



GRANTMAKERS CONCERNED WITH
IMMIGRANTS AND REFUGEES



Proposal for a Los Angeles Immigrant Community Legal Defense Program

December 14, 2020

Submitted to: County of Los Angeles

Department of Consumer and Business Affairs

Office of Immigrant Affairs

California Community Foundation

By:

Aryah Somers Landsberger, Felecia Bartow, Ignatius Bau

Table of Contents

I.	Executive Summary.....	4
A.	Contextual Factors.....	4
B.	The Proposed Los Angeles Immigrant Community Legal Defense Program	7
II.	Immigrant Communities in Los Angeles	12
A.	Demographic Snapshot of Diverse and Essential Immigrant Communities in Los Angeles	12
B.	COVID-19’s Impact on Immigrant Communities in Los Angeles	14
III.	Public Initiatives and Investments Prioritizing Immigrant Communities in Los Angeles	15
IV.	Using a Systemic Approach to Plan for the Next Phase of Immigration Legal Services in Los Angeles.....	18
A.	The Federal Immigration System.....	18
1.	The Criminalization of Immigrants through Enforcement, Detention and Removal	18
2.	The Politicization of the Immigration Court System	20
3.	The Earned Benefits Immigration System Usurped for Enforcement Purposes	21
B.	The Economic, Health, and Social Impacts of Detention and Deportation.....	21
C.	Investing in Immigration Legal Services is Investing in Strong, Contributing Communities.....	23
D.	The Evolution of the Immigration Legal Services Ecosystem and Rise of the Universal Representation Model.....	24
E.	Holistic Defense Lawyering in the Context of a Complex Federal Immigration System	25
V.	A Four-Pillar Framework for a Systemic Approach to Investing in Immigration Legal Services in Los Angeles.....	28
VI.	Proposal for a Los Angeles Immigrant Community Legal Defense Program	31
A.	Five Core Elements of the Proposed Strategic Investment.....	33
B.	Four Primary Roles for Organizational and Community Stakeholders	34
C.	Proposed Program Budget and Allocation of Funds	37
D.	Budget Calibration and Attainable Funding for Immigration Legal Services	39
E.	Performance Metrics	40
1.	Data to be Collected	40

2.	Advancing an Integrated System of Evaluation for Immigration Legal Services Investments	42
F.	Recommended Next Steps to Implement the Los Angeles Immigrant Community Legal Defense Program.....	43
VII.	Conclusion.....	45
	Appendix A - Stakeholders Interviewed	46
	Appendix B - Background Reports and Written Materials Reviewed.....	48
	Appendix C: Proposed Program Budget	50
	Appendix D - Related Funding for Immigration Legal Services in Los Angeles.....	53
	Appendix E - Building the Los Angeles Immigrant Community Legal Defense Program from the Current Ecosystem	54
	Appendix F - Draft Request for Proposals for the Los Angeles Immigrant Community Legal Defense Program	58

I. Executive Summary

The following report sets forth a four-pillar systemic framework for coordinated strategic investment in the immigrant legal services sector in the City and County of Los Angeles. The report outlines core recommendations for a strategic investment in a proposed Los Angeles Immigrant Community Legal Defense Program (Program) to create a stable infrastructure and funding environment for the delivery of immigration legal services in the detained and non-detained removal defense context, and to provide resources for meaningful community engagement in Program activities. This report builds on lessons derived from the Los Angeles Justice Fund (LAJF), a two-year pilot project; outlines various components required to ensure the success of the proposed Program, along with any related efforts that may emerge in the future; and proposes next steps for implementation.

Multiple, concurrent activities informed the development of the proposed Program, including: (1) conducting interviews and engaging in deep listening with more than 90 individuals, ranging from current LAJF grantees to nonprofit and local government stakeholders to funders (Appendix A); (2) reviewing numerous reports and other documentation connected to the LAJF pilot and conducting additional independent research (Appendix B); and (3) testing out ideas with experts in the field as well as funding partners at the County of Los Angeles, the City of Los Angeles, and private philanthropic institutions.

The overarching framework set forth in this report is based on an analysis of the federal system of immigration enforcement as one that adversely impacts Los Angeles' diverse immigrant communities and that tears at the region's social, economic, civic, and cultural fabric. These impacts can only be effectively mitigated by maintaining a well-resourced safety net that aims to protect society's most vulnerable members and in which the efforts of key stakeholders—including legal service providers, advocates, community-based organizations, and relevant city and county agencies—are effectively coordinated in order to create greater efficiency and economies of scale.

A. Contextual Factors

Various contextual factors informed the development of the proposed Program and are vital to our collective understanding of the conditions that have given rise to the current system of immigration enforcement and detention in the United States, and their impacts on regions like Los Angeles.

Immigrant communities are an integral part of and contribute significantly to Los Angeles, which would effectively grind to a halt without undocumented immigrants, who are living, working, paying taxes, and exercising their purchasing power in local communities across the region. By investing in immigrants, the City and County of Los Angeles are investing in the future of the region as a whole.

Los Angeles County is home to 3.6 million immigrant residents, who account for 36 percent of the county's total population. Almost half (44%) of the county's workforce are immigrants. While nearly half of immigrants in Los Angeles have become U.S. citizens, nearly a quarter remain undocumented and are vulnerable to arrest, detention, and deportation. There are 852,000 U.S. citizen and another 273,000

permanent resident family members living with those undocumented Angelenos; the threat of deportation and family separation loom large for all members of these families.

Across California, high proportions of immigrants are employed in essential job functions, including agricultural workers (67%) and healthcare workers (32%). And undocumented workers and their family members with multiple immigration statuses contribute more than \$425 billion in California and \$141 billion in Los Angeles, and they pay \$63.3 billion in taxes to support California's economy. The COVID-19 pandemic has served to underscore the critical role that immigrants play in supporting the collective health and safety of all Angelenos, while also laying bare deep inequities. Correctional and detention facilities have been among the hardest-hit institutions nationwide; to date, about 17,000 California inmates have been infected with the virus and nearly 100 prisoners and staff have died. A major COVID-19 outbreak at the Adelanto Immigration and Customs Enforcement Processing Center placed many immigrants' lives at risk.

There are significant and costly economic, psychological, developmental, and health harms that stem not only from deportation but also from the threat or fear of deportation. The City and County of Los Angeles have a duty and a moral obligation to keep immigrant communities healthy and safe.

The federal immigration system and its policies and agencies have produced a "culture of fear" among immigrant families in the United States. Even if an individual immigrant family has not directly been impacted by detention and deportation, a pervasive community-level threat exists. These impacts are particularly traumatic for the children, who may experience the sudden loss of a parent due to detention or deportation. Detention and removal place significant economic strain on families and local economies, which suffer from lost income and wages, higher employer turnover costs, industry shortages, and a loss of tax revenue. These realities underscore the fact that immigrant families are rarely dealing with legal immigration challenges alone: concerns related to health, mental health, housing, employment, and education may be even more pressing. Immigration legal service providers must be sufficiently resourced to coordinate with community-based organizations that provide essential wraparound services.

Los Angeles has been a leader in advancing equity and prioritizing access to justice for immigrants at the city and county level, despite challenging relationships with the county sheriff and federal immigration enforcement officials.

Both the City and County of Los Angeles have established Offices of Immigrant Affairs, which have taken numerous steps to protect, defend, and support immigrants. Immigration became a county-wide priority in 2017, the same year that the city expanded protections for undocumented residents. The city and county, along with their philanthropic partners, affirmed a collective commitment to the region's immigrants through LAJF, a groundbreaking two-year, \$7.9 million pilot project to expand access to immigration removal defense legal services for immigrants in Los Angeles. This investment built upon a rich and diverse immigrant legal services ecosystem that has been in development for over fifty years. Under LAJF, 11 legal service providers, together with the support of law school clinics, nonprofit support organizations, and a mental health provider, provided screenings for over 1,700 immigrants, ultimately representing 564. However, at the same time LAJF was getting off the ground, the county sheriff was still

arresting immigrants and turning them over to the U.S. Department of Homeland Security (DHS), undermining the very purpose of this investment. (A moratorium on this practice has since been put in place.) Meanwhile, county resources were also supporting the county public defender and alternative public defender to help keep immigrants out of the federal enforcement system by mitigating the immigration consequences of criminal proceedings. Against this complex backdrop, voters recently approved Measure J, which will direct at least 10 percent of Los Angeles County's unrestricted funding to community-based programs, including those benefiting its sizable immigrant population.

The rationale for a systemic approach to investing in immigration legal services is clear: Immigrants have been criminalized through longstanding federal removal and detention priorities—and the impact has been devastating.

Immigrants in the Los Angeles region, as in the rest of the country, face a formidable system of immigration enforcement that has been in place for over a century, but which has ramped up exponentially since the 1980s. Immigration arrest, detention, and removal operations conducted by DHS have now moved deep into communities, becoming entangled with local law enforcement and private prison companies as part of a coordinated national strategy. With immigration courts in downtown Los Angeles and Van Nuys and contracted immigrant detention facilities in adjacent San Bernardino, Kern, and Orange counties, detained immigrants are frequently transferred, creating further barriers to legal representation. Despite the drastic and severe consequences of deportation, immigrants do not have a constitutional right to counsel, and most are forced to defend themselves in court against government-funded trial attorneys and immigration judges, which include a number of recent appointees who are former DHS prosecutors. With a qualified attorney by their side, immigrants are five times more likely to win relief from deportation; they are less likely to fall prey to unscrupulous immigration practitioners; and the whole system operates more efficiently, reducing the overall costs to society. In order to address these multiple, intersecting challenges, a systemic approach must consider: the actions of the federal immigration system in its three primary areas of operation (civil immigration enforcement and prison detention, civil removal proceedings in administrative courts, and earned benefits adjudication); the devastating economic, health, and social impacts of detention and deportation; and the efforts of various actors in the public and private sector to respond.

The rise of an increasingly complex immigration system demands novel approaches to legal services delivery and measuring the impact of such programs.

Immigration law is one of the most complex and technically demanding areas of practice, and one that poses potentially life-altering consequences. As such, immigration lawyering does not lend itself to impact evaluation measures that are inherently transactional. Although the total number of cases accepted for representation is important, this must not be the sole measure of success when providers are up against a complex federal immigration system that requires holistic advocacy and support for immigrant clients, families, and communities. In order to help immigrants successfully navigate an ever-evolving landscape of immigration law, policies, practices, and court precedents, a range of lawyering strategies must be pursued. Drawing inspiration from the public defender model, universal representation, for example,

seeks to advance a “merits-blind” approach, where every immigrant is represented, regardless of the anticipated outcome of their case.

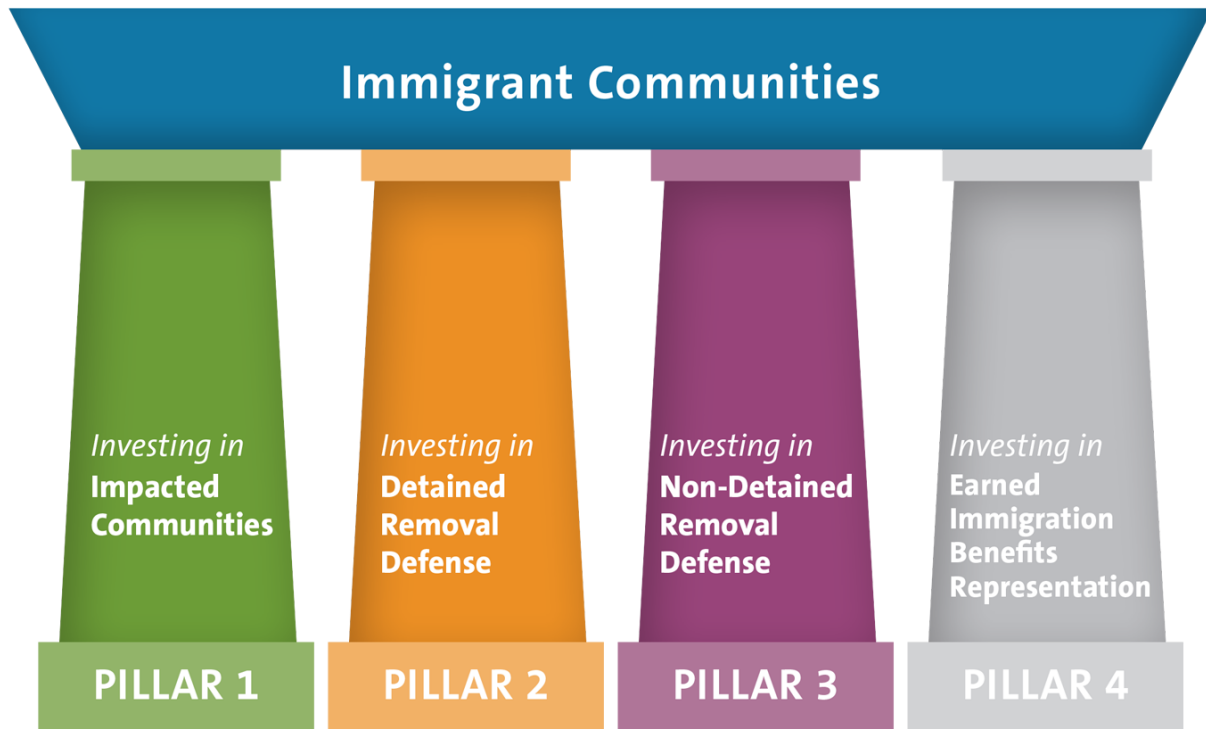
Los Angeles’ legal service providers serve as a veritable lifeline for immigrants facing detention and removal. They, along with grassroots organizing and advocacy groups, serve as a first line of defense against a formidable federal deportation bureaucracy. Grassroots organizing and advocacy groups have played a critical role in filling gaps and supporting community members, particularly in the detained context. Collectively, these organizations face tremendous challenges in addressing the overwhelming need for legal representation among the tens of thousands of detained and non-detained immigrants. This need is not just about individual immigrants and deportation cases; it is about an entire community under threat and fear of deportation, navigating the complexities of U.S. immigration law and defending themselves against a system designed to minimize their access to attorneys and suppress their chances of prevailing in their claims for protection and relief.

The past four years have also been unlike any other in recent history, as the Trump administration advanced more than 400 executive actions and other measures to: expand border and interior enforcement; effectuate travel bans and visa changes; curtail refugee resettlement and block entry to asylum seekers; eliminate Deferred Action for Childhood Arrivals (DACA); separate immigrant parents from their children; enact new public charge rules; and increase fees for various types of immigration applications, including citizenship. And while a new administration may usher in desired changes, it will take time and political will to undo the damage that has been done. The immigration legal services community will face incredible strain as they continue to defend against detention and enforcement policies, while also working to advance offensive tactics to undo this avalanche of change and ensure access to justice for immigrant clients.

B. The Proposed Los Angeles Immigrant Community Legal Defense Program

The LAJF pilot laid the groundwork for a county-wide safety net for immigrants facing removal proceedings, it ramped up capacity for the delivery of high-quality legal representation, and it strengthened the immigration legal services infrastructure for the region as a whole. Building on key lessons from LAJF’s pilot phase, the proposed Program will seek to leverage the capabilities of multiple stakeholders committed to defending immigrants facing detention and deportation, and meet ongoing community needs through a systemic approach. This approach is required because (1) nonprofit advocates and legal service providers are up against a well-resourced federal system that is capable of shifting strategies quickly to undermine access to justice for immigrants; (2) holistic defense lawyering in the immigration context is not a linear process, but relies on an interconnected ecosystem of resources and actors to achieve due process; and (3) the broader socio-economic impact of immigration enforcement priorities undermines community well-being and safety. The budget for the proposed program is \$39.7 million over four years, with a Year One investment of \$9.5 million. Incremental increases for cost of living adjustments and scaling up of the Program would follow over the subsequent three years.

The resources required to stand up the proposed Program for the first year represent only 0.027 percent of the county's total budget of \$34.9 billion, while it would benefit 36 percent of the county's population. The Program should become an annual structural line item in the city and county budgets.



The Four Pillars of Immigrant Legal Services Investing

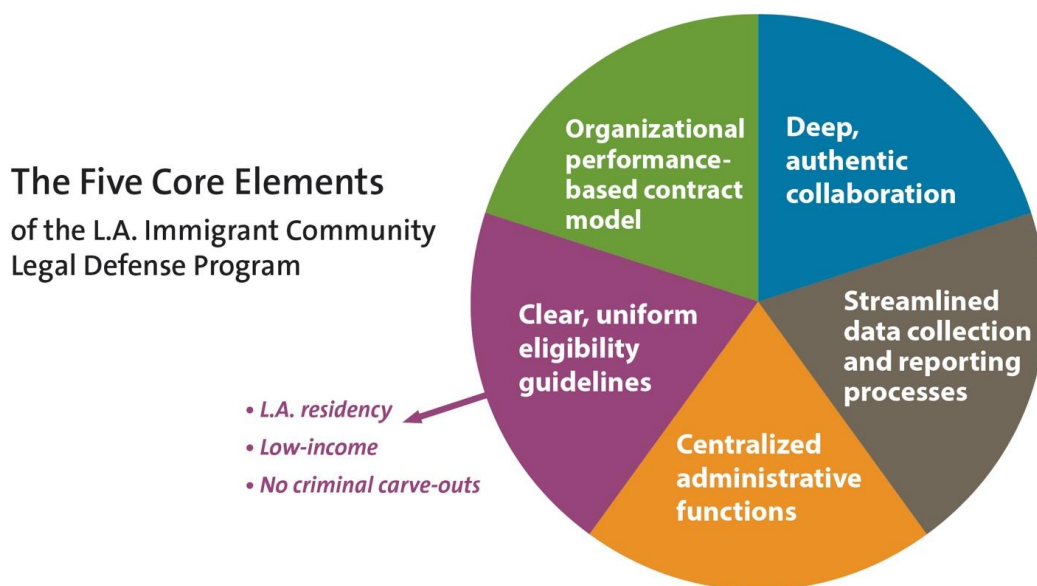
Four-Pillar Systemic Framework. Given the serious risks and consequences posed by immigration detention and deportation, the authors of this report recommend support for Pillars One, Two, and Three at this point in time, with consideration for adding Pillar Four in the future.

PILLAR ONE: Investing in Impacted Immigrant Communities. A Community Advisory Group will be established to help ensure the Program incorporates the voices and concerns of impacted community members and responds effectively to changes in law and policy. A cohort of community/grassroots organizations will be funded to help facilitate the flow of information to and from communities, as well as leverage community assets by supporting family members, raising funds for bonds, increasing public awareness of immigrants' legal rights, and preventing fraud.

PILLAR TWO: Investing in Detained Removal Defense. A cohort of legal service providers will be funded to represent detained immigrants in the Los Angeles region by operating, to the greatest extent possible, with a universal or merits-blind approach.

PILLAR THREE: Investing in Non-Detained Removal Defense. A cohort of legal service providers will be funded to represent low-income and other vulnerable immigrants in need of legal representation in Los Angeles area immigration courts; to the greatest extent possible, grantees will operate with a universal or merits-blind approach.

PILLAR FOUR: Investing in Earned Immigration Benefits Representation. Complementary investment in this pillar will: 1) help immigrants apply for various types of affirmative relief; 2) monitor if and how the United States Citizenship and Immigration Services (USCIS) may be using its operations to funnel people into the detention and deportation pipeline; 3) prevent *notario* and attorney fraud; and 4) address and document families' needs for wraparound services.



Five Core Elements. These should be incorporated in the approach that is ultimately adopted:

1. Maintain an organizational, performance-based contract model of funding on two-year budget cycles. Resources should support staffing “teams” at a more limited number of grantee organizations, which will conduct a target number of merits-blind intakes annually. Funding should not be allocated on a per case basis or tied to specific outcomes.
2. Establish clear uniform eligibility guidelines for representing immigrants, including (a) serving immigrants that either reside in or have ties to the Los Angeles region, as evidenced by self-attestations, (b) prioritizing poor or low-income individuals with income at or below the 200% of

the Federal Poverty Level, and (c) eliminating ineligibility criteria based on past criminal convictions.

3. Adopt streamlined data collection and reporting processes that document grantee performance against grant and contract objectives and that reflect actual costs associated with screening, accepting, and referring cases, as well as properly orienting individuals who are not eligible for any immigration remedy or relief. Key demographic data about clients and their families should be captured in order to demonstrate the broader impact of the Program.
4. Centralize administrative functions with one lead organization in order to promote coordination and system-wide efficiencies. The lead organization should have good working relationships with existing immigration legal service providers in the region, including current LAJF grantees.
5. Elevate and fund deep and authentic collaboration among grantees in order to minimize duplication of effort, strengthen relationships, and maximize available resources.

Four Primary Roles. These are four primary roles in the proposed Program.

1. **Lead Organization.** One lead organization will assemble a team to carry out a range of core activities including:
 - A. Developing and executing MOUs and subgrant agreements with all funded organizations;
 - B. Convening Program grantees, subgrantees, funders, and the Community Advisory Group on a regular basis;
 - C. Overseeing communications, data collection, evaluation, and reporting activities for the Program;
 - D. Managing the Program budget and subgrants, assessing resource needs, and recommending necessary recalibrations to the Program's funders as policy or contextual factors shift;
 - E. Establishing a coordinated, Program-wide system for intakes, legal screenings, and referrals;
 - F. Facilitating capacity-building, training, and technical assistance opportunities;
 - G. Ensuring the availability of COVID-19-related protections and technology support for grantees; and
 - H. Facilitating coordination between Program grantees, subgrantees, and policy advocacy and litigation efforts to address system-wide issues and challenges.
2. **Community Advisory Group.** A Community Advisory Group will provide critical grounding and context for the Program as a whole and create direct accountability to Los Angeles' immigrant communities. Up to 15 volunteer members will be selected for participation; at least 30 percent of the membership will consist of individuals who have been directly impacted by immigration enforcement and/or detention.
3. **Legal Service Providers.** Funding is recommended for a cohort of six to eight legal service providers to represent individuals in detained and non-detained immigration removal proceedings. They should have the capacity to reach and serve diverse populations of immigrants across Los Angeles and demonstrate a willingness to coordinate with each other to increase efficiency. Core to the structure of the Program is staffing teams of legal and administrative staff to promote a stable service delivery infrastructure via a universal representation model supported by more predictable funding streams.

4. **Community/Grassroots Organizations.** To ensure that community-centered leadership is central to the Program, funding is recommended for a cohort of four to six community/grassroots organizations. These organizations' activities may include, but are not limited to: conducting outreach to immigrants to inform them of their rights and to prevent them from falling prey to fraudulent practitioners; tracking and monitoring ICE activity (e.g., raids, new arrest patterns); raising bond funds; conducting intakes; making referrals to legal and non-legal service providers; and providing language and interpretation services, including for indigenous languages.

Six Key Goals. These reflect the key proposed goals for the Program.

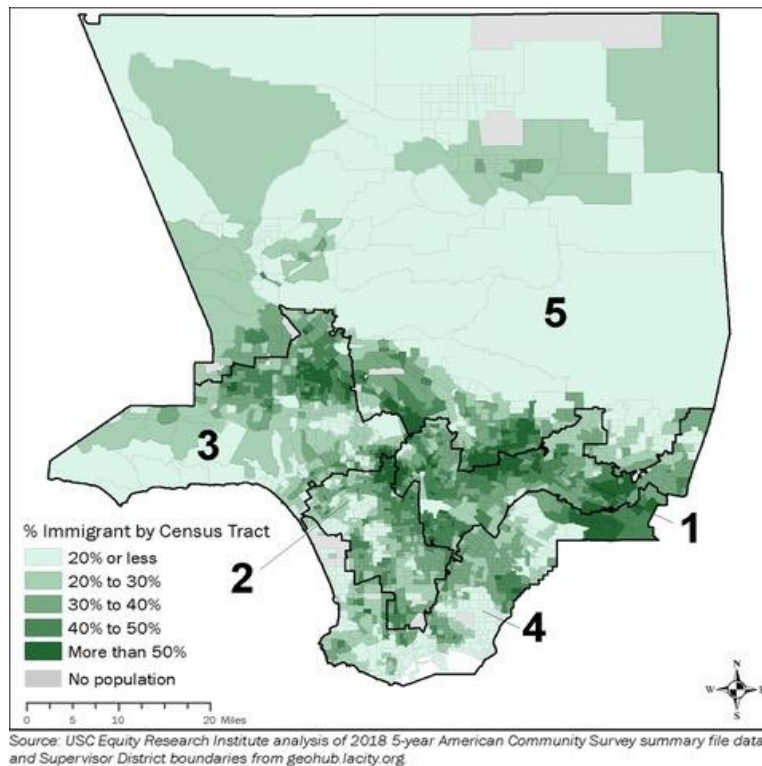
1. To identify and serve low-income and other vulnerable immigrants in the Los Angeles area who are in removal proceedings, regardless of the anticipated outcome of their case;
2. To strengthen Los Angeles' immigration legal services infrastructure by supporting staffing teams at provider organizations, and to promote authentic collaboration among key stakeholders;
3. To integrate the perspectives and concerns of diverse immigrant community members through their direct participation in the Program and the engagement of funded community/grassroots organizations, particularly those that are immigrant-led;
4. To facilitate a coordinated system of intakes and referrals on both legal and non-legal matters, and to connect clients with appropriate wraparound services where possible;
5. To allow grantees to respond flexibly to inevitable shifts in immigration law and policy; and
6. To keep Los Angeles' immigrant families together, healthy, and strong.

The City and County of Los Angeles—along with their philanthropic partners—demonstrated critical leadership in launching LAJF and gleaning valuable lessons from its pilot phase. These funders are well positioned to advance a long-term, coordinated approach to support immigrants at risk of being detained or removed from the United States. Ultimately, a stronger, better coordinated, and well-resourced immigration legal services ecosystem will help Los Angeles weather future changes impacting its immigrant communities.

II. Immigrant Communities in Los Angeles

A. Demographic Snapshot of Diverse and Essential Immigrant Communities in Los Angeles

Los Angeles is home to 3.6 million immigrant residents, or 36 percent of the county's total population. Almost half (44%) of the county's workforce are immigrants.¹



Total and Immigrant Population by County Supervisorial District, L.A. County, 2018

District	Total population	Total immigrants	Percent immigrant
1	2,018,428	829,846	41%
2	2,034,402	725,608	36%
3	2,031,500	711,994	35%
4	2,000,672	573,213	29%
5	2,013,050	616,295	31%
L.A. County	10,098,052	3,456,956	34%

Source: USC Equity Research Institute analysis of the 2018 American Community Survey 5-year summary file. Note: Data reflect a 2014-2018 average.



Immigrants have deep ties to Los Angeles: 80 percent have lived in the county for more than 10 years, and 60 percent of all children born in Los Angeles have at least one immigrant parent.² Los Angeles has the largest number of young immigrants with Deferred Action for Childhood Arrivals (DACA) status in the country, and it has the second highest concentration of Temporary Protected Status (TPS) recipients from El Salvador.³ While nearly half of immigrants in Los Angeles have become U.S. citizens, nearly a quarter remain undocumented and are vulnerable to arrest, detention, and deportation. There are 852,000 U.S. citizen and another 273,000 permanent resident family members living with those undocumented Angelenos; the threat of deportation and family separation loom large for all of these families.

A majority of Los Angeles' immigrants are people of color. In 2016, 56 percent identified as Latino, 27 percent identified as Asian and Pacific Islander, and less than two percent identified as Black.⁴ However, within these groupings, Black and Indigenous immigrants are often undercounted and underrepresented, with the latter often incorrectly included in the Latino category.⁵ Nearly 18 percent of Black Angelenos are either immigrants themselves or the U.S.-born children of immigrants.⁶ In a recent report, California's Black immigrant population is described as diverse and growing, and yet Black immigrants—who live at the treacherous intersection of anti-Blackness and xenophobia—are often left out of critical community conversations about immigration. Mainstream service providers and some immigrant-serving organizations lack the necessary cultural and linguistic competency to address the needs of Black and Indigenous immigrants.⁷ A data sample reveals that among Indigenous populations residing in Los Angeles, 54 percent identified as Zapoteco, 18 percent as Mixe, 16 percent as Quiche, five percent as Chinanteco, two percent as Mixteco, two percent as Triqui, one percent as Acateco, one percent as Mazateco, and one percent as Totonaco.⁸ And while most immigrants in California are bilingual and a

majority report speaking English fluently, 26 percent of immigrant households were “linguistically isolated” in 2018.⁹

Undeniably, immigrants and their families are deeply woven into the fabric of every Los Angeles neighborhood, contributing to the region’s social, economic, cultural, and civic vitality. **Undocumented workers and their family members alone contribute more than \$425 billion in California and \$141 billion in Los Angeles annually in economic value—and undocumented workers pay \$63 billion in taxes each year.**¹⁰ And yet, despite the many contributions of California’s immigrants, the region has had one of the highest rates of immigration law enforcement activity in the nation¹¹, a fact which tears at the very tapestry of Los Angeles’ diverse families and communities.

B. COVID-19’s Impact on Immigrant Communities in Los Angeles

The COVID-19 pandemic has served to underscore the essential role that immigrants play in supporting the collective health and safety of all Los Angeles residents, while also laying bare the deep inequities that exist for immigrants in these frontline positions. Nationwide, an estimated 389,000 undocumented immigrants work in high-risk jobs as farmworkers and food processors to secure the U.S. food supply; approximately 225,000 undocumented health care workers serve as doctors, nurses, and home health aides; and millions more keep food on grocery store shelves, pack warehouses, deliver goods, clean and sanitize businesses, and take care of children and the elderly.¹² Across California, high proportions of immigrants are employed in essential job functions, including agricultural workers (67%) and healthcare workers (32%).¹³ Although undocumented immigrants are overrepresented in high-risk sectors of the workforce, they earn less than their U.S.-born counterparts and were explicitly excluded from federal relief programs such as Coronavirus Aid, Relief, and Economic Security (CARES) Act or the Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act.¹⁴

In the United States, racial and ethnic minority groups have been disproportionately impacted by COVID-19.¹⁵ In Los Angeles County, low-income seniors, undocumented immigrants, and rent-burdened families face additional inequities in the face of the pandemic.¹⁶ Correctional and detention facilities have been among the hardest-hit institutions nationwide; to date, approximately 17,000 California inmates have been infected with the virus and nearly 100 prisoners and staff have died.¹⁷ Government documents requested by the American Civil Liberties Union (ACLU) revealed a major COVID-19 outbreak at the Adelanto Immigration and Customs Enforcement Processing Center (Adelanto), where immigrants’ lives were being placed at significant risk. The ACLU filed an emergency request for a temporary restraining order that calls for more testing and disclosure on conditions inside the facility.¹⁸ The ACLU subsequently won additional rights such as release on bail from Adelanto and additional protective measures for those who remained detained.¹⁹

III. Public Initiatives and Investments Prioritizing Immigrant Communities in Los Angeles

Given its demographics, Los Angeles has established itself as a leader in advancing equity and justice for immigrants by advocating for fair policies as citywide and countywide priorities. In September 2017, the County of Los Angeles added immigration as a sixth county-wide priority.²⁰ Both the City and County of Los Angeles have established Offices of Immigrant Affairs (OIA) and have taken numerous steps to protect, defend, and support immigrants—from helping them understand and exercise their basic rights, to protecting them from *notario* and consumer fraud, to building up immigration expertise in the Los Angeles County Public Defender’s office, to supporting individuals eligible to pursue U.S. citizenship.²¹ Mayor Eric Garcetti, who had proposed the creation of the original City OIA while serving on the City Council in 2004, re-established the office when he became mayor in 2013. Mayor Garcetti then issued Executive Directive No. 20 in March 2017, which re-emphasized the city’s policies prohibiting partnership with federal immigration enforcement agencies and ensuring that city services were available to all residents of Los Angeles, regardless of immigration status.²²

The Los Angeles County Public Defender and Alternative Public Defender have worked proactively to keep immigrants out of the federal immigration enforcement system by mitigating the immigration consequences of criminal proceedings. Since 2002, the public defender and alternative public defender have both designated staff to focus on the immigration consequences of criminal proceedings, and the public defender operates a nine-attorney unit with specific immigration law expertise to advise immigrants that might be facing detention and removal by DHS, as well as to provide ongoing technical assistance and training to their criminal justice colleagues about immigration law.²³ The public defender maintains a toll-free number for immigrants at the Los Angeles County Jail and those detained at Adelanto to seek assistance from their office. These hotlines are answered by Spanish-speaking paralegals who are trained and knowledgeable about the intersections of criminal and immigration law.

These prior local government commitments to Los Angeles’ diverse immigrant communities were the foundation for the county’s approval of funding to establish the Los Angeles Justice Fund (LAJF) pilot in December 2016.²⁴ (The City of Los Angeles approved its funding in June 2017.²⁵) With funding from both the county and the city as well as philanthropy, the LAJF pilot made significant strides toward increasing access to justice and due process for immigrants and their families in the region. This investment also built upon a rich and diverse immigrant legal services ecosystem that has been in development for over fifty years. The LAJF collective investment of \$7.9 million over two years²⁶ provided critical resources to strengthen nonprofit organizational capacity to deliver immigration removal defense legal services, particularly for vulnerable individuals such as those in immigration detention or at risk of being detained, unaccompanied immigrant children, and LGBTQ+ individuals. This investment has elevated city and county leadership nationally and strengthened the legal services safety net for vulnerable immigrants across Los Angeles. The human impact of this investment must not be underestimated as immigrant community members in Los Angeles have received life-saving support from LAJF grantees.²⁷

Cities and Counties Leading by Example

More than two dozen major cities across the country have created funds to ensure that immigrants have access to legal counsel during immigration proceedings, including public funding for deportation defense. The San Francisco Board of Supervisors has been funding immigration legal services since 2014 and specifically for removal defense beginning in 2017. Each year, San Francisco provides \$2.5 million for immigration legal services and another \$1 million for the immigration defense unit in the San Francisco Public Defender's office. In 2017, the Contra Costa County Board of Supervisors provided \$1 million (over one year), the Santa Clara County Board of Supervisors provided \$1.5 million (over two years), and the Alameda County Board of Supervisors and the City of Oakland provided a combined \$1.05 million (over two years) for immigration legal services. The Sacramento City Council also has made public investments in immigration legal services. And other cities and counties have followed suit. Most recently, the Harris County (TX) Commissioners Court approved \$2.5 million in funding in November 2020 to provide support to low-income immigrants facing deportation, as well as immigrant victims of crime. In making the case for the fund to commissioners, legal service providers and advocates cited Los Angeles as an example of a city that has advanced a similar initiative.

The LAJF pilot evolved in the context of a dynamic and complex relationship between Los Angeles County Sheriff and DHS. Specifically, when LAJF launched in 2017, the Los Angeles County Sheriff was still arresting and detaining immigrants and then turning them over to DHS. This was in spite of an official county policy not to cooperate with DHS²⁸ and to not honor DHS detainers (i.e., requests to detain and then transfer custody of individuals to DHS).²⁹ In May 2019, the Sheriff Civilian Oversight Commission estimated that the Sheriff had been spending \$1.4 million annually to assist DHS in the arrest and detention of immigrants.³⁰ And the sheriff regularly participated in activities of federal law enforcement "task forces" and joint federal, state, and local law enforcement operations that included DHS. Given these relationships, immigrants from Los Angeles were often transferred to Adelanto, but LAJF grantees were prevented from providing removal defense services for many of them due to the fund's eligibility requirements that excluded individuals with criminal convictions.

It was not until April 2019—well into the period that the LAJF was operational—that the sheriff announced a moratorium on cooperation with DHS³¹, including the practice of requiring DHS to obtain a judicial warrant to assume custody of an immigrant in the sheriff's custody. In August 2020, this became the sheriff's ongoing policy.³² In September 2020, the Los Angeles County Board of Supervisors adopted this as county policy, specifically noting that the sheriff's expenditures and cooperation with DHS "undermine not only the County's investment of \$1.5 million a year in LAJF, a program designed to provide immigration lawyers to defend families against immigration detention and deportation, but also the County's commitment to protect immigrants, their families, and co-workers from immigration enforcement overreach."³³ As policies continue to shift, community-based organizations are monitoring closely whether DHS will adapt its practices to a community-based enforcement model (versus relying on cooperation with local law enforcement), and how this might impact removal defense services.

While LAJF has been a critical step forward in strengthening the immigration legal services ecosystem, there is a need for deeper and long-term investment in Los Angeles' immigrant community. **LAJF's budget represented a total combined public investment of .69 cents per Los Angeles County immigrant resident for each year of the pilot.³⁴ This compares to more significant investments made by the County of Los Angeles in spending \$21.90 per resident for public defender services, \$12.91 per resident for public health, and \$9.94 per resident for affordable housing.³⁵** Of course, not every county resident will need or use public defender, public health, or publicly-funded housing, but these are commitments that local governments make to maintain a safety net for low-income and other vulnerable residents. Similarly, not every immigrant residing in the county will need or use immigration legal services, but it is important to create a community safety net for those that do.

Los Angeles County voters recently approved Measure J, which will divert at least 10 percent of the county's unrestricted funding (over \$300 million) to community programs, such as affordable housing and rent assistance, job training, mental health, and social services. Given Los Angeles' demographics, Measure J funding should prioritize support for the county's immigrant population by advancing a systemic approach to delivering community-centered immigration legal services, a model proposed by the authors of this report.

IV. Using a Systemic Approach to Plan for the Next Phase of Immigration Legal Services in Los Angeles

A systemic approach is one that adopts a holistic view of the ecosystem surrounding the core problem one is seeking to solve—in this case, providing meaningful access to justice for Los Angeles immigrants facing the threat of detention and deportation, as well as increasing access to supportive services that are delivered in a culturally, linguistically, and immigration-appropriate manner. The components of this ecosystem explored in the next section include: (1) the federal immigration system and its three primary areas of operation—civil immigration enforcement and prison detention, civil removal proceedings in administrative courts, and the adjudication of earned benefits adjudication; (2) the economic, health and social impacts of this system on immigrant communities in Los Angeles; and (3) the critical ways in which the immigration legal services sector, alongside community-based and grassroots organizations, has evolved to provide due process and holistic support to immigrants in this complex system.

A. The Federal Immigration System

1. *The Criminalization of Immigrants through Enforcement, Detention and Removal*

It is crucial to understand immigration enforcement, detention, and deportation policies and practices as a national and regional strategy by DHS, rather than viewing them only through a local county or city lens. Immigrants in the Los Angeles region, as in the rest of the country, face a formidable immigration enforcement system that has been in place for over a century, but which has ramped up exponentially since the 1980s. The 1986 Immigration Reform and Control Act (IRCA)³⁶ provided amnesty to some undocumented immigrants, but it also criminalized the hiring of undocumented immigrants and stepped up immigration enforcement activities in communities.³⁷ A decade later, the 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA)³⁸ set into motion a vast array of fundamental changes to the U.S. immigration system that further criminalized immigrants, created new categories of migration-related crimes, and established a broad set of offenses that would render various individuals, including those with legal status, deportable or removable.³⁹ And the creation of DHS following the September 11th attacks fueled a perception of immigration as a national security issue.⁴⁰

Since the passage of this federal legislation, DHS arrest, detention, and removal operations have now moved deep into communities, becoming entangled with local law enforcement and giving rise to a lucrative market for the detention of immigrants.⁴¹ The California State Auditor has highlighted the problematic relationship between California cities and the federal immigrant detention system.⁴² While DHS is technically contracting with California cities such as Adelanto and McFarland, those cities are simply passing on federal payments to the GEO Group, a for-profit prison company, without meaningful oversight. These are high-value federal contracts that provide significant funding to local governments. In federal FY 2013-2014, the DHS contract with the City of Adelanto was more than \$46 million, increasing to over \$71 million for federal FY 2017-2018 and totaling nearly \$287 million over those five years.



Detainees at Otay Mesa Detention Center in San Diego, California. February 19, 2014. Photo: BBC / Creative Commons.

Without meaningful oversight, the conditions at Adelanto have become particularly alarming. In 2018, DHS' own inspector general found serious violations of DHS national detention standards, including ignoring nooses made from braided bedsheets in detainee cells, untimely and inadequate medical care⁴³, improper and overly restrictive disciplinary segregation, and improper and unnecessary use of handcuffs and shackles.⁴⁴ The report also details the high risk of suicide by immigrants detained at Adelanto.⁴⁵ A year later, in implementing California Assembly Bill 103 enacted in 2017, California's Attorney General found continuing violations of detention standards, including a failure to provide language assistance for individuals who do not speak English or Spanish as their primary language, which seriously exacerbates the challenges faced by immigrant detainees.⁴⁶ Adelanto is among the top five immigration detention facilities in the United States with the highest number of incidents of physical and sexual abuse recorded between 2012 and 2016.⁴⁷

Several lawsuits have challenged the deplorable conditions at the Adelanto.⁴⁸ In December 2017, a federal class action lawsuit was filed against the GEO Group for systematic and unlawful wage theft, unjust enrichment, and forced labor.⁴⁹ In May 2018, another federal class action lawsuit was filed against the GEO Group, several GEO Group employees, and the City of Adelanto for mistreatment of Adelanto detainees, who engaged in a hunger strike to protest the conditions of their confinement.⁵⁰ Most recently, another class action lawsuit was filed to release immigrants from detention at Adelanto due to a lack of protections against the spread of COVID-19, after dozens of immigrants tested positive. A preliminary

injunction was granted in April 2020 to reduce the number of immigrants detained at Adelanto⁵¹, and the ACLU filed an emergency request for a temporary restraining order that calls for more testing and disclosure on conditions inside the facility.⁵² The ACLU subsequently won additional rights such as release on bail from Adelanto and that additional protective measures could be ordered.⁵³

Access to legal services is a lifeline in these settings, not only to be able to provide immigrants with representation to seek relief from deportation and release from detention, but also to document conditions for detainees. With approval from DHS, GEO has put barriers in place that are aimed at limiting detained immigrants' ability to obtain legal representation and communicate with their attorneys, including: locating these facilities in rural areas, where there is a scarcity of free and low cost legal services; providing little or no access to private areas for legal calls; monitoring calls or making them prohibitively expensive; and limiting detainees' ability to make and schedule phone calls. DHS has also engaged in a practice of setting prohibitively expensive bonds and denying parole to eligible immigrants and asylum seekers.⁵⁴ These factors cause immigrant detainees to be more vulnerable to immigration services fraud given their isolation and level of desperation. **During the LAJF pilot, legal services organizations that work in the Adelanto facility noted that as grantees established a stronger and more consistent presence at the center, GEO and DHS sought to implement new policies that prevented advocates from reaching immigrants in order to provide them with access to counsel.**

2. *The Politicization of the Immigration Court System*

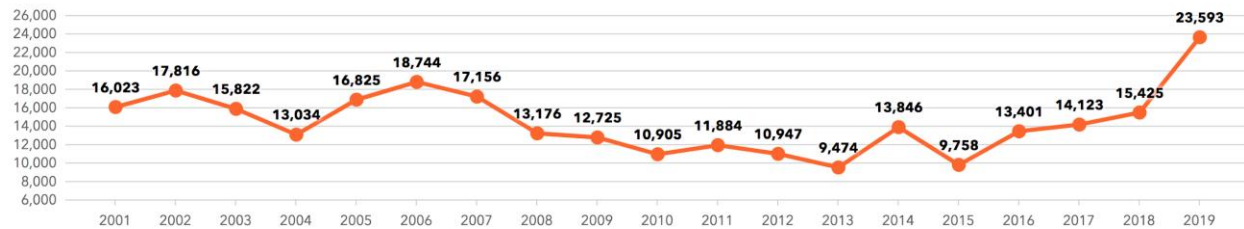
A second core component of the federal civil immigration system is the immigration courts, which are operated by the U.S. Department of Justice (DOJ). Increasingly, the immigration courts have become politicized, which creates additional and formidable barriers to accessing justice. For example, the Trump administration stripped immigration judges of collective bargaining rights in what has been widely viewed as a move to prohibit the judges' union from voicing its opposition to procedural changes and new case mandates.⁵⁵ The administration also appointed at least 190 immigration judges, accounting for 43 percent of the total, including significant numbers of former DHS prosecutors.⁵⁶

Meanwhile, immigration judges have been placed under considerable strain with ever-growing dockets, now exceeding over 1.26 million cases nationally.⁵⁷ As of September 2020, the Los Angeles Immigration Court had 69,313 pending cases, the North Los Angeles Immigration Court had 10,829 pending cases, the Van Nuys Immigration Court had 23,176 pending cases, and Adelanto had 422 pending cases.⁵⁸ During the course of the LAJF pilot, advocates reported that DHS strategically shifted immigration cases to the Los Angeles region from the Bay Area due to Los Angeles' size, which makes it more challenging to provide coordinated and comprehensive legal services, and the related expectation that deportations could be effectuated more quickly due to limited attorney resources.⁵⁹ And while immigration detention and enforcement have been a centerpiece of the Trump administration, the data below show that that high numbers of deportation court proceedings span most Presidential administrations—and underscore the need to maintain ongoing support for nonprofit immigration legal services.⁶⁰

Court Deportation Proceedings Los Angeles County

Total deportation cases by current filing status: Los Angeles County; **Nationality:** All; 2001-2019

BREAKDOWN FILTERS: **NATIONALITY**   



WHAT IT SHOWS **WHY IT MATTERS**

Data source: TRAC (Syracuse University) | California Immigrant Data Portal

Source: California Immigrant Data Portal, https://immigrantdata.org/indicators/court-deportation-proceedings#/?geo_compare=04000000000006037

3. *The Earned Benefits Immigration System Usurped for Enforcement Purposes*

The U.S. Citizenship and Immigration Services (USCIS) branch of DHS authorizes earned immigration status benefits, such as family-based visa petitions. In recent years, access to these mainstay forms of “affirmative” relief have declined precipitously.⁶¹ Numerous procedures have been put in place by the Trump administration that have caused proceedings to slow dramatically and placed thousands of individuals seeking legal residency in the United States in limbo.⁶² The backlog for pending green card applications alone has increased by 35 percent.⁶³ USCIS adjudications officers are now allowed to deny applications based on minor errors or omissions that would have previously been fixed. Individuals with valid visas are more vulnerable to deportation, and green card applicants abroad are being denied entry to the United States on the basis of them potentially becoming a “public charge.”⁶⁴

As evident in this overview, Los Angeles is not just grappling with a federal immigration system that is causing harm to Angelenos, but it is also a system that operates strategically at the regional level. One must view Los Angeles’ immigration detention and enforcement infrastructure through a broader regional lens that includes immigration courts in downtown Los Angeles and Van Nuys; contracted immigrant detention facilities at Adelanto in adjacent San Bernardino County, at Mesa Verde in nearby Kern County, and at County Sheriff’s facilities in adjacent Orange County; and a primary USCIS office in downtown Los Angeles. DHS will continue to be opportunistic and may intentionally create barriers to due process for Los Angeles County’ immigrants by arbitrarily moving immigrant detainees from detention facility to detention facility; opening, expanding, and closing immigrant detention facilities at will; and expanding or contracting immigration court and USCIS capacities.

B. **The Economic, Health, and Social Impacts of Detention and Deportation**

The federal immigration system, policies, and agencies have produced a “culture of fear” among immigrant families in the United States.⁶⁵ There are significant and costly economic, psychological,

developmental, and health harms that stem from deportation—or even the threat or fear of deportation—among immigrant families.⁶⁶ Even if an individual immigrant family has not been directly impacted by enforcement operations, there is a significant and pervasive community-level threat that exists.⁶⁷ These impacts are particularly traumatic for children, who may experience the sudden loss of a parent due to detention or deportation.⁶⁸ In some cases, families may experience termination of parental rights or children may end up in foster care upon the detention or deportation of a parent, even though the parent does not wish to terminate their rights.⁶⁹ Older children whose parents are detained or deported frequently have to take on additional responsibilities, such as working to support the family or providing childcare for younger siblings, abandoning their own plans to pursue further education or career goals. Younger children often spend more time inside and participate in fewer activities because adults are working more hours and are fearful of leaving their homes.⁷⁰ Many immigrant families live in multigenerational homes, where other family members also experience trauma as a result of being separated from loved ones.⁷¹



The devastating effects of detention, deportation, and permanent family separation ripple out from individuals to families and communities, whereby multiple generations can be adversely impacted by one deportation.⁷² Some mental health experts describe the experience of having a detained or deported parent—or even living with the constant threat of deportation—as an “adverse childhood experience” (ACE).⁷³ It has been well documented that an adverse childhood event such as maltreatment can have life-long health impacts, including preterm birth rates, higher rates of persistent mental health issues, such as anxiety and depression, as well as a higher prevalence of chronic diseases, such as cardiovascular diseases. This results in both higher health care costs, poorer educational outcomes, loss of economic productivity, and lower lifetime earnings.⁷⁴

Detention and removal place significant economic strain on families and local economies, which suffer from lost income and wages, higher employer turnover costs, industry shortages, and a loss of tax revenue. When a sole wage earner is deported, household incomes fall to half on average, thereby creating a significant financial burden on the state.⁷⁵ A recent report out of Harris County, Texas noted that “families experience up to a 90 percent decline in their household income when a family member is deported, meaning they can no longer afford basic expenses like rent, food, and transportation.”⁷⁶ The report estimated that Harris County lost approximately \$133 million in spending power⁷⁷ in FY2018 as a result of deportations.

Additional adverse economic impacts of detention and deportation are more difficult to quantify but are significant nonetheless, especially given the fragile economy that has resulted from the COVID-19 pandemic. For example, the income loss that results from deportation may lead to evictions, home foreclosures, and closure of small businesses. Researchers have found a strong association between increased federal immigration enforcement activities and foreclosure and business closure rates in the Latino community. The magnitude of that impact was found to be nearly twice as large in counties with greater numbers of deportations.⁷⁸

Deportations can produce labor shortages, especially in the hospitality and construction industries, as well as other essential worker categories. Businesses must bear the costs of losing employees who are detained or deported, and turnover costs are generally 20 percent of annual wages for workers earning less than \$50,000 and 16 percent of annual wages for workers earning less than \$30,000.⁷⁹ Moreover, federal, state, and local sales, income, and property taxes are paid based on the circulation of wages in the local economy. This lost potential tax revenue will accumulate every subsequent year because, if not for deportation, an immigrant would have been able to continue contributing to the economy.⁸⁰

C. Investing in Immigration Legal Services is Investing in Strong, Contributing Communities

A 2013 study in Marin County, California, found that investment in community-based immigration legal services stabilized the lives of the 570 immigrants that received legal representation, and it had positive social and economic impacts that rippled outward to benefit the entire community.⁸¹ The study estimated that immigrants served by these legal service providers would be able to increase their collective earning power by \$5 million over five years.⁸² This increase in economic activity was also projected to increase local and state tax revenue in the county by an estimated \$3.4 million over four years.⁸³

Securing authorization to live and work in the United States also qualifies many low-income immigrants for critically needed federal and state public benefits programs, such as health care, housing assistance, food stamps, and income support. Utilization of these programs is often short-term, as families gain greater upward economic mobility. The Marin County study applied very conservative utilization rates for public benefits among immigrant families, ranging from 49 percent for children's health insurance to 37 percent for nutrition programs to only three percent for state cash assistance programs. Since these public benefits programs are funded by federal and state sources, the study estimates an economic multiplier of 1.16 when immigrant families spend more money in the local economy on food, clothing, household supplies, housing, and other necessities. Access to these federal and state funds, along with the economic multiplier, would bring an estimated \$3.9 million into Marin county each year.⁸⁴

Overall, there are significant economic, health, social, and other benefits for immigrants, their families, and the entire Los Angeles immigrant community that result from greater investment in immigration legal services. **Protecting immigrants from the threat of detention or deportation has direct benefits on the health and well-being of their families, especially children. The “return on investment” should be viewed through a broader socioeconomic lens that takes into account the myriad ways in which these services help immigrants to thrive.**

D. The Evolution of the Immigration Legal Services Ecosystem and Rise of the Universal Representation Model

While the concept of providing legal representation to immigrants dates back to Ellis Island⁸⁵, today's immigration legal services ecosystem has evolved into a complex web of nonprofit organizations, law school clinics, public defender offices, and immigration lawyers in private practice (both paid and pro bono), as well as unscrupulous practitioners or *notarios* that are poised to exploit immigrants' unique vulnerabilities. The rise of an increasingly complex immigration system has necessitated novel approaches to legal representation in order to help immigrants successfully navigate an ever-evolving landscape of immigration law, policies, practices, and court precedents from the Board of Immigration Appeals all the way up to the Supreme Court.⁸⁶

In spite of these formidable challenges, nonprofit organizations have had to rely on a patchwork of funding, mostly from private philanthropy and some public sources, to meet immigrants' growing legal needs. By contrast, the federal government fully funds DHS prosecutors to be in the courtroom on every docket, which simultaneously allows them to build rapport and credibility with immigration judges, who wield significant power in deciding immigrants' fate. In the best-case scenario, an effective lawyer can make the difference between an immigrant winning or losing her case before an immigration judge. A Vera Institute of Justice Fact Sheet notes that "it is nearly impossible to win deportation cases without the assistance of counsel. Only 5 percent of cases that won between 2007 and 2012 did so without an attorney; 95 percent of successful cases were represented."⁸⁷ And even in the worst-case scenario, when an immigrant has no legal recourse and will be subject to deportation, an effective lawyer can make sure that her client's rights are protected in the process.

Against the backdrop of these systemic changes, the practice of social justice lawyering has continued to evolve, ultimately giving rise to a movement to provide immigrants with universal representation.

Drawing inspiration from the public defender model, universal representation seeks to advance a "merits-blind" approach, where every immigrant is represented as their case moves through the immigration system, regardless of whether the outcome is likely to be favorable or not.

Much like in the criminal justice context, this approach helps to ensure access to justice, due process, and equity, especially for populations that have been the targets of harsh enforcement tactics. While universal representation is certainly the ideal for immigrant representation, significant resource constraints limit the ability to advance this ideal more broadly.



Meeting between lawyers and Haitians to give legal advice on how to cross to the United States or how to get legalized and start working in Tijuana, Mexico. - Alexandre Afonso / Le Pictorium

E. Holistic Defense Lawyering in the Context of a Complex Federal Immigration System

Immigration law is one of the most complex and technically demanding areas of practice—and one that poses potentially life-altering consequences for clients. As such, immigration lawyering does not lend itself to impact evaluation measures that are inherently transactional (i.e., one lawyer + one case = one outcome). This approach does not adequately encompass the full scope of day-to-day work required to zealously represent an immigration client, as well as the staffing and diverse expertise needed, regardless of the anticipated case outcome. Although the total number of cases accepted for representation is important, this must not be the sole measure of success when providers are up against a complex federal immigration system that demands comprehensive legal services as well as holistic advocacy and support for immigrant clients, families, and communities.

Holistic defense lawyering for immigration deportation defense cases reflects lessons from the criminal justice system, with some specific additions.⁸⁸ Core activities generally include: delivering high-quality, client-centered representation; meeting clients' social service needs and connecting them to community programs; considering the collateral consequences [of specific decisions or pleas]; and engaging in systemic advocacy. Clients' social service needs can include health care and health care access, affordable housing and safe living conditions, educational support for children and adults, and workforce

opportunities and safe working conditions. The availability of social services through public agencies or community-based organizations varies greatly, and coordination is required for referrals to be successful.

For detained immigrant clients, bond funds are often critical to their ability to be released. However, bonds in the immigration context can range from \$2,500 to \$250,000⁸⁹, with higher amounts routinely set for Black immigrants.⁹⁰ And bond payments are often organized outside of the legal services context through individual fundraising, family resources, and community-based organizations. Clients may also need post-conviction advocacy if they were not counseled on the immigration consequences of criminal justice pleas or sentencing. Holistic defense lawyers also engage in a wide range of other activities, including fundraising, mentoring other attorneys, and collaborating to build economies of scale and share knowledge for greater impact.

Prepare clients for merits or bond hearing, and possible appellate process

For non-detained client, ensure stability of food access, housing, medical and mental health care, workforce conditions, and educational opportunities

For detained client, ensure access to client by going to detention centers, advocate for parole or seek bond hearing, support family in raising bond funds, monitor conditions of confinement, and upon release, ensure social services support system in place

For all clients, if **criminal justice system contact**, seek post-conviction relief, obtain records that could impact discretionary aspects of immigration relief, track for systemic bias

Meet, build rapport, and represent immigrant clients

- Connect with client in community, office, detention center, or immigration court
- Conduct intake, provide orientation, ensure no immediate action, explain role of attorney, ensure capacity and understanding, language access, determine date of first hearing
- Appear at multiple hearings in immigration courts to present motions, file for relief, and hearings on the merits
- Filing for relief may include lengthy research on legal issues, country of origin, family outreach, arranging for language access, medical or psychological evaluations

Support communications and public education about immigration legal services

Conduct policy and advocacy for clients and systemic changes

Holistic Client-Centered Representation

Policy and Communications

Fundraise continuously to ensure ongoing funding

Data entry and management for reporting and evaluation for funders with different reporting formats

Organizational Support

Mentor emerging lawyers, organizations, and pro bono attorneys

Collaborate with stakeholders including cohort convenings, meetings, information sharing

Capacity Building

Recruit, select and supervise new lawyers and fellows in face of high turnover

Train in rapidly changing immigration law and policy context

The Complex Job of a Removal Defense Attorney



V. A Four-Pillar Framework for a Systemic Approach to Investing in Immigration Legal Services in Los Angeles

Based on the foregoing analysis, **it is imperative for Los Angeles to advance a long-term, systems-based approach to confront the challenges facing immigrants in accessing justice and due process, as well as to pave the way to greater safety and well-being for all Angelenos.** The authors of this report propose a four-pillar systemic framework for coordinated strategic investment in the immigrant legal services sector. This framework builds on key lessons from the LAJF pilot and it reflects a need to respond to each operational area of the federal immigration system (civil immigration enforcement and prison detention, civil removal proceedings in administrative courts, and earned benefits adjudication). There must be a concerted effort to intervene earlier or “upstream” in the fast-moving immigration system, where individuals are arrested in the community, through USCIS or at courthouses, without advance warning and then transferred into detention and deported. Further investment in Los Angeles’ immigration legal services infrastructure must take into account and properly resource organizations to tackle the systemic issues, challenges, and barriers that are present when defending immigrant clients; facilitate coordination among various stakeholders; consider specific economic, social, and health impacts; and maximize available resources.

PILLAR ONE: Investing in Impacted Communities. A Community Advisory Group should be established and community/grassroots organizations funded to elevate the concerns and perspectives of community members who are directly impacted by immigration enforcement, detention, and removal. The inclusion of the Community Advisory Group will help to ensure that the Program incorporates the voices of diverse and underserved/underrepresented communities, addresses the key concerns of immigrant families and communities, considers emerging policy changes that may be leaving individuals vulnerable to detention and removal, and identifies overlapping resources or gaps in access to legal information and services. The cohort of community/grassroots organization grantees will serve as a source of information and referrals for the Program, and they will help to leverage community assets by supporting family members, raising funds for bonds, increasing public awareness of immigrants’ legal rights, and preventing fraud. These grantees and the Community Advisory Board will support greater interconnectedness between community stakeholders and Program grantees.

PILLAR TWO: Investing in Detained Removal Defense. This pillar is critical given the growing number of immigrant detainees and separated families in the Los Angeles region, increasing health and safety risks to detained individuals, and the rapid pace at which detained cases are processed. Pillar Two would focus on providing immigration legal services in the context of immigration court operations and in regional detention facilities that are operated by or under contract with DHS. In order to represent detained immigrants in these locations, grantees will operate to the greatest extent possible with a universal or merits-blind approach and will employ principles of holistic, client-centered defense lawyering. Additionally, grantees will develop a shared vision on how to operationalize their work (e.g., jointly negotiating with immigration courts to cover one or more dockets on a first-come, first-served basis or coordinating through the existing U.S. Department of Justice’s Legal Orientation Program or LOP).

PILLAR THREE: Investing in Non-Detained Removal Defense. This pillar is necessary in order to identify vulnerable immigrants in need of legal representation and to ensure that they have the best chance of prevailing in their claims for protection, as well as document adverse practices ranging from biased immigration judge behavior to *notario* and attorney fraud. Investment in this pillar would focus on expanding access to representation in the immigration courts in the Los Angeles area, including those located at Olive Street and N. Los Angeles Street and in Van Nuys. To the greatest extent possible, grantees will operate with a universal or merits-blind approach to representation and will employ principles of holistic, client-centered defense lawyering. Additionally, grantees will develop a shared vision on how to operationalize their work (e.g., jointly negotiating with the immigration courts to cover one or more dockets on a first-come, first-served basis and coordinating intakes and representation through the existing U.S. Department of Justice’s Immigration Help Desk).



