department of Social Services (CDSS) Immigration Services Bureau is pleased to announce the recipients of the Unaccompanied Undocumented Minors (UUMs) Legal Services funding for Fiscal Year (FY) 2019-20. The CDSS allocated \$2,900,000 to fund legal services for the period of July 1, 2019 through June 30, 2020. The FY 2019-20 awarded nonprofit organizations are detailed in the chart below.

SUMMARY UUM LEGAL SERVICES 2019/20

Organization Name	Caseload	Funding @ \$5,000	Northern	Bay Area	Central	Southern
Bet Tzedek Legal Services	40	\$200,000				X
Canal Alliance	28	\$140,000		X		
Casa Cornelia Law Center	17	\$85,000				X
Catholic Charities of Los Angeles, Inc.	95	\$475,000		X	X	X
Central American Resource Center of Los Angeles	30	\$150,000				X
Central American Resource Center of Northern California	10	\$50,000	X	X	X	
East Bay Community Law Center	10	\$50,000		X		
East Bay Sanctuary Covenant	17	\$85,000		X	X	
EI Rescate	10	\$50,000				X
Immigration Center for Women & Children	26	\$130,000		X		X
International Institute of the LA	72	\$360,000				X
Kids In Need of Defense	85	\$425,000			X	X

Organization Name	Caseload	Funding @ \$5,000	Northern	Bay Area	Central	Southern
Legal Services for Children	8	\$40,000		x		
Loyola Marymount University- The Loyola Immigrant Justice Clinic	8	\$40,000				x
Opening Doors Inc	10	\$50,000	x			
Pangea Legal Services	10	\$50,000		x		
Public Counsel	25	\$125,000				x
San Bernardino Community Service Center, Inc.	10	\$50,000				x
Social Justice Collaborative	30	\$150,000	x	x	x	
University of San Francisco School of Law Clinical Programs	30	\$150,000	x	x	x	
Vital Immigrant Defense Advocacy and Services (VIDAS)	9	\$45,000	x	x		
Total	580	\$2,900,000				

REGIONS SERVED

Northern Region (Counties Listed in Alphabetical Order)

Alpine, Amador, Butte, Calaveras, Colusa, Del Norte, El Dorado, Glenn, Humboldt, Inyo, Lake, Lassen, Mendocino, Modoc, Mono, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity, Yolo, and Yuba

Bay Area Region (Counties Listed in Alphabetical Order)

Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano, and Sonoma

Central Region (Counties Listed in Alphabetical Order)

Fresno, Kern, Kings, Madera, Mariposa, Merced, Monterey, San Benito, Stanislaus, Tulare, and Tuolumne

Southern Region (Counties Listed in Alphabetical Order)

Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura