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Executive Summary

The Massachusetts Immigrant and Refugee Advocacy (MIRA) Coalition, with training and technical support from Greater Boston Legal Services (GBLS), and 10 legal services partners (including GBLS) serving as host sites, will have a total of 15 AmeriCorps members (12 lawyers and 3 paralegals) who will provide legal services to Unaccompanied Children, build pro bono capacity to support that population, and increase the effectiveness and efficiency of immigration courts in the locations in which members will serve. By the end of the first program year, the AmeriCorps members will be responsible for providing legal services in Immigration Proceedings to the projected population of 370 Unaccompanied Children in the immigration court in Boston.

In addition, AmeriCorps members will leverage an additional 25 volunteers who will support the provision of legal services to Unaccompanied Children in Immigration Proceedings.

This program will focus on the CNCS partnership with DOJ to enhance legal services for Unaccompanied Children in Immigration Proceedings.

Rationale and Approach/Program Design

a. Problem/Need: The Massachusetts Immigrant and Refugee Advocacy (MIRA) Coalition, with training and technical support from Greater Boston Legal Services (GBLS), will create and implement a justice AmeriCorps program, "justice AmeriCorps Massachusetts" (JAM), to provide legal services to Unaccompanied Children to appear in the EOIR (Immigration Court) in Boston. The estimated docket of unaccompanied children to appear before the court in Fiscal Year (FY) 2015 is 370, although the numbers may fluctuate and possibly increase over this period. JAM will place 12 AmeriCorps attorney members at 10 Massachusetts legal services organizations providing clients with representation in the Boston court, with no more than two members at any one site. Three paralegal members will be placed at three legal services partners that are also hosting attorney members; these paralegals will be supervised by attorneys at individual host sites, but will provide support for attorney members at all host sites in the program.

Nationwide the number of unaccompanied children seeking refuge in the U.S. has increased exponentially in the last few years and recently reached crisis proportions, growing from an average of 6,000-8,000 each year through FY 2011, to 13,625 in FY 2012, to 24,668 in FY 2013, to a projected total of more than 60,000 in FY 2014. This dramatic increase is the result of growing violence directed specifically at children in Mexico and Central America and the inability of the governments of those countries to provide them with protection. (See Children on the Run: Unaccompanied Children

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Leaving Central America and Mexico and the Need for International Protection: A Study Conducted by the United Nations High Commissioner for Refugees -- Regional Office for the United States and the Caribbean, Washington D.C., 2014). These children, who have suffered trauma in their home countries and in many cases abuse in their journey to the U.S., often have no family here to provide them with shelter and support. In many instances, they come to join parents who cannot assist them in obtaining lawful immigration status. Usually they face removal proceedings on their own. While potentially eligible to apply for permanent status in the U.S. under Special Immigrant Juvenile (SIJ) status, Asylum, relief under the Convention Against Torture, T Visas, or U Visas, without adequate legal representation they cannot present a meaningful case for relief before the court. This inability can mean the difference between finding permanent refuge in the U.S. and being returned to a country where they may be killed or subject to trafficking or other abuse.

Representation of children in obtaining SIJ status, Asylum, U Visas, or T Visas or other relief requires the assistance of an attorney able to navigate the complex world of immigration, family and criminal law; to provide representation before Probate and Juvenile State Courts, the Immigration Court of Executive Office for Immigration Review (EOIR), and U.S. Citizenship and Immigration Services (USCIS); and to negotiate on behalf of the children with State District Attorneys' Office, State and Local Police Forces and the U.S. Attorneys' Offices. A child seeking to navigate this system on his or her own stands virtually no chance of success.

While GBLS and many other civil legal aid organizations in Massachusetts devote great efforts to providing representation to unaccompanied children in removal proceedings, their resources have been stretched to the limit by the recent surge of such cases, especially given their typical length and complexity. Even as these cases have surged, moreover, overall funding of legal services in Massachusetts and other states has decreased significantly. Resources from the Interest on Lawyers' Trust Accounts (IOLTA), which provides the bulk of non-state revenue supporting civil legal aid, have decreased by 85 percent since 2008, due to declines in bank interest rates. As a result, agencies that receive funding from the Massachusetts Legal Assistance Corporation (MLAC), the primary vehicle through which the Commonwealth funds civil legal aid, now have 38 percent fewer attorneys than they did in 2008--a decrease of 63 full time attorneys (see L. Powers, "As 50th Anniversary Approaches, Public Funding of Civil Legal Aid Remains Vital to Justice," Huffington Post, 12/19/13; and Boston Bar Association, "A Backgrounder on Civil Legal Services Funding in Massachusetts, Issue Spot, 05/30/13). As a result, to give one example, an experienced GBLS attorney who represents unaccompanied children on a full-time basis provided representation in more than 40 cases in 2014.

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Because of this overwhelming and growing need, GBLS and other providers must run waiting lists for representation that are typically months long, in a situation where time is critical before clients age out of eligible status. GBLS' current waitlist, for example, includes 20 unaccompanied children; only about 25 percent of GBLS' immigration caseload is closed each year. Triaging and managing these cases is further complicated by the lack of detailed state or regional data on client outcomes (a situation the data tracking proposed for this project will in part help to address).

Adding 12 attorney and 3 paralegal members through the JAM program will significantly enhance the ability of legal services organizations in Massachusetts to meet this growing and urgent demand on the system. Each attorney member will be responsible for a caseload of approximately 20-25 clients; representation will focus on those clients for whom a claim for relief is possible. Attorney members will screen and evaluate clients for referrals to support services, provide representation in immigration court as well as state probate or juvenile courts, and prepare and file all associated petitions or applications for relief from removal. Paralegal members will support these clients' cases across all AmeriCorps sites with research, background interviews, and document preparation. All members will recruit support from volunteer interpreters, pro bono attorneys, and law school legal clinics.

The Boston Immigration Court serves all jurisdictions within the Commonwealth of Massachusetts as well as Maine, New Hampshire, Vermont and Rhode Island. As noted above, unaccompanied children will also typically need to appear in juvenile and probate courts in their states of residence. Because of procedural restrictions on attorney members licensed to practice in Massachusetts in representing clients at state court proceedings in another state, however, as well as the travel time and costs involved, the JAM program will face obstacles providing representation for clients referred to the Boston court from outside the Commonwealth. While detailed data are lacking, anecdotal evidence from legal services agencies and community-based organizations suggests that the great majority of unaccompanied children referred to the Boston immigration court are residents of Massachusetts. We believe, therefore, that 12 JAM attorney members working in Massachusetts, who can potentially serve up to 300 clients, will be able represent that segment of the docket of unaccompanied children resident in the Commonwealth.

At the same time, MIRA Coalition member organizations in New Hampshire and Rhode Island, and immigrant-serving groups in other New England states, will be able to connect out-of-state clients with JAM paralegal members who can provide advice on potential immigration remedies as well as a list of sources of possible legal representation in each state. JAM members will also outreach to

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community-based and legal services organizations serving unaccompanied children in the region and nationally, including Kids in Need of Defense (KIND), which coordinates law student pro bono activities, and Catholic Charities, which has been charged by ORR to advise children and guardians about the representation process. This will allow members to support clients throughout the region with information and referrals, and to strengthen the network of regional pro bono resources.

b. AmeriCorps Members as Highly Effective Means to Solve Community Problems

1) Evidence Base and Measurable Community Impact: A growing body of empirical evidence, from both quantitative and qualitative sources, demonstrates the impact of legal representation on the efficiency and the outcomes of immigration proceedings involving unaccompanied children, as well as the value of trauma-informed and culturally competent practice models. According to a 2012 study from the Vera Institute of Justice--which since 2005 has administered the Unaccompanied Children Program funded by the Office of Refugee Resettlement (ORR)--some 40 percent of children admitted into ORR custody could be eligible for legal relief from removal, including asylum, SIJ status, or T or U visas (O. Byrne and E. Miller, *The Flow of Unaccompanied Children Through the Immigration System: A Resource for Practitioners, Policy Makers, and Researchers*. Vera Institute of Law and Justice, 2012). However, less than 1 percent of these children are granted relief while in ORR custody. Statistically controlled studies of large national data sets have shown that immigrant adults and children in removal proceedings significantly benefit from legal representation. A 2007 study in the *Stanford Law Review* (using databases of decisions from asylum officers, immigration court judges, the Board of Immigration Appeals, and U.S. courts of appeals) concluded attorney representation is the single most important factor affecting asylum outcomes in the U.S. (J. Ramji-Nogales, A. Schoenholtz, and P. Schrag, "Refugee Roulette: Disparities in Asylum Adjudication," *Stanford Law Review* 60 (2007): 295-412). A report from the New York Immigrant Representation Study (based on data sets from EOIR, Immigration and Customs Enforcement, an Immigration Judge Survey, and a Non-profit Removal Defense Provider Survey) showed that 67 percent of detainees go through removal proceedings without counsel, and only 3 percent of those prevail (*Accessing Justice: The Availability and Adequacy of Representation in Immigration Proceedings*, The New York Immigrant Representation Study, 2012). Those who receive representation, by contrast, are ten times more likely to obtain a successful outcome (defined as relief or termination) in immigration court. Having representation in this study was, in fact, the single most important variable affecting ability to ensure a successful outcome in a case. A study from Syracuse University's Transactional Records Access

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Clearinghouse (TRAC), released on July 15, showed that of 100,000 cases analyzed between 2005 and June 2014, only 52 percent of unaccompanied children in deportation proceedings were represented by attorneys. For those with attorneys, close to half (47 percent) of those whose cases were completed were allowed to remain in the U.S.; for those without attorneys, only one in ten was allowed to stay. In addition, the nonprofit Refugee and Immigrant Center for Education and Legal Services (RAICES), which has recently provided peer-reviewed confidential legal screenings to 925 Unaccompanied Children in HHS custody in San Antonio, TX, found that 63 percent of these children would be eligible for some form of relief from deportation in U.S. immigration court (reported in July 18 letters from RAICES to the U.S. House and Senate Leadership and to the White House).

A 2014 John and Catherine T. MacArthur Foundation-funded study by the Center for Gender & Refugee Studies (CGRS) and KIND also stressed the necessity of developing child-sensitive, culturally competent and trauma-informed standards for evaluating eligibility for asylum, SIJs, and other forms of relief (*A Treacherous Journey: Child Migrants Navigating the U.S. Immigration System*, CGRS and KIND, 2014). Finally, research has shown that providing counsel to low-income immigrants subject to removal proceedings can reduce costs of detention and treatment, improve accuracy of outcomes, and reduce use of public benefits (John Montgomery, *Cost of Counsel in Immigration: Economic Analysis of Proposal Providing Public Counsel to Indigent Persons Subject to Immigration Removal Proceedings*. National Economic Research Associates, 2014).

GBLS and MIRA bring extensive program implementation experience to working with unaccompanied children in this arena. GBLS' experience includes 30 years representing thousands of clients in immigration proceedings, including very many children, among them a growing number in the recent surge of arrivals. In conjunction with the Harvard Immigration and Refugee Clinic of Harvard Law School (HLS), GBLS has had a national impact on asylum law as it relates to children, playing a key role in formulating the 1998 Guidelines for Children's Asylum Claims issued by the USCIS Asylum Office. These guidelines were also informed by an extensive review of the legal practice, victim assistance, and psychological literature on the impact of culturally competent and trauma-informed care. GBLS also litigated *Mejilla-Romero v. Holder* before the First Circuit Court of Appeals, a groundbreaking case involving application of child-sensitive procedures and standards in asylum proceedings. MIRA also has a long history of working on behalf of unaccompanied children. Together with GBLS and a coalition of organizations, MIRA supported the passage of bipartisan anti-trafficking legislation and a recent bill to close state loopholes in access to Special Immigrant Status for youth age 18-21, making Massachusetts law more consistent with USCIS eligibility rules. Since

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2012, MIRA has had an ongoing partnership with child development experts from Tufts University to lead statewide trainings for early education and care (EEC) stakeholders on providing culturally competent care to children in immigrant families, including a focus on the cognitive and developmental impact of trauma on refugee and undocumented children.

This program and policy experience, combined with extensive review of literature and best practice models, will strengthen the effectiveness and efficiency of member training, supervision, and outcome tracking, and help us maximize potential program outcomes. We will make particular efforts to recruit members with relevant language skills and cultural competencies for this population, as well as experience representing or working with unaccompanied children. This could include recipients of MIRA and GBLs services who we might identify as potentially benefitting from this opportunity to open doors to employment opportunities. Recruiting individuals with diverse backgrounds themselves will also assist members in relating and representing the children. All efforts will be made to recruit lawyers or paralegals age 55 or older, whose experience and professional networks will strengthen the member cohort. Paralegal members working across host sites will also enable the sharing of research and referrals at multiple agencies in a way would not be possible without the AmeriCorps program.

c. Member Training: Both upfront and ongoing member training will be a central component of JAM. MIRA's approach to member training is informed by three years of experience operating the AmeriCorps New American Integration Program (NAIP) in partnership with the MA Office for Refugees and Immigrants. NAIP places members at 30 immigrant and refugee serving groups throughout Massachusetts to provide ESOL, citizenship services, and interpretation resources, and to build the volunteer capacity of those organizations.

Overall JAM program management and day-to-day supervision will be the responsibility of a full-time Program Director based at MIRA; training and technical support will also be provided by the Director of MIRA's New American's Integration Institute, who oversees MIRA's current AmeriCorps program. MIRA itself will not host any AmeriCorps members. A part-time Program Advisor at GBLs will collaborate with MIRA staff on the design and delivery of member and host site staff training at the start of the service year and on an ongoing basis. The Program Director and Program Advisor will co facilitate monthly project status conference calls with host sites and twice-yearly in-person meetings.

The MIRA Program Director, MIRA Institute Director and GBLs Program Advisor will conduct a two-day orientation and training session for members at all JAM host sites at the start of the service

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year. This training will include an overview of immigration and asylum law and other relevant topics (including representation of children before EOIR and USCIS), as well as AmeriCorps program rules and requirements, including prohibited activities. A separate half day orientation session will be conducted at the start of the year for host site supervisors. This orientation will include an overview of AmeriCorps rules and requirements; expectations for member training, guidance and supervision; and systems for member supervision and member and host site reporting.

Other training modules in the member training will include working with clients facing trauma and cultural barriers, client interviewing, and working with volunteer interpreters and community resources. Both member training and host site orientation as well as MOAs will address defining sources of data to address required performance indicators, and mechanisms to collect and share data among host sites and other grantees, while protecting client confidentiality and data security. Members will also participate in regular bimonthly training sessions on-site in Boston at MIRA or GBLS addressing specific aspects of immigration representation, including culturally aware and trauma-informed care of young children, and "case rounds" where they present active cases for discussion and review. These meetings will be jointly facilitated by MIRA and GBLS staff and staff from host sites. Bimonthly training sessions will also provide members as a cohort the opportunity to share and reflect on their experiences in a rigorous and challenging service environment.

Finally, attorney members will receive coaching and direct supervision at host sites by experienced attorneys on individual cases and projects, and will participate in relevant staff trainings and professional development opportunities at host sites. Paralegal members will receive ongoing support and supervision in legal research, interviewing, preparation of country of origin documentation, and related areas of work, and will also have access to relevant host site staff trainings and professional development opportunities.

d. Member Supervision: MIRA's successful track record operating an AmeriCorps program and GBLS' long and wide-ranging expertise in providing legal services will ensure that JAM staff are well-equipped to identify, recruit, screen, and supervise AmeriCorps members, including mandatory background screenings for attorney and paralegal members who will have contact with unaccompanied children. JAM host sites are being recruited based on their level of experience providing legal services to immigrants, particularly unaccompanied children, as well as staff capacity to dedicate an experienced immigration attorney to guide and supervise attorney and paralegal members, oversee the work of attorney members in immigration proceedings, ensure compliance with

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AmeriCorps rules and regulations, and promote recognition of AmeriCorps service. (In the case of two attorney members placed at one host site, or host sites with an attorney and a paralegal member, members may be supervised by a single attorney or by separate attorneys, per agreement of the host site, MIRA, and GBLS.) Host site supervisors will receive a half day orientation and training at the start of the service year on their roles and responsibilities in the JAM program. All host sites will sign a formal Memorandum of Agreement (MOA) with MIRA detailing relevant program guidelines and responsibilities with regards to members and host site activities, including AmeriCorps prohibited activities. Prohibited activities will also be detailed in the Member Contract signed during orientation.

Host site supervisors will meet at least weekly with members at their sites to review intakes, individual cases, and other relevant issues, and will attend initial hearings at the immigration court and state courts with attorney members. Host site supervisors, the MIRA Program Director, GBLS Program Advisor, and as necessary other host site staff will also participate in monthly staff conference calls to assess program progress and address any issues with members and the program as a whole. The Program Director, the Program Advisor, the Institute Director, and host site supervisors will also hold in-person meetings at the midpoint and end of each service year for program review and planning purposes. The Program Director will be responsible for tracking and reporting on member and host site activities and program outcomes throughout the year (including mid-year and end of year host site visits and member/host site evaluations, mid-year and end of year progress reports, semi-annual financial reports, and an internal evaluation report).

e. Commitment to AmeriCorps Identification: JAM application materials and other relevant program documents will feature the AmeriCorps and MSA logos, demonstrating JAM's commitment to identification with the state and national partners. The host site MOA will include a commitment to display the AmeriCorps affiliation onsite and to feature members' service in site materials, meetings with outside partners, and other relevant activities. Members will be expected to wear AmeriCorps insignia suitable for legal and professional settings while onsite and in judicial appearances, and be encouraged to share their AmeriCorps experience at public service events. A strong and visible commitment to AmeriCorps identification in MIRA's existing program has been key to host site engagement and the esprit of the cohort, and we expect will have the same kind of impact for JAM.

Organizational Capability

a. Organizational Background and Staffing: MIRA and GBLS each have a long history in the practice of immigration law, policy analysis, stakeholder training and program development on behalf of

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immigrants in MA, and in collaborating in this work with legal services and community-based partners.

Founded in 1987, the Massachusetts Immigrant and Refugee Advocacy Coalition (MIRA) is the largest organization in New England promoting the rights and integration of immigrants and refugees, providing policy analysis, institutional organizing, training and leadership development, and strategic communications. MIRA's 130 member organizations include community-based groups, social and legal services providers, ethnic associations, refugee resettlement agencies, domestic violence service providers, and community health centers. This network will provide a framework and foundation for community outreach and engagement around the JAM program, and build on MIRA's recent efforts in this arena, including: supporting bipartisan legislation on behalf of Special Immigrant Juveniles and trafficking victims; trainings for early education and care (EEC) stakeholders emphasizing culturally and linguistically competent and trauma-informed care of immigrant children; and state leadership in the national "Keeping Families Together" coalition to support undocumented and mixed status families where family members are at risk of deportation.

MIRA's experienced staff and AmeriCorps program background will ensure the effective implementation and oversight of the JAM initiative. Three MIRA staff, including the executive director, are lawyers specializing in immigration law; one is an attorney-at-law legally qualified to practice in Massachusetts, who also routinely supervises at least one legal policy intern (typically a third year law student). All three of these staff actively collaborate with GBLS and other legal services agencies around analysis of state policy as well as referrals of individual clients. Finally, MIRA's nationally recognized New American Integration Program (NAIP), starting a new 3-year AmeriCorps funding cycle in FY2015, affords strong staff experience and systems knowledge around the implementation and centralized oversight of an AmeriCorps program serving immigrant clients through geographically distributed host site partners. The quick startup of NAIP in its first year of operation also provides a model for the rapid scaling, if needed, of JAM over time.

Greater Boston Legal Services (GBLS), founded in 1900 and operating under its current name since 1976, is the chief provider of free, civil legal assistance to one-third of the state's low-income population in Suffolk, Middlesex, Norfolk, and Plymouth counties. GBLS' Immigration Unit assists low-income immigrants statewide, providing advice and representation to those seeking to avoid removal and gain lawful status in the U.S. The Unit has six initiatives, including a Women Refugees Project, Battered Immigrant Women's Project, Torture Survivors Project, Asylum Representation Project, Unaccompanied Minors Project, and the Asylum and Safehaven Seeker Psychological Services

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Project (funded in part by the U.N. Voluntary Fund for Victims of Torture). GBLS' Harvard Immigration and Refugee Clinic (HIRC) provides clinical instruction to approximately 15 HLS students per semester, teaching them to represent individuals seeking asylum and protection against forced removal. HIRC's Co-Managing Director, John-Wilshire Carrera, who is also a clinical instructor at HLS and Chair of the MIRA Board of Directors, will serve as the GBLS Program Advisor for JAM.

JAM will also benefit from the expertise and close working relationships among staff at host sites. Besides GBLS, sites include: Community Legal Services and Counseling Center, Children's Law Center, Catholic Social Services, Community Legal Aid, Metro West Legal Services, Lutheran Legal Services, South Coastal Counties Legal Services, and two sites still to be determined (including sites in central and western Massachusetts). Programs will be distributed geographically to reach targeted clients, and are selected based on experience providing representation to clients in immigration proceedings; capacity to provide client outreach and day-to-day support and substantive supervision of members; and the ability to put in place mechanisms to define, collect, and share case outcome data and performance indicators, and to protect the confidentiality and security of these data. Finally, this collaboration will benefit from the prior AmeriCorps experience of JAM's legal services partners, especially South Coastal Counties, which runs its own AmeriCorps legal services program that places members at many other partner agencies (including four at GBLS).

These organizational capabilities will, furthermore, assist the JAM project in leveraging additional community resources through member outreach to pro bono lawyers, volunteer interpreters, community support services for unaccompanied children (including MIRA Coalition members), and law schools and pro bono legal clinics (including HIRC).

Within MIRA, the JAM program will operate under the umbrella of MIRA's New Americans Integration Institute (NAII). NAII also houses MIRA's current AmeriCorps program and its training program for EEC stakeholders. The Institute Director, Jeff Gross, co-directs both of these efforts (with partners at the MA Office for Refugees and Immigrants), as well as MIRA's other integration-related program and policy initiatives. The Institute was a recipient of a 2013 E Pluribus Unum award from the Migration Policy Institute. The Institute Director (.05 FTE) will supervise the JAM Program Director (a new hire for this project). The Program Director (1 FTE) will have primary responsibility for coordinating with members and host site supervisors, facilitating orientation and trainings and regularly scheduled project meetings, and tracking and reporting of program outcomes across host sites. The Institute Director will provide support to the Program Director in orientation and training

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on AmeriCorps program requirements, coordinating outreach to MIRA organizational members to access community resources, and overseeing the work of a part-time consultant who will institute an in-house data tracking and reporting system at the start the project.

Within GBLS, JAM project activities will be overseen by the GBLS Program Advisor, John Willshire-Carrera (.10 FTE). Willshire-Carrera is a nationally known researcher and practitioner with numerous prominent immigration and asylum litigation victories and professional awards to his credit. The Program Coordinator's responsibilities include orientation and training on immigration issues, consultation on the design of project data tracking and reporting systems, and co-facilitation of project meetings.

The efficient and flexible design and oversight of the program, combined with MIRA's experience in quickly ramping up its current AmeriCorps initiative, would allow us to rapidly scale JAM to meet a potential 20 percent fluctuation in the number of unaccompanied children in the first program year. We will also confirm with host sites that have greater staff capacity their readiness take on and supervise new members if the need arises (and CNCS resources are available), adding language to the MOA and monitoring evidence of increased demand over time. Actively building the pro bono attorney capacity of the local system around this issue in Year 1--including public informational workshops and allowing non-JAM host site attorney staff to participate in ongoing program training sessions--will give MIRA, GBLS, and host sites further resources to draw on. This approach, together with the high level of interest in the justice AmeriCorps initiative among legal services organizations throughout the state, the staff experience and system efficiencies gained in Year 1, and the availability of additional CNCS resources, will support our ability to scale operations if necessary in Years 2 and 3 of the project.

b. Compliance and Accountability: To ensure compliance with AmeriCorps rules and regulations, MIRA and GBLS will 1) educate members and host sites during the orientation period on the importance of AmeriCorps rules and regulations, including prohibited activities; 2) determine compliance and identify potential issues in a timely way through ongoing monitoring, including regular review of monthly member activity logs, bimonthly calls with individual members by the Program Director, and monthly host site supervisor conference calls; and 3) implement and enforce policies and procedures for dealing with issues of non-compliance, including a system and timeline for warning in instances of non-compliance, corrective action timeline, and immediate dismissal protocol when required. All of these requirements will be detailed in the Member Contract and the host site

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[c. Past Performance for Current AmeriCorps grantees and Former AmeriCorps grantees Only]

d. Continuous Improvement: To ensure continuous improvement, MIRA and GBLS will institute a data tracking and reporting system that will allow the JAM program staff to routinely monitor outcomes and member activities across host sites, including case outcomes and performance indicators, and generate status reports on a monthly basis. We will also monitor member and host site activities and member performance through two member evaluations per year completed by host site supervisors, at the middle and end of the service year; two site visits (including the host site supervisor, Program Director, and member) at the start and end of the service year; two program evaluations completed by members, at the middle and end of the service year; and brief member status reports at JAM bimonthly trainings. The Program Director will also communicate with members via email at least once monthly. All individual feedback and program data will be routinely analyzed and shared with host site staff on monthly conference calls; quarterly status updates will also be sent to key stakeholders, including MLAC, foundations and individual donors, and community-based organizations representing affected immigrant groups. Programmatic or host site adjustments will be implemented as needed on the basis of system data and stakeholder feedback, in order to improve service delivery and program compliance with AmeriCorps service requirements.

Cost Effectiveness and Budget Adequacy

a. Cost Effectiveness: MIRA plans to leverage almost 50 percent matching in-kind and financial resources for JAM, which will help insure the project's cost effectiveness.

In Year 1 and after, MIRA will raise additional resources for this project from current funders who support our work on immigrant rights and children's issues, as well through individual donors outside our general fundraising stream that will specifically support this project. Locally we are planning to make requests of our founding funders The Boston Foundation, City of Boston, Massachusetts Bar Foundation and Boston Bar Foundation and the MA Office for Refugee and Immigrants. We will also reach out to all Community Foundations across New England (42). In addition, we will make requests of other local MA foundations such as The Barr, Hyams, Miller Foundations, as well as some Family Foundations, such as Klarman, Fish, and Smith. We also hope to count on the support of different financial institutions (Bank of America, Santander Bank, Eastern Bank Charitable Foundations), colleges and universities, particularly law schools (including Harvard, Northeastern,

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Boston College, and Bunker Hill Community College). In addition, we will inquire of new potential national funders, such as the American Legion Child Welfare Foundation and other child welfare foundations that support legal aid services to disadvantaged populations.

GBLS also has a strong track record of raising funds for its Immigration Unit as well as raising unrestricted funds, and will provide MIRA with assistance in outreach to GBLS' existing donors, as well as identifying funding sources outside GBLS' general fundraising stream that will specifically support this project. In 2013, the agency raised companywide over \$1,300,000 from individual donors. To fund its share of supervision, facility, indirect costs, etc., GBLS will use other unrestricted funds, principally those from MLAC. In 2013, MLAC provided GBLS with more than \$1,700,000 in general funding.

In addition to these resources, participating host sites will be asked to make a match contribution of \$8500 for every member hosted. Cash raised from foundations and donors will allow us at the same time to reduce contributions for host sites that face challenges making the match amount given current constraints on legal services funding.

JAM represents a cost efficient way to provide legal representation to unaccompanied minors compared with other available approaches. The availability of a cadre of trained AmeriCorps members focused on the legal and associated needs of this population will allow us to provide representation to many more clients than would be possible with a less specialized approach. Attorney members will be supervised by a senior attorney and have access to a high level of expertise if needed to address issues outside the members' area of concentration. Given the lack of free legal services available to this population, the only alternative would be cost-prohibitive representation by the private bar. As noted earlier, research has also shown that providing counsel in such cases can reduce costs of detention and treatment as well as use of public benefits.

b. Budget Adequacy: See accompanying budget sections

Evaluation Summary or Plan

N/A

Amendment Justification

N/A

Clarification Summary

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NOTE: The latest budget revision increases the host site match contribution from \$8500 in the original proposal to \$11,500. This calculation is present as well in the Clarification Items below. The increase reflects what we feel are more realistic fundraising goals for the project lead (MIRA) given the relatively short time frame to ramp up this effort. To the extent possible, we hope to exceed our own fundraising goals in order to reduce host site contributions for current and potential future host sites. As per the narrative, if the proposed match will be an undue burden on a host site, we will work with the site to facilitate their participation, including assistance with host site fundraising.

I. Standard Clarification items:

a. "Clarify whether the program will provide direct legal representation to the entire estimated docket size of unaccompanied children in the immigration court location where you plan to operate your program? If your current proposal does not cover the entire estimated docket size of unaccompanied children in the immigration court location where you plan to operate your program, what would your program need in order to accept more Members (such as administrative support, funding, office space, etc.)?"

Per the narrative, the Boston Immigration Court unlike many other immigration courts serves jurisdictions across multiple states, including the Commonwealth of Massachusetts as well as Maine, New Hampshire, Vermont and Rhode Island. As also noted in the narrative, unaccompanied children also typically need to appear in family and probate courts in their states of residence; however, because of restrictions in those courts on attorney members licensed to practice in Massachusetts in representing clients at state court proceedings in another state, as well as the travel time and costs involved, Massachusetts-based attorneys in the program would face significant procedural obstacles providing representation for clients referred to the Boston court from outside the Commonwealth.

Because of these constraints, we proposed providing direct legal representation only to the majority share of the estimated docket resident in Massachusetts; through our community-based networks in other states, however, the program would work to connect children in those locales with appropriate legal services providers or pro bono resources. Based on practitioner input from GBLs and MIRA legal staff, we estimated the Massachusetts share of the docket as 300 (of a total estimated docket of 370). We were not able to obtain a more detailed breakdown at the state level for Maine, New Hampshire, Vermont and Rhode Island prior to submitting the application, though anecdotal evidence suggests

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the numbers may be very small in more rural states like Maine and Vermont.

Providing direct representation for unaccompanied children residing outside of Massachusetts would require placing and supervising AmeriCorps attorney members at host site in each of the four other New England states served by the Boston immigration court. Additional expenses in this instance would primarily involve per member costs for stipend, healthcare, etc. for four additional attorney members, as well proportional increase in operational expenses for member and host site travel, background checks, etc. Other operational costs, such as for program level staff, training, etc., could also potentially increase, though we expect these could be absorbed by current staffing levels under the scenario described here. Added costs in this scenario (by line item) include:

Member costs:

- Living Allowance (4 x \$24200) = \$96,800
- FICA (4 x \$1851.30) = \$7405.20
- Worker's Comp (4 x \$242) = \$968
- Healthcare (4 x \$199.54 x 11 months) = \$8779.76
- CORI/FBI (4 x \$43) = \$172

Host site / Program costs:

- Office Supplies (4 x \$100) = \$400
- Computer (4 x \$750) = \$3000
- Member Travel (4 x \$1320) = \$5280
- Supervisor Travel (4 x \$1056) = \$4224
- Case related legal expenses (4 x \$500) = \$2000
- Telephone and postage (4 x \$750) = \$3000
- AmeriCorps Gear with Logo (4 x \$50) = \$200

Total: \$132,229

CNCS Share: \$68,495

Grantee Share: \$63,734

This expanded option would be viable on an operational level in terms of member and host site oversight, training, etc., allowing for complications of added travel and managing differences in state

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family/probate court and attorney practice across states. However, there is a risk -- given the lack of clear data on the level of need in New England states outside of Massachusetts -- that members placed in host sites in some states would not have enough clients to be providing representation in the Boston court on a full time basis. We also do not have a clear picture of the availability of attorneys eligible to practice in those states who would be interested in participating in the justice AmeriCorps program in those locales, or of agencies interested in being host sites. Given these considerations, we would propose operating the program as planned just in Massachusetts for the first year, while exploring the possibility of expanding to the other New England states in years 2 and 3 if need warranted, based on information obtained from legal service providers in those states as well as data from the Boston court itself.

b. "Clarify whether the program will represent unaccompanied children based upon their eligibility for relief or will the program represent unaccompanied children regardless of eligibility for relief (i.e. directly represent each child as they are placed into proceedings until your program reaches capacity)?"

Per the narrative, the JAM program will prioritize representation of clients deemed eligible for relief. This approach, we believe, will best meet the national program goals of improving the "efficient and effective adjudication" of immigration court proceedings involving unaccompanied children. As the evidence cited in the narrative indicates, immigrants (including children) potentially eligible for relief face significant barriers effectively presenting cases before the court. In one study, for example, immigrants who received representation were ten times more likely to obtain a successful outcome (defined as relief or termination) in immigration court; having representation was, in fact, the single most important variable affecting ability to ensure a successful outcome in a case. Research cited also shows that providing counsel to low-income immigrants subject to removal proceedings can reduce costs of detention and treatment, improve accuracy of outcomes, and reduce use of public benefits. At the same time, JAM will work to make sure all clients placed into proceedings receive representation within the capacity of the program, regardless of eligibility for relief.

c. "Clarify whether the program will have all proposed Members enrolled by December 1, 2014."