4 Students wait for assistance with paperwork for the DACA program. Los Angeles, California. REUTERS/Jonathan Alcorn

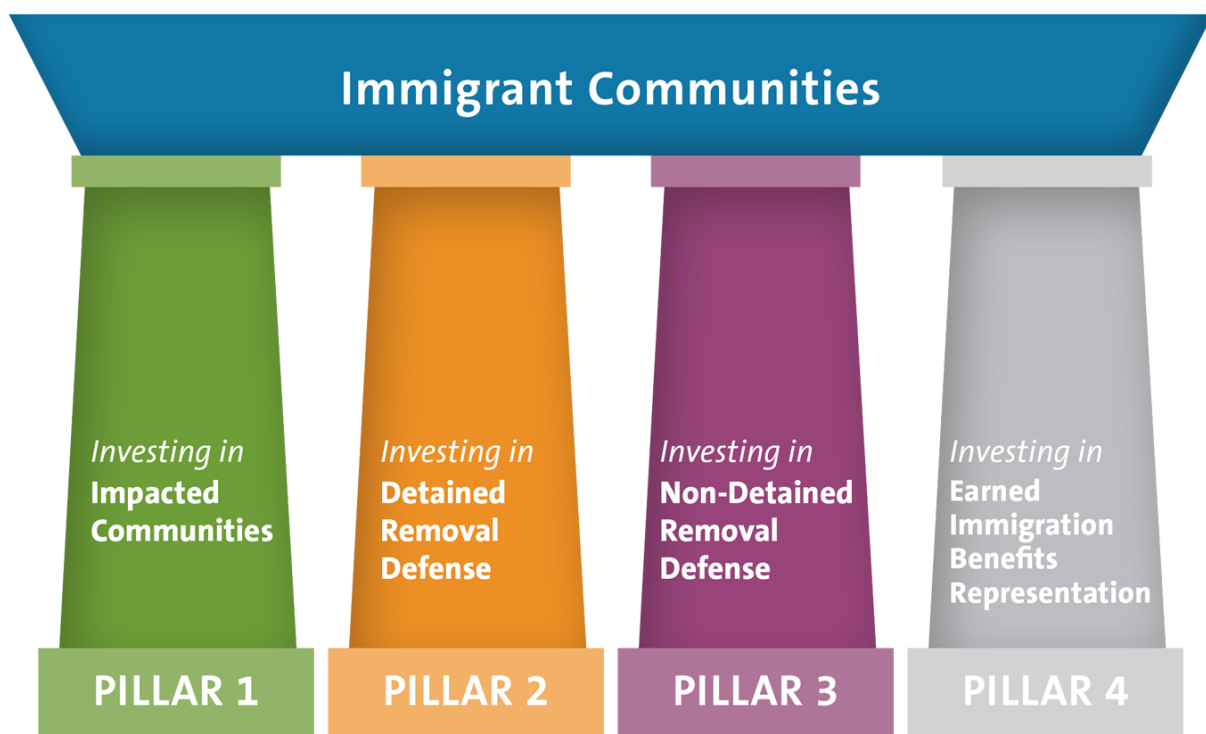
PILLAR FOUR: Investing in Earned Immigration Benefits Representation. Complementary investments in this pillar are necessary in order to: 1) help immigrants apply for various types of relief in the affirmative context; 2) monitor if and how USCIS may be using its operations to funnel people into the detention and deportation pipeline; 3) prevent *notario* and attorney fraud; and 4) address families’ needs for wraparound services. If there are new opportunities for legalization through restored DACA or TPS programs or broader legalization enacted by Congress or through executive action, a significant infusion of additional resources will be necessary to bring organizational capacities to scale. Grantees would provide high-quality, low-cost legal services to help the most vulnerable immigrants access affirmative

benefits, including humanitarian visas (e.g., SIJS for immigrant children in the community or in child protective proceedings, T and U Visas, and VAWA), family-based petitions, DACA, TPS, and naturalization. If future funding should become available for this pillar, prioritization should be considered for cases for which there are fewer available public and private resources, including affirmative asylum applications, affirmative SIJS cases, and family-based remedies.

VI. Proposal for a Los Angeles Immigrant Community Legal Defense Program

Ideally, a fully functioning immigration legal services ecosystem would include adequate support for all four pillars as well as (a) a concerted effort to maximize coordination and minimize duplication among grantees, (b) mechanisms to identify non-legal needs and address them through the provision of wraparound services, and (c) the capacity to deliver services in a culturally, linguistically, and immigration-appropriate manner. **For the proposed Program, support is recommended for Pillars One, Two, and Three at this point in time, with consideration for adding Pillar Four in the future.**

The resources required to stand up the proposed Program for the first year represent only 0.027 percent of the county's total budget of \$34.9 billion, while it would benefit 36 percent of the county's population.



The Four Pillars of Immigrant Legal Services Investing

There are two main reasons for the recommended approach. First, immigrants in removal proceedings are in the most urgent need of high-quality, low-cost immigration legal services, particularly given the speed at which removals are effectuated, the growing health and safety risks for detained individuals, and the deplorable conditions in Adelanto and other detention facilities. Second, the LAJF pilot was focused on detained and non-detained removal defense and, as such, the information available for analysis and consideration (as described in Appendices A and B) provided a comprehensive basis for immediate

investment in Pillars One through Three. Many of the components proposed here are consistent with the 2016 California Coalition for Universal Representation recommendations.⁹¹

With respect to Pillar Four, although certain key priorities were identified, similar research must be conducted in the future in order to determine how best to incorporate this work with the other three pillars. There is also an existing, albeit inadequate, funding base for affirmative work⁹² that can complement removal defense work in Pillars Two and Three. Intermediary steps should be taken to lay the groundwork for future incorporation of Pillar Four, including, but not limited to, establishing a regional hotline for information and referrals, developing a robust multilingual marketing strategy to promote the proposed Program, and establishing the Community Advisory Group to provide meaningful input from impacted communities.

Los Angeles Immigrants Potentially Eligible for Large-Scale Affirmative Relief

Los Angeles County is home to 1.7 million individuals who are undocumented or living in a household with an undocumented family member(s). Hundreds of thousands could benefit from existing, new, or renewed legalization pathways, but only with significant investment to bring the current legal services infrastructure to scale. In L.A. County, there are an estimated:

- 150,000+ DACA-eligible immigrants
- 30,000 Salvadoran TPS holders, whose status could be reinstated
- 120,000 essential workers and 233,000 immigrant healthcare workers, many of whom could benefit from a COVID-related regularization program
- 750,000 naturalization-eligible immigrants

A. Five Core Elements of the Proposed Strategic Investment

The Five Core Elements of the L.A. Immigrant Community Legal Defense Program



The following **five core elements** should be incorporated regardless of the approach ultimately adopted.

1. **Maintain an organizational, performance-based contract model of funding on a two-year budget cycle.** Resources should not be allocated on a per-case basis or tied to specific case outcomes. (A report by the Nonprofit Finance Fund revealed that staff time expended on various activities during the LAJF pilot was previously underreported or missing altogether.) These resources should support staffing “teams” at a more limited number of grantee organizations to ensure maximum coordination, sustainability, efficiency, and continuity of legal services, as well as greater ability to connect clients and their families with critical wraparound or social services.⁹³
2. **Create uniform and clear eligibility guidelines for representing immigrants through the Program.** This should include: (a) serving immigrants that either reside in or have ties to the Los Angeles region, as evidenced by self-attestations⁹⁴; (b) focusing on poor and low-income immigrants whose incomes are at or below 200% of the Federal Poverty Level; and (c) eliminating ineligibility criteria based on past criminal convictions (i.e., criminal carve outs), which would align the Program with other county and city-funded efforts in California, reduce inefficiencies and unnecessary administrative burden, and acknowledge structural racism in the criminal justice system that disproportionately impacts communities of color.
3. **Adopt streamlined data collection and reporting processes** that document grantee performance on grant/contract objectives and reflect actual costs associated with screening, accepting, and referring cases, as well as properly orienting individuals who are not eligible for any immigration

remedy or relief. It is also critical to capture key demographic data about clients and their families in order to demonstrate the broader impact of the program.

4. **Centralize administrative functions** with one lead organization in order to promote coordination and system-wide efficiencies. The lead organization should have good working relationships with existing immigration legal service providers in the region, including current LAJF grantees. Additionally, the lead organization should have demonstrable legal immigration expertise that allows it to respond effectively to inevitable shifts in law, policy, and procedure.
5. **Elevate and fund deep and authentic collaboration among grantees** in order to minimize duplication of effort, strengthen relationships, and maximize available resources. Certain guardrails should be put in place to ensure that this collaboration is not only occurring but is sufficiently resourced and inclusive. For example, there should be greater transparency in terms of related or complementary funding streams that could influence how limited dollars are allocated. This should not only take place at the outset of the grant, but also on an ongoing basis. Other core elements recommended above (e.g., centralization of cases and elimination of both the criminal carve out and residency documentation requirements) are also intended to promote greater collaboration and connectivity among grantees.

B. Four Primary Roles for Organizational and Community Stakeholders

In order for immigrant families in Los Angeles County to be healthy and to thrive, they must be able to access a range of supportive services from diverse entities, not just immigration legal service providers. For many immigrants, their legal immigration status is but one challenge they face, among many; they may also need to address health/mental health, housing/homelessness, workforce development, education, and food security issues at the same time as their legal case is proceeding, or perhaps even more urgently. Often referred to as “wraparound” services, these community-based supports may be offered by a range of organizations, including city and county agencies and departments, independent nonprofits, and even those operated in the private sector but on a sliding-fee scale. Immigrants’ ability to access these resources often depends on the capacity of legal service providers to make appropriate referrals, as well as their knowledge of different programs’ eligibility requirements, especially for undocumented residents.

Additionally, grantees and partner organizations that have the capacity and ability to serve immigrants across the City and County of Los Angeles should be prioritized for inclusion in order to expand the program’s overall reach (see Appendix E). Resources must be allocated to effectively market and publicize the Program, including conducting targeted outreach to all 3.6 million immigrant city and county residents in order to ensure that its services are known and accessible to anyone who needs them.

The following is an overview of the **four primary roles contemplated** for the Program:

- (1) **Lead Organization.** The budget includes support for one lead organization to carry out the following responsibilities:

- (a) Develop MOUs and grant agreements with all funded organizations, manage the project budget, and recalibrate the allocation of resources in response to policy and funding shifts (all in consultation with funders)
- (b) Develop a coordinated system for conducting screenings, intakes, and referrals on legal and non-legal matters by developing new systems and processes (e.g., a countywide hotline), incorporating existing referral mechanisms (e.g., LOP, Los Angeles County Public Defender and Alternate Public Defender), and integrating county agencies and other entities providing wraparound services⁹⁵
- (c) Facilitate capacity building and technical assistance support for all funded organizations, including identifying and connecting grantees to available external resources and leveraging aligned resources, such as the private immigration bar, law schools, and related service providers
- (d) Convene grantees, funders, and the Community Advisory Group on a regular basis; ensure that there are meaningful opportunities for grassroots and Black, immigrant, and People of Color or BIPOC-led organizations to share their perspectives and experiences
- (e) Oversee data collection, evaluation, reporting, and communications activities, including the engagement of outside experts
- (f) Ensure the availability of COVID-related protections and technology support for grantees
- (g) Secure meaningful access to in-person/virtual language interpretation, medical and psychological evaluations, and expert witnesses
- (h) Allocate sufficient resources for related legal services that will help immigrants to prevail in removal defense cases, including appellate work, post-conviction relief, and litigation

Staffing for the lead organization also includes a 1.0 FTE position for a **policy coordinator**. This role will track emerging issues and trends both in the field (via funded and non-funded community/grassroots organizations) and among cases represented by grantee organizations, as well as facilitate information sharing and coordination among grantees and external stakeholders. The policy coordinator is envisioned as a “connector” between advocates, legal service providers, and groups leading litigation and advocacy efforts to achieve systemic reform in the immigration detention and removal context.

- (2) **Community Advisory Group.** A proposed Community Advisory Group would provide critical grounding and context for the Program as a whole and creates direct accountability to Los Angeles’ diverse immigrant communities. This body would not have the authority to make decisions about the Program and the allocation of available resources, but it would serve as a sounding board, a source of information about community needs and concerns, and a place to seek feedback and gain perspective. The Community Advisory Group should:

- (a) Be composed of 12-15 volunteer⁹⁶ members (selected by the lead organization and funders) who live and work in the Los Angeles Region and who represent diverse segments of the immigrant community, either through their own identity or through their work with or on behalf of immigrants;

- (b) Incorporate a range of voices and perspectives, including directly impacted individuals (no less than 30% of total membership), as well as community advocates and activists, lawyers (nonprofit and private bar), nonprofit and public sector administrators, academics and educators, health professionals, retired immigration judges, consular officials, and others;
 - (c) Meet as a collective body (either virtually or in person) at least six times per year in collaboration with other planned Los Angeles Immigrant Community Legal Defense Program meetings, with additional meetings or consultations scheduled as needed; and
- Address key issues that come up during the course of the Program, including, but not limited to, equity and inclusion issues, intake/referral processes, case-based issues and trends, changes in law, policy, and procedure, shifts in enforcement tactics or detention, broader coordination challenges, communications strategies, and data collection and evaluation.

(3) **Legal Service Providers.** Core to the structure of the Program are the proposed staffing teams at legal service provider (LSP) grantees. This approach seeks to promote a stable service delivery infrastructure via a universal representation model supported by more predictable funding streams. With a mix of legal and administrative staff, these teams will support sufficient personnel to manage a steady caseload as well as handle non-legal aspects of the work (e.g., data entry, reporting, non-legal referrals, coordination with other grantees, etc.).⁹⁷ While previous LAJF grantees did not have sufficient resources to assemble such teams with LAJF funding alone, some used outside grant funding to ensure that they had the staffing required to operate a program on this scale. Examples of the staffing teams under the LAJF pilot included:

- (a) Example One - 0.10 FTE Directing Attorney, 0.20 FTE Supervising Senior Staff Attorney, 1.50 FTE Staff Attorneys, 0.50 FTE Social Worker, 1.00 FTE Administrative Assistant
- (b) Example Two - 0.10 FTE Directing Attorney, 0.90 FTE Managing Attorney, 1.60 FTE Staff Attorneys, 0.75 FTE Paralegal
- (c) Example Three - 1.00 FTE Senior Immigration Attorney, 3.00 FTE Staff Attorneys, 0.30 FTE Legal Service Director, 1.00 FTE Senior Paralegal, 1.00 FTE Paralegal/Legal Assistant, 0.10 FTE Administrative Staff
- (d) Example Four - 0.50 FTE Directing Attorney, 3.50 FTE Staff Attorneys, 1.25 FTE Paralegals, 0.05 FTE Pro Bono Director, 0.02 FTE VP Legal Programs

Under the proposed Program, each LSP applicant would describe their desired staffing model, why variations in team composition are necessary, how they would use Program resources to build out their teams, and what other in-kind or complementary resources are available to support their work. Each LSP would provide an estimated number of intakes that could be conducted and cases that could be accepted for representation with their proposed budget, depending on their team configuration and overall capacity. For example, an experienced team consisting of a part-time supervising attorney, two full-time staff attorneys, a full-time paralegal, a full-time case worker, and a part-time reporting/evaluation specialist might have the capacity to conduct an average of 10 intakes a week, or about 500 over the course of a full year, with some of those cases accepted for representation. On the other hand, a smaller team consisting of one

part-time supervising attorney, one full-time staff attorney, a part-time paralegal, a part-time case worker, and a part-time reporting/evaluation specialist might only have the capacity to conduct an average of two intakes a week, or about 100 over a full year, with some of those cases accepted for representation.

The authors of this report are not proposing a fixed or minimum number of intakes or cases accepted for representation, as these calculations will depend on a number of factors that cannot currently be predicted or estimated. These include: the number of LSPs that can be supported with available funding; which legal service providers apply and are ultimately selected as grantees (level of staff team capacity); and uncertain and unpredictable changes in federal immigration enforcement policies and practices (e.g., expanded or decreased use of Adelanto, increased caseloads/faster hearings for non-detained removal cases at the Los Angeles and Van Nuys Immigration Courts, etc.) that will also impact how quickly existing cases supported by the LAJF might advance to hearings.

In order for the Program to be sufficiently focused, resourced, and coordinated, up to eight Legal Service Provider grantees are recommended⁹⁸, and these grantees should have the capacity to reach and serve diverse populations of immigrants across Los Angeles. Some should have significant expertise handling a range of immigration matters—including both affirmative and defensive (detained and non-detained) cases—and demonstrate a willingness to serve as a mentor to emerging practitioners within the grantee cohort.

- (4) **Community/Grassroots Organizations.** The Program budget includes resources to support a select group of community/grassroots organizations to complement funding allocated to LSPs. These organizations play a critical role in Los Angeles' broader immigration ecosystem, particularly in terms of community-centered leadership, racial justice, and addressing the impact of immigration detention and enforcement activities. Through the proposed Program, these organizations' activities may include, but are not limited to: conducting outreach to immigrants to inform them of their rights and to prevent them from falling prey to fraudulent practitioners; tracking and monitoring ICE activity (e.g., raids, new arrest patterns); raising bond funds; conducting intakes; making referrals to legal and non-legal service providers; and providing language and interpretation services, including for indigenous languages. All of these functions are vital to LSPs ability to successfully represent immigrant clients and as such, deliberate, resourced coordination between the LSPs and community/grassroots organizations is necessary. It is critical to engage and involve community-based organizations that represent and serve particularly vulnerable subpopulations of immigrants, including BIPOC and/or LGBTQ+ individuals, unaccompanied minors, and detainees.⁹⁹

C. Proposed Program Budget and Allocation of Funds

The proposed Program budget (see Appendix C) of \$39.7 million over the next four years considers the true costs of legal representation and emphasizes the need to fund staff infrastructure rather than billable hours for individual cases. It also acknowledges the concurrent supports required to successfully

represent clients in the legal realm and to sustain organizational infrastructure over time. The proposed budget would be allocated in two-year installments¹⁰⁰, renewable in similar increments going forward. These two-year allocations (1) acknowledge the need to provide grantees with a longer trajectory for staffing decisions (leading to more continuity and ideally less turnover) and (2) allow for the ability to make necessary adjustments or recalibrations due to changes in law, policy, and complementary funding streams. These adjustments may include shifting resources between and among funding categories and addressing emerging needs among grantees and their clients.

(1) **Estimated Annual Program Costs** The estimated annual costs for the Program will be approximately \$9.5 million in Year One and will increase incrementally over time. Projected funding from other sources (e.g., private philanthropy, the California Department of Social Services, other Los Angeles County agencies, etc.) will help to fill in gaps not covered by the City and County of Los Angeles funding designated for this Program. Categories included in the Program budget include the following:

- (a) Personnel and Benefits: Funds for salaries and benefits. Personnel costs are based on per category averages among 17 LAJF grantees, as reported in September 2019. Where possible, salaries were benchmarked against similar county and nonprofit positions to ensure equity. A benefits allowance is included as 25% of personnel costs based on the average amount reported by LAJF grantees in 2019.
- (b) Supplies and Equipment: Funds for grantees to cover costs associated with the purchase of essential supplies and equipment. (The per grantee amount is based on an average of reported expenses in 2019.)
- (c) Rent and Utilities: Funds for grantees to cover costs associated with rent and utilities. (The per grantee amount is based on an average of reported expenses in 2019.)
- (d) Capacity Building Support and Coordination: Funds to ensure that all grantees are aware of and can access capacity building and training resources. The lead organization can direct resources to fill in gaps specific to Los Angeles County and to provide mentoring support when needed.
- (e) Project-Related Costs: Funds to cover critical programmatic expenses including, but not limited to, Adelanto-related costs (rent, supplies, etc.), language interpretation services, expert witnesses, consultants/contractors, meeting-related costs, and printing costs.
- (f) Post-Conviction Relief and Immigration Appeals: Funds to support complementary legal work by Program grantees with relevant expertise.
- (g) Local Travel: Funds for grantees to cover costs associated with local travel, e.g., to/from Adelanto, immigration court, client meetings, etc. (The per grantee amount is based on an average of reported expenses in 2019.)
- (h) Language Interpretation: Funds for grantees to hire interpreters (either as staff or as external consultants) to help address critical gaps, particularly with indigenous languages.
- (i) Research, Evaluation, and Communications: Funds for subgrants to external partners with special expertise to help evaluate the impact of the Program, “tell the story” of that impact, and to ensure that immigrant residents across Los Angeles are aware of and can access the Program’s services.

- (j) Information and Referrals: Funds to ensure a coordinated and efficient system for legal and non-legal intakes and referrals throughout the Los Angeles region.
- (k) Grassroots and Community Organizations: Funds to support collaboration and coordination between LSPs and community/grassroots organizations, which are critical to understanding the impact of immigration enforcement activities on local communities.
- (l) Community Advisory Group Stipends: Funds to support the meaningful participation of individual community members and grassroots organizations in the Community Advisory Group.
- (m) Psychological Evaluations: Funds to support expert psychological assessments for immigrants in removal proceedings.
- (n) Litigation: Funds to support complaints and litigation about detention conditions, removal methods, and immigration court procedures impacting Los Angeles residents.
- (o) Administrative Costs: 12% is included for administrative costs.
- (p) Cost of Living Adjustment: A 3% COLA is included for each funding category, beginning in Year Two.

D. Budget Calibration and Attainable Funding for Immigration Legal Services

The central aim of the proposed Program is to create a stable infrastructure and funding environment for the delivery of immigration legal services in the detained and non-detained removal defense context, and to provide resources for meaningful community engagement in Program activities. **Ideally, the Program will become an annual structural line item in the city and county budgets.** Given this aim, the Program budget does not “phase up” over the course of multiple years, but it remains relatively stable with a Cost of Living Adjustment, beginning in Year Two and continuing forward. Ongoing monitoring of the Program budget and external factors (changes in law, policy, procedure, and practice; shifts in funding streams) will be required by the lead organization, which shall be entrusted by the funders to recommend and effectuate necessary recalibrations to the budget and related service delivery activities, ideally every two years, or more often if necessary.

Complementary funding may be available for legal services delivery, capacity building, and training from diverse public and private sources, including the California Department of Social Services (CDSS), city and county agencies and entities, and others. For example, the Quality and Productivity Commission of Los Angeles County would be in a good position to fund a capacity building technology platform for the Program.¹⁰¹ And while it is often hard to anticipate philanthropic investments, public and private foundation dollars have provided consistent funding for immigration legal services, advocacy, and community organizing in California for nearly two decades.¹⁰²

Coordinating existing and new funding streams is critical throughout the life of the Program, particularly at the recommended two-year recalibration points when resources can be shifted or reallocated as necessary. Grantee agreements will require budget transparency at the outset and throughout the duration of the Program. See Appendix D for additional information on Related Funding for Immigration Legal Services in Los Angeles.

