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Executive Summary

This justice AmeriCorps partnership, consisting of Equal Justice Works as lead, Kids in Need of Defense (KIND), the Catholic Legal Immigration Network (CLINIC), and the U.S. Committee for Refugees and Immigrants (USCRI), will have a total of 60 AmeriCorps members -- 39 full-time lawyers, six full-time paralegals and 15 quarter-time paralegals to provide legal services to Unaccompanied Children (UAC), 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 Unaccompanied Children, subject to reasonable caseload limits, nonprofit and matching funds capacity, in each immigration court in 14 locations, including the priority locations of Atlanta, Baltimore, Boston, Charlotte, and Denver, as well as Chicago, Cleveland, Dallas, El Paso, Miami, New York, Phoenix, San Antonio, and Seattle.

In addition, AmeriCorps members will leverage an additional number of 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: To meet the needs described below, the partnership will provide services in 14 immigration courts, including five of the seven priority courts identified. AmeriCorps members will provide services in Atlanta, Baltimore, Boston, Charlotte, Chicago, Cleveland, Dallas, Denver, El Paso, Miami, New York, Phoenix, San Antonio, and Seattle.

The U.S. government expects over 90,000 Unaccompanied Children (UAC) to cross the southwest border in FY 2013 and FY 2014 -- more than triple the number in 2013. Much of this surge is due to the influx of children from the Northern Triangle of Central America (El Salvador, Guatemala, and Honduras), many of whom are fleeing gang and organized crime violence in their home countries. The journey to the U.S. is dangerous and often life-threatening --risking injury, assault, hunger and thirst --as documented in a report of children's interviews analyzed by the Women's Refugee Commission (WRC, 2012). Those children who traveled with guides (or smugglers) described constant threats of kidnapping or assault, with girls particularly vulnerable to sexual abuse.

One study found that 40% of UAC qualify for some form of legal protection to remain in the U.S. and be free from persecution, abuse or neglect at home (Vera, 2012). In fact, children who are part of

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the recent surge are more likely to qualify for relief than children who arrived several years ago due to the increase in targeted violence in their home countries and expanded protections under the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA) for children seeking asylum or Special Immigrant Juvenile Status (SIJS). Some legal service providers who specialize in representing immigrant children now state that up to 90% of UAC they screen qualify for legal relief (NY Times, 2014).

Children are not guaranteed or provided legal representation in court and, as a result, most are unrepresented, while the U.S. government is always represented by an attorney. Lawyers make a tremendous difference in immigration court. According to Dana Leigh Marks, president of the National Association of Immigration Judges, in a recent "Wall Street Journal" article, "It helps the immigration judges tremendously when people are represented by an attorney. It's even more important when you have children or juveniles in the process....Children have no way to assess what information might be relevant for the judge to evaluate their case, or might be afraid to disclose it" ("Children Fare Better in U.S. Immigrant Courts if They Have an Attorney", July 16, 2014). Half of all minors represented by lawyers in the past decade convinced an immigration official or judge that they had a valid claim to remain in the U.S, while 90% of those without legal representation were not able to adequately make their case. (Id., citing Syracuse University data, 2014).

There are insufficient resources in the locations this program proposes to serve to meet the legal needs of UAC. For example in Boston, there are only a handful of legal services providers that serve UAC on the released docket. KIND's Boston office has one experienced attorney who mentors pro bono attorneys in taking on pre-screened cases and is able to accept approximately 85 new cases each year, which is only a small percentage of the children on the docket. Our host site International Institute of New England (IINE) with locations in Lowell and Boston, delivers post-release services to these children but does not have the resources to provide all cases with legal representation, relying on referrals to pro bono attorneys. In Seattle, KIND's funding requires the office to focus primarily on children in federal custody, and not children who have been released. The office regularly receives calls regarding released children appearing before the Seattle Immigration Court who are in need of representation, with around 30 such children currently on a KIND waiting list. In Charlotte, our host site Legal Services of Southern Piedmont (LSSP) is the primary non-profit legal services provider for the large docket in the Charlotte Immigration Court but currently has only two FTE attorneys on these cases, with these attorneys serving both adults and children. Of cases that were completed in FY13, juveniles were in immigration court without attorneys more than half the time - in 284 cases.

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Local immigration attorneys estimate that more than 90% of the children who are unrepresented are UAC. Finally, in Cleveland, a few years ago, there were juvenile dockets scheduled only a few times during the year; juvenile dockets are now scheduled several times per month. This increase has significantly strained both the court's resources as well as existing networks of legal aid and pro bono advocates available to represent low-income immigrants before the court. Because of page limitations, we are not able to elaborate on similar needs in all of the cities in our application, but we can provide full information about the need in all cities during the clarification phase of this application, if desired.

B. AMERICORPS MEMBERS AS HIGHLY EFFECTIVE MEANS TO SOLVE COMMUNITY PROBLEMS

1. EVIDENCE BASE & MEASURABLE COMMUNITY IMPACT

i) THEORY OF CHANGE AND LOGIC MODEL: This partnership of Equal Justice Works, KIND, CLINIC, and USCRI will leverage justice AmeriCorps resources by raising private funds, recruiting bilingual, culturally-competent lawyers and paralegals, building upon partner expertise in immigration law and UAC and upon Equal Justice Works' expertise in managing high-quality national AmeriCorps programs.

The partnership will provide legal services to UAC in 14 immigration courts with 39 full-time lawyers, six full-time paralegals, and 15 quarter-time paralegals. The full-time members will be distributed in this way: Denver -- two lawyers, Boston -- six lawyers and two paralegals, Atlanta -- three lawyers, Baltimore -- three lawyers (with one lawyer also available to serve clients in the Arlington, VA court), Charlotte -- three lawyers, Miami -- three lawyers and one paralegal, New York -- two lawyers, Phoenix -- one lawyer and one paralegal, Seattle -- two lawyers, Dallas -- two lawyers and two paralegals, San Antonio -- one lawyer, El Paso, - one lawyer, Chicago -- two lawyers, Cleveland -- two lawyers. In addition, we have matching funds from a Texas donor for three more full-time lawyer positions, with the exact locations still being determined based on docket size and host site capacity. Finally, before the program year begins, we will find placements for three additional full-time lawyer positions based on need, matching fund availability, and host site capacity. The distribution of members was determined by 1) a desire to attempt to cover the entire docket 2) need, as defined by docket size and current capacity and 3) host site capacity to host members who are not fully funded by this grant or the matching funds we have raised. This partnership has host sites willing to take on more than 35 new members in a variety of locations, pending securing matching funds.

The average case will take 30 hours to complete. Based on this hour estimate and the combined 29

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years' experience of the partners in representing more than 15,000 UAC, full-time bilingual lawyer members will provide legal services to 50 children per year, assuming a caseload with varying levels of complexity. Paralegal members, who will be full-time and quarter-time (450 hours), will enhance the ability of attorneys to provide legal representation by interviewing witnesses; writing affidavits; collecting evidence to corroborate a child's claim of abuse, neglect or persecution; and researching country conditions. If a paralegal is accredited with the Board of Immigration Appeals, or able to become so, then the paralegal will also provide direct legal representation. Fifteen quarter-time paralegals will be college and law students who will serve a minimum of 450 hours.

AmeriCorps member lawyers and paralegals will engage in the following activities:

1. Conduct a thorough initial intake in the child's best language and follow-up interviews in a trauma-informed and culturally appropriate manner to assess what claims UAC in immigration proceedings can make for legal relief.
2. Determine the forms of legal relief available. The two main legal claims for which UAC are eligible -- asylum and Special Immigrant Juvenile (SIJS) status -- are very labor-intensive court cases and, in the case of SIJS, a separate case is required in state juvenile courts. Asylum cases for UAC will be submitted to United States Citizenship and Immigration Services (USCIS) in accordance with current policies.
3. Make a determination on representation by taking on the case or making a referral to a pro bono attorney who will be mentored by an AmeriCorps member. Explain the role of the attorney to the child, orient the child to the legal process, and establish parameters of the attorney-client relationship in accordance with applicable state ethical standards and the American Bar Association Standards for Representing Unaccompanied Children.
4. Appear in immigration court with the child client as required to advise the court of the status of the case. Assemble evidence related to the case by interviewing the client and his or her family, and by contacting relevant experts. Conduct independent research and obtain information about the situation to which the child will return if no legal protection is granted. Conduct follow-up interviews as necessary recognizing that children often take time to disclose trauma or abuse and other details relevant to their legal representation. Make referrals as necessary to social support services to address underlying challenges for the child (e.g., access to education, health care or mental health services).
5. Prepare and present the case in immigration court, state juvenile court (SIJS), or before USCIS (asylum). Assemble the most persuasive evidence, research prior court decisions with comparable facts, and develop legal arguments that demonstrate how those facts meet the legal standards

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necessary to rule in favor of granting a child legal protection.

6. Manage final outcome of the case depending on whether the case is granted or denied. In the case of grants, ensure that the child understands rights and responsibilities in accordance with the type of relief granted and access to any additional support services as required. In the case of denials, advise of appeal avenues, represent children on administrative appeals, such as to the BIA, as capacity allows, or prepare the child to connect to safe repatriation and reintegration programs in the country of origin.

In addition, some members will recruit, train, and mentor pro bono attorneys from large and small law firms. Some members will focus most of their activities on building pro bono support and others will spend just part of their time doing so. One advantage of incorporating pro bono attorneys, especially from large law firms, is the ability to leverage additional in-kind resources often not available to nonprofits, such as the ability to conduct extensive research into country conditions or to pay for expert testimony in asylum cases. Because this is a partnership of the leading national networks on the issue of UAC, we will be able to maximize the resources from large firms to serve the greatest number of organizations and clients. For example, we can ask one firm to develop a best-in-class country conditions report on Honduras that all members can use in their cases, instead of each individual grantee developing its own less extensive country conditions report on Honduras. Additionally, once pro bono attorneys are trained and mentored, they will be able to represent additional children or mentor other pro bono attorneys without much intervention from the AmeriCorps members.

Members will serve at host sites that will:

1. Be nonprofit organizations that are legal services providers or that have legal services offices within a larger multi-service nonprofit.
2. Have supervisory staff with experience in working with children and immigration court.
3. Have supervisory and administrative staff with cultural competence, including Spanish- language and other language skills, and experience living and working in Latin American countries.
4. Have existing relationships with government and nonprofit organizations so that each member has access to additional resources, including interpreters, pro bono lawyers, support services, law schools, and immigration law training materials and resources. These resources will vary by site.
5. Employ rigorous systems for collecting, reporting, and evaluating data.

Outcomes: Each year, the partnership will provide legal services to approximately 1,950 children. We estimate that 40% of the children screened will have some form of legal relief. Relief will fall into

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two main categories: SIJS and asylum, with the remainder in other areas (e.g., T visas and U visas). Therefore, through this program, we estimate that at least 700 children will have the chance to receive legal status in the United States, providing them with potentially life-saving protection from persecution, abuse, neglect, trafficking, and other forms of harm or exploitation. Children who do not ultimately receive legal relief will benefit from legal services that will educate them about and protect their rights (including, for example, future possibilities to seek permission to immigrate or work temporarily in the United States), as well as social service referrals. Children and their guardians will have a more favorable impression of the United States because they will have been treated fairly, had their situation explained thoroughly, and heard in court. Additionally, the partnership will improve efficiency in each of the immigration court locations where the program provides services. Finally, the program will seed the field with motivated and trained attorneys. Of the more than 1,200 attorneys that Equal Justice Works has supported over the last 20 years with one- or two-year Fellowships, 80% have remained in public service.

ii) EVIDENCE BASE: A growing body of evidence shows that our proposed intervention --high-quality legal services to UAC-- will lead to the outcomes identified -- increased chances of legal status for children, better understanding of the legal process, and increased efficiency of courts.

First, legal services result in better outcomes in immigration proceedings, as well as in state court. From 2005-2014, nearly half of all minors represented by lawyers in immigration court eventually won permission to remain in the U.S., but 90% without legal representation received an order to be removed from the U.S. (Transactional Records Access Clearinghouse, 2014). The New York Immigrant Representation Study (NYIRS) analyzed data from over 70,000 immigration court cases and found that individuals facing deportation in New York immigration courts were 500% more likely to win their cases when they had legal representation (2011). A study that reviewed 383,000 asylum cases decided by the U.S. Department of Homeland Security found that older asylum seekers (age 50 and above) were only 2% more likely to win their cases when they had legal representation whereas younger applicants (age 18 to 29) were 26% more likely to win when represented by an attorney, suggesting that younger applicants need more support in articulating their fear of persecution (Schoenholtz, Schrag, & Ramji-Nogales, 2014). Moreover, quality legal representation in the child welfare system improves children's chances of navigating the legal system successfully (Duquette & Darwall, 2012).

Legal representation improves the efficiency of the court. Participants in the Legal Orientation Program (LOP) funded by the U.S. Department of Justice Executive Office of Immigration Review

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spent 13 fewer days in detention than those who did not participate in LOP and were less likely to receive removal orders in absentia (Siulc, et al., Vera, 2008).

Our program design will incorporate cultural competence and trauma-informed care. Children often experience psychosocial stressors before migrating to the United States, in transit, and upon arrival during the temporary resettlement phase (Baily et al., 2011), and many experience multiple traumas, including sexual and gender-based violence. A survey of lawyers representing UAC found that about 85% of their recent clients reported physical trauma or mental health concerns and 46% had recently referred clients to mental health services for expert testimony, treatment, or both (Baily, 2014). From the Adverse Childhood Experience (ACE) study, we know that children's experience of multiple traumas can affect their emotional, behavioral and cognitive functioning later in life, and that culture affects how traumatic experiences are described and discussed (The Trauma Center, 2007).

Culturally competent practice with UAC requires a thorough understanding of the impact that migration and acculturation has had on each child and family (Detlaff & Rycraft, 2006). A recent qualitative study that interviewed 102 trafficked UAC highlighted the contrast between a program's perceptions of children's needs and the actual wishes of the children, emphasizing the need to recognize children's agency and listen to their voices (Gozdziak, 2010). For example, many Central American teenagers in lower-income families carry much more responsibility for work inside and outside the home from an early age, compared to their American peers. Understanding children's country of origin context, their migration expectations, their home culture and language, and their values and family dynamics, are relevant aspects of culturally competent legal service provision. Such general knowledge complements a child's own ability to describe his or her circumstances and wishes (UNHCR, 2011).

Based on this evidence, the program will adopt a trauma-informed, culturally competent approach that integrates the following elements: 1) recruitment and selection of bilingual, Spanish-speaking members with previous experience serving Central Americans, particularly providing legal services to immigrants and UAC; 2) training for members on identifying trauma, the effects of trauma, and techniques to avoid re-traumatizing child clients; 3) training for members on representing children and adolescents that highlights the relationship between vulnerability and agency and empowers child clients to participate in their legal cases; 4) a referral system for community-based, culturally competent mental health and other services in each location; and 5) collaboration across disciplines in each location, and across the host sites in all locations, including with social service providers,

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particularly with a view toward providing community-based support and referral mechanisms for children and families.

C. MEMBER TRAINING: Because this is a national partnership of leading training and technical assistance organizations representing UAC, training will be cost-effective and high quality.

In addition to the training provided by DOJ as part of the program, the partnership will offer training for members and pro bono attorneys. CLINIC is the lead trainer, with all partners participating in training. The comprehensive training program will include: 1) a half-day in-person training on fundamentals of immigration law following the DOJ training tailored to provide an overview of core immigration law terms and concepts; 2) Access to a self-directed e-learning training on representing children in removal proceedings; 3) a four-week e-learning course on relief for minors in removal proceedings; monthly (12 in total) webinars on immigration law and skills topics to help AmeriCorps members stay current in developments in the law and improve their practice skills; 4) free access to 10 live e-learning courses offered in 2015 on the full range of immigration law topics (usual registration is \$200 - \$250/person/course); and 5) free access to CLINIC's "independent study" e-learning courses, which currently consist of citizenship & naturalization; family-based immigration; grounds of inadmissibility; and waivers of inadmissibility.

The training faculty will include experts in immigration law and practice, trauma-informed care, culturally competent legal representation, ethical standards in representing children, child capacity and mental competency, and self-care and vicarious trauma. Training topics will include SIJS (with site specific family/juvenile court information), prosecutorial discretion, U visas, T visas, and asylum. Members will also be trained on AmeriCorps regulations, including prohibited activities.

Finally, each host site will provide training - about the local legal community, including the local immigration court, state family courts, community immigrant service providers and other available resources for UAC and their sponsors. Quarter-time paralegals will receive at least four hours of training at the beginning of their terms, providing them with knowledge of immigration law; the basics of trauma-informed culturally competent services; and conducting effective legal screening interviews with children.

D. MEMBER SUPERVISION: Members will be supervised by a licensed lawyer on staff at the host site with an average of five years' experience. Host sites have been and will be chosen in part based on the quality of their supervisors and past performance in supervision. Many host site supervisors, particularly supervisors of the lawyer members, will be national experts and leaders in immigration law and providing legal aid to children. Members will develop a work plan with their supervisors to

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establish project goals and benchmarks and to guide weekly supervisory meetings.

At KIND sites, lawyer and paralegal members will have access to an internal listserve among KIND's attorneys. They will also have access to monthly in-house trainings on relevant legal issues and monthly calls with all of KIND's legal staff on systemic legal and other issues facing child clients. Each member placed in a KIND field office will be supervised by a KIND attorney who is an expert in children's immigration cases and who has an average of five years of experience working in the field of immigration law.

At USCRI sites, technical assistance and training for lawyer members will be provided as well as participation in their national network. For complex cases, USCRI's Senior Staff Attorney will be available to discuss and troubleshoot the case.

The national partners will oversee host site supervision through check-in calls with lawyer and paralegal members and supervisors and by being available to work through any challenges facing members or supervisors.

E. AMERICORPS IDENTIFICATION: The partnership will live up to Wendy Spencer's call for "every member to be in service gear every day." For lawyers and paralegals we recommend the AmeriCorps lapel pin instead of T-shirts or sweatshirts for AmeriCorps branding. Many clients expect and are comforted by legal staff in professional dress. We will provide every member with at least two lapel pins and instruct them to wear the pins every day. We will ensure that sites reinforce AmeriCorps branding by 1) spelling out the requirement to brand AmeriCorps on websites, business cards and publications, and -- with service gear -- in a written agreement with the host site; 2) incorporating the importance and reason for AmeriCorps identification into national training; and 3) including host sites' branding as part of the regular monitoring program described in the compliance section of this application.

Organizational Capability

A. BACKGROUND AND STAFFING: The partner organizations-- Equal Justice Works as the lead, KIND, CLINIC, and USCRI -- have the experience, staffing, and management structure to plan, implement and supervise the proposed program. Each organization's background and staffing will be discussed in turn.

Equal Justice Works has the experience, staffing, and management structure to plan and implement the justice AmeriCorps program, having successfully planned and implemented programs of similar scope and ambition for 21 years. Equal Justice Works has managed AmeriCorps programs with lawyers and law students for the last 20 years, with an average of 560 AmeriCorps members and

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\$2.3 million in federal funds each year for the last five years. Further, the organization has funded more than 100 two-year Fellowships in the area of immigration law in its Fellowship program funded by law firms, corporations and foundations. Equal Justice Works also taps into an extensive network of law schools (98% of law schools are Equal Justice Works members) and legal aid nonprofit organizations.

Kids in Need of Defense (KIND) - KIND is the only organization dedicated solely to the protection of UAC who enter the US immigration system alone. KIND recruits, trains, and mentors attorneys from law firms, corporate legal departments and law schools to provide pro bono legal representation to unaccompanied refugees and immigrants. Founded in 2008 and headquartered in Washington, DC, KIND is the lead provider of legal services for immigrant and refugee children at the national level, with field offices in eight cities around the United States. KIND has trained more than 7,300 attorneys; received referrals for over 6,300 children from 67 countries; and forged partnerships with more than 210 law firms, corporate legal departments and law schools. Through this model, KIND leveraged more than \$50 million in pro bono hours from 2009 to 2012. KIND has been recognized and honored by the White House, the Hispanic Congressional Caucus Institute, the Clinton Global Initiative, and the National Council of La Raza. KIND has 16 legal staff working in the field who are recognized in their local areas as experts in children's immigration cases, particularly in SIJS cases. They are supervised by a National Legal Services Director, an attorney who has worked in the field of refugee and immigration law for 19 years, and a Deputy National Legal Services Director, who has worked in the field for over 10 years.

Catholic Legal Immigration Network (CLINIC) - CLINIC has been providing training and support to its more than 260 Catholic, other faith-based and secular affiliates in the area of UAC for almost two decades. CLINIC operated the National Detention Representation Project, the largest detention representation project of its kind in the nation from 1996 to 2007. As part of this project, CLINIC began providing free legal services for detained immigrant children in Los Angeles, including some form of advice or representation to every unrepresented indigent child on EOIR's detained docket. CLINIC was the lead member of the Los Angeles Detained Minors Working Group and provided a series of trainings and technical support to pro bono lawyers representing detained children. CLINIC and partner organizations provided rights presentations to children at a Castro Valley, California shelter, represented children detained there in Immigration Court, and worked in collaboration with partner organizations to train and mentor pro bono attorneys. CLINIC staff have extensive experience in training on substantive legal immigration topics including court skills and representation of minors

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in removal proceedings, asylum, prosecutorial discretion, SIJS (with site-specific family and juvenile court information), T visas, and U visas, as well as best practices and cultural competency in working with children and, particularly, traumatized children.

U.S. Committee for Refugees and Immigrants (USCRI) --USCRI's Immigrant Children's Legal Program (ICLP), founded in 2005, has 375 law firms and a network of more than 2,500 attorneys partnering to provide pro bono legal services to UAC. To date, USCRI has impacted the cases of approximately 7,500 UAC. Unlike other programs, USCRI does not have eligibility restrictions regarding which UAC can be served. The organization strives to help every child facing deportation proceedings, matching children with attorneys nationwide, including Alaska. USCRI provides technical assistance, legal services, case management and support networks as a multifaceted approach to immigrant integration. USCRI has established nationwide referral protocols with over 20 federal detention sites and hundreds of nonprofits. USCRI also maintains an online resource directory, which received the American College of Trial Lawyers Emil Gumpert Award in 2007.

Together, these organizations - Equal Justice Works, KIND, CLINIC and USCRI - have the capacity to implement a contingency plan to address a 20% fluctuation in the number of UAC in the immigration court locations in which we propose to operate during the first year. With increased funding, including the matching funds needed to ensure financial support to members living and serving in locations with high costs of living, the partnership can likely place some members in one of the 29 locations identified in the Notice of Funding Opportunity. We have already identified high-quality, willing host sites in four additional locations with the ability to host more than 35 additional members, assuming additional matching funds are found. The partnership can work with DOJ and CNCS to identify and oversee suitable host sites in other cities as well. Once positions are funded, the partnership can easily identify potential new bilingual AmeriCorps members through existing law student internship programs at non-profits serving immigrants, through the Equal Justice Works network of nearly 200 law schools and 5,000 social media followers, many of whom are affiliated with law schools or are law students or recent graduates. We can also scale our operations in the second and third years to address the potential for increased demand for program services, with adequate funding. Equal Justice Works has been scaling AmeriCorps and other programs for lawyers for two decades, putting 19 lawyers into action after Hurricane Katrina and deploying 30 lawyers to address the foreclosure crisis in 2009, for example.

B. COMPLIANCE AND ACCOUNTABILITY: Equal Justice Works will be responsible for compliance and accountability and will ensure such through training, risk-based monitoring, early detection of

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problems, and corrective action plans. We will evaluate each site's ability and track record in compliance. We will ensure all sites and members are well trained through webinars and in-person trainings. We will use a risk-based monitoring system, ranking each host site according to risk. Using these rankings, we will set an annual schedule for approximately three in-person site visits, with the rest of the sites participating in desk audits. If we identify instances of risk or noncompliance, Equal Justice Works will ask for a corrective action plan, monitor that plan for six months, and if the situation is not resolved, suspend or terminate the site. Finally, Equal Justice Works has consulted with the state commissions using the formats each commission requests.

C. PAST PERFORMANCE: Equal Justice Works has been successful in solving problems and has met or exceeded most performance measure targets in the last three years. From 2010 to 2013, Equal Justice Works exceeded all performance targets related to number of clients served and veterans' outcomes but fell slightly short of some performance targets related to foreclosure in the 2010 and 2012 program years. As the foreclosure crisis wore on, the homeowners who came to AmeriCorps members in legal aid offices had harder cases with fewer legal options. In the second and third years, AmeriCorps members were making a difference in the lives of their clients by achieving cash settlements to transition out of foreclosed homes and other legal victories that softened the effects of foreclosure, though not preventing the foreclosure itself.

During the last full year of program operation, the 2012-2013 program year, Equal Justice Works identified a few compliance issues and areas of weakness. Equal Justice Works found that requiring program data to be reported just twice annually did not give enough time to identify sites with challenges and changed to quarterly reporting. We also found that a small minority of sites with full-time lawyer members had weak documentation of criminal history checks, though the checks had been performed. Sites now must submit their proof of criminal history check to Equal Justice Works before service begins.

The enrollment rate for the 2012-2013 program year was 100%. The retention rate for the 2012-2013 program year was 91.8%. One full-time lawyer member finished his second year of service one month early because his new employer pressed him for an early start date, and one full-time member did not have satisfactory performance. Thirty-one law student members --less than 10% -- exited without an education award. Some exits were due to personal reasons, but many were due to frustration with criminal history checks. We are switching to electronic "LiveScan" fingerprinting, which will significantly reduce errors and frustration.

D. CONTINUOUS IMPROVEMENT: The partnership will solicit timely and regular feedback from

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internal and external stakeholders to inform continuous improvement efforts. We will collect program performance data on the schedule requested by CNCS and DOJ, and survey host site staff and members twice each year. Equal Justice Works will ensure continuous improvement by: 1) analyzing program data each reporting period, identifying high and low performers, and conducting telephone calls with each to determine best practices (from high performers) and obstacles and corrective action plans (from low performers); and 2) analyzing survey data each year about compliance, host site and member satisfaction, developing a yearly action plan to improve compliance, and host site and member satisfaction.

Cost Effectiveness and Budget Adequacy

A. COST EFFECTIVENESS: The partnership will raise the additional resources it will need to manage and operate an AmeriCorps program beyond the CNCS share provided through the following means: 1) private donors: an anonymous donor has pledged \$500,000 per year to support the justice AmeriCorps partnership; the Texas Access to Justice Foundation has pledged \$315,000 to partially support nine members in Texas; the Equal Justice Works board authorized up to \$500,000 in matching funds from the Social Justice Innovation Fund, a fund for special initiatives; and other individual donors have pledged to support 2) Equal Justice Works' law school members have pledged \$180,000 in support--\$5,000 for each graduate of these schools who is accepted as a justice AmeriCorps member; and 3) some host sites will provide matching funds raised from local and regional sources. In all, \$1,778,668.00 has been committed to date.

The partnership will provide CNCS and DOJ with a cost-effective program to ensure that UAC in Immigration proceedings have access to high-quality legal services and the opportunity to present the strongest possible cases for legal relief while moving cases through immigration court more efficiently. A recent study showed that programs that would provide all indigent respondents in removal proceedings with government-funded counsel paid for themselves. Savings to the government for unneeded detention, foster care, and transportation outlays offset the entire cost of the program (NERA Economic Consulting, 2014). Further, as mentioned in the evidence section above, participants in the EOIR-funded Legal Orientation Program spent 13 fewer days in detention and were less likely to receive removal orders in absentia, saving government funds in detention costs.

This program is also cost-effective in comparison to the cost of private lawyers on the open market. A first-year lawyer earns an average of \$98,000 in private practice (National Association of Law Placement, 2013) and the median paralegal wage is \$47,000 (Bureau of Labor Statistics, 2014). At these rates, 39 full-time lawyers and six full-time paralegals bring \$4 million in value for a grant of

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about \$975,000.

B. BUDGET ADEQUACY: The budget reflects a significant investment by the partners to ensure a high quality program. The Notice of Funding Opportunity provides \$19,890 per position, yet asks that the maximum living allowance of \$24,200 be paid, and that members in high cost areas receive additional benefits. The experience of the partners is that because lawyers are slightly older than typical AmeriCorps members and because they have incurred significant debt to acquire the education that this program requires, a higher compensation package is needed to ensure a quality program. At \$19,890 per participant, the program will struggle to attract and retain the attorneys and paralegals this crisis requires: committed, experienced, bilingual professionals who can roll up their sleeves and make a difference. As a result, the budget includes additional funds to bring the living allowance to \$24,200 and to provide additional supplemental benefits for housing, student loans and other expenses incurred by AmeriCorps members -- an average of \$16,800 per member. Further, the private funds raised in this unprecedented and time-sensitive effort will support effective management of the AmeriCorps program, training and technical assistance.

The 15 quarter-time members will be college and law students who will not receive a living allowance from the program. Many students are able to receive stipends from the public service student group at their schools, their schools or local bar associations; some students are able to do unpaid service.

Evaluation Summary or Plan

The partnership will comply with the data reporting requirements that DOJ is developing for data collection and will share results around promising practices with its subgrantees on a regular basis. The partnership will participate in the planned evaluation. Additionally, we consulted a Stanford Law professor on other performance measurements that might be useful. The partnership can be a good evaluation partner because this proposal includes a mix of large and small host sites. Also, where sites are not be able to provide services to all children on the docket because of nonprofit capacity and funding issues, this presents an excellent opportunity to conduct randomized control evaluation.

Amendment Justification

N/A

Clarification Summary

Thank you for the opportunity to provide more information about the Equal Justice Works, KIND,

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CLINIC, and USCRI application.

STANDARD CLARIFICATION ITEMS

QUESTION 1: 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.)?

ANSWER 1: It depends. The program will provide direct legal representation to the entire estimated docket size in Boston, El Paso, Phoenix, and Seattle. It will not provide direct legal representation to the entire estimated docket size in Atlanta, Baltimore, Charlotte, Chicago, Cleveland, Dallas, Denver, Miami, New York, or San Antonio. In those areas where the current proposal does not cover the entire estimated docket size, the program would need additional support in order to accept more Members. The biggest issue reported by eligible host sites is a lack of supervising attorneys. Sites report that for every three junior attorneys provided by justice AmeriCorps, they would need a fully-funded, mid-level experienced supervising attorney with an average salary of \$70,000, or \$100,000 with benefits and overhead. In locations where more than two attorneys are added to a site, the program will need additional funding for office space. However, this provision may not be sufficient for some sites that may be unwilling to lease new office space with such uncertain funding. Sites may also be reluctant to have newer attorneys working in a different space than their main intake location and away from their more experienced supervisors and support staff.

QUESTION 2: 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)?

ANSWER 2: It depends. In the cities where the program proposes to provide direct legal representation to the entire estimated docket, attorneys will represent unaccompanied children regardless of eligibility for relief and directly represent each child as they are placed into proceedings until the program reaches capacity. In those cities where the program does not propose to provide direct legal representation to the entire estimated docket, all children will receive a screening (until

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screening capacity is reached) to identify eligibility for relief; however, children with relief will receive priority for representation. If the sites in these cities provide direct legal representation to all children without relief, they will reach capacity much faster and children with relief will not be represented, making it more likely that they will not be granted relief.

QUESTION 3: Clarify whether the program will have all proposed Members enrolled by December 1, 2014.

ANSWER 3: Based on past experience and the number of new sites, having all Members enrolled by December 1, 2014 will be difficult. We believe 65% of Members could be enrolled by December 1, and the rest by January 30, 2015.

QUESTION 4: 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.

ANSWER 4: The budget accounts for the costs of conducting criminal history checks on 60 Members but no staff members. Several staff on justice AmeriCorps will also be working on the Equal Justice Works Veterans Legal Corps and Employment Opportunity Legal Corps programs and will already have had a criminal history check completed. In the event that a staff member needs a criminal history check for justice AmeriCorps, Equal Justice Works will cover those costs with private funds.

QUESTION 5: Please explain how your program design will "improve the efficient and effective adjudication of immigration court proceedings involving unaccompanied children"

ANSWER 5: The program is designed to recruit culturally-competent, bilingual attorneys and paralegals who will apply trauma-informed care principles and have some experience working with immigrants, and to place them in community-based nonprofits that have experience representing children in immigration court. This design improves the efficient and effective adjudication of immigration court proceedings involving unaccompanied children by allowing children to have their legal claims articulated in a clearer and more efficient manner. Without representation, immigration judges lack the necessary information to ascertain whether the child qualifies for legal relief, especially

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SIJS. Having an attorney assigned to the child's case helps to expedite the process. It would be very difficult for a child to understand how to file applications in English with USCIS for asylum, SIJS, T or U visas, family-based petitions. It would also be very difficult for children to obtain an SIJS predicate order pro se. Attorneys for these children will help ensure that applications are filed and pursued in a timely and effective manner, which will help judges make efficient decisions based on relevant information. The program model also increases the likelihood that unaccompanied children attend their court date. A recent analysis by the American Immigration Council showed that 92.5 percent of children with attorneys appeared for their hearings, as compared to 27.5 percent of unrepresented children. For those children without relief, the court can proceed more efficiently with a removal or voluntary departure order.

QUESTION 6: Provide the sources of additional funds necessary to run this program in the budget narrative and indicate each as in-kind or cash.

ANSWER 6: The sources of additional funds necessary to run this program are private sources including Equal Justice Works general operating funds, and supplementary funds from the Texas Access to Justice Foundation, an anonymous private donor, and a private foundation. All additional funds necessary are cash.

QUESTION 7: 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?