If the grant is awarded, the JAM program will immediately and aggressively begin the process of

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enrolling members through our network of legal service providers, local law schools, pro bono attorneys, and the Massachusetts branch of the American Immigration Lawyers Association. Based on consultations with these partners, we anticipate having all members start service by November 15, 2014.

d. "Criminal history checks must be conducted on all members, employees or other individuals who receive a salary, education award, living allowance, stipend or similar payment from the grant, regardless of whether these costs are coming from federal or non-federal share. The budget does not include costs for criminal history checks on staff or the AmeriCorps member. Please explain how these costs will be covered. You may revise the budget to include these costs, if necessary, but may not exceed the level of funding for which you are under consideration."

As part of Section I, Other Program Operating Costs, the budget as submitted included \$1419 (Grantee share) meant to cover FBI, CORI and SORI background checks on 15 AmeriCorps members, 15 host site supervisors, and 3 JAM program staff. Due to a calculation error we omitted the cost of CORI checks for the program staff (3 x \$25 = \$75). We have revised the budget to reflect the additional \$75, with no change in proposed level of federal funding.

e. "Please explain how your program design will 'improve the efficient and effective adjudication of immigration court proceedings involving unaccompanied children.'"

As mentioned above and as discussed in the narrative, there is significant quantitative evidence that representation by an attorney in immigration court dramatically improves the accuracy of outcomes for immigrant clients eligible for relief, as well as reducing costs of detention and treatment and use of public benefits for all clients. Qualitative studies at the national level, as well as long practitioner experience by a JAM program partner (Greater Boston Legal Services) in representing unaccompanied children, and in helping formulate the USCIS Asylum Office's 1998 "Guidelines for Children's Asylum Claims," also demonstrate the necessity of developing child-sensitive, culturally competent and trauma-informed standards in effectively evaluating eligibility for asylum, Special Immigrant Juvenile status, and other forms of relief for unaccompanied children in particular.

f. "Provide the sources of additional funds necessary to run this program in the budget narrative and

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indicate each as in-kind or cash."

The budget provides for the following sources of funds for the Grantee budget totals of \$277,109. Sources for additional funds include the following (see the "Budget Section III, Source of matching funds" for more detail on MIRA fundraising sources):

- GBLs Operational Costs, \$5,601.00. In Kind
- Host site contributions (\$11,500 per member), \$172,500. Cash
- MIRA fundraising, \$99,008.00. Cash.

g. "Are there additional resources (e.g. community partners, pro bono support or other funds) that have become available since you submitted your application? If so, will these additional resources enable you to represent additional UACs or immigration courts?"

Through concerted efforts this summer in community outreach, support for MIRA organizational members, and information/resource sharing regarding the developing situation regarding unaccompanied children in Massachusetts and nationally, we have strengthened existing networks of community engagement, pro bono representation, and potential financial support that JAM will draw on to meet our program targets. Through the outreach campaign as well as local media interest scores of individuals have contacted MIRA about ways that they could contribute both materially and through in-kind support around this issue. These developments make us confident in our ability 1) to raise funding from foundation sources as well as private donors, including those who do not typically fund immigration-related causes; and 2) to tap into support from our community partners and pro bono resources.

h. "Please provide additional information about how you will be able to respond to the demand for services if the number of cases increases in the current or future years."

As mentioned in the narrative, the efficient and flexible design of the program, combined with MIRA's experience in ramping up its current AmeriCorps initiative, will allow the JAM partners to rapidly scale the program to meet increased demand for services in current or future years. At the outset of the program, we will also confirm that an adequate subset of host sites possess the staff and financial capacity to take on and supervise the required number of new members if the number of

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cases increases (up to total of 25 percent above planned levels), including the host site contribution of \$11500 per member.

II. Budget Clarification Items:

a. "Budget clarification items. Please make the following changes directly in the application budget in eGrants:"

The requested changes have been made directly in the application budget in eGrants. Please see the budget for more details.

b. "Clarify the Source of Funds section of the budget, as the Total Source of funds in this section does not equal the total amount of funding included in the budget; the Source of Funds section does not clearly list all sources of funds, including detail with regard to the MIRA fundraising line; and the Source of Funds section includes \$37,204 in in-kind training costs, but there are no costs for training-- either member or staff training--included in the budget. Please ensure training expenses are reflected in the Section G Staff Training, Member Training."

The requested changes to

Answers to individual questions below:

- "The Total Source of funds in this section does not equal the total amount of funding included in the budget":

See Budget for update on Total Sources of funds matching the funding included in the budget.

- "The Source of Funds section does not clearly list all sources of funds, including detail with regard to the MIRA fundraising line":

In Year 1 and after, MIRA will raise additional resources for this project from current funders who support our work on immigrant rights and children's issues, as well through individual donors outside our general fundraising stream that will specifically support this project. Locally we are planning to

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make requests of our founding funders The Boston Foundation, City of Boston, Massachusetts Bar Foundation and Boston Bar Foundation and the MA Office for Refugee and Immigrants. We will also reach out to all Community Foundations across New England (42). In addition, we will make requests of other local MA foundations such as The Barr, Hyams, Miller Foundations, as well as some Family Foundations, such as Klarman, Fish, and Smith. We are also confident in being able to count on the support of different financial institutions (including Bank of America and Eastern Bank Charitable Foundations, which have funded MIRA's work in the past, as well as Santander Bank), colleges and universities, particularly law schools (including Harvard, Northeastern, Boston College, and Bunker Hill Community College). In addition, we will inquire of new potential national funders, such as the American Legion Child Welfare Foundation and other child welfare foundations that support legal aid services to disadvantaged populations.