E. Performance Metrics

Program performance metrics and evaluation targets should achieve four central aims: (1) ensure accountability and transparency for all funds invested, both public and private; (2) reflect the actual costs of assisting clients in a diverse range of immigration matters; (3) support clear, organization-level performance benchmarks for intakes and cases; and (4) reduce the administrative burden on grantees by adopting streamlined data collection and reporting processes. Evaluation measures should reflect the various touch points during the life of a case that are not always captured in metrics focused only on outcomes. These may include, for example, talking to family members, reviewing files at immigration court, driving to remote detention centers and waiting to speak with clients, making referrals for non-legal services, and advocating on behalf of clients, among many others. Once the Program has launched, significant changes to reporting requirements and metrics should be minimized to the extent possible.

Current LAJF legal services grantees each have different intake forms, from which they had to extract requested data for reporting purposes. At the outset of the proposed Program, it is recommended that the lead organization review the intake forms of all funded LSP grantees to determine how best to collect information that will be required going forward. Ideally, these grantees should be using the same or similar intake form, which could either be a new form or adapted from an existing form.

1. Data to be Collected

Common reporting fields related to the disposition and development of a legal case should be decided by the lead organization in consultation with the LSPs. In particular, it will be important to capture all intakes, screenings, and referrals in order to provide an accurate picture of how many individuals are reached through the Program, regardless of what types of relief from deportation might be available or if their cases are ultimately accepted for full-scope representation.

In addition to the case-related data collection metrics adopted by the lead organization, the following fields are also recommended for inclusion in order to capture the Program's broader impact on clients, their families, and Los Angeles' immigrant communities. These recommendations are based on an analysis and review of the data collection metrics from the LAJF pilot.

Field Name	Field Type
SCREENING, INTAKE, AND REFERRALS	
Was a legal orientation already provided? If yes, who conducted it?	Yes/No/Unknown Dropdown
Was the client referred by another organization? If yes, which one?	Yes/No/Unknown Dropdown
Was the client pre-screened by another organization? If yes, which one?	Yes/No/Unknown Dropdown

Was a mentor attorney assigned? If yes, which one?	Yes/No/Unknown Dropdown
ECONOMIC AND FAMILY STABILITY	
How many years have you lived in the U.S.?	Dropdown
Of the years you have lived in the U.S., how many have been in the Los Angeles area?	Dropdown
What is the size of the family that you live with (in the U.S.)?	Dropdown
What is the total number of children (under 18 yrs) that live in your household (in the U.S.)?	Number
How many U.S. citizen children (under 18 yrs) live in your household (in the U.S.)?	Number
Are you the only caretaker of your children?	Yes/No
Do you have other family members (in the U.S.) who rely on you to survive?	Yes/No
What is your household income bracket?	Dropdown
Do you currently have authorization to work in the U.S.?	Yes/No/Unknown
Have you ever filed taxes in the U.S.?	Yes/No/Unknown
Have you been employed in the U.S. in the past 12 months?	Yes/No
What industry/ies were you employed in during the past 12 months? (Include business owner)	Checklist
Have you worked in L.A. County previously?	Yes/No
Has your employment been interrupted within the past 12 months due to immigration detention/enforcement?	Yes/No
Has your children's education been interrupted within the past 12 months due to immigration detention/enforcement?	Yes/No/Unknown
Were any of your family members separated at the border?	Yes/No/Unknown
Do you need help locating any family members from whom you were separated?	Yes/No/Unknown
SOCIAL SERVICE NEEDS	
Social Service Needs Identified	Check List
Origin of Social Service Needs Identification	Check List
Social Service Referrals Made	Check List
VULNERABILITIES IDENTIFIED FOR CLIENT AND FAMILY MEMBERS	
ASYLUM SEEKER/ FEAR-BASED PROTECTIONS	Yes/No/Unknown

CHILDHOOD ARRIVAL (NOT UNACCOMPANIED CHILD)	Yes/No/Unknown
CURRENT/FORMER UNACCOMPANIED CHILD	Yes/No/Unknown
DISABILITY/SIGNIFICANT MEDICAL NEEDS	Yes/No/Unknown
MENTAL HEALTH NEEDS	Yes/No/Unknown
HAS DEPENDENT(S) WITH DISABILITY/SIGNIFICANT MEDICAL NEEDS	Yes/No/Unknown
HOMELESS/UNSTABLE HOUSING	Yes/No/Unknown
LGBTQ+	Yes/No/Unknown
VETERAN OR ACTIVE DUTY IN US MILITARY, RESERVES, OR NATIONAL GUARD	Yes/No/Unknown
VICTIMIZATION—CHILD ABUSE/NEGLECT	Yes/No/Unknown
VICTIMIZATION—CRIME	Yes/No/Unknown
VICTIMIZATION—DOMESTIC/INTIMATE PARTNER VIOLENCE	Yes/No/Unknown
VICTIMIZATION—TRAFFICKING	Yes/No/Unknown
WITNESS (CRIME IN U.S.)	Yes/No/Unknown
OTHER _____	

2. Advancing an Integrated System of Evaluation for Immigration Legal Services Investments

There is an ongoing effort to better capture the systems impact of public defenders' work on behalf of their clients; these lessons can help inform a more comprehensive understanding of investments in immigrant removal defense.¹⁰³ Case outcomes are critical, but they are just one measure that should be considered. For example, in the LAJF pilot phase, there was an inclination to focus on the amount of total investment (\$7.9 million) in relation to the number of cases that funded attorneys took on for representation (546). Using simple division, this appeared to create a per case cost of \$14,468, which is misleading. First, only \$5 million of the \$7.9 million was invested in direct legal services; the rest was allocated for administration and capacity building. Second, legal screenings (1,730 in total), which involve a substantial amount of work, are a better proxy for the number of people served. If this number is used, the per person cost becomes \$2,890 (\$5 million/1,730). Going forward, performance indicators that are derived from a systems perspective and demonstrate the full impact of any investment should be utilized. A sampling of the goals, objectives, and performance indicators that this approach could include are highlighted below.¹⁰⁴

Goal	Objective	Performance Indicator
Immigrant clients' due process rights are preserved	<p>Meaningful access to an attorney</p> <p>Attorney access preserves client's due process rights</p>	<ul style="list-style-type: none"> Percentage of clients who waive right to seek counsel the first time they appear before an immigration judge Percentage of clients who do not challenge the Notice to Appear or seek any form of relief for which they are eligible
The best possible outcome for an immigrant client is achieved	The direct consequences of an immigration proceeding are as beneficial to the client as possible	<ul style="list-style-type: none"> Case outcomes: deportation, voluntary departure, form of relief
	Immigrants are released from detention on low bond or parole	<ul style="list-style-type: none"> Number of days in immigration detention Average bond amounts by type of case Conditions of release (ICE supervision, ankle bracelet, etc.) Failure to appear in non-detained setting
	Cases are resolved in a time frame least harmful to the client	<ul style="list-style-type: none"> Number of days between detention and resolution of case Number of continuances Number of cases resolved within X days per type of case
	Procedural injustices are mitigated	<ul style="list-style-type: none"> Number of clients who obtained job, housing, scholarships, professional license, and were able to retain custody of their children
	Clients with family in the U.S. are able to plan for outcomes of cases	<ul style="list-style-type: none"> Number of clients whose families were provided social support services (by city, county, or nonprofit entities)
	Clients are satisfied and understood what happened	<ul style="list-style-type: none"> Client survey scores

F. Recommended Next Steps to Implement the Los Angeles Immigrant Community Legal Defense Program

During the LAJF pilot, the California Community Foundation (CCF) took on the role of program and grants administrator, managing the request for proposals (RFP) process, the selection of grantees, and grants administration, largely in-kind. As the pilot continued, CCF was responsible for monitoring and reporting

on progress toward grant deliverables and providing no-cost extensions when appropriate. CCF is also the program and grants administrator for the current period of bridge funding for LAJF grantees through June 2021, and it manages the contract to develop recommendations outlined in this report. LAJF's current funders—the County of Los Angeles County, the City of Los Angeles, CCF, and the Weingart Foundation—along with other potential philanthropic partners, will need to decide how to structure the funding and administration of the proposed Program in the most efficient and accountable manner.

It is recommended that CCF continue its role as the fiscal administrator for all future Program funding, similar to its role during the LAJF pilot. In other words, both the public sector and philanthropic funders would contract with CCF to administer the funding for the proposed Program. However, CCF would no longer need to assume the role of a program administrator given the administrative responsibilities assigned to the lead organization for the Program.

A draft of a three-part RFP is included as Appendix F. As the fiscal administrator, CCF would issue the RFP for one lead organization (Part A), six to eight legal service providers (Part B), and four to six community/grassroots organizations (Part C). The funders would review the proposals and award grants for the lead organization, LSPs, and community/grassroots organizations. Then, CCF would execute an agreement with the lead organization, whereby it would disperse the pooled funds from the County of Los Angeles, the City of Los Angeles, and philanthropic partners for that organization to manage. The lead organization would then, in turn, enter into Memoranda of Understanding (MOUs) and subcontracts with the LSPs, community/grassroots organizations, and any other subcontracted entities. The lead organization would be responsible for dispersing funds to those subgrantees.

The lead organization would also be responsible for monitoring and reporting to CCF on its performance-based grant and all subgrants. Funding is included in the budget to engage the services of external researchers or evaluators to assist in this process, if needed. The lead organization would provide semi-annual reporting on its lead/coordinating functions and collect data and provide aggregated semi-annual reporting on the activities of subgrantees to CCF. CCF would share those reports with the County of Los Angeles, the City of Los Angeles, and philanthropic partners. Finally, the lead organization would be responsible for ensuring quality assurance from all subgrantees and for implementing any needed corrective actions to assure compliance with the performance-based subgrant deliverables.

VII. Conclusion

The City and County of Los Angeles, along with their philanthropic partners, demonstrated critical leadership in launching LAJF and gleaning valuable lessons from its pilot phase, which can be applied going forward. This investment built upon a rich and diverse immigrant legal services ecosystem that has been in development for over fifty years. Public and private funders are well-positioned to advance a long-term, coordinated approach to support immigrants at risk of being detained or removed from the United States. The proposed Program should be viewed as a baseline investment for all of Los Angeles' immigrant residents, not unlike city and county support for public defender services, health care, affordable housing, and the like. Not every city or county resident will need or use these resources, but these are commitments that local governments make to maintain a safety net for low-income and other vulnerable residents. Similarly, not every immigrant residing in Los Angeles County will need or use immigration legal services but creating a community safety net for those that do is a benefit whose ripples are felt in every corner of Los Angeles.

The scale of any sustained investment in the proposed Program should be commensurate with the size of Los Angeles' immigrant population; the scope of immigrants' significant contributions to the region's civic, economic, social, and cultural life; and the potential long-term impacts stemming from family separation and enforcement activities that undermine community well-being for all residents. Ultimately, a stronger, better coordinated, and well-resourced immigration legal services ecosystem will help Los Angeles weather any future changes in law, policy, procedure, and court precedent, including the possibility of wide-scale relief that could benefit significant numbers of Angelenos.

Appendix A - Stakeholders Interviewed

- LAJF Grantees¹⁰⁵
 - ACLU of Southern California (Andrés Dae Keun Kwon, Ahilan Arulanantham)
 - Asian Americans Advancing Justice - Los Angeles (Stewart Kwoh, Aileen Louie, Anthony Roh, Aman Thind, Matthew Toyama)
 - Bet Tzedek (Erikson Albrecht, Joanna Mexicano Furmanska)
 - Catholic Legal Immigration Network, Inc. (CLINIC) (Michelle Mendez, Victoria Neilson)
 - Central American Resource Center (CARECEN) (Martha Arevalo, Camila Alvarez)
 - Centro Legal de la Raza (Aidin Castillo)
 - CHIRLA (Angélica Salas, Yolanda Martin, Luis Pérez, Monica Vargas)
 - Esperanza Immigrant Rights Project (Gabriel Arellano, Kimberly Plotnik)
 - Immigrant Defenders Law Center (Lindsay Toczylowski, Joyce Noche, Lisa Okamoto, Chelsea Bell)
 - Kids in Need of Defense (KIND) (Jossiel Moreira, Wendy Young)
 - Los Angeles LGBT Center (Roger Coggan, Tess Feldman)
 - Legal Aid Foundation of Los Angeles (LAFLA) (Silvia Argueta, Dominique Quevedo)
 - Loyola Immigrant Justice Clinic (Sandra Hernandez, Yanira Lemus)
 - OneJustice (Phil Hwang, Sharon Bashan, Bruno Huizar, Ariella Morrisson)
 - Program for Victims of Torture (Trip Oldfield, Carol Gomez)
 - Public Counsel (Margaret Morrow, Talia Inlender)
 - Southwestern Law School - Los Angeles (Julia Vasquez)
 - USC Gould School of Law, Immigration Clinic (Niels Frenzen, Leila Alemi)
 - Vera Institute of Justice (Nina Siulc, Tania Sawczuk)
- Nonprofit and Government Stakeholders
 - Al Otro Lado (Nora Phillips)
 - Black Alliance for Just Immigration (Zack Mohamed, Tadios Assefa)
 - California Immigrant Policy Center (Cynthia Buiza)
 - California Department of Social Services (CDSS) (Elianna Kaimowitz, Odet Ford)
 - Comunidades Indígenas en liderazgo (CIELO) (Odilia Romero)
 - Equity Research Institute, USC (Rhonda Ortiz)
 - Esperanza Community Housing Corporation (Rabeya Sen)
 - Haitian Bridge Alliance (Guerline Jozef)
 - Human Rights First (Eleanor Acer, Jenna Gilbert)
 - Inland Coalition for Immigrant Justice (Javier Hernandez)
 - KIWA (Alexandra Suh)
 - Long Beach Immigrant Rights Coalition (Gaby Hernandez)
 - National Day Laborer Organizing Network (NDLON) (John Arvizu, Chris Nelson)
 - National Immigration Law Center (Shiu-Ming Cheer)
 - Mexican Consulate in Los Angeles (Felipe Carrera Aguayo)
 - San Francisco Public Defender (Francisco Ugarte, Carloyn Goossen, Emi Maclean)
 - South Asian Network (Shikha Bhatnagar)
 - TransLatin@ Coalition (Bamby Saucedo)
 - Youth Justice Coalition (Phal Sok)
- Los Angeles City and County Stakeholders
 - City of Los Angeles

- Office of the Administrative Officer (Yolanda Chavez, Aurora Abracia, Camilla Fong)
 - Office of Immigrant Affairs (Nora Preciado)
 - Los Angeles City Attorney (Michael Dundas)
 - Los Angeles City Council, Office of the Chief Legislative Analyst (Felipe Valladolid Chavez)
 - Los Angeles County
 - Alternate Public Defender (Jean Constanza)
 - Department of Children and Family Services (Roberta Medina)
 - Department of Health Services (Christina Ghaly, Arun Patel)
 - District Attorney's Office (Ryann Gerber Jordan, Leonard Torrealba)
 - Office of Education (Vibiana Andrade, Carolina Sheinfeld)
 - Office of Immigrant Affairs (Rigoberto Reyes, Daniel Sharp)
 - Office of Inspector General (Max Huntsman, Shadi Kardan)
 - Office of Mental Health (Miriam Argueta-Brown)
 - Public Defender (Graciela Martinez)
- Philanthropic Stakeholders
 - Beacon Fund (Felicia Escobar)
 - California Community Foundation (Rosie Arroyo)
 - The California Endowment (Tara Westman)
 - Weingart Foundation (Vy Nguyen)

Appendix B - Background Reports and Written Materials Reviewed

Los Angeles County Board of Supervisors Resolutions

- <https://lacounty.gov/wp-content/uploads/Motion-by-Supervisors-Hilda-L.-Solis-and-Sheila-Kuehl.pdf>
- <http://file.lacounty.gov/SDSInter/bos/supdocs/110755.pdf>
- <http://file.lacounty.gov/SDSInter/bos/supdocs/110184.pdf>
- <http://file.lacounty.gov/SDSInter/bos/supdocs/148413.pdf>

Los Angeles City Council Resolutions

- <https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=17-0046>
- <https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=17-0046-S2>

Los Angeles City Administrative Officer Reports

- https://clkrep.lacity.org/online/docs/2017/17-0046_rpt_CAO_03-30-2017.pdf
- https://clkrep.lacity.org/online/docs/2017/17-0046_rpt_CAO_06-22-2017.pdf
- https://clkrep.lacity.org/online/docs/2017/17-0046-s2_rpt_CAO_09-25-2019.pdf
- https://clkrep.lacity.org/online/docs/2017/17-0046-s2_rpt_CAO_03-05-2020.pdf

Los Angeles City Legislative Analyst Report

- https://clkrep.lacity.org/online/docs/2017/17-0046-s2_rpt_CLA_03-06-2020.pdf

Vera Institute for Justice Reports on LAJF Pilot Program

- https://clkrep.lacity.org/online/docs/2017/17-0046-s2_rpt_CAO_03-05-2020.pdf (Year 2, Quarter 3 Report are at pages 8-55)(reports for all other quarters provided by California Community Foundation)
- https://clkrep.lacity.org/online/docs/2017/17-0046-s2_rpt_CAO_09-25-2019.pdf (Year 1 Evaluation Report are at pages 43-89)
- https://clkrep.lacity.org/online/docs/2017/17-0046_misc_1_8-18-20.pdf (Year 2 Evaluation Report)

NonProfit Finance Fund Report on LAJF

- https://clkrep.lacity.org/online/docs/2017/17-0046-s2_rpt_CAO_09-25-2019.pdf (at pages 90-105)

California Community Foundation agendas and notes from LAJF convenings
Provided by California Community Foundation

LAJF pilot grantees' responses to September 2019 surveys about bridge funding
Provided by California Community Foundation

USC Center for the Study of Immigrant Integration, State of Immigrants in LA County, 2020

- https://dornsife.usc.edu/assets/sites/731/docs/SOILA_full_report_v19.pdf

California Coalition for Universal Representation, California's Due Process Crisis: Access to Legal Counsel for Detained Immigrants, 2016

- <https://www.nilc.org/wp-content/uploads/2016/06/access-to-counsel-Calif-coalition-report-2016-06.pdf>

Human Rights First, Prisons and Punishment: Immigration Detention in California, 2019

- https://www.humanrightsfirst.org/sites/default/files/Prisons_and_Punishment.pdf

The Resource for Great Programs, An Assessment of the Economic and Societal Impacts of Canal Alliance's Immigration Legal Services, 2013

- <https://legalaidresearchnlada.files.wordpress.com/2020/03/assessment-of-the-economic-and-societal-impacts-canal-alliance-immigration-2013.pdf>

Houston Immigration Legal Services Collaborative, Communities Torn Apart: The Impact of Detention and Deportation in Houston, 2020

- <https://www.houstonimmigration.org/wp-content/uploads/2020/11/Communities-Torn-Apart.pdf>

North Carolina Office of Indigent Defense Services, North Carolina Systems Evaluation project Performance Measures Guide, 2012

- http://www.ncids.org/systems%20evaluation%20project/performance%20measures/PM_guide.pdf

Grantmakers Concerned with Immigrants and Refugees, Immigration Legal Services Assessment, 2020

- https://www.gcir.org/sites/default/files/resources/GCIR_Legal-Services-Assessment-%20February%202020_0.pdf