ANSWER 7: Since Equal Justice Works submitted the application, the organization has received a general support grant from a private foundation that will be used, as needed, for the justice AmeriCorps program. These additional resources will enable the program to take on an additional 10 full-time justice AmeriCorps attorneys and represent additional UACs or immigration courts, if CNCS is able to grant us additional slots and \$19,890 per position. Equal Justice Works could expand the program in four locations or possibly place more attorneys in the existing locations. Second, we have 34 privately-funded Fellows who work on immigration-related issues, some of them focused on representing UAC. We will make sure the privately-funded Fellows collaborate with the AmeriCorps lawyers and paralegals. Third, the Immigrant Justice Corps (IJC), a new fellowship program founded by Chief Judge Robert Katzmann of the U.S. Court of Appeals for the Second Circuit that is being incubated at the Robin Hood Foundation in New York, has offered to provide us access to their

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applicant list. In their first competition, they received 340 applications from highly-qualified law students and lawyers from a wide variety of schools for 30 positions in New York City. This targeted pool of potential applicants will enhance the program's recruitment efforts. Fourth, Jones Day, a prominent law firm, has announced a massive effort to provide legal support to unaccompanied children, deploying at least 20 lawyers to assist unaccompanied children with their cases. At present, Jones Day is focused on Artesia and other processing centers; none of their resources are currently available for representing children on the released docket, but their resources may become available at a later date. This would enable the representation of additional unaccompanied children in the courts where the program already has attorneys, pending adequate supervisory/mentoring attorney capacity. We expect they will share expertise, training materials, and relevant research that could help the justice AmeriCorps lawyers and paralegals.

QUESTION 8: 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.

ANSWER 8: As mentioned above, we received additional funding that we can use to fund an additional 10 full-time justice AmeriCorps positions assuming AmeriCorps grants additional slots and \$19,890 per MSY are awarded. These lawyers could be deployed if the number of cases increases in the current or future years.

BUDGET CLARIFICATION

Staff Travel -- Equal Justice Works staff are based in Washington D.C. and CNCS-sponsored meetings are usually in D.C. so travel costs are minimal. In the event that a CNCS-sponsored meeting is in another city, Equal Justice Works will cover these expenses with private funds.

Criminal history background checks -- The budget includes funds to conduct background checks for 60 Members. Equal Justice Works confirms that the additional checks will be completed and costs will be covered with privately-raised funds.

Other expenses -- There are no "other expenses" budgeted.

In summary, no changes were needed in the budget and none were made. In the event that CNCS sees fit to award our partnership additional slots and funds, we will rework the budget.

PROGRAMMATIC CLARIFICATION ITEMS

QUESTION 1: Please provide the dosage of the proposed interventions, specifically the amount of

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time AmeriCorps members will spend with beneficiaries.

ANSWER 1: The dosage of the intervention varies by case, depending on the amount of time required for meeting with the client, legal research, writing briefs and interviewing other witnesses, among other tasks. The average case will take 30 hours to complete and the average time spent with beneficiaries in such a case will be 10 hours. A case with relief takes approximately 80 hours and time spent with the beneficiaries could be as much as 40 hours.

QUESTION 2: Please define what constitutes a pro bono attorney being "available to represent unaccompanied children."

ANSWER 2: Some pro bono attorneys are available to represent unaccompanied children on an entire case and see it to closure in one forum (e.g. to pursue asylum at the application level, or to pursue SIJS status, including the proceedings in state and immigration courts). Other pro bono attorneys will be available on a more limited basis for intake, legal education, or research.

QUESTION 3: Clarify how the program plans to ensure that the recruited pro-bono volunteer attorneys will be aware of and adhere to the rules regarding prohibited activities.

ANSWER 3: Pro bono volunteer attorneys who work on cases with justice AmeriCorps lawyers will receive written information about prohibited activities, sites will monitor pro bono volunteer attorneys for prohibited activities, and sites will report to Equal Justice Works any issues regarding prohibited activities.

GRANT START DATE

QUESTION 1: Grant Start Date and Member Enrollment Period: It typically takes new AmeriCorps programs at least one to two months of preparation to be ready to enroll members. It is advisable that new programs select a member enrollment period starting October 1st at the earliest. Please review your desired grant award start date and member enrollment period start date in the Applicant Info section of your application. Please make any corrections necessary. In the Clarification narrative field, please enter a statement confirming the desired grant award start and member enrollment period start. In the Clarification narrative field, please also confirm your desired grant award start date and member enrollment period start date.

ANSWER 1: Equal Justice Works has revised its grant start date to October 1, 2014 and the member enrollment period will begin October 1, 2014.

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OPERATING SITES

QUESTION 1: Please provide the following information for each of your operating sites in the appropriate field in eGrants (see below screenshot): organization name, address, city and state, zip code, amount of funding going to the operating site, and number of proposed AmeriCorps members that will be located at the site.

ANSWER 1: Operating sites information in eGrants contains the best available information Equal Justice Works has at the time. The organization continues to work to identify sites for three nationwide full-time attorney slots and three full time attorney slots in Texas.

PERFORMANCE MEASURES

The requested change to OUTCM15522 and OUTCM15688, to measure the number of cases rather than a percentage has been completed.

Continuation Changes

N/A

Grant Characteristics