- "The Source of Funds section includes \$37,204 in in-kind training costs, but there are no costs for training":

Training and AmeriCorps orientation for members and host site supervisors will be done by GBLS or MIRA staff who are already in the budget, including the MIRA Program Director, the GBLS Program Advisor, and the MIRA Institute Director. The training cost of \$37,204 was calculated as a percent of staff time required for all member and host site supervisor training. Since this training is already covered program staff salaries, however, we have removed it both from the Training line item and Source of Funds line item.

III. Programmatic Clarification Items:

a. "The applicant does not sufficiently address how it will represent 370 unaccompanied children in immigration court because applicant stated they can represent 300 unaccompanied children in immigration court (12 members representing 20-25 children each)."

See discussion under I.a above.

b. "Clarify the unaccompanied children that will be served by the program and whether the program proposes to only provide representation to children seeking relief from removal or whether the

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program proposes to provide representation to children regardless of their eligibility for relief from removal."

See discussion under I.b above.

c. "Clarify the host sites for the AmeriCorps Members, particularly the proposed sites in Central and Western Massachusetts and how those sites will be integrated into the training and supervisory structure of the program design."

During the process of developing our original proposal, we found a wide range of interest among legal services providers statewide. MIRA and GBLS had conversations with a number of agencies about the general framework of participation in the program, including member and host site training, and supervisory, program management, and reporting requirements (including the performance indicators in Appendix C of the NOFO). These agencies include: Community Legal Services and Counseling Center (Cambridge), Children's Law Center (Lynn) Catholic Social Services (Fall River), Catholic Legal Services (multiple locations), Community Legal Aid (multiple locations), Metro West Legal Services (Framingham), Lutheran Social Services (multiple locations), and South Coastal Counties Legal Services (multiple locations).

A number of these organizations operate in several regions of the state, and could host multiple members at separate sites including those in Central and Western MA. Lutheran Social Services (LSS), for example, provides immigration legal services in both Worcester (Central MA) and West Springfield (Western MA). Similarly, Catholic Legal Services (a service of Catholic Charities) operates in Worcester and Springfield as well as Boston. Finally, Community Legal Aid has several sites in Western MA (Springfield, Northampton, and Pittsfield).

There will be no formal difference in how host sites in Central and Western MA will be integrated into the training and supervisory structure of the program design, compared to host sites in other regions. All host sites will be required to participate in the same orientation and ongoing training sessions, routine project meetings, and supervisory and reporting framework. Our current AmeriCorps partnership, the New American Integration Program, also operates in various regions of the state, and this experience has reinforced the importance of having strong structures for training, support, and communication in place from the start of any such effort.

The JAM program will, at the same time, work to take account of specific challenges facing

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immigrant populations, and in turn legal services providers, in Western and Central MA as well as other less well-resourced gateway city locales at a distance from Boston (including those on the South Coast), especially with regard to access to social services (particularly health and behavioral health referrals), client transportation to and from Boston, and access to pro bono legal resources. Issues in this respect will be tracked both through routine reporting of required performance indicators and at bimonthly project meetings of host site administrators and JAM program staff.

d. "Clarify how the program will collect and report on the specific performance indicators identified in Appendix C."

The JAM Program Coordinator based at MIRA will have the overall responsibility for collecting and reporting on the grantee Performance Indicators in Appendix C, as well as for maintaining the integrity of the reporting system itself, working in close coordination with members and host site supervisors. The program budget includes a consultant to set up an online database and reporting system that will track required indicators (on a client, member, and host site basis) along with other relevant program data.

The Performance Indicators for Outcomes 1-3 and 6 -- involving the disposition of individual cases, or client screenings and referrals to support services -- will be tracked by each host site using their existing case management systems (or be added to those systems if necessary). A single designated JAM member from each host site (attorney or paralegal) will update this information for that host site in the online JAM program database on a monthly basis. Performance Indicators for Outcome 4 -- involving the experience of clients before or after proceedings -- will be tracked using a code sheet developed by JAM program staff to capture the results of client interviews; data from this code sheet will also be added in the online JAM program database monthly by the designated member at a given host site. Performance indicators for Outcome 7 -- involving increase in pro bono capacity -- will be tracked using a code sheet developed by JAM program staff to capture relevant data points, and added in the central database monthly as with the indicators for Outcome 4. Performance Indicators for Outcome 8 -- involving the gains reported by JAM members as a result of participation in the program -- will be tracked through an online survey of members conducted at the end of the program year. (Note, the performance indicators for Outcome 5 are not a grantee-tracked measure).

Prior to December 1, the JAM Program Coordinator will be responsible for a review of each host site's case management system to determine compliance with the above reporting requirements, and

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for tracking regular monthly reporting of performance indicators and other relevant data by members at host sites. The Program Coordinator will also conduct regular audits of reporting from host sites, comparing case management records with information in the central online system on a rolling basis of approximately one site per month. As discussed in the narrative, the Program Coordinator will also circulate routine reports on Performance Indicators as well as other relevant program data across host sites on a monthly basis, as well as a more detailed analysis of this information for bimonthly project meetings, in quarterly updates to stakeholders, and in twice yearly reports to CNCS.

IV. Performance Measures:

"Please make the following changes in the Performance Measures screens in eGrants:

* Clarification is needed for OUTCM15703, including how and by whom clients will be screened for medical/psychological evaluation. There is also a lack of clarity with regard to whether the measure refers specifically to either children screened or children referred--as it is written, it appears to capture both activities with one target number.

* Please revise all targets to a number, rather than percentage."

The requested changes are now reflected in the Performance Measure. Targets are a number not a percentage, and we have clarified that there is only one task, performed by an AmeriCorps member.

Continuation Changes

N/A

Grant Characteristics