Appendix C: Proposed Program Budget

Los Angeles Immigrant Community Legal Defense Program JULY 2021 - JUNE 2024							
	TWO-YEAR ALLOCATION			TWO-YEAR ALLOCATION			TOTAL
EXPENSE CATEGORY	2021-22	2022-23	Total	2023-24	2024-25	Total	
Lead Organization							
Personnel & Benefits	\$459,375	\$473,156	\$932,531	\$487,351	\$501,971	\$989,322	\$1,921,854
Supplies & Equipment	\$5,000	\$5,150	\$10,150	\$5,305	\$5,464	\$10,768	\$20,918
Rent & Utilities	\$14,000	\$14,420	\$28,420	\$14,853	\$15,298	\$30,151	\$58,571
Capacity Building	\$160,000	\$164,800	\$324,800	\$169,744	\$174,836	\$344,580	\$669,380
Project-Related Costs	\$250,000	\$257,500	\$507,500	\$265,225	\$273,182	\$538,407	\$1,045,907
Administrative Costs	\$106,605	\$109,803	\$216,408	\$113,097	\$116,490	\$229,587	\$445,996
TOTAL	\$994,980	\$1,024,829	\$2,019,809	\$1,055,574	\$1,087,242	\$2,142,816	\$4,162,625
Legal Services Grantees							
Personnel & Benefits Costs	\$5,690,000	\$5,860,700	\$11,550,700	\$6,036,521	\$6,217,617	\$12,254,138	\$23,804,838
Post-Conviction Relief & Appeals	\$600,000	\$618,000	\$1,218,000	\$636,540	\$655,636	\$1,292,176	\$2,510,176
Local Travel	\$48,000	\$49,440	\$97,440	\$50,923	\$52,451	\$103,374	\$200,814
Supplies & Equipment	\$20,000	\$20,600	\$40,600	\$21,218	\$21,855	\$43,073	\$83,673
Rent & Utilities	\$112,000	\$115,360	\$227,360	\$118,821	\$122,385	\$241,206	\$468,566
Language Interpretation	\$200,000	\$206,000	\$406,000	\$212,180	\$218,545	\$430,725	\$836,725
Administrative Costs	\$800,400	\$824,412	\$1,624,812	\$849,144	\$874,619	\$1,723,763	\$3,348,575
TOTAL	\$7,470,400	\$7,694,512	\$15,164,912	\$7,925,347	\$8,163,108	\$16,088,455	\$31,253,367
Additional Grantees							
Research, Evaluation & Communications	\$150,000	\$154,500	\$304,500	\$159,135	\$163,909	\$323,044	\$627,544
Information & Referrals	\$200,000	\$206,000	\$406,000	\$212,180	\$218,545	\$430,725	\$836,725
Community/Grassroots Orgs.	\$250,000	\$257,500	\$507,500	\$265,225	\$273,182	\$538,407	\$1,045,907
Community Advisory Group Stipends	\$36,000	\$37,080	\$73,080	\$38,192	\$39,338	\$77,531	\$150,611
Psychological Evaluations	\$198,813	\$204,777	\$403,589	\$210,920	\$217,248	\$428,168	\$831,757
Litigation	\$200,000	\$206,000	\$406,000	\$212,180	\$218,545	\$430,725	\$836,725
TOTAL	\$1,034,813	\$1,065,857	\$2,100,669	\$1,097,833	\$1,130,768	\$2,228,600	\$4,329,270
TOTAL	\$9,500,193	\$9,785,198	\$19,285,391	\$10,078,754	\$10,381,117	\$20,459,871	\$39,745,262

COST BREAKDOWNS BY BUDGET CATEGORY				
PERSONNEL & BENEFITS COSTS	FTE	Salary (Year One)	Benefits (25%)	Total
Lead Organization				
Executive Leader	0.15	\$150,000	\$37,500	\$28,125
Program Director	1.00	\$125,000	\$31,250	\$156,250
Policy Coordinator	1.00	\$85,000	\$21,250	\$106,250
Reporting/Evaluation Coordinator	1.00	\$48,000	\$12,000	\$60,000
Grants Manager/Development Associate	1.00	\$44,000	\$11,000	\$55,000
Administrative Support	1.00	\$43,000	\$10,750	\$53,750
TOTAL				\$459,375
Legal Services Grantees				
Executive Leader	0.40	\$150,000	\$37,500	\$75,000
Supervising Attorney/Senior Attorney	12.00	\$120,000	\$30,000	\$1,800,000
Staff Attorney	16.00	\$100,000	\$25,000	\$2,000,000
Paralegal/Legal Assistant	16.00	\$55,000	\$13,750	\$1,100,000
Social Worker/Client Advocate/Case Coordinator (etc.)	8.00	\$50,000	\$12,500	\$500,000
Reporting/Evaluation Specialist (Admin)	4.00	\$43,000	\$10,750	\$215,000
Appellate Work & Post-Conviction Appeals (.50 FTE @ \$120,000; 3.0 FTE @ \$100,000 + benefits)				\$420,000
TOTAL				\$6,110,000
NON-PERSONNEL RELATED COSTS	# of LSPs	Amount	Lead Org	Total
Supplies & Equipment (based on average LAJF costs for 2019)	8	\$2,500	\$5,000	\$25,000
Rent & Utilities (based on average LAJF costs for 2019)	8	\$14,000	\$14,000	\$126,000
Capacity Building Support & Coordination	8	\$20,000	--	\$160,000
Project-Related Costs (based on average LAJF costs for 2019, e.g., Adelanto-related costs, language interpretation, expert witnesses, consultants/contractors, meeting-related costs, printing costs)	8	--	\$250,000	\$250,000

Local Travel (based on average LAJF costs for 2019)	8	\$6,000	--	\$48,000
Interpretation (based on .5 FTE of County-funded position) (Lead Organizations costs included in "Project-Related Costs")	8	\$25,000	--	\$200,000
ADMINISTRATIVE COSTS	12%			
SUBGRANTS				
Research, Evaluation & Communications	Total - 2+ grantees			\$150,000
Information & Referrals	Total - 2+ grantees			\$200,000
Grassroots/Community Organizing Groups	Total - 4-6 grantees			\$250,000
Psychological Evaluations (.15 FTE @ \$87,000; 2 FTE @ \$73,000 + benefits)	Total - 1 grantee			\$198,813
Litigation (based on LAJF cost estimates in 2019)	Total - 1 grantee			\$200,000

Appendix D - Related Funding for Immigration Legal Services in Los Angeles

The State of California first began providing funding for immigration legal services in 2015. The One California fund for immigration legal services was established by the California Legislature and is administered by the California Department of Social Services (CDSS). The fund has an annual budget of \$45 million to provide legal advice, removal defense, assistance with DACA renewals, applications for citizenship, and training and technical assistance.¹⁰⁶ Several LSPs in Los Angeles, including LAJF pilot grantees, currently receive CDSS funding for removal defense.¹⁰⁷ CDSS also provides funding for immigration legal services for unaccompanied undocumented minors. Several legal service providers in Los Angeles, including LAJF pilot grantees, currently receive such funding.

A Request for Applications for CDSS funding in 2021 is expected in November 2020, with decisions by the end of the first quarter of 2021 and funding likely to begin the second quarter of 2021. The proposed Program can build upon and complement future funding from the state. Prospective grantees will need to justify their funding requests based on their existing or projected funding, including CDSS grants. Since the proposed model is based on sustaining organizational teams, LSPs that have successfully secured state funding can continue to build out/scale up their teams with local funding in Los Angeles, especially if they are already experienced in this area of the law. (One of the requirements for CDSS funding for removal defense is that a LSP has a minimum of three years' experience in removal defense.¹⁰⁸) For those grantees that have not yet received CDSS funding, the proposed Program can help them build the required experience to qualify for future state funding.

Neighboring local governments have also made important related investments. Beginning in 2019, the City of Long Beach began investing in immigration legal services, with a specific focus on removal defense. The Vera Institute for Justice provided the city with a \$100,000 SAFE (Safety and Fairness for Everyone) Cities Catalyst Grant, and the Long Beach City Council invested \$250,000 to establish the Long Beach Justice Fund for two years of operation (May 2019 through April 2021).¹⁰⁹ After a competitive RFP and selection process (administered by the Vera Institute), Immigrant Defenders (ImmDef) was awarded a contract to provide removal defense legal services to Long Beach residents. The City of Long Beach has included \$350,000 in its Fiscal Year 2021 budget for the Long Beach Justice Fund, as an annual structural budget line item. The city manager will be developing an RFP to allocate this renewed funding, with input and advice from a Long Beach Justice Fund Committee including city officials, impacted community members, and advocates.

Although the Orange County Sheriff ended its agreement with DHS to detain immigrants in Orange County jail facilities in August 2019, it is relevant to note the investments made by the City of Santa Ana in adjacent Orange County for removal defense consistent with the proposed regional approach. The Santa Ana City Council invested \$65,000 in 2017 for a pilot program. The following year, Santa Ana secured a Vera Institute SAFE Cities Catalyst Grant in the amount of \$100,000 and provided an additional \$80,000 to extend the pilot. ImmDef was awarded a contract to provide removal defense legal services to Santa Ana and Orange county residents. An additional \$200,000 was invested to continue the program through 2020 and in July 2020, the \$200,000 in funding was renewed to extend the program through 2021.

Appendix E - Building the Los Angeles Immigrant Community Legal Defense Program from the Current Ecosystem

The LAJF was an unprecedented collaborative effort by eleven LSPs, two legal services support organizations, three local law schools, a mental health service provider, and a support center for nonprofit organizations.¹¹⁰ When the LAJF pilot RFP was announced, 38 non-profit organizations applied. As such, it is important to place the LAJF pilot in the context of a diverse and rich ecosystem of immigration legal services in greater Los Angeles. While the authors of this report were not tasked with evaluating LAJF, the following information provides a preliminary snapshot of the landscape of the immigration legal services sector, but it does not represent a full evaluation of the immigration legal services sector ecosystem in Los Angeles.

There have always been a robust number of individual immigration attorneys and immigration law firms in Los Angeles County. The Southern California chapter of the American Immigration Lawyers Association (AILA) reports over 1,050 members practicing in Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, San Luis Obispo, and Ventura counties.¹¹¹ These private attorneys are able to represent detained and non-detained immigrants, but many immigrants cannot afford to pay for private representation. While some of these attorneys do take on pro bono cases, their capacity to provide free legal representation to low-income immigrants, particularly detained immigrants, cannot address the unmet need.

Moreover, there always have been *notarios* also operating in Los Angeles, taking advantage of vulnerable immigrants who do not understand the complexities of U.S. immigration law.¹¹² While a notary public in the United States is authorized only to witness the signature of forms, a notary public in many Latin American (and European) countries refers to an individual who has received the equivalent of a law license and who is authorized to represent clients before the government.¹¹³ Individuals advertising themselves as *notarios* charge exorbitant fees from unsuspecting immigrants to “fix” their immigration papers or obtain work permits and legal immigration status. These unscrupulous practitioners prepare and submit fraudulent applications without ever explaining the documents immigrants are asked to sign. When such applications are predictably denied, the immigrant often is subject to removal proceedings, with the additional challenge of explaining why they had filed a fraudulent application. The Los Angeles County District Attorney has had a focus on identifying and prosecuting *notarios* as a consumer fraud priority.¹¹⁴

Given the significant need for immigration legal services in Los Angeles, traditional nonprofit LSPs such as the Legal Aid Foundation of Los Angeles¹¹⁵, Neighborhood Legal Services of Los Angeles County¹¹⁶, and Public Counsel¹¹⁷ all have been providing free or reduced fee immigration legal services for decades (in addition to traditional legal services for tenants, employees, and those seeking or using public benefits, etc.). Other nonprofit multi-service organizations such as Catholic Charities of Los Angeles (now known as the Esperanza Immigrant Rights Project)¹¹⁸, the Central American Resource Center (CARECEN)¹¹⁹, and the Coalition for Humane Immigrant Rights Los Angeles (CHIRLA)¹²⁰ also have provided immigration legal services for decades. Many of these LSPs built out their immigration legal services in the 1980s, when hundreds of thousands of Central Americans fled the political violence in their home countries, with many

settling in Los Angeles. IRCA also created opportunities for millions of undocumented immigrants—primarily from Mexico—to legalize their immigration status. These LSPs assisted tens of thousands of immigrants with their IRCA applications throughout the Los Angeles region.

Meanwhile, the Los Angeles County Bar Association also has operated an Immigration Legal Assistance Project for many years. That project uses volunteer attorneys and charges nominal fees for advice about and assistance with completing immigration applications and provides referrals for legal representation.¹²¹ The project is located in the federal building in downtown Los Angeles, where the USCIS office is also situated, and it assists 11,000 immigrants each year.¹²²

The U.S. DOJ operates a Legal Orientation Program (LOP) at immigrant detention facilities, contracting with community based LSPs to provide general legal information to immigrant detainees.¹²³ However, this program does not provide legal representation and is subject to varying limitations on access at each detention facility. Esperanza Immigrant Rights Project is the LSP currently contracted to staff the LOP at Adelanto. As a result of litigation, the DOJ is also required to provide legal representation to detained immigrants with serious mental disorders or conditions that may render them incompetent to represent themselves in immigration proceedings through the National Qualified Representative Program.¹²⁴

A number of Los Angeles LSPs specifically provide removal defense and representation for detained immigrants. For example, Public Counsel began representing immigrants detained at the Santa Ana jail in Orange County in 2008.¹²⁵ Immigrant Defenders Law Center was established in 2015 with a specific focus on removal defense.¹²⁶ Other LSPs for specific populations, such as Asian Americans Advancing Justice-Los Angeles¹²⁷ and the Los Angeles LGBT Center¹²⁸, also have decades of experience providing immigration legal services, and more recently, removal defense. Human Rights First is a national advocacy and action organization that also trains pro bono attorneys to provide legal representation to asylum seekers in Los Angeles.¹²⁹ Organizations such as the Black Alliance for Just Immigration (BAJI), Haitian Bridge Alliance, Al Otro Lado, and the Inland Coalition for Immigrant Justice (ICIJ) have played a critical role in filling gaps for black asylum seekers and other vulnerable immigrants, as well as raising bond funds, advocating for immigrant community members, and providing post-release community support.

With regard to addressing the needs of immigrant children, Bet Tzedek Legal Services¹³⁰, a LSP that provides legal services for youth in foster care and kinship care, began providing immigration legal services related to Special Juvenile Immigrant Status (SIJS) in 2008. A year later, Kids in Need of Defense (KIND)¹³¹, a national organization advocating for immigrant children, also established an office in Los Angeles and began providing immigration legal services to immigrant children as well. The Los Angeles County Department of Children and Family Services (DCFS) has been actively pursuing and supporting earned immigration benefits for children in the child welfare system or in foster care, including filing applications for SIJS with USCIS.¹³² DCFS estimates that about 200 children in its custody need immigration legal services. In 2018, when these SIJS cases became more complex and began to get rejected by USCIS, DCFS sought and obtained Board authorization to contract with an external legal service provider to provide legal representation for these cases (contract for \$250,000 for one year).¹³³ Bet Tzedek Legal Services received this contract.

In addition, local area law schools have started legal clinics staffed by law school faculty members and law students. These legal clinics provide immigration legal service, including appeals and bond hearings, as a training experience for law students. For example, the University of Southern California Gould School of Law Immigration Clinic began in 2001.¹³⁴ The Southwestern School of Law Immigration Clinic was established in 2009.¹³⁵ The Loyola Law School Immigrant Justice Clinic was founded in 2012 as a collaboration between the law school, Homeboy Industries, and Dolores Mission Parish. While these law school immigration clinics have a limited capacity to take on cases, they are an important part of building a pipeline of law students who may decide to pursue a career in immigration law, although these data are difficult to track. The faculty for these immigration clinics also is local experts in immigration law and practice and are invaluable resources for the broader field of immigration law practitioners.¹³⁶

Many legal service providers in Los Angeles leverage pro bono resources from the private bar to provide additional staffing and support for their immigration cases. Most of the pro bono attorneys working on immigration cases have little or no experience in this area of the law, which is exceedingly complex. Accordingly, it takes dedicated organizational resources to recruit, train, assign cases, as well as supervise pro bono attorneys handling immigration matters. Staff attorneys have to be prepared to step in and even take back a case when a pro bono attorney is not available or is no longer able to continue the legal representation. This is increasingly common in light of growing backlogs, which have many cases pending for years. For LSPs that currently do not operate a pro bono program, it would take considerable resources and time to establish one, especially since there already are many existing—and potentially competing—pro bono programs currently in operation.

Given their limited experience with immigration law, pro bono attorneys are usually best suited to work on earned benefits or affirmative cases that primarily involve the completion of detailed USCIS applications. The assistance provided can be limited to the completion and submission of an application, with no obligation to continue legal representation or provide more holistic services. It is much more challenging, however, for pro bono attorneys to effectively provide legal representation to immigrants in removal proceedings, much less for those who are detained, given the level of specialized expertise required and the immediate demands of these types of cases. However, pro bono attorneys can provide much-needed support and assistance with appeals to the Board of Immigration Appeals or the federal courts. Pro bono assistance, including support from large and reputable law firms, can be invaluable in litigation challenging immigrant detention conditions or other policies and practices by DHS and for-profit private prison companies that operate immigrant detention facilities.

While there are many strengths in the current ecosystem of immigration legal services providers throughout Los Angeles, there are also ongoing challenges. A February 2020 analysis¹³⁷ found:

- While there is the perception of a developed and robust service infrastructure in Los Angeles, the ratio of providers to undocumented individuals is lower in this region than the other regions in the state
- Immigration legal services in organizations serving Los Angeles County are most frequently funded by the state and philanthropy

- Of all regions, organizations serving Los Angeles reported the lowest capacity to meet the demand for full representation services (providers in the region on average served about 600 more clients per year compared to the Bay Area and still turned away an average of 101 clients per month due to capacity gaps).

The proposed Program builds on the strengths of the current immigration legal services ecosystem, which has been significantly enhanced by the LAJF pilot.

Appendix F - Draft Request for Proposals for the Los Angeles Immigrant Community Legal Defense Program

INSTRUCTIONS FOR APPLICANTS

This Request for Proposal (RFP) has three separate parts:

- **Part A is for one (1) Lead Organization**
- **Part B is for six to eight (6-8) Legal Service Providers (LSPs)**
- **Part C is for four to six (4-6) Community/Grassroots Organizations**

NOTE: The budget for the Los Angeles Immigrant Community Legal Defense Program (Program) does include funding for a small number of additional subgrantees in other functional areas, including, but not limited to, psychological evaluations, litigation, and research/evaluation. These subgrants will be issued subsequent to this RFP process by the lead organization.

DEADLINE: Proposals for all three parts (Parts A, B, and C) must be submitted through the California Community Foundation's online portal at <https://applyforgrants.calfund.org>, no later than 5:00 p.m. PST on [DATE].

For questions about this RFP, please contact California Community Foundation Senior Program Officer Rosie Arroyo at rarroyo@calfund.org.

ORGANIZATIONS ELIGIBLE FOR FUNDING

Any tax-exempt, not-for-profit organization may apply for Program funding, such as community-based organizations, faith-based organizations, and academic institutions. Local government entities and for-profit companies are not eligible.

Applicants should have capability to provide linguistically and culturally appropriate services to immigrants in the Los Angeles region, and should have a demonstrated knowledge of Los Angeles' diverse immigrant communities, including populations that are most vulnerable to immigration enforcement activities. Successful applicants will also demonstrate a history of effective and inclusive collaboration with key partners, including legal service providers, community-based organizations, and public and non-profit service providers that support Los Angeles' immigrant families and communities.

DESCRIPTION OF FUNDERS

The Program is a public-private partnership funded by the County of Los Angeles, the City of Los Angeles, and private philanthropic organizations, including the California Community Foundation (CCF), Weingart Foundation, and _____.

CCF is the fiscal administrator for the Program and is administering this RFP. CCF has a long history of supporting the integration of immigrants in Los Angeles to be full participants in social, civic, and economic life. In recent years, CCF has supported efforts to expand and protect immigrant rights, increase access to legal services, and promote just and inclusive policies to empower immigrants to thrive civically, economically, and socially.

DESCRIPTION OF THE LOS ANGELES IMMIGRANT COMMUNITY LEGAL DEFENSE PROGRAM

The U.S. immigration system has been broken and outdated for decades, and its use of harsh enforcement, detention, and removal operations are adversely impacting Los Angeles' immigrant families, workers, businesses, and communities. While only Congress can enact meaningful and comprehensive

immigration reform, Los Angeles and many other communities across the country are stepping up to provide critical services to address the needs of immigrant residents, who are too often denied due process in our justice system. Black, indigenous, and other people of color are most vulnerable to intersecting harms inflicted by both the immigration and criminal justice systems.

The goals of the Program are:

1. To identify and serve low-income and other vulnerable immigrants in the Los Angeles area who are in removal proceedings (both detained and non-detained), regardless of the anticipated outcomes of their cases
2. To strengthen Los Angeles' immigration legal services infrastructure by supporting staffing teams at legal services organizations, and promoting authentic collaboration among key stakeholders
3. To integrate the perspectives and concerns of diverse immigrant community members through their direct participation in the Program, including the engagement of community/grassroots organizations, particularly those that are immigrant-led
4. To facilitate a coordinated system of intakes and referrals on both legal and non-legal matters, and to connect clients with appropriate wraparound services where possible
5. To allow grantees to respond flexibly to inevitable shifts in immigration law and policy
6. To keep Los Angeles' immigrant families together, healthy, and strong.

The proposed model for investing in immigration legal services in the Los Angeles area supports core strategies to deliver high-quality, low-cost removal defense services to high-need populations, while monitoring conditions on the ground and responding flexibly to developments in law, policy, and procedure.

PILLAR ONE: Investing in Impacted Communities. A Community Advisory Group should be established and community/grassroots organizations funded to elevate the concerns and perspectives of community members who are directly impacted by immigration enforcement, detention, and removal. The inclusion of the Community Advisory Group will help to ensure that the Program incorporates the voices of diverse and underserved/underrepresented communities, addresses the key concerns of immigrant families and communities, considers emerging policy changes that may be leaving individuals vulnerable to detention and removal, and identifies overlapping resources or gaps in access to legal information and services. The cohort of community/grassroots organization grantees will serve as a source of information and referrals for the Program, and they will help to leverage community assets by supporting family members, raising funds for bonds, increasing public awareness of immigrants' legal rights, and preventing fraud. These grantees and the Community Advisory Board will support greater interconnectedness between community stakeholders and Program grantees.

PILLAR TWO: Investing in Detained Removal Defense. This pillar is critical given the growing number of immigrant detainees and separated families in the Los Angeles region, increasing health and safety risks to detained individuals, and the rapid pace at which detained cases are processed. Pillar Two would focus on providing immigration legal services in the context of immigration court operations and in regional detention facilities that are operated by or under contract with DHS. In order to represent detained immigrants in these locations, grantees will operate to the greatest extent possible with a universal or merits-blind approach and will employ principles of holistic, client-centered defense lawyering. Additionally, grantees will develop a shared vision on how to operationalize their work (e.g., jointly

negotiating with immigration courts to cover one or more dockets on a first-come, first-served basis or coordinating through the existing U.S. Department of Justice's Legal Orientation Program or LOP).

PILLAR THREE: Investing in Non-Detained Removal Defense. This pillar is necessary in order to identify vulnerable immigrants in need of legal representation and to ensure that they have the best chance of prevailing in their claims for protection, as well as document adverse practices ranging from biased immigration judge behavior to *notario* and attorney fraud. Investment in this pillar would focus on expanding access to representation in the immigration courts in the Los Angeles area, including those located at Olive Street and N. Los Angeles Street and in Van Nuys. To the greatest extent possible, grantees will operate with a universal or merits-blind approach to representation and will employ principles of holistic, client-centered defense lawyering. Additionally, grantees will develop a shared vision on how to operationalize their work (e.g., jointly negotiating with the immigration courts to cover one or more dockets on a first-come, first-served basis and coordinating intakes and representation through the existing U.S. Department of Justice's Immigration Help Desk).

NOTE: The broader vision for the Program is a four-pillar model that includes investment in earned immigration benefits or affirmative relief. While funding is not currently available for this pillar under the auspices of this Program, any future investment (and related RFPs) will be contemplated in the context of work that is already underway through Pillars One through Three, as well as other contextual factors.

PROGRAM STRUCTURE

Administrative functions for the Program will be centralized with one lead organization in order to promote coordination and system-wide efficiencies. Removal defense immigration legal services (Pillars Two and Three) will be delivered by a cohort of legal service providers that collaborate to achieve the Program's goals and objectives. A cohort of community/grassroots organizations will also be funded to help ensure that the Program is connected to community-led efforts to address the impact of immigration enforcement and detention in the Los Angeles region.

Proposals are currently being sought for:

Part A: 1 lead organization

Part B: 6-8 legal service providers

Part C: 4-6 community/grassroots organizations

Each organization should submit their application independently. Once the lead organization, legal service providers, and community/grassroots organizations grantees are selected by the funders (and anyone they may choose to include on selection committee), the lead organization will then assume responsibility for developing MOUs and grant agreements with all subgrantees and manage all aspects of the Program, as outlined below.

PART A: LEAD ORGANIZATION (1 to be selected)

Lead organization applicants should 1) have demonstrated and significant administrative experience, including managing large projects with multiple grantees or subcontracts; 2) have demonstrated and significant immigration legal services expertise; 3) have a deep understanding of the immigration legal services ecosystem in the Los Angeles region; 4) have strong working relationships with existing immigration legal service providers in the region, including LAJF pilot program grantees; and 5) be

grounded in a racial equity and justice perspective. Relevant experience in all of these areas should be addressed in applicants' proposal narrative.

The lead organization will be funded for two years (renewal subject to approval by the Program's funders and the availability of funding) to perform the required functions below. While the lead organization should demonstrate the experience and capability to perform the majority of these functions, *some responsibilities may be subcontracted to organizations and individuals with special knowledge or expertise.*

The lead organization will be responsible for:

1. Developing and executing MOUs and subgrant agreements with all funded organizations
2. Convening Program grantees, subgrantees, funders, and members of the Community Advisory Group on a regular basis (Note: the Community Advisory Group, 30% of which will include directly-impacted individuals, will not have the authority to make decisions about the Program and the allocation of resources, but it will serve as a sounding board, a source of information about community needs and concerns, and a place to seek feedback and gain perspective)
3. Overseeing communications, data collection, evaluation, and reporting activities for the Program
4. Managing the Program budget and subgrants, including conducting quality assurance and ensuring compliance with all grant and subgrant deliverables
5. Assessing resource needs and recommending necessary recalibrations to the Program's funders as policy or contextual factors shift
6. Establishing a coordinated, Program-wide system for intakes, legal screenings, and referrals; to the extent possible, integrating existing referral mechanisms and sources, such as the LOP, the Los Angeles County Public Defender/Alternate Public Defender, nonprofit organizations, county agencies, and other relevant entities
7. Facilitating capacity-building, training, and technical assistance opportunities for all funded LSPs, including identifying and connecting LSPs to external resources provided by the State of California, immigration legal services support organizations, the private immigration bar, and law schools
8. Ensuring the availability of COVID-19-related protections and technology support for Program grantees and subgrantees (as needed), leveraging external resources where possible
9. Securing necessary access to in-person/virtual interpretation and language assistance services, medical and psychological evaluations, expert witnesses, and other consultants/contractors
10. Facilitating coordination between Program grantees, subgrantees, and policy advocacy and litigation efforts to address system-wide issues and challenges facing immigrants in the Los Angeles County region, including sharing aggregated, non-identifying client data when appropriate.

PART B: LEGAL SERVICE PROVIDERS (6-8 to be selected, subject to availability of funding)

A cohort of six to eight LSPs will be funded for two years (renewal subject to approval by the Program's funders and the availability of funding) to maintain and increase capacity among existing immigration legal services programs that directly represent individuals in detained and non-detained immigration removal proceedings. LSP applicants should 1) have immigration legal services expertise, specifically with detained and non-detained removal defense (Pillars Two and Three); 2) have strong working relationships with immigration LSPs in the region, including LAJF pilot program grantees, as well as other public and non-profit immigrant service providers; and 3) demonstrate a willingness to provide and/or seek mentorship and training from other funded LSPs as well as other experts in the field. (LSPs that are still developing expertise to provide removal defense services are encouraged to apply, provided that they are willing to engage in a mentor/ mentee-type relationship with other, more experienced providers.)

LSP grantees will provide legal representation to immigrants who:

- Are subject to immigration removal proceedings, and/or have a final order of removal
- Reside in or have ties to the Los Angeles region, as evidenced by self-attestation
- Have incomes below 200 percent of the Federal Poverty Level, as evidenced by self-attestation

LSP grantees should prioritize serving the following populations:

- Immigrants who are Black, Indigenous, or other people of color (BIPOC)
- Heads of households with one or more dependent family members
- Unaccompanied children and young adults who arrived as children
- Individuals with protection-based claims (e.g., asylum applications)
- Victims of domestic violence, human trafficking, and other crimes
- Veterans

Selected LSPs will receive funding to support staffing teams to:

- Conduct outreach to and identify potential clients throughout the Los Angeles area
- Make legal and non-legal referrals, follow-up on linkages to non-legal services, and coordinate with referring organizations
- Conduct initial intakes, screenings, eligibility assessments (includes related data entry)
- Conduct client meetings, both in person and virtually (includes wait time and travel to/from detention facilities, data collection and management, form completion, and other activities required to “work up” a case)
- Prepare for court proceedings (includes conducting legal research, drafting pleadings, preparing motions, hiring and preparing expert witnesses, seeking psychological evaluations)
- Represent clients in the full spectrum of immigration court proceedings, including bond, master calendar, and merits hearings (includes travel to/from and wait time at court/ detention centers, coordinating witnesses and expert testimony)
- Provide support for the appeals process or post-release legal/social services (includes assistance filing applications for relevant immigration relief)
- Advocate on behalf of clients and on issues related to clients’ cases
- Engage in capacity-building and training activities (includes participating in activities provided by external organizations and other funded LSPs, as well as providing capacity-building and training for other grantees, when relevant)
- Report on funded removal defense activities to lead organization
- Participate in Program-wide meetings and activities.

PART C: COMMUNITY/GRASSROOTS ORGANIZATIONS (4-6, subject to availability of funding)

A cohort of four to six community/grassroots organizations will be funded for two years (renewal subject to approval by the Program’s funders and the availability of funding) to ensure that the Program is directly and authentically connected to community-led efforts to address the impact of immigration enforcement and detention in the Los Angeles region. Applicants should 1) be immigrant-led and/or have deep ties to Los Angeles’ diverse immigrant communities; 2) have a broad understanding of the immigration legal services ecosystem in the Los Angeles region, including but not limited to legal services; and 3) have demonstrated capacity to conduct outreach to community members at scale.

Community/grassroots organization grantees will serve and engage community members who:

- Are impacted by immigration enforcement and detention
- Are Black, Indigenous, and other People of Color (BIPOC)

- Reside in or have ties to the Los Angeles region (no self-attestations needed)
- Have incomes below 200% of the Federal Poverty Level (no self-attestations needed)

Selected community/grassroots organizations will receive funding to:

- Outreach to the immigrant community to make them aware of the Program, as well as their legal rights generally
- Provide referrals to the Program and help facilitate referrals for wraparound services
- Identify and help to address language interpretation needs in a variety of settings
- Operate and/or coordinate with existing bond fund programs
- Engage in community-based fraud prevention activities
- Provide other Program grantees with updates on emerging enforcement-related issues and trends in the region (e.g., workplace and community raids)
- Participate in Program-wide meetings and activities.

PROPOSAL NARRATIVE *The proposal narrative may not exceed 8 pages (single-spaced, 12pt font, one inch margins). Allowable attachments are indicated, including a budget worksheet.*

- **Organizational Background:** Describe the history, mission, goals, and strategies of your organization. Indicate the RFP category for which you are applying for funding: lead organization, legal service provider, community/grassroots organization. **NOTE:** Qualified applicants may apply to serve as the lead organization *and* an LSP, provided they respond to all questions for both categories. A 10-page limit applies to these applications only.
- Please respond to the additional points listed below under your desired grantee category.

Lead Organization

- Current and past experience administering projects involving multiple partners or grantees; include a description of key responsibilities held as part of these projects, such as budget management, development of MOUs and/or grant agreements, relationship management, funder engagement, and other relevant components
- Current and past experience providing legal representation to immigrants, including removal defense and affirmative immigration legal services, and/or experience providing capacity-building and training related to legal representation
- If relevant, current capacity to serve immigrant clients in removal proceedings, including staffing, expertise, years of experience, supervision, and relevant case management processes
- A description of any training or capacity building support that you currently provide or have provided to other immigration legal service organizations
- A description of your closest organizational collaborators and the nature of those collaborations relevant to your desired role as the Program's lead organization

Legal Service Providers

- Current and past experience providing legal representation to immigrants, including removal defense and affirmative immigration legal services
- Current capacity to serve immigrant clients in removal proceedings, including staffing, expertise, years of experience, supervision, and relevant case management processes
- A description of your closest organizational collaborators and the nature of those collaborations relevant to your desired role as an LSP

- A description of your approach to non-legal referrals (e.g., health/mental health, housing/homelessness, education, employment, etc.); your current capacity to conduct these types of referrals; and examples of public and non-profit immigrant service providers to whom you frequently make and receive referrals
- If relevant, a description of any training or capacity building support that you currently provide or have provided to other immigration LSPs
- If relevant, a description of efforts (current or previous) to outreach to and/or educate the Los Angeles immigrant community about their rights and available immigration legal services/programs

Community/Grassroots Organizations

- A description of your organizing, monitoring, and/or advocacy efforts related to immigration enforcement and detention activities in the Los Angeles area
 - A description of your current outreach efforts with the immigrant community, including fraud prevention efforts, and the demographics of community members with whom you are most frequently engaged
 - A description of your relationship with immigration LSPs in the Los Angeles area, including groups you work with closely and the nature of those relationships
 - A description of your relationship with non-legal immigrant-serving organizations in the Los Angeles area, including groups you work with closely and the nature of those relationships
 - If relevant, a description of any ongoing efforts to address language interpretation needs of immigrants in detention or removal proceedings, including specific languages that are frequently needed for interpretation
 - If relevant, a description of efforts to operate and/or coordinate with existing bond funds
- **Project Description:** After reviewing the grantee roles and responsibilities (above), describe your organization's approach to the proposed Program, including **key objectives, projected organizational contributions, and desired outcomes.**
 - **For Lead Organization:** Describe your approach to designing and managing the proposed Program, including specific strategies to promote coordination, transparency, and information sharing among funded grantees and subgrantees. Be sure to comment on your proposed approach to the following, including what you would take on directly and what you might subcontract to subgrantees:
 - Integrating community/grassroots activities and perspectives
 - Coordinating intakes and referrals program-wide
 - Evaluating and addressing training and capacity-building needs
 - Collecting data, evaluating impact, and reporting
 - Assessing resource needs and making recommendations to funders for necessary recalibrations as policy or contextual factors shift.
 - **For Legal Service Providers:** Describe the population(s) you intend to serve; relevant strategies your organization will pursue to provide access to legal representation for detained and non-detained immigrants in removal proceedings; potential challenges to reaching your target population(s) and approaches to address them; and anticipated outcomes. Be sure to comment on the following:

-- *Current Capacity*: Provide an overview of your existing immigration legal services capacity, including the average number of intake and caseload per attorney/staff team, for both affirmative and defensive cases. If your organization is newer to removal defense work, describe the approach you have taken to gaining experience in this area of the law. Please describe any pro bono or low bono activities your organization is currently engaged in.

-- *Building Capacity*: If you are selected as a Program grantee, how will this funding help strengthen your organizational capacity to provide removal defense services? Do you currently have the capacity to supervise, track, and monitor an expanded caseload—or will your desired staffing team help to perform these functions? What (non-monetary) supports does your organization need to ramp up capacity, such as training or mentoring? If relevant, how will you sustain engagement of volunteer attorneys as your capacity expands?

-- *Influencing Policies*: Is your organization engaged in broader efforts to increase legal representation for immigrants in removal proceedings, address detention conditions, and/or encourage federal/state/local policies to support and protect immigrants? If yes, please describe how you hope this project might help advance those broader efforts.

- **For Community/Grassroots Organizations**: Describe the population(s) you intend to serve; relevant strategies you will pursue to support immigrants in removal proceedings, including connecting them to LSPs; potential challenges to reaching this population and how you plan to address them; and anticipated outcomes. Be sure to comment on the following:

-- *Outreach Activities*: Describe your outreach efforts with the immigrant community in the Los Angeles area, including specific strategies to connect with isolated and vulnerable populations, as well as your geographic reach. Describe any specific community-based Know Your Rights or fraud prevention efforts.

-- *Referrals*: How does your organization connect immigrants to LSPs for removal defense services? Describe your approach to referrals for non-legal services (i.e., social or “wraparound” services). Be sure to note any relevant organizational partners for both legal and non-legal referrals. If you provide language interpretation services and/or access to bond funds, please describe the nature of your efforts.

-- *Policy Advocacy*: Is your organization engaged in broader efforts to increase legal representation for immigrants in removal proceedings, address detention conditions, and/or encourage federal/state/local policies to support and protect immigrants? If yes, please describe how this project will help advance those broader efforts, and be sure to note relevant organizational partners.

- **Staffing Teams**: For the lead organization and LSPs only, please complete the following tables about your desired staffing teams. Please note other current or anticipated funding sources to support your proposed staffing team or organization.

Lead Organization:

Comments about your proposed staffing team for lead organization applicants:

Position	Total FTE Required	FTE Requested	Current or Anticipated Funding/Funding Source(s) to cover difference between required and requested FTEs
Executive Leader			
Program Director			
Policy Coordinator			
Reporting/Evaluation Coordinator			
Grants Manager/ Development Assoc.			
Administrative Support			
Other Positions/ Alternate Roles (list specific titles)			

Legal Service Providers:

Comments about your proposed staffing team for LSP applicants:

Position	FTE Required	FTE Requested	Current or Anticipated Funding Source(s) to cover difference between required and requested FTEs
Executive Leader			
Supervising Attorney/ Senior Attorney			
Staff Attorney			
Paralegal/Legal Assistant			
Grants Manager/ Development Assoc.			

Community Navigator/Referral Specialist/Social Worker/Client Advocate/Case Coordinator			
Reporting/Evaluation Specialist (Admin)			
Other Positions/ Alternate Roles (list specific titles)			

- Outcomes and Evaluation:** Describe the indicators and methods your organization believes are critical to track outcomes and measure the impact of the proposed Program, including both quantitative and qualitative measures. Include detailed information about your current system for tracking and reporting data on intakes, referrals, case-related activities and outcomes, and other related activities (e.g., outreach, advocacy, etc.). Please attach a copy of your current intake form (not counted toward the application page limit).
- Grantee Budget:** Please complete the following worksheet with information about your proposed Year One budget. (This document does not count toward the application page limit.) For lead organizations, the proposed budget should only cover expenses related to your operation of the Program, not anticipated subgrants.

Organization Name:			
Grantee Category:			
BUDGET ITEM	AMOUNT REQUESTED	AMOUNT FROM OTHER FUNDERS	TOTAL BUDGET
PERSONNEL EXPENSES			
Salaries and Benefits			
<i>(List title/FTE for each position included on the Staffing Teams Chart above)</i>		<i>Note if other funding is committed or pending</i>	
SUBTOTAL, PERSONNEL EXPENSES			
PROGRAM EXPENSES			
Training and Capacity Building		<i>Note if other funding is committed or pending</i>	

Contracts and Services (Specify purpose and specific categories of anticipated expenditures, e.g., language interpretation, psychological evaluations, expert witnesses, etc.)		Note if other funding is committed or pending	
Rent and Utilities		Note if other funding is committed or pending	
Local Travel		Note if other funding is committed or pending	
Supplies and Equipment		Note if other funding is committed or pending	
Other Program-Related Expenses (Specify purpose and specific categories of anticipated expenditures)		Note if other funding is committed or pending	
<i>SUBTOTAL, PROGRAM EXPENSES</i>			
INDIRECT COSTS			
Administrative Overhead			
TOTAL BUDGET			

Comments or further explanation about your proposed budget:

FUNDING SOURCES: This table should be used to provide a list of any federal, state, or private grants your organization currently has or anticipates receiving in the next year.				
Funder	Amount	Current/Pending/ Anticipated	Time Period	Purpose

GRANT CONDITIONS

- Grants will be made subject to the availability of funding.
- Grants will be approved on a case-by-case basis.
- Grants are available for up to two years.
- As a condition of a grant, all grantees will be required to participate in program activities.
- Grantees will be required to submit semi-annual reports, as outlined in their grant agreements.
- Grants may be terminated if grantees are unable to meet grant requirements or grant deliverables.

INFORMATIONAL WEBINAR FOR POTENTIAL APPLICANTS

Organizations interested in applying are highly encouraged to participate in the following informational webinar intended to describe the funding strategy and activities, review the application process, explain other administrative requirements, and answer any questions:

Date: [DATE]

Time: [TIME]

Register: [Webinar registration link]

TIMELINE AND SELECTION PROCESS

Proposals are due before 5:00 PM on [DATE].

No later than [DATE], CCF and its partner funders and other key stakeholders will review all the proposals submitted and make a selection of a lead organization, the [six to eight] legal service providers, and the [four to six] community/grassroots organizations.

CCF will notify all applicants about the outcome of their proposals and whether they have been approved for funding. The decisions of CCF and its partner funders are in their sole discretion and will be final.

EXECUTION OF PERFORMANCE-BASED GRANTS AND SUBGRANTS

Once the funders make the selections of the lead organization, the LSPs, and the community/ grassroots organization grantees, CCF will execute an agreement with the lead organization, and then disperse the pooled funds from the County of Los Angeles, the City of Los Angeles, and philanthropic partners to the lead organization.

The lead organization will be responsible for entering into Memoranda of Understanding (MOUs) and subgrant agreements, and dispersing funds to the LSPs, community/grassroots organizations, and any other subgrantees. The lead organization will also be responsible for monitoring and reporting to CCF on its performance-based grant and all subgrants.

The lead organization will provide semi-annual reporting on its lead/coordinating functions, and collect data and provide aggregated semi-annual reporting from the LSPs, community/grassroots organizations, and any other subgrantees. CCF will share semi-annual reports with the County of Los Angeles, the City of Los Angeles, and all philanthropic partners. Finally, the lead organization will be responsible for quality assurance for all subgrantees, including the LSPs and community/grassroots organizations, and for developing, implementing, and monitoring any needed corrective actions to assure compliance with the performance-based deliverables.

Endnotes

- ¹ https://dornsife.usc.edu/assets/sites/731/docs/SOILA_full_report_v19.pdf
- ² Ibid.
- ³ <https://www.lamayor.org/statement-mayor-garcetti-trump-administration-order-end-temporary-protected-status-el-salvador>
- ⁴ https://dornsife.usc.edu/assets/sites/731/docs/SOILA_full_report_v19.pdf
- ⁵ <https://immigrantdataca.org/indicators/foreign-born#/>
- ⁶ https://dornsife.usc.edu/assets/sites/731/docs/SOILA_full_report_v19.pdf
- ⁷ http://stateofblackimmigrants.com/wp-content/uploads/2018/09/SOBI_Cali-report_final-9.14.pdf
- ⁸ mycielo.org
- ⁹ <https://immigrantdataca.org/indicators/foreign-born#/>
- ¹⁰ <https://irle.ucla.edu/wp-content/uploads/2020/08/Essential-Undocumented-Workers-Final-w-Cover.pdf>
- ¹¹ <https://www.aila.org/infonet/map-ice-enforcement-actions-january-2017-current>
- ¹² <https://www.americanprogress.org/issues/immigration/reports/2020/09/28/490919/immigrants-essential-workers-covid-19/>
- ¹³ <https://immigrantdataca.org/indicators/industries-and-occupations#/>
- ¹⁴ <https://irle.ucla.edu/wp-content/uploads/2020/08/Essential-Undocumented-Workers-Final-w-Cover.pdf>
- ¹⁵ <https://www.cdc.gov/coronavirus/2019-ncov/community/health-equity/race-ethnicity.html>
- ¹⁶ <https://dornsife.usc.edu/news/stories/3186/coronavirus-could-impact-most-vulnerable-in-los-angeles-county/>
- ¹⁷ <https://www.cdcr.ca.gov/covid19/population-status-tracking/>
- ¹⁸ <https://www.aclu.org/press-releases/covid-19-outbreak-adelanto-ice-detention-center>
- ¹⁹ <https://www.desertsun.com/storyhttps://laist.com/latest/post/20200713/court-allows-adelanto-release-bail-process/news/2020/09/24/judge-can-order-ice-take-steps-stop-outbreak-adelanto-facility/3517546001/>
- ²⁰ <https://lacounty.gov/wp-content/uploads/Motion-by-Supervisors-Hilda-L.-Solis-and-Sheila-Kuehl.pdf>
- ²¹ For example, resources are available at all County libraries to assist immigrants with their applications for citizenship, <https://lacountylibrary.org/citizenship/>
- ²² The 2017 Executive Directive noted that “Our immigrants are the engine of the Los Angeles economy, representing 47 percent of the employed workforce in our city and more than half of the self-employed workforce, entrepreneurship that generated \$3.5 billion in income in 2014 alone.” <https://www.lamayor.org/sites/g/files/wph446/f/page/file/Exec.%20Dir.%20No.%2020--Standing%20with%20Immigrants.pdf> and <https://www.lamayor.org/Immigration>
- ²³ <https://pubdef.lacounty.gov/immigration/>
- ²⁴ <http://file.lacounty.gov/SDSInter/bos/supdocs/110184.pdf>
- ²⁵ <https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=17-0046>
- ²⁶ Investments in the LAJF pilot were made by the County of Los Angeles (\$3 million), the City of Los Angeles (\$2 million), the California Community Foundation (\$1.775 million), and the Weingart Foundation (\$1.125 million); additional funding has been provided by all four public and private funders to extend the pilot period for an additional year, through June 2021.
- ²⁷ https://clkrep.lacity.org/online/docs/2017/17-0046-s2_rpt_CAO_03-05-2020.pdf
- ²⁸ <https://www.americanimmigrationcouncil.org/research/287g-program-immigration>
- ²⁹ <https://coc.lacounty.gov/Our-Work/Immigration-Policy>
- ³⁰ http://file.lacounty.gov/SDSInter/bos/commissionpublications/report/1055898_ImmigrationFinalReport-5-21-2019.pdf
- ³¹ <https://www.dailynews.com/2019/05/08/la-sheriffs-department-wont-help-ice-arrest-illegal-immigrants/>
- ³² <https://www.dailynews.com/2020/09/01/no-warrant-no-sheriff-ice-cooperation-la-county-decrees/>
- ³³ <http://file.lacounty.gov/SDSInter/bos/supdocs/148413.pdf>

³⁴ \$5 million in combined county and city investments divided by 3.6 million immigrants, divided by two years, equals 69 cents.

³⁵ <https://lacounty.gov/budget/>

³⁶ Immigration Reform and Control Act of 1986, 8 U.S.C §1101

³⁷ <https://srcd.onlinelibrary.wiley.com/doi/pdf/10.1002/sop2.1>

³⁸ https://www.immigrationresearch.org/system/files/Twenty_Years_After_IIRIRA.pdf;

<https://www.migrationpolicy.org/article/profitting-enforcement-role-private-prisons-us-immigration-detention>

³⁹ <https://cmsny.org/publications/jmhs-iirira-to-trump/>

⁴⁰ https://www.americanbar.org/groups/crsj/publications/human_rights_magazine_home/human_rights_vol38_2_011/human_rights_winter2011/9-11_transformation_of_us_immigration_law_policy/

⁴¹ https://www.humanrightsfirst.org/sites/default/files/Prisons_and_Punishment.pdf

⁴² <http://www.auditor.ca.gov/pdfs/reports/2018-117.pdf>

⁴³ <https://www.oig.dhs.gov/sites/default/files/assets/Mga/2018/oig-18-86-sep18.pdf>.

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶ <https://oag.ca.gov/sites/all/files/agweb/pdfs/publications/immigration-detention-2019.pdf>.

⁴⁷ <https://www.freedomforimmigrants.org/sexual-assault>

⁴⁸ https://www.aclusocal.org/en/search/%20?page=2&f%5B0%5D=type%3Acase&f%5B1%5D=field_related_issues%3A6

⁴⁹ Novoa v. The GEO Group, Inc., (C.D. Cal., No. 17-2514-JGB)

⁵⁰ Rivera Martinez v. The GEO Group, Inc., (C.D. Cal., No. 5:18-cv-01125)

⁵¹ <https://www.aclu.org/press-releases/covid-19-o>

⁵² Hernandez-Roman v. Wolf, (C.D. Cal. 5:20-cv-00768), <https://www.aclusocal.org/en/cases/roman-v-wolfutbreak-adelanto-ice-detention-center>

⁵³ <https://www.desertsun.com/storyhttps://laist.com/latest/post/20200713/court-allows-adelanto-release-bail-process/news/2020/09/24/judge-can-order-ice-take-steps-stop-outbreak-adelanto-facility/3517546001/>

⁵⁴ <https://cgrs.uchastings.edu/our-work/detention>

⁵⁵ <https://www.aila.org/advo-media/issues/all/doj-move-decertify-immigration-judge-union> and

<https://apnews.com/article/immigration-courts-236e89cb38e3027183da8a7d8ca4f40c>

⁵⁶ <https://apnews.com/article/50e97a112fb142f2abffa061ed5737d6>

⁵⁷ <https://www.theindianalawyer.com/articles/immigration-overload-court-backlog-of-1-2-million-cases-sparks-fears-frustration-and-calls-for-change>

⁵⁸ https://trac.syr.edu/phptools/immigration/court_backlog/

⁵⁹ <https://www.aila.org/advo-media/issues/all/eoir-mesa-verde-van-nuys>

⁶⁰ https://immigrantdataca.org/indicators/court-deportation-proceedings#/?geo_compare=04000000000006037

⁶¹ <https://www.migrationpolicy.org/news/uscis-fee-hike-could-be-latest-step-reshape-immigration>

⁶² <https://www.afsc.org/blogs/news-and-commentary/trumps-attacks-legal-immigration-system-explained>

⁶³ Ibid.

⁶⁴ Ibid.

⁶⁵ <https://srcd.onlinelibrary.wiley.com/doi/pdf/10.1002/sop2.1> and

<https://www.theatlantic.com/family/archive/2017/03/deportation-stress/520008/>

⁶⁶ <https://nomoredeaths.org/wp-content/uploads/2014/10/DIS-Fact-Sheet-Dec2012-final.pdf> and

<https://www.clinicaladvisor.com/home/the-waiting-room/health-impacts-of-immigrant-deportation-in-the-united-states/>; and <https://www.washingtonpost.com/posteverything/wp/2017/02/10/living-in-fear-as-a-refugee-in-the-u-s-is-terrible-for-your-health/>

⁶⁷ Roche KM, Vaquera E, White RMB, Rivera MI. Impacts of immigration actions and news and the psychological distress of U.S. Latino parents raising adolescents. J Adolesc Health. 2018;62(5):525-531; Gulbas LE, Zayas LH.

Exploring the Effects of U.S. Immigration Enforcement on the Well-Being of Citizen-Children in Mexican Families. Russell Sage Foundation. 2017; <https://www.urban.org/sites/default/files/publication/46811/411566-Paying-the-Price-The-Impact-of-Immigration-Raids-on-America-s-Children.pdf>; and

<https://www.urban.org/sites/default/files/publication/28331/412020-Facing-Our-Future.pdf>

⁶⁸ <https://www.clasp.org/publications/report/brief/our-childrens-fear-immigration-policys-effects-young-children>;

Rojas-Flores L, Clements ML, Hwang Koo J, London J. Trauma and psychological distress in Latino citizen children following parental detention and deportation. *Psychol Trauma*. 2017; 9(3):352-361; Zayas LH, Aguilar-Gaxiola S, Yoon H, Rey GN. The distress of citizen-children with detained and deported parents. *J Child Fam Stud*. 2015;24(11):3213-3223; Brabeck KM, Lykes MB, Hunter C. The psychological impact of detention and deportation on U.S. migrant children and families. *Am J Orthopsychiatry*. 2014;84(5):496-505; Allen B, Cisneros EM, Tellez A. The children left behind: The impact of parental deportation on mental health. *J Child Family Stud*. 2015;24(2):386-392

⁶⁹ <https://www.nilc.org/wp-content/uploads/2016/06/access-to-counsel-Calif-coalition-report-2016-06.pdf>

⁷⁰ <http://files.kff.org/attachment/Family-Consequences-of-Detention-Deportation-Effects-on-Finances-Health-and-Well-Being>

⁷¹ <https://www.nilc.org/wp-content/uploads/2016/06/access-to-counsel-Calif-coalition-report-2016-06.pdf>

⁷² <https://www.houstonimmigration.org/wp-content/uploads/2020/11/Communities-Torn-Apart.pdf>

⁷³ <https://www.theatlantic.com/health/archive/2017/01/the-toxic-health-effects-of-deportation-threat/514718/>

and <https://www.ncjustice.org/wp-content/uploads/2018/12/BTC-BRIEF-ACE-ICE-March2018f.pdf>

⁷⁴ <https://www.nilc.org/wp-content/uploads/2016/06/access-to-counsel-Calif-coalition-report-2016-06.pdf>

⁷⁵ Ibid.

⁷⁶ <https://www.houstonimmigration.org/wp-content/uploads/2020/11/Communities-Torn-Apart.pdf>

⁷⁷ Spending power is household income after taxes, money that goes back into the local economy through rent payments, school supply purchases, and public transit fees.

⁷⁸ Rugh JS, Hall M. Deporting the American Dream: Deportations and Latino foreclosures. *Sociological Science*. 2016;3:1053-1076

⁷⁹ A recent report on Harris County also found that employers are impacted by deportation since they must re-train employees who cannot return to work—this report estimates that employers in Houston lose \$24.8 million in turnover costs per year, <https://www.houstonimmigration.org/wp-content/uploads/2020/11/Communities-Torn-Apart.pdf>; <https://www.nilc.org/wp-content/uploads/2016/06/access-to-counsel-Calif-coalition-report-2016-06.pdf>

⁸⁰ <https://www.houstonimmigration.org/wp-content/uploads/2020/11/Communities-Torn-Apart.pdf>

⁸¹ These estimates were derived by a detailed analysis of the sex, race, ethnicity, and most common occupations (e.g. personal care and services, building maintenance and landscaping, etc.) of the immigrants served and using average wages for Latino men and Latina women in these occupations in California, <https://legalaidresearchnlada.files.wordpress.com/2020/03/assessment-of-the-economic-and-societal-impacts-canal-alliance-immigration-2013.pdf>.

⁸² The increase in earnings comes from better, higher paying jobs available when an immigrant obtains work authorization and/or U.S. citizenship, <https://legalaidresearchnlada.files.wordpress.com/2020/03/assessment-of-the-economic-and-societal-impacts-canal-alliance-immigration-2013.pdf>

⁸³ The estimate of increased tax revenue was derived from higher taxes paid by the immigrants themselves, as well as their employers, and from the increased economic activity from the multiplier effect, <https://legalaidresearchnlada.files.wordpress.com/2020/03/assessment-of-the-economic-and-societal-impacts-canal-alliance-immigration-2013.pdf>

⁸⁴ Ibid.

⁸⁵ Anthes, Louis. *Lawyers and Immigrants, 1870-1940: A Cultural History*. Levittown, N.Y.: LFB Scholarly Publishing, 2003.

⁸⁶ Prior to the passage of the Homeland Security Act of 2001, the Department of Justice oversaw both the immigration courts and an immigration trial attorneys office, which made it responsible for both the judge and prosecutor in each immigration court proceeding under this problematic arrangement. The prosecutors in immigration court now work for U.S. Immigration and Customs Enforcement under the Department of Homeland Security. This new structure makes legal representation for the immigrant (defending against deportation or removal) all the more vital.

⁸⁷ <https://www.vera.org/downloads/publications/why-does-representation-matter.pdf>

⁸⁸ <https://www.ncjrs.gov/pdffiles1/nij/grants/254549.pdf> and <https://www.bronxdefenders.org/who-we-are/how-we-work/>

⁸⁹ <https://www.freedomforimmigrants.org/national-bond-fund>

⁹⁰ <https://www.raicestexas.org/2020/07/22/black-immigrant-lives-are-under-attack/>

⁹¹ The 2016 California Coalition for Universal Representation report recommended the following components (for a statewide program): a universal representation institutional provider model, with screening only for income eligibility; operation through contracts with established institutional immigration legal service providers that could handle the full range of deportation cases and that could minimize administrative costs; coordination and cooperation with both DHS and EOIR to ensure efficient attorney-client communication, timely access to necessary documents, and a coordination of calendars; provision of basic support services, including experts, translation, social work, mental health assessment technical assistance, and other forms of investigative services; consistent source of public funding; and oversight through a coordinating organization providing centralized management.

⁹² <https://www.lamayor.org/deferred-action-childhood-arrivals>

⁹³ Funding staff infrastructure rather than “billable hours” for individual cases would be responsive to recommendations made by the Nonprofit Finance Fund about ensuring that the true costs of legal representation are considered in a future program.

⁹⁴ This residency requirement could have the effect of excluding representation for asylum seekers and survivors of torture, a gap that was identified through stakeholder interviews. We recommend that ties include potential sponsors or family members in Los Angeles.

⁹⁵ This role is ideally suited to a trusted, community-based organization that is well acquainted with a wide range of resources available to immigrants through the city, county, nonprofits, and that can help level the playing field among immigration legal service providers.

⁹⁶ Stipends will be made available to individuals for whom participation in the Community Advisory Group could create financial hardship. These stipends will be allocated at the discretion of the lead organization.

⁹⁷ There is a parallel in the health care sector where the emerging best practice is to shift away from relying on a physician to perform all patient-related tasks as part of a team-based model, with a physician (or nurse practitioner or physician assistant) leading a team of nurses, medical assistants, care managers, health educators, community health workers, and others, <https://www.chcf.org/wp-content/uploads/2017/12/PDF-BuildingTeamsInPrimaryCareLessons.pdf>

⁹⁸ The LAJF pilot had a total of 17 grantees, including direct service providers and capacity-building organizations. Going forward, a maximum of eight LSPs are recommended for the first two-year funding period.

⁹⁹ The perspectives and expertise of these groups may be represented among the cohort of funded legal service grantees or on the Community Advisory Group.

¹⁰⁰ Given that the City of Los Angeles’ budget is approved annually, the city and county will need to coordinate and balance their investments in order to achieve the goal of providing funding in two-year increments. This could include, for example, a model whereby the city makes a larger contribution in Year One of each two-year funding cycle that could be expended by grantees over the course of two years.

¹⁰¹ <http://qpc.lacounty.gov/Portals/QPC/Publications/Annual%20Reports/Pdf/Final%20-%202019%20Annual%20Report%20from%20Graphics%208-25-2020.pdf?ver=1bGAlkXcRFjROpWQKBAhnA%3d%3d;>
http://qpc.lacounty.gov/Portals/QPC/Productivity%20Investment%20Fund/Pdf/FY%202019-20%20PIF%20Projects%20Approved_3.pdf?ver=HL_JQwdLftYUw4QymbMrOA%3d%3d

¹⁰² <https://www.gcir.org/ciii>

¹⁰³ http://www.ncids.org/systems%20evaluation%20project/performanceasures/PM_guide.pdf

¹⁰⁴ This chart is based upon the Key Indigent Defense System Performance Indicators from http://www.ncids.org/systems%20evaluation%20project/performanceasures/PM_guide.pdf. Note that this is a draft model only and other models should be consulted; these goals, objectives, and performance indicators could be modified.

¹⁰⁵ Frontline staff and executive leadership at the same organization were interviewed separately.

¹⁰⁶ <http://www.cdss.ca.gov/Benefits-Services/More-Services/Immigration-Services/Immigration-Services-Contractors>

¹⁰⁷ https://www.cdss.ca.gov/Portals/9/Immigration/UUM/FY_2020-21_UUM_Funding_Award_Announcement_Final.pdf

¹⁰⁸ <https://www.cdss.ca.gov/Portals/9/Immigration/092618%20FY%202018-19%20ISF%20Request%20for%20Application%20.pdf?ver=2018-09-26-190959-883>

¹⁰⁹ <http://www.longbeach.gov/globalassets/health/healthy-living/office-of-equity/long-beach-annual-report-june-2020-final>

¹¹⁰ <https://www.calfund.org/wp-content/uploads/L.A.-Justice-Fund-Grantees.pdf>

¹¹¹ <https://www.socalaila.org/>

¹¹² <https://dcba.lacounty.gov/portfolio/immigration-services-fraud/>

¹¹³ https://www.americanbar.org/groups/public_interest/immigration/projects_initiatives/fight-notario-fraud/about_notario_fraud/

¹¹⁴ <http://da.lacounty.gov/about/inside-LADA/district-attorney-jackie-lacey-lauds-notario-fraud-unit-immigration-fraud>

¹¹⁵ <https://lafla.org/get-help/immigration/>

¹¹⁶ <https://nlsia.org/services/immigration/>

¹¹⁷ http://www.publiccounsel.org/practice_areas/immigrant_rights

¹¹⁸ <https://www.esperanza-la.org/>

¹¹⁹ https://www.carecen-la.org/legal_services

¹²⁰ <https://www.chirla.org/what-we-do/programs-initiatives/legal-services/>

¹²¹ <https://www.lacba.org/give-back/immigration-legal-assistance-project/frequently-asked-questions>

¹²² <https://www.lacba.org/give-back/immigration-legal-assistance-project>

¹²³ <https://www.justice.gov/eoir/legal-orientation-program>

¹²⁴ The Vera Institute for Justice has the federal contract to provide legal representation to detained immigrants with mental disorders through the National Qualified Representative Program.

¹²⁵ http://www.publiccounsel.org/practice_areas?id=0001

¹²⁶ <https://www.immdef.org/history>

¹²⁷ <https://www.advancingjustice-la.org/what-we-do/direct-services/immigration>

¹²⁸ <https://lalgbtcenter.org/social-service-and-housing/legal-services/immigration-law-project2>

¹²⁹ <https://www.humanrightsfirst.org/asylum>

¹³⁰ <https://btlssijs.wixsite.com/immigrantchildren>

¹³¹ <https://supportkind.org/what-we-do/legal-services/>

¹³² <https://dcfs.lacounty.gov/youth/immigration/>

¹³³ <https://imprintnews.org/news-2/citing-deportation-threat-l-a-will-offer-legal-help-to-some-foster-youth/32796>

¹³⁴ <https://gould.usc.edu/academics/experiential/clinics/immigration/>

¹³⁵ <https://www.swlaw.edu/experiential-learning/clinical-programs/immigration-law-clinic>

¹³⁶ There are several legal services support organizations that regularly provide training and technical assistance to LSPs on immigration law. These trainings include the basics of legal immigration law and practice; updates on changes in laws, regulations, policies; and relevant administrative and judicial decisions. Technical assistance

includes mentorship and supervision on specific cases as well as “attorney of the day” hotlines with expert practitioners to provide real-time advice. While there are different fee structures for accessing these trainings and technical assistance resources, many funders support these programs for a broad range of LSPs. For example, all grantees of the California DSS immigration legal services programs have access to many of these trainings and technical assistance, <https://www.cdss.ca.gov/benefits-services/more-services/immigration-services/immigration-services-contractors>

¹³⁷ https://www.gcir.org/sites/default/files/resources/GCIR_Legal-Services-Assessment-%20February%202020_0.pdf